

# REPUBLIC OF RWANDA

## Ministry of Infrastructure



### Electricity Access Rollout Program (EARP)

10<sup>th</sup> Floor KCT, KN 2 ST, Nyarugenge District, P.O. Box 3855 Kigali, Rwanda

TEL.: + (250) (0) 787172265, EMAIL: [INFO@EDCL.REG.RW](mailto:INFO@EDCL.REG.RW), WEBSITE: [WWW.EDCL.REG.RW](http://WWW.EDCL.REG.RW)



#### UPDATED ABBREVIATED RESETTLEMENT ACTION PLAN (ARAP) FOR THE CONSTRUCTION OF NEW RULINDO SUB-STATION

Updated By: *NTIHINYURWA Philippe-Social Safeguards Specialist/SEAP-EARP*

*NSENGIMANA Noel JBaptiste- Environmental Safeguards Specialist/SEAP-EARP*

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# 1 EXECUTIVE SUMMARY

The African Development Bank is supporting a series of subprojects planned in the framework of the Electricity Access Rollout Program (EARP). Out of these initiatives, two key subprojects will generate economic and/or physical resettlement. The construction of new Rulindo substation in Rulindo District in the Northern Province (Component A) and the electrification of six lots across the Northern and Western Provinces (Component B). Rulindo subproject, consists of the construction of a new 30/110kV Substation at Rulindo to replace the existing substation which supplies the regions of former **Byumba, Musasa and Base**. The electrification of the six lots (Component B) consists of the construction of 464 k of MV distribution lines and 710 km of LV network.

The construction of Rulindo substation will lead to the destruction of crops trees and houses, and thus lead to a decrease in the poor production of yields for the affected people or PAPs as well as their relocation to another area. The construction of MV and LV lines in the framework of component B will lead to the destruction of crops and trees, although it is not expected that it will affect any existing houses and structures, as there is some flexibility in determining the right of way and location of poles. The precedent actions will therefore principally trigger the African Development Bank Involuntary Resettlement Policy and the World Bank Policy OP 4.12, as well as will need to comply with involuntary resettlement procedures and laws in Rwanda on expropriation and land ownership. In accordance with the African Development Bank Involuntary Resettlement Policy, resettlement action/compensation plan must be developed and submitted to the African Development Bank for approval. It is important to note that The African Development Bank Involuntary Resettlement Policy, clearly states that the borrowing agency has the primary responsibility for planning, implementing and monitoring resettlement issues.

It is in this perspective that the following document encompasses an Abbreviated Resettlement Action Plan (ARAP) for the relocation of the Rulindo substation

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 sub-projects that are proposed and the associated impact arising there from. The section on valuation of destroyed properties/assets highlights the existing crops and trees in the proposed sub project area, 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 sub project site.

## **1.1 HIGHLIGHTS OF THE RULINDO ARAP**

The census was done by a team composed of project affected people (PAPs), village and cell representatives and respective sector officials as well as EARP- Environmental and Social Safeguard (ESS) team<sup>1</sup> to identify the lost crops, trees and houses damages and their owners. The number of first batch of PAPs is **8** PAPs with the amount of money to be compensated reaching **6,574,328** Rwandan Francs; the second batch is **24** PAPs with **68,129,128** Rwandan francs whereas the 3rd batch is **11** PAPs with **53,450,512** Rwandan Francs. The total number of PAPs affected by this subproject is Forty Three (**43**) and the total amount of money to be compensated is **128,153,968** Rwandan Francs. The main objective of this Abbreviated Resettlement Action Plan is to ensure just compensation of the PAPs for the loss of crops, trees and houses in the sub project site that will be destroyed or cleared during 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 rehabilitation of the sub project. 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. REG/EARP will provide compensation for crops, trees and houses and ensure all PAPs receive their cash through their Personal Bank accounts without delay. The REG/EARP, Districts and Sectors will ensure that the

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<sup>1</sup> ESS Team

eligible PAPs are compensated on time. REG/EARP together with the District of Rulindo 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. REG/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.

## **1.2 HIGHLIGHTS OF RESETTLEMENT POLICY FRAMEWORK RELATED TO COMPONENT B**

During the construction of Medium voltage lines (MV Lines) and Low Voltage lines (LV Lines), it is expected that the process will include the clearing of trees and plantations. The common destroyed types of trees include avocados, mangos, eucalyptus and grevillias. While the most destroyed crops include, beans, maize, cassava, bananas and sweet potatoes. So far, the experience has demonstrated that few structures were found destroyed during this type of exercise. EARP subprojects use steel and concrete poles hence. However, in order to comply with the GoR national laws and regulations, as well as the World Banks Operational and Procedural Policies, specifically O.P.4.12, a Resettlement Policy Framework (RPF) was prepared in 2009 to ensure full compliance with the standards set out by the World Bank's operational policy on involuntary resettlement (OP4.12) and the requirements of the Government of Rwanda

## 2.RULINDO ABBREVIATED RESETTLEMENT ACTION PLAN

### 2.0 INTRODUCTION

In previous EARP projects, no land acquisition has so far taken place. However, the construction of the Rulindo substation will require some acquisition on the proposed relocation site.

#### 2.1 Description of the subproject

The project consist of the construction of a new 30/110kV substation at Rulindo to replace the existing substation which supplies the regions of former Byumba, Musasa and Base.

##### 2.1.1. Objectives of the Sub Project

The specific objectives of the construction of a new substation at Rulindo are:

- To upgrade the capacity of the substation
- To support the expansion of distribution network for the electrification of new towns and villages
- To comply with the REMA law on wetland of not rehabilitating or upgrade infrastructures located in marsh land
- To overcome the several bottlenecks and challenges of the capacity of existing Sub-stations.

