

**REPUBLIC OF RWANDA**



**MINISTRY OF INFRASTRUCTURE (MININFRA)**

**P.O.BOX 24 KIGALI**



**RWANDA ENERGY GROUP (REG)**

**Energy Access and Quality Improvement Project (EAQIP)**

**(P172594)**

**Final Report**

**RESETTLEMENT ACTION PLAN (RAP)  
FOR MUSANZE AND RUBAVU ADMINISTRATIVE DISTRICTS**

**Kigali, May 2022**

## EXECUTIVE SUMMARY

Energy is the lifeblood of development; the energy sector plays a pivotal role in supporting socio-economic transformation and has an inherently systemic link to the growth of other sectors of the economy. For the energy sector to leverage a most positive impact on the other sectors in a way that supports Rwanda's development. To this effect, one of the objectives of the First National Transformation Strategy (NST1) Scale up electricity generation and improve quality, affordability, and reliability. Generation plans will be informed by medium and long-term projections and analysis of supply and demand. Long-term generation plans will include identification of least cost sources of energy generation with the objective of ensuring a cost-reflective and competitive tariff. A pro-active strategy will be developed to attract industries for economic growth and to ensure that they are supplied with available, reliable, and affordable electricity. Key sectors of focus to increase demand include mining, manufacturing, Information Communication and Technology and commercial premises. Quality of electricity will be improved by continuing investments in network upgrading and strengthening as well as investing in loss reduction projects. Priority will be given to productive use connections such as industrial zones, market centres and other socio-economic facilities such as schools and health facilities. The program development objective is to improve access to energy and efficiency of energy service delivery to households, businesses, and public institutions in Rwanda.

Over the past decade, Rwanda's electricity sector has emerged as a success story in Africa, with access to electricity rising from 6 percent in 2009 to an estimated 52 percent in June 2019. Rwanda's progress in electrification during 2010–2016 ranked 11th globally and 3rd in Africa. Among the 20 least-electrified countries, none made more progress than Rwanda during that period. Investments in grid extension have increased grid connections from 6 percent in 2009 to 38 percent at the end of June 2019. Off-grid access has more than doubled since 2016 and is estimated at 14 percent at the end of June 2019. This places the nationwide electrification rate at 52 percent. The grid coverage of public institutions is remarkably high, reaching, as of March 2019, 100 percent of hospitals, 93 percent of health centres (compared to only a third on average in Sub-Saharan Africa), and 80 percent of primary and secondary schools (compared to a quarter for Sub-Saharan Africa on average). On the supply side, the generation capacity tripled from 76 MW in 2010 to 225 MW in June 2019 with 53.5 percent renewable energy installed capacity. A total of 17 independent power producers (IPPs) now supply power to REG, making Rwanda a pioneer in the Maximizing Financing for Development agenda in the energy sector in Africa (as of 2017, 52 percent of generation capacity was under private ownership). In the World Bank's Regulatory Indicators for Sustainable Energy (RISE) framework, Rwanda is among the top performers in East Africa and has particularly high scores in indicators associated with renewable energy.

Against this need, Rwanda Energy Group through EDCL/EAQIP under the Rwanda Universal Energy Access Program (RUEAP) is undertaking activities which will be implemented by in-house teams related to plant design, Supply, and installation of LV lines of 30 KV and service connection in MUSANZE and RUBAVU Administrative Districts North and Western Provinces of the Republic of Rwanda.

### **Description of the MUSANZE and RUBAVU Sub-project**

The sub-project is situated in two administrative Districts namely RUBAVU and MUSANZE District of Western and Northern Provinces, it will cover 27 Administrative Sectors for both administrative Districts. The activity of the Sub-project consists of Plant Design, Supply, and Installation of Low Voltage and Medium Voltage Lines and Service Connections in RUBAVU and MUSANZE Districts, Western and Northern Provinces of Rwanda and it will imply the restrictions of land use under the Right of Way which will lead to resettlement implications such as affecting different PAPs properties (seasonal and perennial Crops, trees and forest). In order to obtain land for project activities and establish the required line corridor mainly crops and trees will be affected, compensation will be fully done before any project works start. For this sub-project the affected assets mainly include trees and crops in two (2) administrative Districts of Northern and Western Provinces of Rwanda namely MUSANZE and RUBAVU where the Sub-Project activities will be implemented.

The Resettlement Action Plan (RAP) was prepared in full compliance with national policies and regulations including Rwanda expropriation law N° 32/2015 of 11/06/2015 and the World Bank Environmental and Social Framework (ESF) especially Environmental and Social Standard (ESS 5 and 10) on on land acquisition, restriction on land use and involuntary resettlement and ESS10 related to Information disclosure and Stakeholders Engagement as well as the Resettlement Policy framework prepared for the project, RPF provided guidance to the preparation; implementation and monitoring of site-specific Resettlement Action Plans (RAPs) and land acquisition or restriction on land use during the implementation of the project activities have been the main reference to this RAP preparation and implementation.

### **Objective of the RAP**

The objective of the RAP is to provide a baseline with regards to the socio-economic conditions of the Project Affected Persons (PAPs) after field investigation, identify the national and international legal framework to abide with as well as the institutional arrangements, to assess the potential impacts and the mitigation measures, to conduct public consultation meetings with PAPs and other project stakeholders, ensure immediate compensation or and support to Project Affected Persons (PAPs) for their affected properties at the project sites prior to project works.

## **Approach and Methodology**

To achieve the RAP objectives, we followed procedures stipulated in the Rwanda expropriation law N° 32/2015 of 11/06/2015 and the WB ESF-ESS5 on on land acquisition, restriction on land use and involuntary resettlement social safeguard principles and the RPF guidance for environmental and social consideration and national expropriation and evaluations laws and the World Bank social policies, procedures and regulations. The RAP adopted the following approach:

- (i) Preliminary assessment and review of preliminary design of the projects.
- (ii) Review of baseline information.
- (iii) Review of policies and regulations.
- (iv) Review of previous meetings and consultations with stakeholders.
- (v) Interviews with key project stakeholders, and
- (vi) Field surveys at the project sites including socio-economic baseline data and assets inventory.

Socio-economic survey was conducted at site locations, affected properties were described fully with clear maps using Global Position System (GPS) and Geographic Information System (GIS) tools for a comprehensive understanding of the area and project activities to make the task of planning and monitoring easier during the implementation. Data/strip maps, a survey report, property catalogues and a valuation roll, institutional and implementation arrangements, necessary references, annexes and socio-economic profiles of PAPs are all part of this Resettlement Action Plan report.

## **Baseline Data and Impacts Assessment**

The construction of distribution lines as well as other supporting facilities will imply the cutting of trees and crops (perennial or seasonal) for MUSANZE and RUBAVU Administrative Districts and will affect crops and trees that are within the Right of way of 12 metres large in all of these Districts (MUSANZE and RUBAVU) as per the RoW national guidelines for 15-30 KV power lines from the mandated authority (RURA): N°01/GL/EL-EWS/RURA/2015 on the RoW acquisition, related easement and restriction provisions. In general, and as stated in the overall RAP report, no Land will be acquired in the sub-project but only restrictions on the height of planted crops under electrical lines (Not to plant crops and trees of more than 3 m height) will be applied. The acquisition used instruments in the RAP are deeds (Land title provisions, especially Article 16, regulating the use of rented land by Renter (PAP) and the state (GoR) in relation to the easement process on public interest projects in Rwanda. Another instrument used in this RAP is price value for the affected properties and compensation for properties to be damaged during the project activities implementation as of December 2021.

## **Public Consultations**

The Safeguards and GIS team undertook several public consultations in Sub-projects to ensure that the Project activities and the likely impacts on the PAPs and their livelihoods are fully explained/communicated and openly discussed with the PAPs' representative and the Local Government Officials from Village to District Level, the participative approach were used during the consultation, the key outcome of the consultation with the stakeholders are based on the discussed topics as presented below:

- Description of the project objectives, components, and implementation activities.
- Property and livelihood impacts associated with sub-project implementation.
- The resettlement/compensation alternatives and strategies available for PAPs.
- The rights of PAPs.
- Grievance redress mechanism.
- RAP preparation.
- Valuation principles and procedures.
- RAP disclosure; and the approval process.

PAPs were mainly concerned about the likely impacts that will be caused by the sub-project activities on their livelihood with respect to the damage to the trees and crops on their land.

The PAPs and stakeholders consulted voiced the need for prompt and adequate compensation for the PAPs to enable them to re-establish their property and livelihood activities. The views of the PAPs and other stakeholders consulted were documented and have been integrated into the resettlement measures and strategies outlined in this RAP. Public consultation meetings were also useful in engaging communities, local authorities, and PAPs to be particularly affected by the MV lines construction. Along these consultation meetings, few suggestions were given as views of PAPs representative and project beneficiaries, and this was incorporated in the Resettlement Action Plan.

## **The key project Impact**

The project impact as planned is positive on one side, for the other side it would lead to the negative impact to some people where 4,387 will temporarily loss the access to land due to power line construction activities, 7,824 people will loss of forest Trees and crops, however all the loses will be compensated as per Rwanda Expropriation law in public interest of 2015.

## **Compensation and resettlement measures**

The compensation of affected assets will be made in reference to the prevailing laws in Rwanda and the Environmental and Social Framework (ESF) of the World Bank, especially environmental and Social Standard (ESS5). No squatters or informal settlers were identified along the project's intervention areas

and right of way. However, the entitlement matrix includes entitlements for informal landholders to cover the unlikely event that eligible PAPs, minor unanticipated impacts will be covered by the contingency presented in this RAP report. The resettlement and compensation of crops and trees will be made in reference to the prevailing expropriation laws in Rwanda Law N° 32/2015 of 11/06/2015 relating to Expropriation in the Public interest, Special N° 35 of 31/08/2015: This law determines the procedures relating to expropriation of land in the interest of the public. Article 3 of the law stipulates that the Government has the authority to carry out expropriation. However, the institution, at any level, which intends to carry out acts of expropriation in the public interest, shall provide funds for inventory of assets of the person to be expropriated and the World Bank ESF, ESS5.

The PAPs will be able to re-use their land after the Project works since there will be no land acquisition; thus the compensation in cash of damaged crops and trees will be fully done before commencement of Project works, the contingency allowances of 5% as per 2015 expropriation law in public interest projects are presented together with the compensation fee and the whole RAP budget/cost. An entitlement matrix for compensation is proposed in the following table:

**Table 1: Entitlement Matrix**

| <b>Category of PAP</b> | <b>Type of Loss</b>  | <b>No of PAHs</b> | <b>Compensation for the losses</b>   | <b>Compensation for forgone Income</b>  | <b>Other Assistance/Observation</b>  |
|------------------------|--|-------------------|--|---|--|
| Land titles owner      | Temporary loss of access to land due to power line construction activities | 4,387             | Damaged trees and crops will be compensated in cash at full compensation cost. | Compensation based on size, location and annual yield of crops on temporarily affected land. PAPs will be allowed to harvest their crops even though these crops will be paid for. An additional 5% of the disruption caused will be paid | Job opportunities to physically capable and skilled PAPs where possible; Trees that will be cut as part of a forest, will be compensated in cash to the owners. Disturbance allowance of 5% will be provided to all PAPs with affected crops and trees. They will also have 120 days for harvesting their seasonal crops without |

| Category of PAP         | Type of Loss                   | No of PAHs | Compensation for the losses                          | Compensation for forgone Income  | Other Assistance/Observation   |
|-------------------------|--------------------------------|------------|--|--|--|
|                         |                                |            |  |  | deduction from the compensation fees.  |
| Asset/property Owners   | Loss of forest Trees and crops | 7,824      | Damaged trees and crops will be compensated in cash. | Cash compensation based on type, age and productive value of affected trees or crops   | Trees and crops which will be damaged, will be compensated in cash to the owners.<br>Disturbance allowance of 5% will be provided to all PAPs with affected crops and trees. They will also have 120 days for harvesting without deduction from the compensation fees. |
| Property Tenant holders | Loss of Trees and crops        | 1,653      | Damaged trees and crops will be compensated in cash. | Cash compensation based on the type, age and market value of the mature crop in the scarce season, for the remaining period of the tenancy/lease | Disturbance allowances of 5% will be provided to them; Job opportunities to physically capable and skilled PAPs where possible will be provided; They will also have 120 days for harvesting without deduction from the compensation fees.                             |
| Vulnerable PAPs         | Loss of Trees and crops        | 2,583      | Damaged trees and crops will be compensated in cash. | Compensation based on size, location and annual yield of crops on temporarily affected land. PAPs will be allowed to                             | Trees that will be cut as part of a forest, will be compensated in cash to the owners and disturbance allowance of 5% will be provided to all PAPs with  |

| Category of PAP | Type of Loss | No of PAHs | Compensation for the losses | Compensation for forgone Income  | Other Assistance/Observation  |
|-----------------|--------------|------------|-----------------------------|--|---|
|                 |              |            |                             | harvest their crops even though these crops will be paid for. An additional 5% of the disruption caused will be paid | affected crops and trees. They will also have 120 days for harvesting their seasonal crops without deduction from the compensation fees. Vulnerable PAPs will be given priority in recruiting field staffs and those who are skilled and fit for the job will be hired. |

