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Ministry of Infrastructure**

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Electricity Access Rollout Programme (EARP)

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**ABBREVIATED RESETTLEMENT ACTION PLAN FOR CONSTRUCTION OF
MV LINES IN RULINDO AND RUHANGO DISTRICTS**

October 2012

ACRONYMS

ARAP:	Abbreviated Resettlement Action Plan
EARP:	Electricity Access Rollout Program
PAPs:	Project Affected Persons
RoW	Right of Way
RPF:	Resettlement Policy Framework
rwf:	Rwandan Francs

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EXECUTIVE SUMMARY

The Electricity Access Rollout Program with the support of the World Bank has identified for construction of MV lines in Ruhango and Rulindo districts in the southern and Northern Province respectively. The construction of Kinazi- Rutabo MV line is 8 km while Bulima – Matara is 4.5 km all in Ruhango district and Masoro-Rusine is 5.6 Km in Rulindo district.

The construction of the MV lines implies a need for the destruction of crops and trees, thus leads to the poor production of yields from the affected people or PAPs. This therefore principally triggers World Bank Operational Policy OP4.12 on involuntary resettlement and Rwanda laws on expropriation and land ownership. 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 Abbreviated Resettlement Action Plan (ARAP) by the project in line with all the necessary requirements outlined in the Resettlement Policy Framework (RPF) document. The main elements of the ARAP are: public consultation, documentation and valuation of assets, disclosure of entitlement, preparing of alternatives, compensation and resettlement, addressing grievances, monitoring and reporting.

This report principally describes the activities of the project that is proposed and the associated impact arising there from. The section on valuation on destroyed properties/assets highlights the existing crops and trees in the right of way (RoW), brief biography of the Project Affected Persons (PAPs) and the magnitude of the loss. The report also describes the process used in the valuation of existing crops and Trees in the project sites.

The census was done by a team from the PAPs, the village and cell representatives and respective sector officials as well as EARP team¹ indicating who will lose crops, including trees and the valuation of the destroyed properties. The main objective of this Abbreviated

¹ ESS Team

Resettlement Action Plan is to ensure just compensation of the PAPs for the loss of crops and trees in the project sites that were destroyed or cleared in the process from surveying to the end of line construction activities.

The persons to be compensated were meaningfully consulted and participated in planning and implementing the compensation process.

Before and during the creation of this documentation, meetings were held on site to inform the PAPs that their properties might at some point be destroyed or cleared to make way for the construction of MV lines. In the meetings, PAPs got to know how the compensations will be done and their major role in the Project activities.

The PAPs, EARP, Cells, the Sectors and districts participated in the surveys, reviews and the signing of all documentation related to the compensation process. EARP/EWSA will provide compensation for crops through the District and ensure all PAPs receive their cash through their Personal Bank accounts. The EARP, Districts and Sectors will ensure that the eligible PAPs are compensated. EARP together with the District will be responsible for monitoring and reporting the implementation of the ARAP.

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. EARP 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. DESCRIPTION OF THE SUB PROJECTS