##### 2.1.2 Project Location

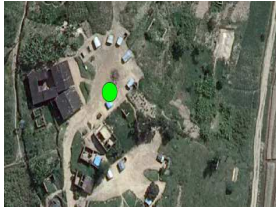
The GPS coordinates and the altitude of the existing and the proposed location of the new Sub-station Rebero Village, Kayenzi Cell, Bushoki sector, Rulindo district in the Northern Province as shown in the table below:

*Table 1*

<b>Sub station</b>	<b>S</b>	<b>E</b>	<b>Altitude(m)</b>
<b>Existing</b>	1°43.047'	29°55,553'	1753
<b>New location</b>	1°42.984'	29°55.535'	1769

*Photo 1*

*Photo 2*



*Proposed sub-project site*



*Current sub-project site*

### **2.1.3. Project Component**

The new substation building will have the following components:

2 Office rooms; 1 meeting room; 1 switchboard room; 1 AC/DC distribution boards, battery Charger; 1 control and command room; 1 battery room; 1 store room; 1 combined interior Bathroom and toilet room; 1 exterior toilets room; 1 telecommunication room and 1 workshop Room.

## **3.0 POTENTIAL IMPACTS AND AFFECTED POPULATION**

The construction of a new 30/110kV substation at Rulindo will be associated with permanent and temporary loss of existed crops, trees and houses. Note that land under the construction area will not be used by the owners to cultivate crops and build new houses.

### **3.1 Loss of land, crops and Houses**

The civil works construction of a new 30/110kV at Rulindo will be entailed with clearing the vegetation inherent in the subproject site which includes crops, fruit trees, other trees, elephant grass , land , crops as well as well as houses.



#### 4.0. EXPROPRIATION PROCESS

Topographic works were done by the EARP GIS/surveyors team to confirm the subproject area. Meetings were held before the census begun to explain to the PAPs the project activities and the importance of the ARAP preparation. In these meetings the Compensation Committee was formed. This Committee is composed of the representatives of Rulindo district, local leaders, the district engineer in charge of infrastructure and the district land centre officer as well as representatives of the PAPs and the EARP team.

#### 4.1. Documentation of holdings and assets

The Compensation Committees in the districts of Rulindo 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. The total affected households are 43 including 20 households relocated. The amount compensated is 128,363,969 Rwf

#### 4.2. Affected households and compensated amount.

NUM	NAMES OF AFFECTED PEOPLE	AMOUNT COMPENSATED	COMMENT	COMMENT
1	KALISA CAMILLE	2457788.9	Belong to the 1st Batch of 7 PAPs	Relocated
2	SHUMBUSHO PASCAL	2811328	Belong to the 1st Batch of 7 PAPs	Relocated
3	NKIZAMACUMU DESIRE/NZAKIRA EVODE	119489	Belong to the 1st Batch of 8 PAPs	
4	HABIMFURA LEONIDAS	21910	Belong to the 1st Batch of 8 PAPs	
5	USABAMARIYA THEODOSIE	69465	Belong to the 1st Batch of 8 PAPs	
6	INGABE ISSA DIEUDONNE	44660	Belong to the 1st Batch of 8 PAPs	
7	SIBOMANA OSCAL	648137.4	Belong to the 1st Batch of 8 PAPs	
8	UYUNINDUJE EMMANUEL	401549.4	Belong to the 1st Batch of 8 PAPs	
	<b>Subtotal Batch 1</b>	<b>6574328</b>		
1	KALISA CAMILLE	299319	Belong to 2nd batch of 24 PAPs	
2	NKUNZEBOSE	2205349	Belong to 2nd batch of 24	Relocated

	SEREVERIEN		PAPs	
3	REBERAHO PIERRE	3539203	Belong to 2nd batch of 24 PAPs	Relocated
4	MUNYAKAYANZA BERNARD	8780964	Belong to 2nd batch of 24 PAPs	Relocated
5	MVUYEKURE PASCAL	7730576	Belong to 2nd batch of 24 PAPs	Relocated
6	HABYALIMANA JEAN PIERRE	2437177	Belong to 2nd batch of 24 PAPs	Relocated
7	KABIBI FRANCOIS XAVIER	6921673	Belong to 2nd batch of 24 PAPs	Relocated
8	MUKANYANDWI JACQUELINE	5607074	Belong to 2nd batch of 24 PAPs	Relocated
9	UKURIKIYEYEU JEAN CLAUDE	2917440	Belong to 2nd batch of 24 PAPs	Relocated
10	NSABIMANA IRENE	2040855	Belong to 2nd batch of 24 PAPs	Relocated
11	NZEYIMANA PIERRE CLAVER	15224932	Belong to 2nd batch of 24 PAPs	Relocated
12	NYAGIRANDE JEAN	2018560	Belong to 2nd batch of 24 PAPs	Relocated
13	KARANGWA ATHANASE	1154955	Belong to 2nd batch of 24 PAPs	Relocated
14	MWITENEZA CLAUDINE	1381517	Belong to 2nd batch of 24 PAPs	Relocated
15	NYIRIGIRA EMMANUEL	1732087	Belong to 2nd batch of 24 PAPs	Relocated
16	UWIRAGIYE THEODETTE/UWAMAHO RO IMMACULEE	2180749	Belong to 2nd batch of 24 PAPs	Relocated
17	UGIRINGABE JEAN DE DIEU	223684	Belong to 2nd batch of 24 PAPs	
18	KAREMERA	17160	Belong to 2nd batch of 24 PAPs	
19	NSENGIYUMVA LAURENT	165500	Belong to 2nd batch of 24 PAPs	
20	MAHIRYORI	135428	Belong to 2nd batch of 24 PAPs	
21	THASSIEN FILS KINYONI	60060	Belong to 2nd batch of 24 PAPs	
22	CYIMENYI	245153	Belong to 2nd batch of 24 PAPs	
23	SEBURO NOEL	64350	Belong to 2nd batch of 24 PAPs	
24	HABIMFURA LEONIDAS	1045363	Belong to 2nd batch of 24	