**Source:** Primary data, 2022

### **Resettlement Action Plan (RAP) Costs**

In total, the Project activities in the 2 administrative districts will affect total number 7,824 households; 117,493 properties will be affected. The total number of various assets to be lost by PAPs has been counted to 49,453 are (trees and crops) and 68,040 pieces (trees and crops). The overall RAP cost for the Sub-project is estimated at **1,021,085,000 FRW** detailed as follows:

- Resettlement Action Plan compensation cost: 898,291,886 Rwf.
- Resettlement Action Plan Implementation and Monitoring and follow up: 30,600,000Rwf.
- Disturbance allowance 5% (47,278,520Rwf).
- A contingency amount of 5% (44,914,594Rwf).



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## LIST OF ACRONYMS AND ABBREVIATIONS

|          |   |
|----------|---|
| CLO      | Community Liaison Officer                           |
| COVID-19 | Corona Virus Disease-19                             |
| DLB      | District Land Bureau                                |
| EAQIP    | Energy Access and Quality Improvement Project       |
| EDCL     | Energy Development Corporation Limited              |
| EDPRS    | Economic Development and Poverty Reduction Strategy |
| ESF      | Environmental and Social Framework                  |
| ESS      | Environmental and Social Standard                   |
| GRM      | Grievance Redress Mechanism                         |
| HHs      | Households  |
| IFC      | International Finance Corporation                   |
| IRPV     | Institute for Real Property Valuers in Rwanda       |
| LAC –LA  | Land Adjudication Committee - Land Act              |
| LPG      | Liquefied Petroleum Gaz                             |
| LRC      | Local Resettlement Committee                        |
| LV       | Low Voltage   |
| MININFRA | Ministry of Infrastructures                         |
| MV       | Medium Voltage                                      |
| NST1     | National Strategy for Transformation one            |
| PA       | Project Area  |
| PAHs     | Project Affected Households                         |
| PAPs     | Project Affected Persons                            |
| PIU      | Project Implementation Unit                         |
| PRA      | Participatory Rural Appraisal                       |
| RAP      | Resettlement Action Plan                            |
| REG      | Rwanda Energy Group                                 |
| RIB      | Rwanda Investigation Bureau                         |
| RNP      | Rwanda National Police                              |
| RoW      | Right of Way  |
| RUEAP    | Rwanda Universal Energy Access Program              |
| RURA     | Rwanda Utilities Regulatory Authority               |
| VUP      | Vision 2020 Umurenge Program                        |
| WB       | World Bank  |



## DEFINITION OF TERMS

- **Census:** A field survey carried out to identify and determine the number of Project-Affected Persons (PAPs), their assets, and potential impacts; in accordance with the procedures satisfactory to the relevant Government authorities, and the World Bank Safeguard Policies.
- **Community:** A group of individuals broader than the household, who identify themselves as a common unit due to recognized social, religious, economic or traditional government ties, or through a shared locality.
- **Compensation:** The payment in kind, cash or other assets given in exchange for the taking of land, or loss of other assets, including fixed assets thereon, in part or whole.
- **Complete Structures:** Buildings, including houses and institutional structures, which have enclosed walls, roofs and levelled earth or concrete floors.
- **Cut-off date:** The date at which the property identification and valuation exercise ended and the census of PAPs within the project area boundaries commenced. This is the date on and beyond which any person whose land is planned for and/or occupied for project use will not be eligible for compensation.
- **Displacement Assistance:** Support provided to people who are physically displaced by a project. Assistance may include transportation, shelter, and services that are provided to affected people during their move.
- **Economic Displacement:** Loss of income streams or means of livelihood resulting from land acquisition or obstructed access to resources (land, water, or forest) which results from the construction or operation of a project or its associated facilities.
- **Economically Displaced Households:** Households whose livelihoods are impacted by the Project, which can include both resident households and people living outside the Project Area but having land, crops, businesses or various usage rights there.
- **Entitlements:** The benefits set out in the RAP, including financial compensation; the right to participate in livelihood restoration programs; and, transport and other short-term assistance required to resettle or relocate.
- **Household:** A person, or group of persons living together, in an individual house or Compound, who share cooking and eating facilities, and form a basic socio-economic and decision-making unit.
- **Institutional Structures and Infrastructure:** Buildings, structures and facilities for public, government and religious use, such as schools and churches, within the Project Area, and being used for the purpose for which they were established at the Entitlement Cut-Off Date.
- **Involuntary resettlement:** The involuntary taking of land resulting in direct or indirect economic and social impacts caused by:
  - Loss of benefits from use of such land;
  - Relocation or loss of shelter;

- Loss of assets or access to assets; or
  - Loss of income sources or means of livelihood, whether or not the project-affected person has moved to another location.
- **Involuntary land acquisition:** The taking of land by the government or other government agencies for compensation, for the purposes of a public project/interest against the will of the landowner.
  - **Land:** a field, a plot or a farm located in a known geographical area and with boundaries, including its airspace, the objects underground, the surrounding biodiversity, structures and developments on that surface; It refers to agricultural and/or non-agricultural land whether temporary or permanent, and which may be required for the Project.
  - **Landowner:** Is a person who has lawful possession over a piece of land. The Landowner may or may not own structures and crops on the land.
  - **Land acquisition:** The taking of or alienation of land, buildings or other assets thereon for purposes of a Project under eminent domain.
  - **Livelihood Programs:** Programs intended to replace or restore quality of life indicators (education, health, nutrition, water and sanitation, income) and maintain or improve economic security for Project-Affected People through provision of economic and income-generating opportunities, which may include activities such as training, agricultural production and processing and small and medium enterprises.
  - **Non-resident Household:** A household (or individual) that has an asset in the Project Area, which existed on or before the Entitlement Cut-off Date, but who resides outside the Project Area.
  - **Occupied Structures:** These are structures that have signs of regular and sustained human occupancy, for a period prior to the Entitlement Cut-Off Date.
  - **Physically displaced Household:** Households who normally live in the Project Area and who will lose access to shelter and assets resulting from the acquisition of land associated with the Project that requires them to move to another location.
  - **Project-affected Household (PAHs):** All members of a household, whether related or not, operating as a single socio-economic and decision-making unit, who are affected by a project.
  - **Project affected Persons (PAPs):** means persons who, for reasons of the involuntary taking of their land and other assets under the project, result in direct economic and or social adverse impacts, regardless of whether or not said PAPs physically relocate. These people may have their:
    - Standard of living adversely affected, whether or not the PAP must move to another location;
    - Right, title, investment in any house, land (including premises, agricultural and grazing land) or any other fixed or movable asset temporarily or permanently possessed or adversely affected;

- Access to productive assets temporarily or permanently adversely affected; or business, occupation, work or place of residence or habitat adversely affected.
- **Relocation:** A process through which physically displaced households are provided with a one-time lump sum compensation payment for their existing residential structures and move from the Project Area.
- **Replacement Cost:** The rate of compensation for lost assets must be calculated at full replacement cost, that is, the market value of the assets plus transaction costs.
- **Resettlement Action Plan (RAP):** Also known as a Resettlement and Compensation Plan, a resettlement instrument (document) prepared when sub-project locations are identified and involves land acquisition which leads to or involves the physical displacement of persons, and/or loss of shelter, and/or loss of livelihoods and/or loss, denial or restriction of access to economic resources. RAPs are prepared by the project owners (managers or their appointed representative) impacting on the PAPs and their livelihoods and contain specific and legally binding requirements for compensation of the PAPs before the implementation of such project activities.
- **Replacement cost:** The replacement of assets with an amount sufficient to cover full replacement cost of lost assets and related disturbance and transaction costs. In terms of land, this may be categorised as follows:
  - Replacement cost for agricultural land: The pre-project or pre-displacement, whichever is higher, value of land of equal productive potential or use located in the vicinity of the affected land, plus the costs of:
    - Preparing the land to levels similar to those of the affected land;
    - Any registration, transfer taxes and other associated fees.
- **Right-of-Way:** is an easement granted or reserved over the land for transportation purposes; this can be transport related, as well as electrical transmission lines, or oil and gas pipelines. The right-of-way is reserved for the purposes of maintenance, expansion or protection of services, and may also impose restrictions on certain other use rights. According to the national regulations set by Rwanda Utility Regulations Authorities (RURA) the power lines of 30KV should be centered within the RoW of 12m.
- **Socio-Economic Survey:** A detailed socio-economic survey of all households within the Project Area, recording detailed demographic and socio-economic data at the household and individual level.
- **Stakeholders:** Any and all individuals, groups, organizations, and institutions interested in and potentially affected by a project or having the ability to influence a project.
- **Tenant:** A person who lives in a structure belonging to another, regardless of whether they pay rent or not.

- **Vulnerable Persons:** Socially and economically disadvantaged groups of persons such as widows, the disabled, and households headed by orphans and single women, elderly persons or household heads who are likely to be more affected by project implementation or are likely to be generally constrained to access or seek out their entitlements promptly.

## **I. Introduction**

### **I.1. Background**

The Government of Rwanda (GoR) through Rwanda Energy Group (REG) and its subsidiaries Energy Development Corporation Limited (EDCL), and the Rwanda Universal Energy Access Program (RUEAP) and Energy Access and Quality Improvement Project (EAQIP) which will contribute to National Strategy for Transformation I (NST1) targets are supported from different development partners including World Bank as the main donor. This project complements the on-going EARP (Electricity Access Roll out Program) which will continue to lead on grid electrification in urban areas and rural settlement.

The economic transformation pillar for NST1 by Scale up electricity generation and improve quality, affordability and reliability. Generation plans will be informed by medium and long-term projections and analysis of supply and demand. Long-term generation plans will include identification of least cost sources of energy generation with the objective of ensuring a cost-reflective and competitive tariff. A pro-active strategy will be developed to attract industries for economic growth and to ensure that they are supplied with available, reliable and affordable electricity. Key sectors of focus to increase demand include mining, manufacturing, ICT and commercial premises.

The main Project objective of EAQIP is to increase access to modern energy for households, enterprises and public institutions; and enhance the efficiency of electricity services in Rwanda.

EAQIP will continue to construct the backbone of the power supply system to rural areas and will align generation capacity and demand to achieve an efficient tariff.

Energy Access and Quality Improvement Project has been designed to address two major challenges faced by the energy sector in Rwanda:

- Electricity Sector Capacity Strengthening with an aim to improve the performance of the electricity sector institutions.
- Increased Access to Electricity for attainment of the NST1 Target.

The activities and investments to be supported under the proposed project are organized into the following four main components:

- Increasing access to grid electricity.
- Enhancing the efficiency of electricity service.
- Increasing access to off-grid electricity and clean cooking solutions.
- Technical assistance, institutional capacity building, and implementation support.

