

**REPUBLIC OF RWANDA**



**MINISTRY OF AGRICULTURE AND ANIMAL RESOURCES**

**RSSP Single Project Implementation Unit (SPIU)**

**Rural Sector Support Project (RSSP)**

**RESETTLEMENT ACTION PLAN FOR IRRIGATION CHANNELS IN KILIMBI  
MARSHLAND. NYAMASHEKE DISTRICT**

**SEPTEMBER, 2012**

## ACRONYMS

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

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## EXECUTIVE SUMMARY

One of the components of the Rural Sector Support Project (RSSP III) is to expand irrigated area in cultivated marshlands and increase use of sustainable land management practices on associated hillsides to accelerate the pace of intensification of agriculture. It's in this framework that the RSSP III with the support of the World Bank intends to rehabilitate the marshland of Kilimbi located in Nyamasheke District in Western Province. The rehabilitation of the marshlands will involve the construction of main channels of about 10, 18 km in which 1, 36 km will be rehabilitated and 8,035 km will be created. In addition to that 784 m of secondary channels will be rehabilitated and 374 m created, 18,372 of tertiary channels are to be rehabilitated and 9,658 km will be created.

The main channels to be constructed are expected to involve the utilization of a width of three meter of land. Therefore, the land acquisition is expected to involve a loss of crops located on that area and surrounding communities owning these crops and trees will be compensated. This therefore principally triggers World Bank Operational Policy OP4.12 on involuntary Resettlement and certain laws of Rwanda primarily the laws regarding land ownership in Rwanda is also triggered.

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. This is therefore the duly prepared Resettlement Action Plan (RAP) by the project, in line with all the necessary requirements outlined in the Resettlement Policy Framework (RPF) document. This report principally describes the activities of the project that is proposed and the associated impact arising thereof. The section on land acquisition highlights the existing land uses on the targeted land, brief biography of the project Affected Persons (PAPs) and the magnitude of the loss.

The census and valuation of assets indicate that the construction of Kilimbi irrigation channels 160 people in 9 villages, Kamina, Karamba, Gitwa, Nyagacaca, Nyakabingo, Kanyakondo, Rutaragwe, Nyakabingo, Gisesero from Nyamasheke District and 6 387 624 rwandan francs will be used to compensate crops affected.

During the implementation of the RAP, the project will provide compensation for crops, 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

The perimeter of Kilimbi of 205 ha is located in the western province, in the district of Nyamasheke on Highway Nyamasheke - Karongi. The perimeter is currently cultivated rice on 120 hectares, irrigated by a network of irrigation and traditional drainage. The rest of the perimeter is mostly used by population who are growing maize and sugar cane.

In terms of area, the results of the studies are as follows:

- Total area lift: 265 ha
- Total gross area to be developed 220 ha with for 205 ha to be treated and around 15 ha for irrigation and access infrastructure infrastructure.
- Total irrigated area in the project: 170 ha

The planned development projects include:

- Construction of four intake structures each consisting of a diversion dam movable type needle and generally equipped with 2 sockets on the right bank and left bank of each river Kilimbi, Ntangara, Mubimbi.
- Construction of the main channels that relate generally to the existing traditional network. The works include earthworks of 10.18 km of main canals with 1360m of existing main channels to rehabilitate and 8035m new main canals, earthworks 784 m 374 m secondary channels with channel side and rehabilitate existing 410 m new secondary canals, earthworks 28 km of tertiary canals, including 18.372 km 9.658 km existing and new tertiary canals.
- The work also includes the construction of hydraulic structures such as bycatch 4, 7 and 7 security weirs discharge on each main channel, 7 with 7 books grit hunting partners on each main channel, 132 taken tertiary four culverts under road, 3 canal bridge for the passage of channels drains, 1 passage of runoff subchannel, 18 falls, 15 bridges over canals and bridges to cross four rivers.
- Improved drainage in the perimeter, as well as in rice plots in the existing side and construction of new drains and improvement of existing ones. The total length of drains is 3300 meters.
- The development of new rice plots on 50 hectares.
- Improved circulation in the perimeter by rehabilitating approximately 2 km of tracks, reconstruction or rehabilitation of aces structures.

These constructions will be done on land owned by the government and currently used by local population for growing different crops. 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-project intervention 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;
- 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 affected 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 affected by the project the opportunity to share in project benefits.

Affected persons should be meaningfully consulted and have opportunities to participate in planning and implementing resettlement programs. Those affected 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-project 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 at Kilimbi marshlands site will lead to the loose of lands of households living in the project site or utilizing the land for their livelihood.

#### **3.1. Land ownership**

The identified layout for main irrigation channels is located in marshland limit, which means that this land is owned by the Government even though it's used by the surrounding population through cooperatives or associations.