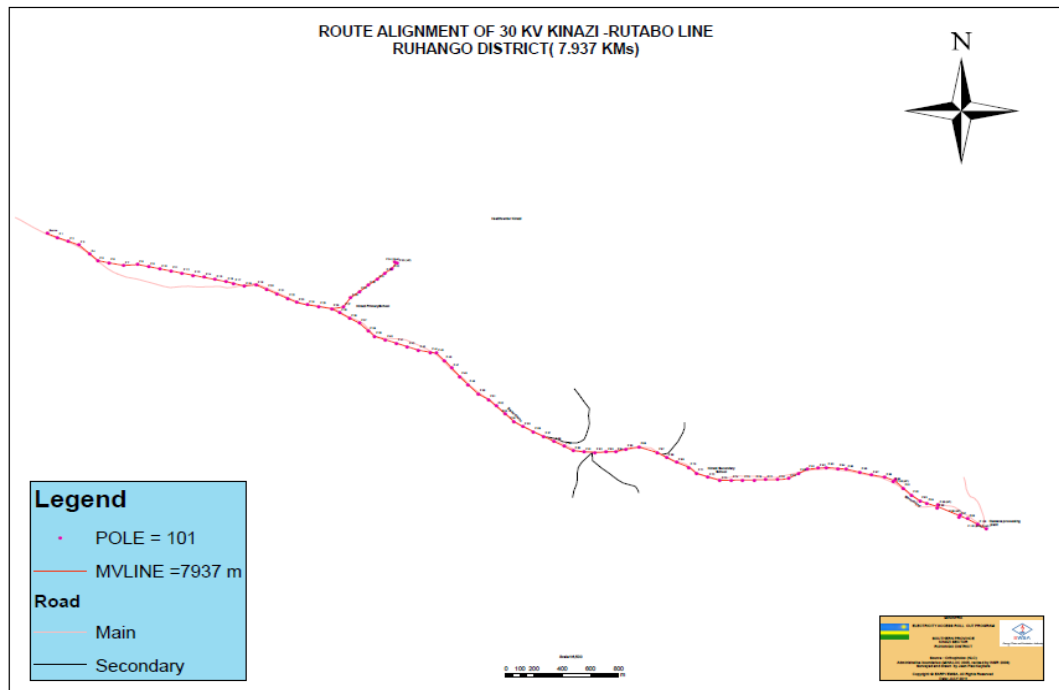
These involved the construction of Kinazi- Rutabo MV lines of 8 km and Bulima –Matara of 4.5km all in Ruhango district in the southern province of Rwanda while Masoro-Rusine MV line of 5.6Km in Rulindo district, northern province of Rwanda. Much of all crops and trees destroyed are owned by individuals and few are owned by the government. The construction of these MV lines will enable people to be connected to the national grid and be able to transform their socio-economic wellbeing.

The planned activities consisted of:

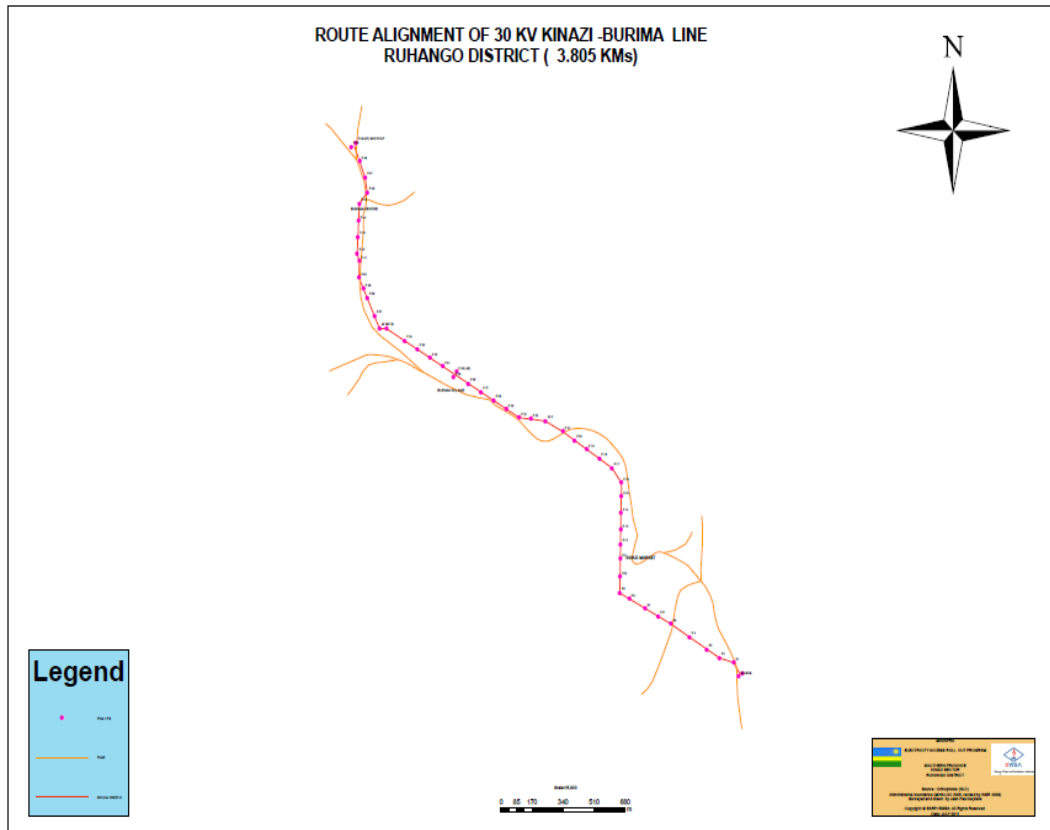
- Preparation of ARAP document and compensation
- Site Preparation/clearing of trees and crops
- The entire construction of the MV lines
- Erection of poles