## **I.2. Scope of the RAP**

MUSANZE and RUBAVU sub-project will consist of “Design, supply, and installation of low voltage and medium voltage and Service connections”. It will cover 215.161 km of MV line, 1,238.792 km of LV Line with 269 transformers and 47,806 new connections from 26 administrative Sectors. The Project activities in these Districts will affect trees and crops only that are within the right of way during the Project civil works.

The RoW is determined by the National mandated Authority for Utility Regulatory (RURA)/ Guidelines N<sup>o</sup> 01/GL/EL-EWS/RURA/2015; this is highlighting that the RoW for Power Lines should be 12m large for 15-30 kV Distribution and transmission lines. (The document can be accessed at RURA and REG Websites).

The present report principally describes the proposed Project components/activities and associated resettlement impacts. The RAP also provides the legal and regulatory framework for assets valuation, eligibility, and compensation. Number of affected Persons, entitlement, compensation and resettlement measures, establishment of Grievance Redress Mechanism (GRM), estimated RAP budget/cost, implementation, monitoring and reporting arrangement during the project activities implementation as well as the completion of the project.

## **I.3. Resettlement Action Plan’s Objectives**

The overall objective of this assignment is to undertake a detailed Resettlement Action Plan (RAP) to determine the extent of land acquisition impacts associated with the establishment of distribution lines, as well as put in place measures to mitigate those plausible impacts.

Particularly, the scope of this RAP lays in the following specific objectives:

- Analysis of the legal and institutional framework and gap in relation to involuntary resettlement;
- Conducting Socio-economic Baseline survey and Information detailing the project affected people by household, their affected properties and vulnerability;
- Analysis of potential project social impacts and resettlement implications through identification of PAHs and PAPs, and evaluating the extent of the impacts of the project on them;
- Carry out and document public consultations with PAPs, relevant institutions and stakeholders involved in involuntary resettlement;
- Carry out detailed inventory of PAPs properties and submit inventory report that include the photographs of the PAPs, photographs of the affected property and the geo reference (GPS coordinates of the affected property);

- Compensation and resettlement of Project affected people to be carried out in compliance with the Rwandan Legislation Law and the World Bank ESS5.
- Set up of RAP implementation schedule covering all activities from preparation stage to monitoring;
- Set up organizational structure for proper RAP implementation and delivery of necessary services;
- Set up Monitoring and evaluation mechanisms arrangements by the implementing agency;
- Set up Grievances Redress Mechanism (GRM) that ensures affordable and accessible procedures for settlement of disputes arising from the project.
- Provide the Costs and Budget including costs for compensation for RAP implementation.

The Project will assist PAPs in restoring their affected livelihoods and will provide transitional assistance for a period between civil engineering activities and compensation in order to restore livelihoods to at least their previous level.

#### **I.4. Approach and Methodology**

To achieve the RAP objectives, we followed procedures stipulated in Rwanda expropriation law in the public interest No 32/2015 of 11/06/2015 and the WB ESS5 on land acquisition, restrictions to land use and involuntary resettlement and the RPF guidance for environmental and social consideration and national expropriation and valuations laws. The study adopted the following approach: (i) preliminary assessment and review of preliminary design of the projects, (ii) review of baseline information (iii) review of policies and regulations, (iv) review of previous meetings and consultations with stakeholders, (v) interviews with key stakeholders, and (vi) field surveys at the project sites including socio-economic baseline data and assets inventory. Socio-economic cover including site locations, land cover and proposed infrastructure were described fully with clear maps using Global Position System (GPS) and Geographic Information System (GIS) tools for a comprehensive understanding of the area and project activities and to make the task of planning and monitoring easier during the implementation. Data/strip maps, a survey report, property catalogues and a valuation roll, institutional and implementation arrangements, necessary references, annexes and socio-economic profiles of PAPs are all part of this RAP report. The sample of agreement used to do asset valuation and right of way acquisition is provided as an annex 9 of this RAP. All households to be affected by this sub-project were surveyed for the RAP preparation.

#### **I.4.1. Preliminary works**

Shapefiles reading and conversion into ArcGIS, site reconnaissance and data collection preparation. This phase consists of:

Getting shape files and convert into ArcGIS: This consists of getting shape files of the project area given by the EDCL to be considered during the RAP preparation. After getting the shape files, the GIS expert converted the shape files using GIS tools (Arc map) and Google earth to facilitate the analysis of the workload and deployment of the teams in the field for surveying.

- **Site reconnaissance:**

The safeguards and GIS team visited the project area following the proposed line route of the project proponents for the first 14 days.

The site reconnaissance and map analysis, sharing information about the RAP preparation was done in collaboration with Local Government Officials (District Mayors or Vice Mayors in charge of Economic Development, Division Manager and Corporate services, District Executive Secretary), Sectors and Cells Executive Secretaries as well as Village Leaders and other opinion leaders. These leaders have greatly contributed to the public consultation meeting preparations and distribution of EDCL informative letters detailing the project, suggesting the venue of the meetings, and inviting key participants (PAPs, opinion leaders and other key stakeholders in the project activities interventions).

#### **I.4.2. Recruitment and Training of socio-economic enumerators and Surveyors**

A team of experienced socio-economic enumerators, survey engineers, valuation experts and support staff (Public consultation meetings, animators and data management team) were trained to understand and use data collection tools, to the smooth communication and data sharing and entry point along the data collection exercise. The data collection was subdivided into 3 main phases: Preliminary works, data collection on the field (Using tablets and GPS) and Valuation of assets to be affected.

- **Training of enumerators**

The purpose of the training was to familiarize and help enumerators to be familiar with the field data collection using the Computer Assisted Personal Interview (CAPI) embedded with questionnaires and allow the data programming team to develop and finalize the necessary data entry programs and templates using the Survey CTO software. Data collection was done using tablets in order to manage the short time at disposal and assure the quality of the day to day collected data. The training sessions also gave the survey team an opportunity to assess the quality of questionnaires and improvement if any.



### **I.4.3. Data collection Methodology**

A triangulation of data collection techniques was applied throughout the collection of the data related to the Resettlement Action Plan elaboration. It is in this regard that the following techniques were subsequently used. Assets Inventory Techniques, Use of Maps and GPS, this was used to trace the project's strip map and identify the PAPs, intensity of impact (losses of all kind), and existing sites of cultural significance. The safeguards used the survey maps (Shapefiles) availed by the client (EDCL) to identify the project area and People Affected by the Project.

- **Socio-economic Survey:** Comprising of detailed census about PAPs using a questionnaire (annex 5 of this report), their households' socio-economic characteristics and plausible losses to be incurred to People to be affected by the Project activities.

PAPs Socio-economic and assets data collection using Computer Assisted Personal Interviewing (CAPI-Tablets) and 3 D Geographic Positioning System (GPS). Socio-economic enumerators, collected data using Android Tablets with the Survey CTO software installed and in collaboration with data managers, directly entered the daily collected data. These tablets were used not only to capture the socio-economic characteristics of the PAPs, take the pictures of properties (crops, trees and forests) to be affected. To make this possible, we configured the data collection questionnaire in the tablets in a way that collected data was sent to the server in our office.

A surveying engineer was also deployed to the field to anticipate the geographical positions of the project site and properties therein using a 3D GPS electronic device. With his help, socio-economic enumerators were enabled to know properties (trees, crops, forests, banana plantations, etc.) location and start interviewing respective People to be affected by the project. A professional valuer worked hand in hand with surveyor as he was tasked to cost any identified properties along the line routes, which properties were given to him by enumerators daily.

A GIS engineer was as well on duty to receive Geographical values for properties located in the Right of Way (RoW) of different line routes, this for him to draw the project's strip maps. Overall, a team made of 4 socio-economic enumerators, 1 GIS engineer, 1 Senior Environmental and Social Safeguards Specialist team leader, 1 Social Safeguards Specialist, 2 Energy Projects Liaison Officers and one valuer, a total of 9 people were used for data collection purpose. The method used for data collection was one-on-one questionnaire with the heads of household or his/her representative. After completing the surveys, PAPs were allowed to ask more clarifications on the project before signing the RAP socio-economic enumeration attendance sheet. For quality and data accuracy purpose, the field team leader revised the filled in questionnaires at the end of every working day. After checking every enumerator's file, she

compiled the files and sent them to the Data Managers to the server and to the Valuation team back in the office.

### **I.5. Format and Contents of the report**

This RAP has been prepared in reference to the Resettlement Policy Framework (RPF) prepared for the project as a guidance for the preparation, implementation and monitoring of site-specific resettlement action plans (RAPs) and land acquisition during the implementation of the project. The structure of this RAP report presents the following parts and chapters in a narrative perspective:

An executive summary, Introduction, Description of the project, Potential impacts, Objectives, Census survey and baseline socio-economic studies, Legal framework, Institutional Framework, Eligibility, Valuation of and compensation for losses, Community participation, Implementation schedule, Costs and budget, Grievance redress mechanism, Monitoring and evaluation.

## Chapter II: Description of the Project

### II.1. Introduction

The Government of Rwanda (GoR) through the Ministry of Infrastructure (MININFRA), with the funding from the World Bank/International Development Association (IDA) and other Development Partners (DP) is developing a project titled “Rwanda Energy Access and Quality Improvement Project (EAQIP)” financed and led by World Bank and co-financed by Agence Française de Développement (AFD) (joint co-financing), the OFID (parallel co-financing), and SFD (parallel). This multi-donor energy sector investment financing project will support the Government of Rwanda’s energy access objectives during this period of the National Strategy for Transformation (NST1; 2017-2024). The EAQIP Project would have a total volume of an estimated US\$ 288 million. The total IDA investment would be US\$150 million and US\$ 10 million grant from Clean Cooking Trust Fund (CFF), spread across four components of i) increasing grid electrification, ii) enhancing the efficiency of electricity service, iii) increasing access to off-grid electricity and clean cooking solutions, and iv) technical assistance, institutional capacity building and implementation support. The project will also receive the funds from other development partners namely AFD loan and The OPEC Fund for International Development and the Saudi Fund for Development investment financing.

Therefore, this section describes the proposed Resettlement Action Plan (RAP) of Energy Access and Quality Improvement Project for MUSANZE and RUBAVU Administrative districts where the project will imply the Plant Design, Supply, and Installation of Low Voltage and Medium Voltage Lines and Service Connections in 26 administrative Sectors of MUSANZE and RUBAVU Districts in Northern and Western Provinces of Rwanda respectively with 215.161 km of MV Line and 1238.792 of LV Lines and 47,806 new connections as summarized in table 2 for all project lots.

**The Project Development Objective** is to increase access to modern energy for households, enterprises and public institutions; and enhance the efficiency of electricity services in Rwanda.

The project has four main components: **Component 1: Increasing access to grid electricity** which will increase access to Households within 14 administrative districts located in three provinces of Rwanda namely Western, Southern and Northern Province. **Component 2: Enhancing the efficiency of electricity service** which will include the following subcomponents: 2a) Rehabilitation of the Ntaruka Hydro Power Plant; 2b) Investments to improve stability and reliability of the power system; 2c) Improvements in the operational performance of Energy Utility Corporation Limited (EUCL). **Component 3: Increasing access to off-grid electricity and clean cooking solutions** with the following subcomponents: 3a) Increasing off-grid electricity access and 3b) Increasing access to clean cooking

solutions. **Component 4: Technical assistance, institutional capacity building, and implementation support** which includes as subcomponents: 1) Technical Assistance.; 2) Capacity building.; 3) Implementation Support; and 4) RETF grant from Clean Cooking Fund. This Resettlement Action Plan is prepared to meet the national and World Bank safeguards policies related to the resettlement only for the first component of increasing Access to Grid especially in MUSANZE and RUBAVU where the EDCL in-house teams will implement the sub-project.