#### **3.2. Land Use Type**

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

- Agricultural activities

#### **3.3. Loss of land, crops and trees**

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.

#### **3.4. Size of land and crops expected to be acquired**

#### ***Table 1: Resettlement impact***

Item	Unit
Affected District	Nyamasheke District
Affected Villages (Imidugudu)	Rwambogo, Gacumbi, Nyakabingo, Rutarangwe, Kanyankondo, Nyagacaca, Gitwa, Karamba na Kamina
<b>A) Resettlement</b>	
Households compensated and relocated	0
Households compensated and not relocated	160
<b>B) Land</b>	
Land for crops that will be completely lost	4.3ha

### 3.5. Resettlement impact on Land

Item	Location	Number of PAPs	Amount of land (ha)	Cost (Rwf)
Private lands	In marshlands boundaries	0	0	0
Government land that is used by local population	In channels around marshlands	160	4.3 ha land completely lost)	Land for land in Marshland
<b>Total</b>		<b>160</b>	<b>4.3</b>	<b>0</b>

### 3.6. RESETTLEMENT MEASURES FOR EACH CATEGORY OF ELIGIBLE PAPs

PAPs were categorized as shown in the table below:

**Table 2: Categories of the PAPs**

Categories of affected people	Number of PAPs	Measures of resettlement
Losing <20% of land(government lands)	0	Land for land exchange in marshland
Losing >20% of land	0	none
Losing Crops	160	Financial compensation
Losing houses	0	none
Losing cattlesheds	0	none
Vulnerable	4	Additional assistance –seeds and fertilizer and plots in marshlands

#### 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. In those meetings the Resettlement and Compensation Committee was formed. This Committee will be composed of the representatives of Nyamasheke Districts, local leaders, representatives of the PAPs and the project team.

##### 4.1. Documentation of holding assets

Holdings and assets were inventoried by a team of field surveyor's 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 and compensation agreement.

The main findings of the census were that 160 people in 9 villages, Kamina, Karamba, Gitwa, Nyagacaca, Nyakabingo, Kanyakondo, Rutaragwe, Nyakabingo, Gisesero from Nyamasheke Distric will be affected by the construction of this dam. Affected households are engaged in agriculture as their main sources of income. The table below summarizes the social economic situation of affected households.

**Table 3: social economic situation of Kilimbi PAPs**

Village	Household	Average H hold size	% Children	% women	Occupation	Average Annual income(Rwf)	Involved in Community Based Organization
Kamina	10	5	39	47	Farmers	416,200	90%
Karamba	19	7	50	52	Farmers	441,315	80%
Gitwa	3	7	45	54	Farmers	559,666	90%
Nyagacaca	24	5	57	50	Farmers	404,308	80%
Nyakabingo	37	4	50	55	Farmers	345,849	60%
Kanyakondo	36	5	46	46	Farmers	524,104	50%
Rutaragwe	18	6	50	47	Farmers	366,400	70%
Nyakabingo	2	5	63	45	Farmers	419,750	100%
Gisesero	2	5	45	45	Farmers	361,000	100%
	160	5	49	49		426,510	80%

## **4.2. Vulnerable groups/persons**

The socio-economic survey identified four vulnerable people among those losing crops who are old and disabled 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. 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 Nyamasheke District and RSSP before the census survey was carried out. The agreed cut off date was July 10, 2012.

# **5. DESCRIPTION OF COMPENSATION AND OTHER RESETTLEMENT ASSISTANCE**

## **5.1. Resettlement allowance**

The construction of Kilimbi irrigation network infrastructure will affect land, crops and trees of population. The project and the district will compensate the PAPs for crops after the rehabilitation of marshlands PAPs will be given lands in marshlands and priority should be given to vulnerable people.

Vulnerable people and other PAPs are encouraged to join existing cooperatives or new cooperatives since the rice farming is mostly done under cooperative. Vulnerable people who are not able to use their plot, they can either sub-lease the plot and in return she/he get annual/seasonal rent whether in cash or in production. Or they can find a member of his family who can use the plot and share the production.

For the land that is used for animal grazing in marshland which is mostly government land and people are using them for a temporary permission, PAPs are assisted to find another land for animal grazing in the area. With the government policy of zero grazing people are also encouraged to transform extensive livestock to intensive livestock that need small land.

## **5.2. Availability of input to the PAPs**

PAPs will get assistance by providing to them seeds and fertilizer 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.

### **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 Nyamasheke 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.

### **5.4. Relocation of public infrastructures**

If any infrastructure like road, water points, the project in collaboration with the district should proceed with the relocation of these infrastructure and ensure that PAPs are provided with the same social-economic infrastructures. This should be included in marshland rehabilitation plan and in contract of the company that is rehabilitating the marshland.