			PAPs	
	<b>Sub total Batch 2</b>	<b>68129128</b>		
1	NSABIMANA IRENE	5,466,885	Belong to the 3rd Batch of 11 PAPs	Relocated
2	MUTIMUKEYE ALPHONSE	7,944,591	Belong to the 3rd Batch of 11 PAPs	Relocated
3	MPABUKA COSMA	27,997,569	Belong to the 3rd Batch of 11 PAPs	Relocated
4	INGABE ISSA DIEUDONNE	2,190,653	Belong to the 3rd Batch of 11 PAPs	
5	KABIBI FRANCOIS XAVIER	2,025,114	Belong to the 3rd Batch of 11 PAPs	
6	TWAGIRAYEZU EMMANUEL	1,056,153	Belong to the 3rd Batch of 11 PAPs	
	NKUNZEBOSE SEVERIEN	2830303	Belong to the 3rd Batch of 11 PAPs	COMPENSATED Partially/ MISSING LAND TITTLE
8	NZAMUBARAKUZE VENANTIE	1,854,944	Belong to the 3rd Batch of 11 PAPs	
9	MUKAMPARIRWA MARGUERITTE	610,690	Belong to the 3rd Batch of 11 PAPs	
10	SHUMBUSHO PASCAL	514,647	Belong to the 3rd Batch of 11 PAPs	
11	MUSABYIMANA MARIE CLAIRE	958,963	Belong to the 3rd Batch of 11 PAPs	
	<b>Sub total Batch 3</b>	<b>53450512</b>		
	TOTAL INCLUDING 3040304 TO BE PAID AFTER LAND TITLE IS PROVIDED :			
	Already paid :	128153968		

Summary:

Paps = 8+24+11 =

43

Amount for Relocated and none relocated : 6574328 +68129128 + 53450512 = 128153968

Relocated Paps : 20

Amount for relocated households : 5269117 + 65873111 + 41199043 =

### **4.3. Vulnerable groups or persons**

The socio-economic survey indicated that there were no disabled people amongst those lost crops, trees and houses in the affected area. In the African Development Bank Involuntary resettlement Policy includes, the disadvantaged especially those below the poverty line, the landless, the elderly, women and children, religious and linguistic minorities; including those without legal title to assets, female-headed households and the vulnerable genocide survivors in the case of Rwanda.

### **4.4. Gender issues**

In the traditional society, women had little or no access to land rights and other economic resources, yet had to do hard labour to ensure the household's subsistence. Recently, Rwanda has made much progress in mainstreaming gender in all sectors.

Similarly, it has achieved gender parity in both primary and secondary school enrolment. Yet, these achievements have not been translated into major differences for the majority of women in rural areas. A higher and deeper incidence of poverty for women indicates that deep inequalities between men and women still remain in terms of human development achievements.

In spite of considerable growth during EDPRS1&2, Rwanda is still facing a number of challenges. For instance, extreme poverty remains high and persistent in rural areas with 48.7% compared to 22.1% in urban areas, and female are the most affected in both areas (see EICV3 report); Due to a high rate of female-headed households poverty is more considerable among females than men. Widows accounted for 56 % of female-headed households, which shows that this situation is largely a legacy of the Rwandan genocide (women represent about 53 % of the Rwandan population).The incidence of poverty was 7.3 percentage points higher in female-headed households than in male headed households and the differential for extreme poverty was even larger.

Looking at other household characteristics, over the three EICV surveys female-headed households are on average more likely to be poor than male-headed ones even though the percentage of poor female-headed households has decreased from 66% in 2000/01 to 47% in

2010/11 (see NISR, 2014). A similar trend can be noticed for extremely poor households. However, the gap between female-headed and male-headed households is reducing. In 2000/01, 47% of the female-headed households and 37% of the male-headed households were extremely poor, while in 2010/11 the percentage decreased to 26% and 23% respectively (Ibid.). Among female-headed households, widowed household heads are more likely to be poor and extremely poor than other categories. Poor households seem to have more dependants (infants, children and elderly people) than non-poor households and this difference is especially striking in relation to extremely poor households.

The Economic and Development Poverty Reduction Strategies (EDPRS) seek to mainstream gender equality within government policy through strong institutional measures including policy and budget support. There are today strategic affirmative action measures to ensure female participation in the political and economic decentralisation process, approval of significant reforms to discriminatory inheritance and land ownership laws. In all districts of the Investigation Area, women are represented in the decentralised institutions.

Despite visible progress in Rwanda, especially regarding gender balance in local administration, access to education and health problematic issues still need to be solved. In the case of the projects gender disparities are mainly related to the defence of human and property rights i.e. access to formal land titles, compensation payments and addressing grievances or take issues to court remain. Households headed by widowed, single breadwinner women are considered as vulnerable. To address this issue, a sensitization campaign has been conducted in order to create an environment which is women friendly.