The construction activities were done by EARP construction team that worked with the existing PAPs so that they are equitably compensated and the construction process to be completed smoothly.

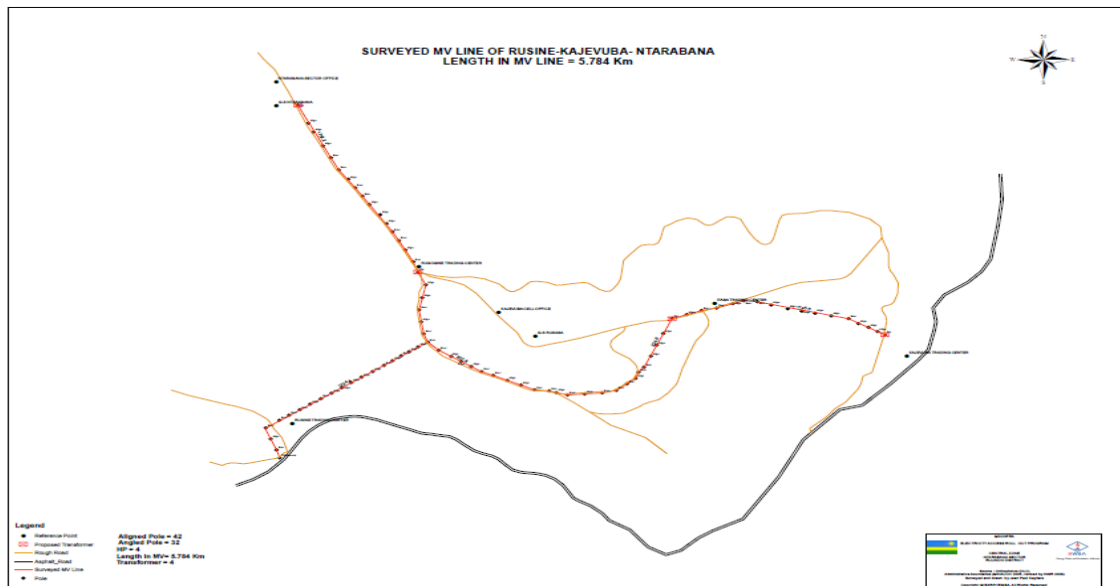
Kinazi-Rutabo MV Lines in Ruhango district



Kinazi-Burima line route in Ruhango district



Rusine-Masoro line route in Rulindo district in the Northern Province



2. POTENTIAL IMPACTS AND AFFECTED POPULATION

The construction of Kinazi- Rutabo MV line of 8 km and Bulima –Matara of 4.5km all in Ruhango district in the southern province of Rwanda while Masoro-Rusine MV line of 5.6Km in Rulindo district, Northern Province of Rwanda had necessary associated permanent and temporary loss of existed crops and trees. Note that land under the distribution lines will continue to be used by the owners by cultivating crops except trees which can reach more than two meters of height, that's why EARP subcomponents do not require land acquisition in its sub projects.

2.1. Loss of land and crops.

The civil works construction of MV lines entailed clearing the vegetation inherent in the project site which includes fruit trees, other trees, elephant grass and crops that have been planted or cultivated by the PAPs and no land acquisition took place.

3. FINDINGS OF THE CENSUS

Topographic works were done by the EARP GIS/surveyors team to confirm the project line route. Meetings were held before the census begun to explain to the PAPs the project activities and the importance of the ARAP preparation. In those meetings the Compensation Committees in these districts were formed. These Committees were composed of the representatives of Rulindo and Ruhango Districts, local leaders, representatives of the PAPs and the EARP team.