## **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**

A width of three meters will be taken all along the layout of the main channels on right and left bank of the marshland. Since this area is not significant and belongs to the government, there will be no displacement of PAPs and therefore no resettlement allowance required.

### **7.2. Valuation for crops and trees**

As it's 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 and trees 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 2: Resettlement measures for each category**

Item	Affected Villages (Imidugu du)	Number of PAPs	Compansation measures	Cost (Rwf)
Crops	9	<b>160</b>	Finacial Compensation	<b>6 387 624</b>
Losing Government lands	9	<b>160</b>	Land for land exchange in marshland	<b>0</b>
Losing own lands	0	<b>0</b>	None	0
Houses and cattle shed	<b>0</b>	<b>0</b>	0	0
Vulnerable people	9	<b>4</b>	Additional assistance – seeds and fertilizer	0
<b>Total</b>				<b>6 387 624</b>

## 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 Kilimbi 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 irrigation canals.

### 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, Nyamasheke 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 meetings for disclosure, one on August 10, 2012 and another one on September 15, 2012 where the project Social safeguards team and Districts staffs presented the results of census and value of PAPs assets. Comments from the two meetings were incorporated in the census results.

### 8.2. Other meetings and consultations.

There will be other meeting and consultations with Nyamasheke 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:

- What kind of crops that will be allowed in marshland?
- How crops will be given value?
- Why land will not be compensated?
- What are the other assistance that project will provides to PAPs

These issues raised by PAPs were responded as follows:

**Table.4 Issues of PAPs and responses given**

<b>Issues</b>	<b>Responses</b>
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 valued?	The valuation of the crops will be done with reference to current rates applied in Rwanda with reference to the market price
How land will be compensated?	Since the land to be lost, the three meters, are government land', there is no financial compensation. However, for those who are using lands in affected areas will be given lands in rehabilitated marshlands.
Employment	The PAPs will be given priority in recruiting during construction works.
What are the other assistance that project will provides to PAPs	PAPs will get technical and training in rice farming and vulnerable people will get seeds and fertilizers.

### 8.4. Agreement on compensation and preparation of contracts

The District of Nyamasheke will prepare an agreement for compensation and for payments to the PAPs. The District of Nyamasheke 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 Nyamasheke 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 N0 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 redressis 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 were 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<sup>o</sup> 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 complain 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
<b>RSSP Social safeguards team</b>	<ul style="list-style-type: none"> <li>• Screening of sub-projects to identify resettlement and compensation requirements;</li> <li>• Work with District of Nyamasheke to create Resettlement and Compensation Committee;</li> <li>• Provision of capacity building and technical support relating to resettlement and compensation activities;</li> </ul>

<b>District authorities</b>	<ul style="list-style-type: none"> <li>• Review and sign off of all documentation (e.g. completed RAPs, grievance forms, consultation plans).</li> <li>• Participation in documentation of assets</li> <li>• Compensation of RAP</li> <li>• Responsible in monitoring and implementation</li> </ul>
<b>PAPs</b>	<ul style="list-style-type: none"> <li>• Participation in documentation and measurement of assets of PAPs</li> </ul>
<b>Resettlement and Compensation Committees</b>	<ul style="list-style-type: none"> <li>• 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)</li> <li>• Representation of PAPs</li> <li>• 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.</li> <li>• Responsible for ensuring that grievance mechanisms meet the requirements of the RPF legislation.</li> </ul>

### **10.1. Roles of RSSP during Land 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 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 Nyamasheke district**

The authorities of Nyamasheke district played an important role during survey and valuation of land targeted for the construction of Kilimbi irrigation channels

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 steps to be followed during the implementation RAP as shown in the table below

**Table 6. Implementation schedule**

<b>Item</b>	<b>Main activities</b>	<b>Responsible institution</b>	<b>Timing</b>
<b>Public consultation</b>	Consultation meeting with the PAPs to inform them on scheduled activities and their roles to accomplish the RAP and Compensation	- Nyamasheke district -RSSP staffs	10 <sup>th</sup> June, 2012
<b>Database</b>	Documentation of assets (crops) and land measurement	Nyamasheke district -RSSP staffs	July 10 <sup>th</sup> – August 4 <sup>th</sup> 2012
<b>Disclosure of entitlement</b>	To display to the PAPs the results of the census.	Nyamasheke district -RSSP staffs	9 <sup>th</sup> August 2012
<b>Final disclosure</b>	To display to the PAPs final results of the census and the value of their assets.	Nyamasheke district -RSSP staffs	15 <sup>th</sup> Septemeber 2012
<b>Preparation of alternatives</b>	Comparison and choice of the best alternatives of compensation to the PAPs	Nyamasheke district -RSSP staffs	Augst 15-30, 2012
<b>Grant agreement</b>	Preparation and negotiation of grant agreement for compensation payment	Nyamasheke district -RSSP staffs	January 25-30, 2013
<b>Compensation and other resettlement measures</b>	Compensation for crops	Nyamasheke district -RSSP staffs	February ,2013
	Land for lands	Nyamasheke district -RSSP staffs	After rehabilitation of marshlands
<b>Monitoring and supervision</b>	Follow up of the implementation	Nyamasheke district -RSSP staffs	From February, 2013 to february 2014