#### **4.5. Analysis of Alternatives**

The relocation of the existing sub-station was vital due to the fact that it is situated in the marshland, contrary to the existing laws that protect the environment in Rwanda. Hence, there was a need to relocate the existing substation to an environmental friendly area as recommended by the EARP environmentalist and Rwanda Development Board (RDB).

#### **4.6. 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 cut-off date was determined through a meeting between PAPs and the representatives of Rulindo District and EARP before the census survey was carried out. The cut-off date for the 1st batch was 4<sup>th</sup> February 2013. In the same way and for different batches, a cut-off date was considered to be the date of public awareness through an organized official meeting.

### **5.0 DESCRIPTION OF COMPENSATION AND ASSISTANCE**

This implies that any sub project implemented by EARP, all the affected people have the right to be compensated and assisted during and after the construction period. The compensation and assistance will be based on the laws of Rwanda, the African Development Bank involuntary Resettlement Policy and the Resettlement Policy Framework (RPF).

#### **5.1. Accessibility of Jobs to PAPs during the construction of Rulindo Substation**

During the construction works, REG/EARP and the District of Rulindo will ensure that the PAPs will get first priority during job allocation at the site. This will facilitate additional income for affected people; activities will include the carrying of construction tools to the sites the clearing of bushes, technical works if possible etc. EARP has been encouraging the contractors that the PAPs are given the first priority for construction works. EARP also included this in the Bid documents for the contractors to put much emphasis as well as continuous sensitizing and advocating by EARP for the PAPs to engage in construction works. Apart from prioritizing paps when offering different jobs, an emphasize will be put on promoting women job opportunities and the minimum should not be less than 30% as stipulated in Rwandan constitution. Apart from Job opportunities, Workers should possess health insurance and appear on attendance list. To maintain health and safety for all workers, there should be separate toilets for men and women. Available drinking water is also a must for workers at Rulindo substation

### **6.0 ELIGIBILITY**

Eligibility for compensation is enshrined under the Rwandan Constitution (Article 29), the Expropriation Law of Rwanda (No 18/2007 of 19/04/2007) the African Development Bank Resettlement Policy, the OP 4.12 of the World Bank and EARP Resettlement Policy Framework. These documents regulate and give entitlement to those affected, whether or not they have written customary or formal tenure rights. The African development Bank Resettlement Policy highlights the procedures on legal basis and the procedures for expropriation and compensation at full replacement cost for land and property and that Compensation payments should be independently monitored, and accurate records should be kept of all transactions.

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”.

The Rwandan Constitution, promulgated in 2003 recognizes ownership of property also found in various legal texts of Rwanda including the Rwandan Constitution which recognizes every person’s right to private property (Article 29). Consequently, private property, whether individually or collectively owned is inviolable. Exceptionally, the right to property may be overruled in the case of public interest. In these cases, circumstances and procedures are determined by the law and subject to fair and prior compensation (Article 29).

In addition, the present Organic Land Law sets a legal framework for property law under articles 5 and 6 which provides for full ownership of land and permits any person that owns land (either through custom or otherwise), to be in conformity with the provisions of this law. It is important to observe however that full ownership of land is only granted upon acquisition of a land title issued by the general land registrar authority. Once the efforts to provide proper land tenure documentation are completed, ownership of land without proper documents such as land title will not be deemed lawful land ownership and thus in event of circumstances like expropriation, one will not be able to benefit from a fair and just compensation package.

## **6.1 Land Regime in Rwanda**

The Organic Land Law also provides two types of formal land tenure: full ownership/ freehold and long term leasehold.

Following the recent privatization of State owned lands, very few land users currently hold either type of land tenure. Therefore, the Organic Land Law recognizes existing rights, whether written or unwritten, under both civil law and customary practices through new national land tenure arrangements. Efforts are being made under the Law (Article 7) to formalize land ownership, especially those acquired through customary means. For instance, rural populations with customary/indigenous land rights are being encouraged to register their land through decentralized land institutions like the District Land Bureau, Sector Land Committees and Cell Land Committees (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).

All types of land tenure must be in compliance with the designated land use and environmental protection measures as outlined in the Land Use Master Plan (Organic Land law N0 08/2005 of 14/07/2005, article 6).

The law also recognizes the private ownership of the land except the marshlands which are owned by the Government. In order to confirm this private ownership, the Government has started to register all lands and provide title to the owners.

## **7. VALUATION OF AND COMPENSATION FOR LOSSES OF CROPS, TREES AND HOUSES**

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. Magnitude of expected loss**



The magnitude and impact of the expected loss was termed average because of the number of people that lost their crops, trees and houses.

## **7.2. Compensation for crops houses and land**

A census of everyone losing crops due to the construction process was undertaken. All crops and trees were given values by the Compensation Committees of the district of Rulindo. The valuations of those crops and trees have been done according to the Rwanda expropriation law. The value of crops depends on its type and age. In the organic law no 08/2005 of July 14.

**Article one:** This law determines the procedures relating to expropriation in the public interest. Act of public interest, an act of government, public institution, nongovernmental organization legally accepted associations operating in the country, will aim public interest.

**Just compensation:** an indemnity equivalent to the value of land and activities performed thereon give to expropriated person and calculated consideration of market price.