3.1. Documentation of holdings and assets

The Compensation Committees in the districts of Rulindo and Ruhango carried out a detailed inventory of the trees and crops that will be compensated. PAPs were available so that the Socio-Economic information is filled.

3.2. Vulnerable groups or persons

The socio-economic survey indicated no disabled people amongst those losing crops and trees. If any others are identified in the course of the implementation of the ARAP, special attention will be given to their needs and reported in the Progress Reports to this ARAP.

3.4. Record keeping

The full information in this ARAP will be evaluated by the Sector leaders and PAPs. EARP, Sectors and the Districts will keep this information including the relevant records and copies.

3.5 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 will not be considered. The cutoff date was determined through a meeting with the PAPs and the representatives of Ruhango and Rulindo Districts and EARP before the census survey was carried out.

4. DESCRIPTION OF COMPENSATION AND ASSISTANCE

4.1. Accessibility of jobs to PAPs during marshland rehabilitation

During the construction works, EARP and the Districts of Ruhango and Rulindo ensured that the PAPs got first priority during job allocation at the site. This facilitated additional income that helped and supported these people, activities included the carrying of poles to the sites and the clearing of bushes.

5. 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 local administrative entities”.

6. VALUATION OF AND COMPENSATION FOR LOSSES OF CROPS AND TREES

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.

6.1. Magnitude of expected loss

The magnitude and impact of the expected loss will be termed average because of the number of people that lost their crops and trees.

6.2. Compensation for crops

A census of everyone losing crops due to the construction process that was undertaken. All the crops and trees were valued by the Compensation Committees in the district of Rulindo and Ruhango. The valuations of those crops and trees were used according to the current rates in Rwanda expropriation law. The value of crops depends on its type and age.

Compensation impact on crops and trees.

Article	District	Number of households/PAPs	Cost (rwf)
Crops and Trees	Rulindo	124	30,411,331
	Ruhango	110	7,336,425
	TOTAL	234	37,747,756

7. CONSULTATION WITH PAPs ON ALTERNATIVES ACCEPTANCE

Consultation meetings with PAPs began in September 2011 to discuss issues related to compensation. EARP held these meetings with the local communities at the site for Ruhango and Rulindo districts in order to inform them about the planned subprojects.

The local communities were fully involved in all the processes of the development of this ARAP and are well informed about the construction of the MV lines.

Upon identification of the households that were affected by the project, EARP staff organized meetings with the Districts of Rulindo and Ruhango to discuss compensation requirements and concerns. The Districts arranged meetings for the negotiations with the local communities to discuss the alternatives for compensation.

7.1. 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.

7.2. Main issues raised by the PAPs during the first meeting we had.

The issues raised at the consultation meetings are summarized in Table below, along with the responses given by the committee.

Issues of PAPs and responses given

Issues	Responses
Valuing affected assets (crops and trees)	The valuation of the crops and trees will be done with reference to current compensation rates applied in Rwanda.
How will I receive my money?	All payment will be made directly to PAP personal bank account or SACCO.
Employment	The PAPs will be given priority in recruiting during construction works as Man powers.

7.3. Agreement on compensation and preparation of contracts

It is proposed that an agreement between the Districts of Rulindo and Ruhango and EARP for compensation and for payments to the PAPs to take place.

8. GRIEVANCE REDRESS MECHANISM

The first step of redresses is to inform those to be compensated of their rights during the valuation and compensation process. In the event that the PAP rejects the value given by the Compensation Committee, he or she 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 ARAP process; local leaders will be encouraged to consult when addressing appeals. Here the National expropriation and compensation law is to be consulted by both sides.

If the grievance is not resolved via the local leadership structure, and the Land Commission upholds the original value, the complainant's final resort shall be to file the case to the competent Court of Law. According to Article 26 of the Expropriation Law N0 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 are fully informed, and will issue warnings about the consequences of failure to lodge their complaints in time. Within this customary procedure, affected people will be informed of the procedures before their assets are taken.

EARP 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 EARP and the local leaders to ensure that the grievances are attended to in time. This is in addition to the existing Compensation Committee.