## II.2. Description and Location of Sub-Project

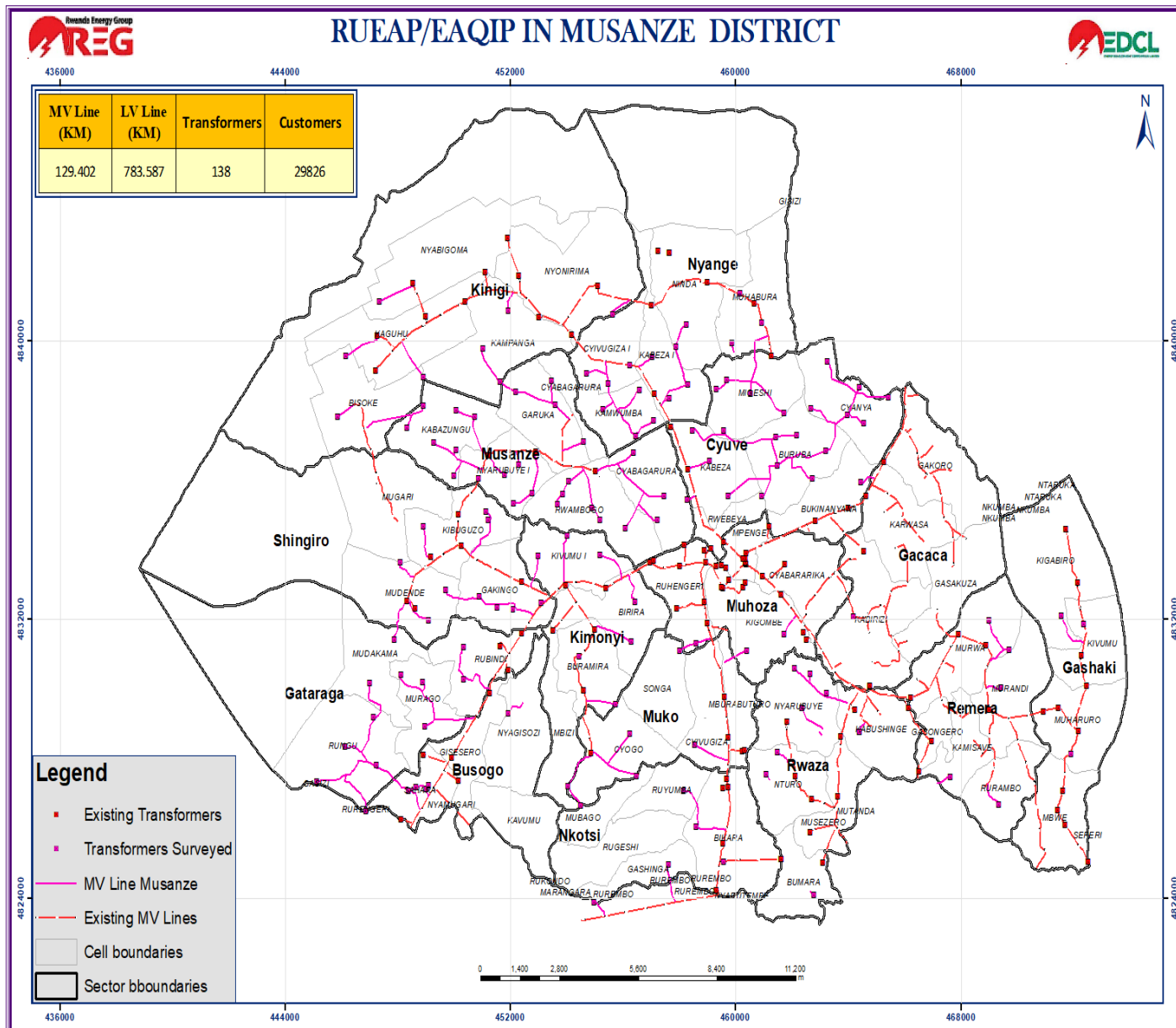
MUSANZE and RUBAVU Electrification Project which is covered under this RAP consists of plant design, supply, and installation of low voltage and medium voltage in the MUSANZE and RUBAVU Districts. The electrification of these administrative Districts, the components likely to have resettlement implications include construction of medium voltage transmission lines and this will involve bush clearing for the Right of Way, creation of access road for site accessibility and materials transportation, poles elevation and stringing. The proposed lines are described as follows:

**Table 2: Description of Lots for MUSANZE and RUBAVU Administrative Districts**

| <b>MUSANZE AND RUBAVU ADMINISTRATIVE DISTRICTS</b> |             |                 |                                |                                |                                |                                     |  |
|--|-------------|-----------------|--------------------------------|--------------------------------|--------------------------------|-------------------------------------|--|
| <b>S/N</b>   | <b>Lots</b> | <b>District</b> | <b># Sectors to be covered</b> | <b>Length of MV Lines (km)</b> | <b>Length of LV Lines (km)</b> | <b>New Connections (households)</b> |  |
| 1  | All         | MUSANZE         | 15 Administrative Sectors      | 129.402                        | 783.587                        | 29,826                              |  |
| 2  | All         | RUBAVU          | 11 Administrative Sectors      | 85.759                         | 455.205                        | 17,980                              |  |
| <b>Total</b>                                       |             |                 |                                | <b>215.161</b>                 | <b>1238.792</b>                | <b>47,806</b>                       |  |

**Source:** EDCL, 2022

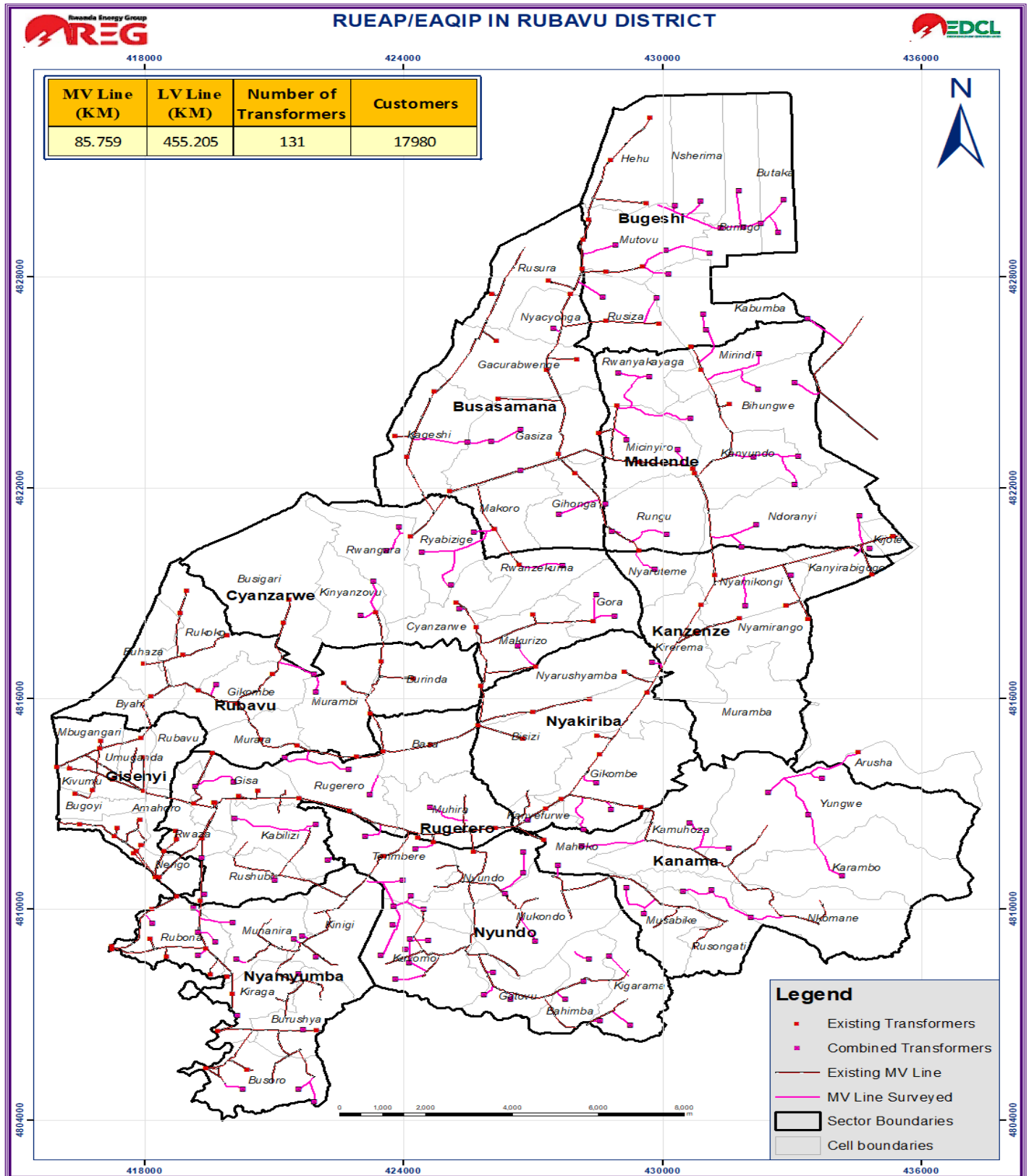
**Figure 1: Map for MUSANZE Administrative District**



Source: EDCL, 2022

Figure 2: Map for RUBAVU Administrative District

Source : EDCL, 2022



### **III: LEGAL, POLICIES, REGULATORY AND INSTITUTIONAL FRAMEWORK**

This chapter describes the relevant policies, legal instruments, and institutional arrangements applicable to the construction of MV Lines in MUSANZE and RUBAVU administrative districts of Rwanda in reference to the international framework. This RAP applies the laws, policies, legislation, regulations, and local rules governing the use of land and other assets in Rwanda as well and the World Bank Environmental and Social Framework (ESF) especially Environmental and Social Standard (ESS5) on land acquisition, restrictions on land use and involuntary resettlement.

#### **III.1. National Relevance Policies and Regulations**

##### **III.1.1. Rwandan Constitution of 2003 as Revised in 2015**

The constitution is an aggregate of fundamental principles or established precedents that constitute the legal basis of a polity, organization, or other type of entity and commonly determine how that entity is to be governed. The Constitution of the Republic of Rwanda, Article 11 stipulates that all Rwandans are born and remain free and equal in rights and duties. Discrimination of whatever kind based on, inter alia, ethnic origin, tribe, clan, colour, sex, region, social origin, religion or faith, opinion, economic status, culture, language, social status, physical or mental disability or any other form of discrimination is prohibited and punishable by law.

Rwandan constitution recognizes that every person has a right to private property whether personal or owned in association with others (Article 29). The private property, whether individually or collectively owned is inviolable. The right to property may not be interfered with except in public interest, in circumstances and procedures determined by law and subject to fair and prior compensation. Under Article 30, it is stipulated that private ownership of land and other rights related to land are granted by the State. The law specifies the modalities of acquisition, transfer, and use of land.

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). Laws on property are also found in various legal texts of Rwanda. Eligibility for compensation is also enshrined under the Rwandan constitution and the Expropriation Law in public interest. The property of the State comprises of public and private property of the central Government as well as the public and private property of decentralized local government organs (Article 31). This law shows that the people have the right to their properties. Each PAP will have right to the compensation of any property which will be damaged on his/her own land.

### **III.1.2. Land Tenure Legal Provisions in Rwanda**

Although the Organic Land Law provides two types of formal land tenure: full ownership/ freehold and long-term leasehold, all land in Rwanda belongs to public entities: The State, the cities, and the districts. "Public land" is reserved for public use or for environmental protection. "Private land" can be allocated by its public owners (State, Cities and District) to natural or legal persons. It then becomes "individual land". It is leased through a lease contract and against payment of an annual lease fee. The certification of emphyteutic lease, freehold or land concession is a certificate of land registration delivered by the registrar of land titles, The emphyteutic lease and land concession period does not exceed ninety-nine (99) years which may be renewed, and it is automatically renewed for Rwandan. (Law governing land, 2021).