*Photo 3*



*Expected house to be demolished*

*Photo 4*



*A PAP nearby his house*

## **8.0. CONSULTATION WITH PAPs ON ALTERNATIVES ACCEPTANCE**

In the African Development Bank resettlement policy guiding principles, displaced persons and host communities were meaningfully **consulted** early in the planning process and encouraged to participate in the planning and implementation of the resettlement program. The displaced persons were informed about their options and rights pertaining to resettlement. Hence, consultation and meetings with PAPs were held to discuss issues related to compensation. REG/EARP held meetings with the local communities at the site for Rulindo district in order to inform them about the planned subproject.

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

Upon identification of the households that were affected by the project, REG/EARP staff organized meetings with the District of Rulindo to discuss compensation requirements and concerns. The District arranged meetings for the negotiations with the local communities to discuss the alternatives for compensation and the proposed site seemed to be suitable for the project.

### **8.1. Verification and Disclosure of entitlements**

Public consultations took place from the initial stage of ARAP preparation with the local community and PAPs involved in the process of documentation and valuation of their assets. The ARAP will be disclosed after the approval of the African Development Bank, and the medium of communication with affected people will be in *Kinyarwanda*.

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

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

*Table 5: Issues of PAPs and responses given*

<b>Issues</b>	<b>Responses</b>
Valuing affected assets (crops, trees	The valuation of the crops trees and houses will be done with reference to current compensation rates applied in Rwanda.

and houses)	
Do I have right to choose whether to be given money or other land?	It's your right to be given money or another land
How will I know the amount of money to be compensated?	All the PAPs names and their properties as well as their amount of money to be compensated will be displayed at cell and sector offices
How will I receive my money?	All payment will be made directly to PAP personal bank accounts or SACCOs and other Banks operating in Rwanda.
Employment	The PAPs will be given priority in recruiting during construction works as Man powers.

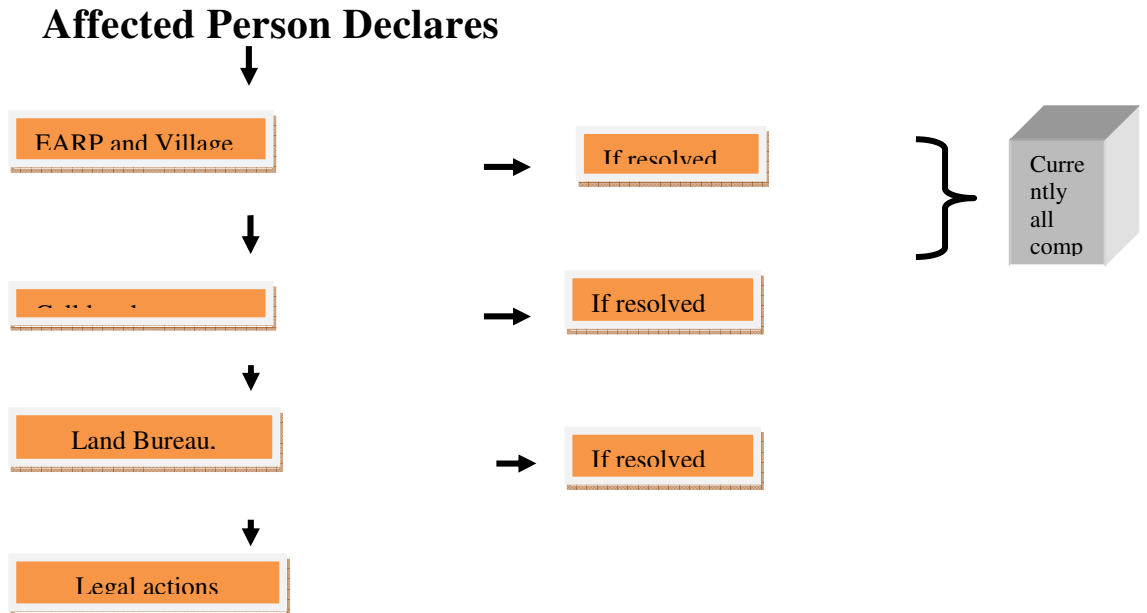
## 9.0 GRIEVANCE REDRESS MECHANISM

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.

REG /EARP will follow up the aggrieved PAPs 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.



## 10.0 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.

*Table 6: Roles and Responsibilities for each institution*

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

EARP will 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.

### **10.2 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 sub-project area was 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.

### **10.3 Roles of Rulindo District during Assets Measurements**

The authorities of Rulindo District will played an important role during survey and valuation of land targeted for the construction of new Rulindo subproject.

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

### **10.4 Additional Roles of REG/EARP**

1. Ensure that the ARAP process is implemented successfully.
2. Transferring money to the PAPs accounts for payment of compensation;
3. Working together with the District to ensure that complaints are dealt with and that the ARAP is implemented;

## **11.0 IMPLEMENTATION SCHEDULE**

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

*Table 7: 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 ARAP and Compensation	-Rulindo and - REG /EARP	<b>28<sup>th</sup> -01-2013</b>
<b>Database</b>	Documentation of assets (crops)	- Rulindo District - REG /EARP	<b>30-01-2013</b>
<b>Disclosure of entitlement</b>	To display to the PAPs the results of the census.	- Rulindo District - REG /EARP	<b>4<sup>th</sup> /02/2013</b>
<b>Compensation of trees and crops</b>	Compensation for crops, trees and houses	- REG	<b>-04-2013</b>
<b>Monitoring and supervision</b>	Follow up of the implementation	- Rulindo District - REG/ EARP	<b>05-04-2013</b>

NB: Applicable to the 1st batch of affected people.