9. 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 ARAP.

Roles and Responsibilities for each institution

ORGANIZATION	ROLES AND RESPONSIBILITY
EARP team	<ul style="list-style-type: none"> • Screening of sub-projects to identify and compensation requirements; • Work with District of Ruhango and Rulindo districts to create Compensation Committees; • Provision of short term capacity building and technical support relating to and compensation activities to the members of compensation committees;
PAPs	<ul style="list-style-type: none"> • Participation in documentation and valuation/measurement of assets of PAPs
District authorities	<ul style="list-style-type: none"> • Review and sign off of all documentation (e.g. completed ARAPs, grievance forms, consultation plans). • Participation in documentation of assets • Compensation of ARAP • Responsible in monitoring and implementation
Compensation Committee.	<p>Development and implementation of ARAP, 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)</p> <ul style="list-style-type: none"> • 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.

9.1 Roles of EARP during crop fields Measurements

EARP played an oversight role in monitoring and ensuring that the process of surveying the cultivated land was done in an open and transparent manner and in the presence of all the PAPs. EARP informed the PAPs in advance and within adequate time on the dates when the survey and measurements/valuation would be done and insist upon the presence of the PAPs and local leaders especially village representatives in all meetings and documentation of assets.

9.2 Roles of the PAPs during crops and trees fields Measurements

The primary role of the PAPs during the process of measuring cultivated land situated in the right of way 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 were given as proof of approval.

9.3 Roles of Rulindo and Ruhango Districts during Assets Measurements

The authorities of Ruhango and Rulindo Districts will play an important role during survey and valuation of land targeted for the construction of MV lines.

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

9.4 Additional Roles of EARP

1. Ensure that the ARAP 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 ARAP is implemented;

10. IMPLEMENTATION SCHEDULE

There will be steps to be followed during the implementation ARAP as shown in the table below

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 ARAP and Compensation	-Ruhango and Ruhango Districts -EARP/EWSA	September-October/2011
Database	Documentation of assets (crops)	-Ruhango and Rulindo Districts -EARP/EWSA	October/ 2011
Disclosure of entitlement	To display to the PAPs the results of the census.	-Ruhango and Rulindo Districts - EARP/EWSA	July/2012
Compensation of trees and crops	Compensation for crops and trees	- EARP/ EWSA	Ongoing October 2012
Monitoring and supervision	Follow up of the implementation	-Ruhango and Rulindo Districts -EARP /EWSA	December 2012

11. FRAMEWORK FOR MONITORING, EVALUATION AND REPORTING.

Monitoring of the ARAP will be carried out during the whole process of affected assets valuation and 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 Ruhango and Rulindo Districts representatives, representative at the Sector and Cell level and EARP, to ensure that all of the responsible implementing agencies follow the schedule and comply with the principles of the ARAP.

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

Estimated costs for Monitoring, evaluating and reporting

Item	Main activities	Responsible institutions	Commencement of monitoring
Public consultation	Consultation meeting with the PAPs to inform them about scheduled activities and their roles to accomplish the ARAP	-Ruhango and Rulindo Districts -EARP	November 2012
Database	Documentation of assets (crops) and land measurement	Ruhango and Rulindo Districts -EARP	November 2012
Disclosure of entitlement	To display to the PAPs the results of the census.	-EARP	December 2012
Compensation	Compensation for crops	Ruhango and Rulindo Districts	December 2012
	Exchange of land	Ruhango and Rulindo Districts	December 2012

12.1 Compensation Implementation Completion report

A completion report of the entire compensation process for this project will be prepared and will include a hand over certificate which will 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 World Bank within 3 months of completion of compensation payments or before the Implementation Completion Report by the World Bank for EARP Sub- projects. The ARAP implementation report should include (but not be limited to) the following information:

- List of people affected
- List of people and total budget compensated during implementation
- Maps of the sub project areas indicating the segments /sections concerned
- Grievance redress mechanism if applicable

13: 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	0 to 1 year	500
		≥ 1 year	2500
	Are	0 to 1 year	22, 00
		≥ 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 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 Pasarum	m ²		620
Ibishyimbo Haricots Beans	Are		2250
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