This RAP might need compensation for individual and community properties owners in case this specific asset is permanently acquired for the purpose of electricity extension construction activities in MUSANZE and RUBAVU Districts. 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 have been made to formalize land ownership, especially those acquired through customary means.

### **III.1.3. National Land Policy, 2019**

Rwanda is currently undergoing a very crucial planning phase of its long-term transformational development. Indeed, the year 2018 marked the end of EDPRS-2 while the Vision 2020 ended two years ago. At the same time, the National Strategy for Transformation (NST-1) was developed and is being implemented. Further, the Vision 2050 is in its development phase. Hence, a new land policy is required to inform and guide the implementation of the above development strategies.

In the perspective of the National Strategy for Transformation (NST-1), the overall objective of the national land policy is to strengthen land administration and management to ensure optimal allocation and use of land. Specifically, the policy shall address existing gaps or deficiencies in land use planning and mapping, land utilization by various sectors, and land administration and management. The policy is further expected to:

- (i) Guide, develop, and monitor the implementation of land use plans.
- (ii) Ensure effective and efficient land utilization and management across various sectors such as agriculture, industry, forestry, livestock, human settlement, mining, and other public investment.
- (iii) Support investment promotion through allocation of land for strategic investment.
- (iv) Strengthen the current land administration system for enhanced land-based service delivery.



- (v) Strengthen mechanisms for effective administration of land fees and real property taxes (e.g. proper and up-to-date land records, maximization of real property tax and lease fees collection, and capacitate decentralized administrative entities in tax administration).
- (vi) Enforce land sub-sector coordination to ensure an integrated approach for efficient cross-sectorial land utilization and collaboration towards sustainable land use and management.

This policy is usable during the development of this RAP for the fact that the land must be registered as proof of the ownership and the PAPs require to provide the land title to support the individual expropriation file for payment of the affected assets.

#### **III.1.4. National Gender Policy, 2010**

The National Gender Policy states that the Rwandan society is free from all forms of gender-based discrimination and see both men and women participate fully and enjoy equitably from the development processes. The main mission of this policy is to contribute to the elimination of gender inequalities in all sectors of national life, in order to achieve the nation's goal for sustainable development.

Resettlement activities for this RAP will involve and affect both men and women in terms of loss of properties and both male and female are expected to be treated equally in sharing the compensation amount or other accompanying measures relating to the relocation and resettlement following the acquisition of land and properties in the right of way of the electricity extension construction activities. This policy will comply by the fact that both male and female will have the same right on the damaged properties during expropriation and compensation procedure, the bank account must have the signature of the men and women as evidence of the non-discrimination gender based such they can enjoy and manage their properties equally.

#### **III.1.5. N° 27/2021 du 10/06/2021 Law Governing Land in Rwanda**

This Law determines modalities of acquisition, registration, allocation, possession, transfer, management, and use of land in Rwanda. It provides for the land use consolidation in Rwanda. The article 65 of this law provides the use of land for agriculture and livestock where the planned land for agricultural and livestock use is protected and conserved. Every person has an obligation to use the land planned for agricultural and livestock use in accordance with land use consolidation.

It also institutes the principles that are to be respected on land legal rights accepted on any land in the country as well as all other appendages whether natural or artificial. Organic Land Law categorizes land via two criteria: (1) Land Use and (2) Land Ownership. Article 55 about fundamental principles governing use of lands are as follows: (i) the land use and development must be administered and managed so as to contribute to the sustainable development for the benefit of current and future

generations of Rwanda; (ii) the land use and development must take into account gender considerations; (iii) the land use must help in minimizing the need for land development based on the excessive use of land, energy and natural resources; (iv) the planning of land use and development must prioritize a higher population density and multi-family residential settlements in an urban and rural areas; (v) the land use must prevent urban sprawl, maximize mixed zoning and integrated land uses; (vi) the land use must consider all categories of land use.

The article 25 of this law indicates the Land services provided by an individual provides the following land services: (i) land surveying; (ii) notary services; (iii) land valuation services.

The article 67 of the same law determines the organs in charge of land use management and monitoring at decentralised entity level fall under responsibilities of the City of Kigali, or District with legal personality in accordance with the concerned land territorial location. That land has been granted by competent authorities or acquired by purchase, donation, inheritance, succession, ascending sharing, and exchange or through sharing. The land where the project will be implemented belongs to the individual and state, specifically, the electrical lines will impose the restrictions on land use in accordance with the RURA guidelines. Therefore, the land belong to the public institutions will not be compensated unless it is using by the people as renter during assets inventory process and the property owner will have the proof from the competent officials to prove that heshe was a land renter during assets inventory of the properties which will be affected, hence this is the relevance of this law.

### **III.1.6. Law N° 32/2015 of 11/06/2015 Relating to Expropriation in the Public Interest**

The Law determines the procedures relating to expropriation in the public interest.

Article 3 of this law notes that, ‘No person shall hinder the implementation of the program of expropriation in the public interest on pretext of self-centred interests. Article 17 states that after the publication of a decision on expropriation in the public interest, complete with a list of holders of rights registered on land titles and property incorporated on land, landowners shall not develop any long-term activities on the land, otherwise such activities shall not be compensable during expropriation.

In terms of valuation, Article 22 states that land values and prices for property consistent with the prevailing market rates shall be established by the Institute of Real Property Valuers in Rwanda. According to Article 26 land titles must be produced as evidence of ownership, and evidence of marital status as applicable. Any persons dispossessed of land, or unlawfully occupying land, or having developed activities prohibited after the enactment of relevant laws shall receive no compensation.

Article 27 reaffirms that compensation for land must include any improvements on the land and compensation for disruption associated with expropriation. Article 28 notes that the value of land and

property should be calculated on the basis of size, nature and location and the prevailing market rates. The compensation for disruption caused by expropriation to be paid to the expropriated person shall be equivalent to five percent (5%) of the total value of his/her property expropriated.

Article 32 refers to sign-off by the owner once he/she is satisfied with the valuation. Article 33 allows for any person not satisfied with the valuation to contest in writing within seven days. Any person contesting the assessed value must engage the services of a valuer or a valuation firm recognized by the Institute of Real Property Valuer in Rwanda, at their own expense, to carry out a counter-assessment of the value. Under Article 34 if unsatisfied the matter may be referred to the courts. However, the compensation will be paid pending the court decision so as not to delay expropriation.

In terms of payment of compensation, Article 35 notes that, 'fair compensation can be paid in monetary form in the Rwandan currency or in any other form mutually agreed upon by the expropriator and the person to be expropriated'. The fair compensation must be paid to the expropriated person before he/she relocates.

Article 36 stipulates that compensation must be paid within 120 days of approval by the Ministry, or otherwise becomes null and void, unless mutually agreed otherwise. After payment, the affected person has a further 120 days to relocate. During this period, they should not plant any crops that would take more than 120 days of growth before harvesting. Article 38 stipulates that compensation shall be deposited into a bank account with a recognized locally based bank or financial institution.

**Eligibility for compensation:** As enshrined under the Rwandan constitution (article 29) and the expropriation law. The two laws regulate and give entitlement to those affected, whether they have written customary or formal tenure rights. The person to be expropriated is defined under article 2 (7) of the expropriation law to mean any person or legal entity who is to have his or her private property transferred due to public interest, in which case they shall be legally entitled to payment of compensation.

**Compensation entitlement:** In case an individual suffers any loss, Article 3 of the expropriation law stipulates that he or she should receive just compensation for it, although it is not clear what comprises fair and just compensation, this being left to the judgment of independent valuer. Article 4 of this law also stipulates that any project which results in the need for expropriation for public interest shall provide for all just compensation in its budget. Through mutual arrangement, both parties can determine the mode of payment.

Article 22 (2) of the expropriation law provides that through an agreement between the person to expropriate and the one to be expropriated, just compensation may either be monetary, alternative land or a building equivalent as long as either option equates to fair and just monetary compensation. In case the determination of 'just' compensation exceeds in value the alternative land given to the expropriated person, the difference will be paid to the expropriated person.

Furthermore, the law deals with valuation of land earmarked for expropriation. The law identifies properties to be valued for just compensation and activities that were carried out on the land including different crops, forests, or any other activity aimed at efficient use of land or its productivity. Here the law is silent on access to socio-economic activities on the land. The new law has added 5% of total compensation fees for disturbance allowances. This law is complying by respecting all stages of the expropriation in the public interest.

### **III.1.7. Law n°17/2010 of 2010 Establishing and Organizing the Institute of the Real Property Valuation Profession in Rwanda**

This law provides for the registration of land in Rwanda and conditions for registration. The law also allows the government to conduct valuation when mandated by their government institutions. Articles 27, 29, 30 and 31 of the law deals with valuation methods. These articles stipulate that price for the real property shall be close or equal to the market value. The valuation could also compare land values country wide. Where sufficient comparable prices are not available to determine the value of improved land, the replacement cost approach shall be used to determine the value of improvements to land by taking real property as a reference. The law also allows the use of international methods not covered in the law after approval from the institute of valuer council. The applied price has been set by the same institute and the project managed to use also certified independent valuer to conduct the assets inventory that why we need to comply with the stated law.

### **III.1.8. Ministerial Order N° 001/2006 of 2006 Determining the Structure of Land Registers**

The ministerial order determines the structure of lands registers, the responsibilities and functioning of the District Land Bureau (DLB). This ministerial order determines the structure of land registers, the responsibilities and the functioning of DLB. The responsibilities of the land bureau include among others to implement land registration and manage land and update, safely keep records of land registers and monitor and approve activities pertaining to valuation of land, other immovable property and demarcate and approve land cadastral. This order does not apply to land specified in articles 12, 14, 15 and 72 of the organic law n° 8/2005 of 14/07/2005 determining the use and management of land in Rwanda. The DLB has mandate to participate in the valuation process and they will assist in all process of the land acquisition in public interest, therefore this law will help to assist the PAPs who's their land is not registered to provide the land ownership.

### **III.1.9. RAP Preparation and Approval Process in Rwanda**

In Rwanda involuntary resettlement is governed by expropriation law and valuation law. Both laws do not have provisions on RAP preparation and approval. Instead, the expropriation defines the process of expropriation and valuation while the resettlement impacts are assessed together with the ESIA report. For this project, the EDCL safeguards prepared the Strategic Environmental and Social Assessment (SESA) because it is a sub-project which is part of the project under Rwanda Universal Energy Access Program where SESA has been prepared and approved by REMA given that the program's activities will be implemented in all Administrative Districts of the Republic of Rwanda.

The RAP has been prepared following ESF-ESS5 of Land Acquisition, Restriction on land Use and Involuntary Resettlement and 10 of Stakeholders Engagement and Information Disclosure, and the National Expropriation Law in public interest No 32/2015 of 11/06/2015.

The chapter III of this law relating to expropriation in the public interest, expropriation law defines steps to be undertaken for expropriation as follows:

- **Organs determining projects of expropriation in the public interest**

Organs which determine projects of expropriation in the public interest are the following:

- The executive committee at the district level in case such activities concern one district.
- The executive committee at the level of the City of Kigali in case such activities concern more than one district in the boundaries of the city.
- The relevant ministry, in case planned activities concern more than one District or if it is an activity at the national level, subject to provisions of item 2° of this Article.

- **Organs supervising projects with expropriation in the public interest**

Organs in charge of supervising projects of expropriation in the public interest are hereby established as follows:

- The committee in charge of supervision of projects of expropriation in the public interest at the district level where the project concerns one District.
- The committee in charge of supervision of projects of expropriation due to public interest at the national level where the project concerns more than one District or it is a project at the national level, subject to the provisions of item 2° of this article.

- **Organs approving expropriation in the public interest**

The organs approving expropriation in the public interest are the following:

- At the district level, it is the district council after considering the recommendation of the committee in charge of supervision of projects of expropriation in the public interest.

- At the level of more than one district, the ministry in charge of land, upon proposal by the committee in charge of supervision of projects of expropriation in the public interest at national level subject to provisions of item 2 of this Article. A ministerial order shall be used.
- At the national level and in case of activities related to security and national sovereignty, the Prime Minister's Office upon proposal by the committee in charge of supervision of projects of expropriation in the public interest at the national level by way of a Prime Minister's order.