## **12.0 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 Rulindo District representatives, representative at the Sector and Cell level and REG/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;

*Table 8: Estimated costs for Monitoring, evaluating and reporting*

<b>Item</b>	<b>Main activities</b>	<b>Responsible institutions</b>	<b>Commencement of monitoring</b>
<b>Public consultation</b>	Consultation meeting with the PAPs to inform them about scheduled activities and their roles to accomplish the ARAP	- Rulindo District -REG/EARP	<b>28<sup>th</sup>/03/2013</b>
<b>Database</b>	Documentation of assets (crops) and land measurement	- Rulindo District -REG/EARP	<b>01<sup>th</sup>/04/2013</b>
<b>Disclosure of entitlement</b>	To display to the PAPs the results of the census.	-REG/EARP - Rulindo District	<b>14<sup>th</sup> /04/2013</b>
<b>Compensation</b>	Compensation for crops, trees and houses	- REG /EARP	<b>- /05/2013</b>
	Exchange of land	- Rulindo District	<b>N/A preferred cash</b>

*NB: This implementation schedule is only applicable to the 1st batch of affected people but other batches also followed the same trend.*

### **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 African Development Bank within 3 months of completion of compensation payments or before the Implementation Completion Report by the African Development Bank for EARP Sub- projects. The ARAP implementation report will 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
- Proof of payment



### **13.0 BUDGET**

The total budget for the destroyed assets related to the relocation of the Rulindo substation will be **128,153,968 Rwf** which includes crops, trees, land and destroyed houses. Rwanda Energy Group Limited is responsible for paying all the destroyed trees, crops and houses as displayed in this ARAP.

## Valuation Rate Annex 1- Rates of Valuation Crops

# IMBUTO

Type of Crop	Unity	Age	Value (rwf)
Inanasi Ananas Pineapple	Cluster		300/Plan /180000 Par are
Ananas	Are		180000
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
		3 to 5 years	9000
Ipapayi Papaye Papaya	Plant	0 to 1 years	1200
		1 to 3 years	10700
		3 et plus	9000
Avocat Avocatier Avocado	Plant	0 to 1 years	4005
		1 to 3 years	13020
		≥ 3 years	24060
Coeur de boeuf	Plant	0 to 1 year	1750
		1 to 3 years	2500
		3 to 5 years	5550
Marakuja	Plant	0 to 1 year	1500
		1 to 3 years	4000
		3 to 5 years	3250
Les agrumes	Plant	0 to 3 years	4650
		3 to 5 years	6150
		5 et plus	12150
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
<b>IBINYAMISOGWE</b>			
Ibishyimbo Haricots Beans	Are		2250

Petit pois	Are		2600
Arachide	Are		6750
Soya	Are		250/plant 3750/are
<b>IBINYAMPEKE</b>			
Amasaka Sorgho Sorghum	Are		3500
Umuceri Riz Rice	Are		14000
Umuceli udatonoye/ padi	Are		14000
Ingano	Are		4500
Ibigori	Are		4200
Ubuuro	Are		3000
<b>IBINYABIJUMBA</b>			
<b>Amateke Colocases</b>	Plant, are		80/plant, 20,000/are
<b>Imyumbati Manioc Cassava</b>	Plant, are		90/plant, 40500/are
Ibirayi	Are		80/plant 24000/are
Ibikoro	Are		80/plant 16000/are
Ibijumba	Are		80/plant 20000/are
Urutoki	Mat	0 to 1 year	500
Banane	Mat	≥ 1 years	2500
Banana	Are	0 to 1 year	22000
	Are	≥ 1 year	110000
<b>IMBOGA/LEGUMES</b>			
Tomates	Are		75000
	Plant	0 to 1 year	1300
	Plant	1 to 3 years	2550
Intoryi	Are		75000
Karoti	Are		60000
Salade	Are		30000
Celeri	Are		30000
Courge	Are		30000
<b>Manioc/ Isombe</b>	Are		300/plant 60000/are
Izindi mboga	Are		30000
Urusenda Pilipili	Plant	0 to 6 Months	150
	Plant	≥ 1 years	650
	Are	0 to 6 Months	15000
	Are	≥ 1 years	65000

Amashu	Are		150/plant 45000 are
Ibitunguru	Are		250/plant 60000/are
Canne a sucre	Are		50000

## CULTURES D'EXPORTATION/ INGENGABUKUNGU

Ipamba	Are		3000
Itabi	Are		75000
Kawa	Are	0 to3 years	40000 are/2500 plant
		3 to 10 years	44800 are /2800 plant
		10 et plus	48000 are /3000/plant
Ibireti	Are	0 to 1 years	52000/250 par plant
		1 to 3 years	135200/650 par plant
Icyayi	Are	0 to 3 years	52500/ 500 par plant
Quinquina/ikinini	Are	3 et plus	64050/ 610 par plant
		0 to 3 years	60000/600 par plant
Moringa trees	Plant	0 to 1 year	1000
		1 to 3 years	4005
		3 to 5 years	5500
		≥ 5 years	7500
Macadamia	Plant	0 to 2 years	8265
		2 to 5 years	18300
		5 to 15 years	24060
		15 et plus	32325
Vanilla	Plant	0 to 1 year	1500
		1 to 3 years	4000
		3 to 5 ears	5250
		5 et plus	8205

## IBITI BITANGA IMITI

Ibiti bitanga imiti( Umuravumba, igicuncu, umweya,..... Medicinal crops)	Plant		2800
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## IBYATSI BY' AMATUNGO

Urubingo Penissetum Elephant Grass	Are		10000
Tripsacum, vetiveri, setariya, kikuyu grass, mucyayicyayi/citronelle	Are	En production	5000/ 100 par piece