## 12. ESTIMATED COST FOR RESETTLEMENT

**Table 7: Estimated cost for resettlement**

<b>Item</b>	<b>Main activities</b>	<b>Responsible institution</b>	<b>Cost (rwf, Operating cost)</b>
<b>Public consultation</b>	Consultation meeting with the PAPs to inform them on scheduled activities and their roles to accomplish the RAP	-Nyamasheke -RSSP staffs	72 000
<b>Database</b>	Documentation of assets (crops) and Land measurement	Nyamasheke district -RSSP staffs	500 000
<b>Disclosure of entitlement</b>	Display to the PAPs the results of the census.	- Nyamasheke district -RSSP staffs	72 000
<b>Preparation of alternatives</b>	Comparison and choice of the best alternatives of compensation to the PAPs	- Nyamasheke district -RSSP staffs	72 000
<b>Compensation and other resettlement measures</b>	Compensation for crops	-Nyamasheke district	6 387 624
	Compensation for land	-Nyamasheke district	<b>Land for land in marshland</b>
<b>Follow up of PAPs</b>	Follow up and monitoring of PAPs livelihoods	Nyamasheke district -RSSP staffs	288 000
<b>Total</b>			<b>7 391 624</b>

### **13. FRAMEWORK FOR MONITORING, EVALUATION AND REPORTING.**

#### **13.1. Monitoring plan**

The civil works for an irrigation network in Kilimbi marshland is planned to start in November, 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 Nyamasheke 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 8. Plan for Monitoring, evaluating and reporting**

<b>Item</b>	<b>Main activities</b>	<b>Responsible institution</b>	<b>Frequency of monitoring</b>
Public consultation	Consultation meeting with the PAPs	-Nyamasheke District -RSSP staffs	once a month
Database	Updating census results	-Nyamasheke District - RSSP staffs	When it's need
Disclosure of entitlement	Display to the PAPs the results of the census.	-Nyamasheke District - RSSP staffs	Twice
Preparation of alternatives	Follow up of implementation of proposed alternative	-Nyamasheke District - RSSP staffs	Once a week
Compensation and other resettlement measures	Follow up compensation process	- Nyamasheke District - RSSP staffs	Once a week
Follow up of PAPs	Follow up and monitoring of PAPs livelihoods	- Nyamasheke 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 Nyamasheke, 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 affected 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	Plant	0 to 6 months	150
Pilipili	Plant	≥ 1 year	650
	Are	0 to 6 months	15,000
	Are	≥ 1 year	65,000
Urubingo Penissetum Elephant Grass	Are		10,000
Imiyenzi Euphorbes Spurges	Cluster	Young Age	105
		Average	525
		Aged	920
Imiyenzi nu rugo Enclos d'euphorbes Spurge enclosure	m	Young Age	270
		Average	420
		Aged	920
Imihate Dracaenas	Cluster	Young Aged	125
		Average Age	575
Imihate y'urugo Enclos de Dracaenas	m	Young Age	285
		Average Age	860
Umuvumu Ficus Ficus	Plant	Young Age	270
		Average	860
		Aged	2860 to 4290
Imiko	Plant	Young Age	270
		Average Age	450
Ibindi biti Other trees not specified	Plant	Young Age	105
		Average	270
		Aged	450
Ikibonobono Ricin Castor Oil Plant	Plant	Young Age	105
		Average	575
		Aged	715
Sipure – Cypres Gereveliya – Greveleia Gasiya – Acacia Pinusi – Pinus Umusave – Markhamia Sederela – Terminalia	Plant, are	Young	286/plant, 7150/are
		3 to 5 years	572 to 858/plant, 13,585/are
		5 to 10 years	1287 to 2145/plant, 22,880/are
		≥ 10 years	4290 to 5720/plant, 57,200/are
Pasiparumu Pasparum	m <sup>2</sup>		620
Ibishyimbo Haricots	Are		2250

Beans			
Amasaka Sorgho Sorghum	Are		3500
Amateke Colocases	Plant, are		80/plant, 20,000/are
Imyumbati Manioc Cassava	Plant, are		90/plant, 4050/are
Umuceri Riz Rice	Are		14,000