- **Procedure for expropriation in the public interest**

Procedures for expropriation are as follows:

- Request for expropriation in the public interest by project proponent/ developer.
- Consideration of the relevance of the project proposal for expropriation in the public interest by relevant committee.
- Decision on the relevance of a project of expropriation in the public interest.
- Approval of expropriation in the public interest.
- Publication of the decision on a project for expropriation in the public interest.
- Valuation of assets and agreement on compensation measures.
- Compensation.

- **RAP process for donor funded projects**

For donor funded projects, where the RAP preparation and approval is a requirement, the donor policies apply, and the RAP is prepared in compliance with both international and national laws. The normal practice is as follows:

- Preparation and approval of terms of reference by both donor and implementing agency;
- Training of the data collectors to be used in RAP preparation;
- RAP preparation by safeguards team;
- Approval of the RAP report by both donor and implementing agency;
- Implementation and monitoring of RAP by implementing agency.

### **III.2. The World Bank's Environmental and Social Framework (ESF), Environmental and Social Standards (ESS5)**

The World Bank Environment and Social Standard (WB-ESS5) on Land Acquisition, Restrictions on Land Use and Involuntary Resettlement is triggered in situations where project-related land acquisition and restrictions on land use are inevitable. ESS5 recognizes that project-related land acquisition and restrictions on land use can have adverse impacts on communities and persons. Project-related land acquisition or restrictions on land use may cause physical displacement (relocation, loss of residential land or loss of shelter), economic displacement (loss of land, assets, or access to assets, leading to loss of income sources or other means of livelihood), or both.

Based on current experience and research, it indicates that physical and economic displacement, if unmitigated, may give rise to severe economic, social and environmental risks: production systems may be dismantled; people face impoverishment if their productive resources or other income sources are lost; people may be relocated to environments where their productive skills are less applicable and the competition for resources greater; community institutions and social networks may be weakened; kin groups may be dispersed; and cultural identity, traditional authority, and the potential for mutual help may be diminished or lost. For these reasons, involuntary resettlement should be avoided. Where involuntary resettlement is unavoidable, it will be minimized and appropriate measures to mitigate adverse impacts on displaced persons (and on host communities receiving displaced persons) will be carefully planned and implemented.

#### **III.2. 1. Objective of Environmental and Social Standard Five (ESS5)**

The overall objectives of the ESS5 are as follows:

- (i) To avoid involuntary resettlement or, when unavoidable, minimize involuntary resettlement by exploring project design alternatives. To avoid forced eviction.
- (ii) To mitigate unavoidable adverse social and economic impacts from land acquisition or restrictions on land use by:
  - a. Providing timely compensation for loss of assets at replacement cost and
  - b. Assisting displaced persons in their efforts to improve, or at least restore their livelihoods and living standards, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.
- (iii) To improve living conditions of poor or vulnerable persons who are physically displaced, through provision of adequate housing, access to services and facilities, and security of tenure.

- (iv) To conceive and execute resettlement activities as sustainable development programs, providing sufficient investment resources to enable displaced persons to benefit directly from the project, as the nature of the project may warrant.
- (v) To ensure that resettlement activities are planned and implemented with appropriate disclosure of information, meaningful consultation, and the informed participation of those affected.

There are several requirements under the WB-ESF, specifically ESS5 and ESS10 for which this RAP should apply and comply with.

### **III. 2.2. Key ESS5 requirements**

#### **(a) Compensation measures**

The Standard also requires that resettlement plans are implemented before any project-related impacts on project affected people. Therefore, the land acquisition, displacement or any restriction of access should not occur before necessary measures for resettlement and compensation are in place. For selected sites involving land acquisition temporarily or expropriation of the affected assets, it is further required that these measures include provision of compensation and/or other assistance to the PAPs, prior to remove their assets where required. In particular, the taking of land and related assets may take place only after compensation has been paid, and where applicable. All project activities requiring relocation, loss of shelter or other impacts, the policy requires that measures to assist affected persons are implemented in accordance with the project resettlement action plans, note that no relocation will occur during the implementation of the Rwanda Energy Access and Quality Improvement Project. The policy aims to have a fair and transparent process. Where there is a conflict between the Laws of Rwanda and the WB ESS5, the latter will take precedence given the Bank is to fund the project activity.

#### **(b) Eligibility criteria**

Affected persons may be classified as persons:

- a) Who have formal legal rights to land or assets;
- b) Who do not have formal legal rights to land or assets, but have a claim to land or assets that is recognized or recognizable under national law; or
- c) Who have no recognizable legal right or claim to the land or assets they occupy or use.

#### **(c) Assessment of alternatives**

While the national regulations are silent on project alternatives, the ESS5 requires borrower to consider feasible alternative project designs to avoid or minimize land acquisition or restrictions on land use, especially where this would result in physical or economic displacement, while balancing environmental,



social, and financial costs and benefits, and paying particular attention to gender, poor and vulnerable people's impacts.

**(d) Consultation and community engagement**

ESS5 requires borrower to engage with affected communities, including host communities, through the process of stakeholder engagement described in ESS10. Decision-making processes related to resettlement and livelihood restoration will include options and alternatives from which affected persons may choose. Disclosure of relevant information and meaningful participation of affected communities and persons will take place during the consideration of alternative project designs, and thereafter throughout the planning, implementation, monitoring, and evaluation of the compensation process.

**(e) Grievance redress mechanism**

ESS5 requires the borrower to establish grievance redress mechanism as early as possible in project development to address specific concerns about compensation, relocation or livelihood restoration measures raised by displaced persons or other stakeholders in a timely manner. Where possible, such grievance mechanisms will utilize existing formal or informal grievance mechanisms suitable for project purposes, supplemented as needed with project-specific arrangements designed to resolve disputes in an impartial manner, the GRC has been established during the consultation meeting with the affected persons.

**II.3. Key Comparative Elements Between Rwanda Legislations and World Bank ESS5**

Although Rwanda has developed and enacted land and expropriation laws that are responsive to land acquisition and property compensation especially in case of expropriation, there are some gaps when compared to ESS5 of the WB. The following table summarizes findings of gap analysis between national regulations and ESS5 as well as proposed measures to bridge identified breaches.

In this project, where the Rwanda law differs with the Bank ESF and ESS5, the latter will apply or take precedence. The promulgation of the 2015 Expropriation Law in public interest introduced a legal framework within which expropriation activities must be conducted, and above all, attempts to bring Rwandan legislation more in line with international best practice requirements.

Despite this, there are still some gaps between the national Rwandan legislation and the World Bank ESS5. These relate to the general principles for resettlement, eligibility criteria, the notification period for expropriation and resettlement, and the procedures required throughout the resettlement process, project design, consultation, participation and broad community support, resettlement planning, host community, vulnerable groups, implementation, monitoring and evaluation. The key differences are as follows:

- a) **Avoid Resettlement:** While ESS5 stipulates that project should first avoid involuntary resettlement as much as possible, there are no similar provisions in Rwandan national legislation, which states that ‘expropriation of land will be done when deemed necessary for public purposes.’ Secondly, the notification period under national legislation requires that property must be handed over 120 days after financial compensation has been paid, while ESS5 requires that displacement must not occur until all necessary measures for resettlement are in place including assisting the PAPs with relocation.
- b) **Meaningful and participative consultation:** ESS5 requires that persons to be expropriated should be meaningfully consulted and that the PAPs should have the opportunity to participate in planning and design of resettlement programs. Paragraph 17 stipulates those Decision-making processes related to resettlement and livelihood restoration will include options and alternatives from which affected persons may choose. Furthermore, paragraph 18 requires that the consultation process ensures that women’s perspectives are obtained, and their interests factored into all aspects of resettlement planning and implementation. The Rwandan Expropriation Law in public interest only stipulates that affected peoples be fully informed of expropriation issues and that the public interest will always override any individual interest. Indeed, the law prohibits anyone to hinder the expropriation process based solely on “self-centred” reasons.
- c) **Eligibility determination:** According to ESS5 eligibility determination of the PAPs entitles those who have formal rights, those with claims to land, and those with no recognizable legal right to compensation; paragraph 20 states that as part of the environmental and social assessment, the borrower will conduct a census to identify the persons who will be affected by the project, to establish an inventory of land and assets to be affected to determine who will be eligible for compensation and assistance and to discourage ineligible persons, such as opportunistic settlers, from claiming benefits but under the Rwanda Expropriation law compensation is limited only those with land titles and or recognizable customary or written evidence of land ownership, persons recognized as legal occupants and owners of the expropriated land and property thereon. The WB ESF is much broader and includes both legal and illegal occupants of the land therefore, where discrepancies will be found, ESS5 will take precedence.
- d) **Notification period required:** The Rwandan expropriation law of 2015 requires that property must be handed over 120 days after financial compensation has been paid, while ESS5 requires that displacement must not occur before all necessary measures for resettlement (not only compensation) are in place.
- e) **Establish and declare “cut-off date”:** In conjunction with the census, the Borrower will establish a cut-off date for eligibility. Information regarding the cut-off date will be well documented and will be

disseminated throughout the project area at regular intervals in written and (as appropriate) none-written forms and in relevant local languages. This will include posted warnings that persons settling in the project area after the cut-off date may be subject to removal. A cut-off date is taken as the date when the individual PAP has been assessed and the general one where the whole valuation exercise was completed. The “cut-off date” was individually and general communicated to all PAPs during the public consultation meeting conducted in collaboration with the LG officials, affected communities (PAPs) Project staff to avoid speculation and encroachment of the electrical lines RoW.

- f) **Fair and just compensation:** The Expropriation Law in public interests provides for fair and just compensation to expropriated peoples eligible for compensation but the definition of 'fair and just' is not clearly established, and therefore there is a risk that Project Affected People's livelihoods may not be restored or improved after compensation and resettlement. Art. 28: Without prejudice to other laws, the value of land and property incorporated thereon to be expropriated in the public interest shall be calculated based on their size, nature and location and the prevailing market rates. The compensation for disruption caused by expropriation to be paid to the expropriated person shall be equivalent to five percent (5%) of the total value of his/her property expropriated. In this context the term “ disruption “ is not clearly defined but most of the time it is assumed to cover for transaction costs include administrative charges, registration or title fees and moving expenses, while ESS5 in paragraph 12 stipulates that when land acquisition or restrictions on land use (whether permanent or temporary) cannot be avoided, the borrower will offer affected persons compensation at replacement cost, and other assistance as may be necessary to help them improve or at least restore their standards of living or livelihoods. The ESS5 provides a wider window to explore all sorts of assistance that may need to be applied depending on site specific context, PAPs and community special circumstances.
- g) **Monitoring:** Whilst monitoring measures are provided for in Rwandan legislation, the focus is to ensure that contracted compensation has been provided in full and before any relocation. It does not require assessment as to whether the compensation provided was appropriate to the context and circumstances and does not establish a follow up mechanism to assess whether the PAPs livelihoods have been restored or improved as stipulated by while the World Bank’s ESS5 requires that after relocation monitoring be carried out.
- h) **Project design:** The borrower or client considers feasible alternative project designs, including re-siting and re-routing, to avoid or minimise physical or economic displacement, while balancing environmental, social, and financial costs and benefits. When the resettlement implications of a project would appear to be particularly severe, the borrower considers either downsizing the project to reduce resettlement or finding other alternatives that can reasonably replace the project.

For greater transparency and fairness, the borrower or client involves all stakeholder groups as early as possible, at least at the time when the first project plans are drafted; before completion of the project design, including their inputs so that the project design can be properly altered; and continuing throughout implementation, particularly in monitoring and evaluating resettlement and compensation projects and programmes.