Desmodium, Luseme, mukuna, trefle en production	Are	En production	10000
Sisal(umugwegwe), bambou(umugano)	Pce	En production	250
Urwuri rutunganije	Are		350000/are

## INDABO

Indabo (indabo zerera Umwaka)	Pce		1000
Indabo (Ibiti byo mu busitani)	Pce		5000
Pasparum.....	m <sup>2</sup>		620

## IBITI BYO GUKORA URUGO

Imiyenzi Euphorbes	Cluster	Young Age	105
		Average	525
Imihate Dracaenas	Cluster	Young age	125
		Average	575
Spurges	Plant	Aged	920
Imiyenzi nu rugo Enclos d'euphorbes Spurge enclosure	M	Young age	270
		Aged	920
		Average	420
		Aged	920
Imihate y'urugo Enclos de Dracaenas	M	Young age	285
		Average	860
Enclos de roseau cg Imiseke	M		1850
Enclos de sipure	M		1250
Enclos de bougainviere	M		2250
Enclos de roseau cg Imiseke	M		1850
Enclos de sipure	M		1250
Enclos de bougainviere	M		2250
Urugo rw'imitobotobo	M	Jeunes	270
	M	Moyennes	420
Umuvumu Ficus Ficus Imivumu	Plant	Young age	270
		Average	860
		Aged	2860 to 4290
Umuko	Plant	Young age	270
		Average	450

Ibindi biti Other trees not specified	Plant	Young age	105
		Average	270
		Aged	450
Ikibonobono Ricin Castor Oil Plant	<i>Plant</i>	Young age	105
		Average	575
		Aged	715

## IBITI BYO KUBAZA

Sipure – Cypres Gereveliya – Greveleia Gasiya – Acacia Pinusi – Pinus Umusave – Markhamia Sederela – Terminalia	<i>Plant, are</i>	Young	286/plant, 7150/are
		3 to 5 years	572 to 858/plant, 13,585/are
		6 to 10 years	1287 to 2145/plant, 22,880/are
		≥ 10 years	4290 to 5720/plant, 57,200/are
Murier, iboberi	Plant	0 to 2 years	1000
		2 to 3 years	2000
		3 et plus	6150
Ibiti bibazwa: (Filawo, araucaria, cypres, grevellela, Masopsis, acacia, Indongo, Pinus, Lilas, Markhamia, Umusave, Jacaranda, Sakaranda, cedrela, Terminaria, etc	Are	Jeunes	7150/286 par plant
	Are	3 to 5 years	13585/ 572 par plant
	Are	6 to 10 years	22880/ 1287 to 2145 par plant
	Are	Sciable	57200/ 4290 to 5720 par plant

## IMIZINGA N'IBYUZI

Imizinga/Ibyima bya Kinyarwanda	Pce		3000
Imizinga/Ibyima bya Kijyambere	Pce		12500
Ibyuzi	Are		240000

Murier, iboberi	Plant	0 to 2 years	1000
		2 to 3 years	2000

		3 et plus	6150
Ibiti bibazwa: (Filawo, araucaria, cypres, grevellela, Masopsis, acacia, Indongo, Pinus, Lilas, Markhamia, Umusave, Jacaranda, Sakaranda, cedrela, Terminaria, etc	Are	Jeunes	7150/286 par plant
	Are	3 to 5 years	13585/ 572 par plant
	Are	6 to 10 years	22880/ 1287 to 2145 par plant
	Are	Sciable	57200/ 4290 to 5720 par plant

## **IMIZINGA N'IBYUZI**

Imizinga/Ibyima bya Kinyarwanda	Pce		3000
Imizinga/Ibyima bya Kijyambere	Pce		12500
Ibyuzi	Are		240000

**Proof payments of PAPs and signatures for the reception their compensation money**



**EWSA LTD**  
Energy Water and Sanitation Limited  
**ELECTRICITY ACCESS ROLLOUT PROGRAM (EARP)**  
K082 57 2, Nyanganga District, Kigali City, PO Box 537 Kigali, Rwanda.  
Tel: + (250) 0252573802, Fax: + (250) 0252573802  
Email: ewsa@ewsa.rw, info@ewsa.rw, ewsa@rwanda.rw, Website: www.ewsa.rw

Account No at BNR: 12 80070		Reference No: OP 285077		PROPERTIES DAMAGED			
num_vir	NUM_CPT	COD_BAN	LIB_BAN	LIB_CPT_BEN	INFO_VIR	MNT_VIR	Currency
1	0182000533	070	FINA BANK	HABIMURU LEONIDAS	PROPERTIES DAMAGED	21910	RWF
2	40333804111	400	BPR	USABAMARYA THEODOSE	PROPERTIES DAMAGED	68465	RWF
3	0181740075	070	FINA BANK	INGABE ISA DIEUDONNE	PROPERTIES DAMAGED	46660	RWF
4	00040028864506	040	BR	SHUMUJYO PASCAL/CODEMARU	PROPERTIES DAMAGED	281528	RWF
5	004720192	040	BR	SHIMANA OSCAL	PROPERTIES DAMAGED	648137	RWF
6	00040028864506	040	BR	KALISA CAMILLE/CODEMARU	PROPERTIES DAMAGED	245780	RWF
7	403338038411	400	BPR	UPPERDUJE DAMIANUE	PROPERTIES DAMAGED	401585	RWF
				TOTAL		6454796	

Date of Kigali on 14 April 2014



ERNEST NDAYISABA  
Budget Manager



SOLOMON ODEPE  
Director of Finance



NTARE KARISANYU  
Director, Internal





FOR RECEPTION  
14 APR 2014



**EWSA LTD**  
Energy Water and Sanitation Authority  
Avenue du lac Ihema, PO Box 537 Kigali, Rwanda. Tel: + (250) 0252573802, Fax: + (250) 0252573802.  
Email: ewsa@ewsa.rw, Website: www.ewsa.rw

EXPROPRIATION RULINDO : RULINDO SUB STATION  
PAY LIST  
Ref: N1300300000/0456/07/14

num_vir	NUM_CPT	COD_BAN	LIB_BAN	LIB_CPT_BEN	INFO_VIR	MNT_VIR
1	40333947511	400	BPR RULINDO	KALISA Camille	Pyt of properties damaged	299,319
2	181200050	070	FINA BANK	IKUNZEBOSE Serwareries / SACCO BUSHOKI	Pyt of properties damaged	2,205,349
3	11003380651701	100	ECOBANK	REBERAND Pierre	Pyt of properties damaged	8,786,964
4	403338053211	400	BPR RULINDO	MVUYEKURE Pascal	Pyt of properties damaged	7,730,576
5	181200050	070	FINA BANK	MBONABASIKA Joseph / SACCO BUSHOKI	Pyt of properties damaged	3,539,203
6	28542988	040	BR	MUNYAKAVANZA Bernard	Pyt of properties damaged	2,437,177
7	560341755013	400	BPR KINHIRA	KABISI Francis Xavier	Pyt of properties damaged	6,921,673
8	1302044739	130	COGEBANQUE	MUKANYANDWI Jacqueline	Pyt of properties damaged	5,607,074
9	181200050	070	FINA BANK	IKURIBOYEZU Jean Claude / SACCO BUSHOKI	Pyt of properties damaged	2,217,440
10	1371000808	130	COGEBANQUE	NSABIMANA Ineece / codemaru	Pyt of properties damaged	2,040,855
11	4400670953	360	KCB NYABUGOGI	MZEYIMANA Pierre Claver	Pyt of properties damaged	15,224,532
12	124907201	400	BPR RULINDO	NYAGIRANDI Jean	Pyt of properties damaged	2,018,560
13	181200050	070	FINA BANK	KARANGWA Athanase / SACCO BUSHOKI	Pyt of properties damaged	1,154,955
14	181200050	070	FINA BANK	MWITENIZA Claudine / SACCO BUSHOKI	Pyt of properties damaged	1,381,517
15	181200050	070	FINA BANK	NYIBIGIRA Emmanuel / SACCO BUSHOKI	Pyt of properties damaged	1,732,687
16	12400452901	400	BPR RULINDO	UWAMAHORO Immaculee	Pyt of properties damaged	2,180,749
17	4007100279536	193	EQUITY BANK	UGIRINGABE Jean de Dieu	Pyt of properties damaged	223,684
18	181200050	070	FINA BANK	KAREMERA Francis / SACCO BUSHOKI	Pyt of properties damaged	17,160
19	1171000808	130	COGEBANQUE	NSENGIYUMVA Laurent / CODEMARU	Pyt of properties damaged	165,500
20	181200050	070	FINA BANK	MAHIRYORI AYARUSANDA Charles / SACCO BUSHOKI	Pyt of properties damaged	135,428
21	181200050	070	FINA BANK	THASSIEM BAHUITE / SACCO BUSHOKI	Pyt of properties damaged	60,060
22	403226747411	400	BPR MUHIMA	KIMENYI Gerard	Pyt of properties damaged	245,153
23	406374082511	400	BPR RULINDO	SEBURO Noel	Pyt of properties damaged	64,350
24	69046981646	040	BR	HABIMURU Leonidas	Pyt of properties damaged	1,045,363
<b>TOTAL</b>						<b>68,129,128</b>



ERNEST NDAYISABA  
Budget Manager



SOLOMON ODEPE  
Director of Finance







We undersigned People below received our money as a compensation for our expropriated assets (Phase I) for the relocation of Rulindo substation in Rulindo District.

No	Names	Expropriated Assets	Amount of money received(Rwf)	ID. Number	Tel. Number	Signature
1.	HARIMPUKA Samidag		21, 910	1197480009538041	07281423289	
2.	UGABAMANA Theodose		69, 465	119852009156020	0788605480	
3.	INGABE Lisa Maudouf		94, 667	1198080111340065	0788134470	
4.	SHUMAJIRO Pascal		294, 298	119818010010067	0788753957	
5.	AGODANA Pascal		648, 137	1199480010009002	0783113416	
6.	KALISA Camille		2452, 789	11942801122019	078582077	
7.	UMUNYARUKA Emmanuel		404, 505	11984800190009	0781318217	

Approved by: 
  
 Rulindo District



The undersigned people below received their money as compensation for their expropriated assets for the relocation of Rulindo Substation in Rulindo District :

No	NAMES OF PAPS	EXPROPRIATED ASSETS	AMOUNT OF MONEY RECEIVED (RWFS)	ID. NUMBER	TEL NUMBER	SIGNATURE
1.	RIENGIYAVANA Salomon		165, 500	119520004550037	078881801	
2.	ISENRO ADEE		54, 350	119520003250806	-	
3.	ASABIMANA Irena		2,040, 255	119520008274082	-	
4.	KALISA CAMILLE		299, 319	11942801122019	078582077	
5.	UMUNYARUKA Emmanuel		2,180, 749	119708008172046	072834254	

Approved by: 
  
 Rulindo District





During public consultation