- i) **Consultation, participation and broad community support:** Specific consultation, participation and broad community support, open inclusive and effective consultation with local communities includes the following elements: Appropriate notice to all potentially affected persons that resettlement is being considered and that there will be public hearings on the proposed plans and alternatives; Effective advance dissemination by the authorities of relevant information, including land records and proposed comprehensive resettlement plans specifically addressing efforts to protect vulnerable groups; A reasonable time period for public review of, comments on, and/or objection to any options of the proposed plan; and Public hearings that provide affected persons and/or their legally designated representatives with opportunities to challenge the resettlement design and process, and/or to present and discuss alternative proposals and articulate their views and development priorities.
- j) **Resettlement planning:** The borrower or client carries out a comprehensive socio-economic survey in line with international standards for social and economic baseline studies as agreed to in the environmental and social assessment process including a population census and an inventory of assets (including natural assets upon which the affected people may depend for a portion of their livelihoods). This survey identifies the people who will be displaced by the project; all the relevant characteristics of those people, including conditions of vulnerability; and the magnitude of the expected physical and economic displacement. The baseline survey includes gender- and age-disaggregated information pertaining to the economic, social and cultural conditions of the affected population. It contains various official materials (maps, numerical records, special reports, research and knowledge pieces, etc.), records of interviews with stakeholders about their preferences, supply chain due diligence material, and a protocol to fill any gaps in data and ancillary information, and it identifies opportunities to improve community welfare. The survey process also ensures that ineligible people, such as opportunistic settlers, cannot claim benefits. However, seasonal resource users may not be present in the project area of influence during the time of the survey, so special consideration is given to their claims. Under this sub-project there will not be relocation of the PAPs, only seasonal and perennial crops and trees will be affected.

- k) **Host communities:** The borrower or client carries out a detailed analysis of host communities to identify potential problems associated with receiving displaced people, and to address these problems so that adverse impacts on host communities are minimised and the host communities are able to share in the development opportunities provided through the resettlement process. The assessment of host communities is based on transparent information and effective consultation, and it results in a consensual agreement that must be conveyed to the borrower or client by representative community leaders and recorded in public consultation proceedings. The conflicts between hosts and the affected population may develop as increased demands are placed on land, water, forests, services, and so on, or if those affected by the project are provided with services and housing superior to those of the hosts. The borrower or client carefully considers such impacts when assessing the feasibility and costs of any proposed project involving displacement, and adequate resources are reflected in the budget for mitigating these additional environmental and social impacts. The dispute-settlement procedures should be sufficiently agile to quickly resolve conflicts between hosts and the affected population. We found out that there will no relocation of the affected PAPs.
- l) **Vulnerable groups:** Member countries and other borrowers/ clients are responsible for protecting the physical, social, and economic integrity of vulnerable groups and for paying particular attention to health needs, particularly for women, including access to female health care providers and to such services as reproductive healthcare and appropriate counselling for sexual and other abuses.

#### **III.4. Comparison between National Legislation and WB ESF-ESS5**

This section compares existing disparities between the Rwandan expropriation laws and the World Bank's Environmental and Social Framework (ESF) Especially Environment and Social Standard 5 (ESS5) on Land Acquisition, Restrictions on land use and Involuntary Resettlement. The comparison aims to show these differences with the intent of showing the weaknesses of one legal framework against the other, for a better choice among the two legislations, but with a paramount precedence of the World Bank's ESF-ESS5 in case the two conflicts on one or two regulations. For instance, while ESF-ESS5 recommends the avoidance of Involuntary Resettlement, the Rwandan Law kept a window for this possibility when deemed necessary, especially for public interests. Other similarities or differences lay around principles related to timing of the notification about compensation and relocation, about public consultation meetings and project related information with concerned people and communities, etc. Subsequently, these key differences are presented table below:

**Table 3: Gap Analysis Between WB ESF-ESS5 and Rwanda Law for Resettlement and Compensation**

| Principles                         | World Bank ESS5  | Rwanda Regulations  | Gaps   | Gap filling measures   |
|------------------------------------|--|---|--|--|
| <p><b>Eligibility criteria</b></p> | <p>ESS5 recognizes Affected persons who:</p> <ul style="list-style-type: none"> <li>- Have formal legal rights to land or assets;</li> <li>- Do not have formal legal rights to land or assets, but have a claim to land or assets that is recognized or recognizable under national law; or</li> <li>- Have no recognizable legal right or claim to the land or assets they occupy or use.</li> </ul> | <p>National regulations recognize Affected people who have land titles and documentary evidence that he/she is the owner of property incorporated on land.</p> <p>A person dispossessed of land or unlawfully occupying land or having developed activities on land on which such activities are prohibited after the enactment of relevant laws shall receive no compensation.</p> | <p>The Bank diverges with the Rwanda Law whereas the law in Rwanda refuses to recognize illegal landowners and does not provide any Compensation</p> | <p>The compensation and resettlement measures should be provided to all affected person including those with no land title and tenants. In accordance with ESS5, those who don't have legal right on the land will be compensated for assets and properties established on the land prior to the cut-off date, and the resettlement assistance necessary to restore or improve their living conditions and livelihoods.</p> <p>For eligible assets, full replacement cost will be used to calculate compensation for all eligible affected households.</p> |

| Principles                        | World Bank ESS5   | Rwanda Regulations   | Gaps  | Gap filling measures  |
|-----------------------------------|---|--|---|---|
| <b>Avoid Resettlement</b>         | While ESS5 stipulates that project should first avoid involuntary resettlement as much as possible, it requires that displacement must not occur until all necessary measures for resettlement are in place including assisting the PAPs with relocation.   | There are no similar provisions in Rwandan national legislation, which states that ‘expropriation of land will be done when deemed necessary for public purposes.’   | Divergence between WB ESS5 and National Expropriation law   | WB ESS5 will prevail given that it requires that the PAPs must be assisted even after compensation  |
| <b>Fair and just compensation</b> | ESS5 in paragraph 12 stipulates that when land acquisition or restrictions on land use (whether permanent or temporary) cannot be avoided, the borrower will offer affected persons compensation at replacement cost, and other assistance as may be necessary to help them improve or at least restore their standards of living or livelihoods. | The National Expropriation Law provides for fair and just compensation to expropriated peoples eligible for compensation but the definition of 'fair and just' is not clearly established.<br><br>Art. 28 stipulates that without prejudice to other laws, the value of land and property incorporated thereon to be expropriated in the public interest shall be calculated based on their size, nature and location and the prevailing market rates. | Assumption of the livelihood of PAPs may not be restored improved after compensation and resettlement | WB ESS5 will be used because it provides a wider window to explore all sorts of assistance that may need to be applied depending on site specific context, PAPs, and community special circumstances. |

| Principles  | World Bank ESS5  | Rwanda Regulations   | Gaps  | Gap filling measures  |
|---|--|--|---|---|
| <b>Assessment of alternatives</b>                     | The ESS5 requires borrower to consider feasible alternative project designs to avoid or minimize land acquisition or restrictions on land use, especially where this would result in physical or economic displacement, while balancing environmental, social, and financial costs and benefits, and paying particular attention to gender impacts and impacts on the poor and vulnerable. | The national law on environment and ESIA procedures requires the developer to explorer project alternatives but is silent about avoiding, minimizing involuntary resettlement.   | While ESS5 requires the borrower to explore alternatives that avoid or minimize resettlement impacts, the national regulations only require the provision of compensation | The proposed project is designed in a way that avoids physical relocation of the PAPs, therefore the WB ESS5 will be applied for alternative assessment.  |
| <b>Compensation and Benefits for Affected Persons</b> | When land acquisition or restrictions on land use (whether permanent or temporary) cannot be avoided, the ESS5 requires Borrower to offer affected persons compensation at replacement cost, and other assistance as may be necessary to help them improve or at least restore their standards of living or livelihoods.   | The national Regulations (expropriation law in public interest, article 27) defines properties subject to valuation for the payment of fair compensation due to expropriation in the public interest are: <ul style="list-style-type: none"> <li>- land;</li> <li>- activities carried out on land for its efficient management or rational use;</li> <li>- compensations for</li> </ul> | Loss of income is not covered under national regulations and regulations are silent on livelihood measures or assistance to vulnerable people                             | -During the preparation of resettlement plan, livelihood restoration measures will be considered for where physical relocation is expected.<br>-Vulnerable people will be identified, and special attention provided to them to ensure that all affected people improve or restore livelihood |



| Principles  | World Bank ESS5   | Rwanda Regulations   | Gaps  | Gap filling measures   |
|---|---|--|---|--|
|   |   | <p>disruption caused by expropriation.</p>   |   |  |
| <p><b>Timeframe for Compensation and provision of resettlement measures</b></p> | <p>ESS5 requires that the Borrower takes possession of acquired land and related assets only after compensation in accordance with this ESS has been made available and, where applicable, displaced people have been resettled and moving allowances have been provided to the displaced persons in addition to compensation. In addition, livelihood restoration and improvement programs will commence in a timely fashion in order to ensure that affected persons are sufficiently prepared to take advantage of alternative livelihood opportunities as the need to do so arises.</p> | <p>Article 36 of the Expropriation law (2015) state that approved fair compensation shall be paid within a period not exceeding one hundred and twenty (120) days from the day of its approval.</p> <p>Subsequent to receiving fair compensation, the expropriated person shall have a period not exceeding one hundred and twenty (120) days to relocate.</p> | <p>The ESS5 requires to provide compensation measures before land take while the national Regulations allows the project developer to take the land even before the compensation as long as the compensation is made in 120 days.</p> | <p>Compensation and provision of resettlement measures will be given prior to bush clearing and any MV lines construction works.</p> |
| <p><b>Community engagement</b></p>  | <p>ESS5 requires the Borrower to engage with affected communities, including host communities, through the process of</p>   | <p>Article 24 of expropriation law requires the District or City of Kigali administration or the</p>   | <p>While the ESS5 requires consultation with affected</p>   | <p>This RPF provides process and guidance for Public</p>   |

| <b>Principles</b>          | <b>World Bank ESS5</b>   | <b>Rwanda Regulations</b>   | <b>Gaps</b>  | <b>Gap filling measures</b>  |
|----------------------------|--|---|--|--|
|                            | stakeholder engagement described in ESS10. Decision-making processes related to resettlement and livelihood restoration will include options and alternatives from which affected persons may choose.  | relevant Ministry to inform the persons to be expropriated in the public interest of the expected start date of measurement of land and inventory of property incorporated thereon.   | communities and other stakeholders,  | consultation and community engagement.   |
|                            | Disclosure of relevant information and meaningful participation of affected communities and persons will take place during the consideration of alternative project designs and thereafter throughout the planning, implementation, monitoring, and evaluation of the compensation process, livelihood restoration activities, and relocation process. | Such a communication shall be made through an announcement posted on the office of the Cell of the place designated for the implementation of the project. The communication shall also be made through at least one radio station with a wide audience in Rwanda and at least one of Rwanda-based newspapers with a wide readership. | The national regulations require only communication to the affected people.                    | Public consultation and information disclosure will be part of preparation and implementation of resettlement instruments, and where necessary the ESS5 will take precedence |
| <b>Grievance Mechanism</b> | ESS5 requires borrowers to ensure that a grievance mechanism for the project is in place, in accordance with ESS10 as early as possible in project development to address specific concerns about compensation,  | Article 33 of expropriation law state that within seven (7) days after the approval of the valuation report by the expropriator, any person to be   | While ESS5 requires the establishment of Grievance Redress mechanism for the proposed project, | Grievance redress mechanism will be established at project level, district with a representative of  |

| Principles | World Bank ESS5   | Rwanda Regulations  | Gaps  | Gap filling measures                      |
|------------|---|---|---|---|
|            | <p>relocation or livelihood restoration measures raised by displaced persons (or others) in a timely fashion. Where possible, such grievance mechanisms will utilize existing formal or informal grievance mechanisms suitable for project purposes, supplemented as needed with project-specific arrangements designed to resolve disputes in an impartial manner.</p> | <p>expropriated who is not satisfied with the assessed value of his/her land and property incorporated thereon shall indicate in writing grounds for his/her dissatisfaction with the valuation report.</p> <p>Any person contesting the assessed value shall, at his/her own expense, engage the services of a valuer or a valuation firm recognized by the Institute of Real Property Valuers in Rwanda to carry out a counter-assessment of the value. When the person to be expropriated is not satisfied with that decision, he/she can refer the matter to the competent court within fifteen (15) days from the day he/she appends his/her signature to the minutes indicating points of disagreement.</p> | <p>National regulations provides only steps and timeframe for contesting valuation report</p> | <p>concerned Sector and at Cell level</p> |

| Principles  | World Bank ESS5   | Rwanda Regulations   | Gaps  | Gap filling measures  |
|---|---|--|---|---|
| <p><b>Planning, Implementation and Monitoring</b></p> | <p>Where land acquisition or restrictions on land use are unavoidable, the Borrower will, as part of the environmental and social assessment, conduct a census to identify the persons who will be affected by the project, to establish an inventory of land and assets to be affected, to determine who will be eligible for compensation and assistance, and to discourage ineligible persons, such as opportunistic settlers, from claiming benefits.</p> | <p>Article 10 of expropriation law requires the project developer to prepare application that shall indicate:</p> <ul style="list-style-type: none"> <li>- the nature of the project;</li> <li>- the indication that the project aims at the public interest;</li> <li>- the master plan of land where the project will be carried out;</li> <li>- the document indicating that the project has no detrimental effect on the environment;</li> <li>- the document confirming the availability of funds for fair compensation;</li> <li>- the explanatory note detailing that such land or place suits the project;</li> <li>- the minutes indicating that the concerned</li> </ul> | <p>The measures gap in terms of planning and implementation is the absence of socio-economic assessment of project affected and inventory of affected assists in the application report. during decision making about a</p> | <p>The socio-economic assessment of project affected people and inventory of affected assets will be part of Resettlement Action Plans, the monitoring will be applied along the project lifecycle.</p> |

| Principles               | World Bank ESS5  | Rwanda Regulations   | Gaps   | Gap filling measures   |
|--------------------------|--|--|--|--|
|                          |  | population was sensitized about the project and its importance;  |  |  |
| <b>Social assessment</b> | The social assessment will also address the claims of communities or groups who, for valid reasons, may not be present in the project area during the time of the census, such as seasonal resource users.   | - The social assessment is part of Environmental Impact assessment.  | Regulations on land acquisition does not require social assessment.  | Social assessment will be part of Resettlement Action Plan.  |
| <b>Cut-off date</b>      | The Borrower will establish a cut-off date for eligibility. Information regarding the cut-off date will be well documented and will be disseminated throughout the project area at regular intervals in written and (as appropriate) non-written forms and in relevant local languages. This will include posted warnings that persons settling in the project area after the cutoff date may be subject to removal. | The Districts administration or the relevant Ministry must inform the persons to be expropriated in the public interest of the expected start date of measurement of land and inventory of property incorporated thereon. Such a communication shall be made through an announcement posted on the office of the Cell of the place designated for the implementation of the project. The communication shall also be made through at least one radio | The only gap identified is that the national regulations does not include warnings to the persons settling in the project area after the cut-off date may be subject to removal. | The cut-off date will be established and communicated to all affected people before starting the assets inventory. |

| Principles                          | World Bank ESS5   | Rwanda Regulations  | Gaps  | Gap filling measures   |
|-------------------------------------|---|---|---|--|
|                                     |   | <p>station with a wide audience in Rwanda and at least one of Rwanda-based newspapers with a wide readership for the relevant parties to be informed thereof.</p> |   |  |
| <p><b>Economic Displacement</b></p> | <p>In the case of projects affecting livelihoods or income generation, the Borrower’s plan will include measures to allow affected persons to improve, or at least restore, their incomes or livelihoods. The plan will establish the entitlements of affected persons and/or communities, paying particular attention to gender aspects and the needs of vulnerable segments of communities, and will ensure that these are provided in a transparent, consistent, and equitable manner. The plan will incorporate arrangements to monitor the effectiveness of livelihood measures during implementation, as well as evaluation once implementation is completed.</p> | <p>National Regulation are silent about economic displacement and does not provide any livelihood restoration program</p>   | <p>Livelihood restoration and economic displacement are not considered under national regulations</p> | <p>Both Physical and Economic displacement will be considered.</p> |

| <b>Principles</b>   | <b>World Bank ESS5</b>   | <b>Rwanda Regulations</b>  | <b>Gaps</b>   | <b>Gap filling measures</b>   |
|---|--|--|---|---|
| <b>Collaboration with Other Responsible Agencies or Subnational Jurisdictions</b> | The borrower will establish means of collaboration between the agency or entity responsible for project implementation and any other Governmental agencies, subnational jurisdictions or entities that are responsible for any aspects of land acquisition, resettlement planning, or provision of necessary assistance. | Section one of the expropriation law provide the implantation arrangement for land acquisition from approving, implementation and implementation of decisions. Further, the land law of 2013 defines roles and responsibility of various stakeholders involved in land administration and expropriation. | No major gap identified apart from technical capacity of local entities that needs to be enhanced | This RPF has provided implementation arrangement form national to local level and the Resettlement Action plan will include a section on implementation arrangement |

**Source:** EDCL, RPF for EAQIP, 2020

### **III.5. Institutions Roles in the Present RAP Implementation for MUSANZE and RUBAVU Districts.**

The main Ministry, Authorities, Institutions and the roles and Responsibilities of each institution in implementation of this RAP are:

- MININFRA - EAQIP Project Management Unit (EDCL-RUEAP safeguards team);
- Ministry of Environment;
- MINALOC – Local Government Officials;
- Rwanda Land Management and Use Authority;
- Institute of Real Property Valuers (IRPV);
- District Land Bureaus;
- Resettlement Committees or GRC.

The below table indicates the key roles and responsibilities of each institution during RAP implementation up to completion.



**Table 4: Roles and Responsibilities of each institution**

| ORGANIZATION   | ROLES AND RESPONSIBILITY  |
|--|---|
| <p>MININFRA - EAQIP<br/>Project Management Unit<br/>(EDCL-RUEAP EAQIP<br/>safeguards team)</p> | <ul style="list-style-type: none"> <li>- Screening of sub-projects to identify resettlement and compensation requirements;</li> <li>- Work with all District to create Resettlement and Compensation Committee;</li> <li>- Provision of capacity building and technical support relating to resettlement and compensation activities;</li> <li>- Developing work plans for implementation of the RAP including the phasing of compensation payments in line with project development requirements.</li> <li>- Close monitoring and enforcement of the procedures and requirements of the Rwandan laws and of the WB ESF-ESS5 and 10 along the project implementation;</li> <li>- Review all RAPs and other resettlement-related documentation to ensure that all procedures have been adhered to and that there is consistency in approach between sub-projects.</li> <li>- Disclose the compensation awards in manner consistent with the Rwanda law and World Bank’s ESF to all PAPs and other interested parties.</li> <li>- Providing support to other agencies involved in RAP implementation.</li> <li>- Supporting the GRCs to manage grievances related to compensation.</li> <li>- Register PAPs objections to compensation awards and initiate process for management.</li> <li>- Undertake the main monitoring and evaluation role of resettlement activities during and post implementation.</li> </ul> |
| <p>Ministry of Environment</p>   | <ul style="list-style-type: none"> <li>- Providing guidelines on the implementation and application of the Organic Land law and the Land Use Master Plan through Districts’ bureaus.</li> <li>- Providing clarifications on land tenancy schemes (freehold or leasehold).</li> <li>- Mobilizing the public to participate in the management and protection of natural resources.</li> </ul>   |

| ORGANIZATION   | ROLES AND RESPONSIBILITY  |
|--|---|
| Ministry of Local Government (MINALOC)<br>- District Leadership. | <ul style="list-style-type: none"> <li>- Review and sign off of all documentation (e.g. Approval of valuation report, PAPs files for compensation, grievance forms, consultation plans);</li> <li>- Participation in the different consultation meetings that will be held;</li> <li>- Participate in the census activities for the PAPs affected assets;</li> <li>- Participate in different mobilization and sensitization meetings.</li> <li>- Following up and participate in resolving issues in collaboration with the elected Grievance Redress Committees -GRCs;</li> </ul> |
| Rwanda Land Management and Use Authority (RLMUA)                 | <ul style="list-style-type: none"> <li>- RLMUA through its department of land administration and mapping is the organ responsible for overall management and coordination of all activities related to land administration, land use planning and management in Rwanda.</li> <li>- In RAP Implementation process, advise on matters related to land ownership and expropriation.</li> <li>- District land bureau in close collaboration with project staff will check and approve surveys, various maps and approve land surveys carried out during valuation exercise.</li> </ul>  |
| Institute of Real Property Valuers (IRPV)                        | <ul style="list-style-type: none"> <li>- Proposes regulations, guidelines and standards for valuation while the function of approval lies with the Council;</li> <li>- Play a revision role for any PAP likely to be dissatisfied with a real property valuation;</li> <li>- Selection of other certified Valuer who shall decide other valuation methods to be used in case of misunderstanding on the used valuation methodology.</li> <li>- Update and provide advises on matter of price reference when there are dissatisfied PAPs.</li> </ul>                                 |

| ORGANIZATION   | ROLES AND RESPONSIBILITY  |
|--|---|
| District Land Bureaus  | <ul style="list-style-type: none"> <li>- The District land bureau will be engaged in the preparation of all the RAPs including involvement in all the negotiations before transferring the land as required by law;</li> <li>- The District Land Bureau will establish the sub-project level Resettlement and Compensation Committees at Sector/ Cell level;</li> <li>- The District Land Bureau will establish standards for unit rates of affected assets and compensation estimates, according to the standard units appended to the RPF, adjusted for local conditions where necessary;</li> <li>- The District Land Bureau will be part of the Coordination and supervision of the implementation by Resettlement and Compensation committees as stipulated in the RPF and national/ district guidelines.</li> </ul>   |
| Resettlement Committees or Grievance Redress Committees (GRCs) | <ul style="list-style-type: none"> <li>- Facilitate the RAP implementation along with compensation, land valuation, and grievance redress.</li> <li>- Plan for, coordinate and monitor resettlement, compensation and relocation activities and supervise compensation payments to the project affected parties (PAPs) from Village, Cell, Sector to District levels.</li> <li>- Participate in Public Awareness Meeting.</li> <li>- Develop and implement RAP, including assistance during resettlement, effective consultation with PAPs.</li> <li>- Facilitate coordination of information collation activities (such as surveys, sign-off) for monitoring purposes, in accordance with procedures put in place by the district authorities.</li> <li>- Collaborate closely with Energy Projects Liaison Officer who has regular contact with PAPs and can lead consultation, public participation, and grievance redress mechanisms.</li> <li>- Participate receiving and complains resolution.</li> <li>- Complete the Grievance log.</li> </ul> |

**Source:** EDCL-RPF for EAQIP, 2020

## **IV. BASELINE SOCIO-ECONOMIC CHARACTERISTICS OF THE PAHs**

### **IV.1 Introduction**

This chapter gives description of households affected by the project, (households at which their assets will be affected by the project) in MUSANZE and RUBAVU District. The chapter also gives the number of plots owners (PAPs) and number of households they belong to (PHA) as well as number of household members and some of their characteristics.

It also describes the information on the socio-economic baseline for the project affected households, the methodology used to collect the data in the project area as well as from the household census that was undertaken in the community of MUSANZE and RUBAVU Administrative Districts. Along the process of the RAP preparation specifically to this section of socio-economic baseline for the project affected households, the data collectors used the different methodology given that the needed data was categorized as primary, observation method has occupied an important place in descriptive sociological research. It is the most significant and common technique of data collection. Analysis of questionnaire responses is concerned with what people think and do as reveal by what they responded. The responses in interview are revealed by what people express in conversation with the interviewer. Observation seeks to ascertain what people think and do by watching them in action as they express themselves in various situations and activities. Interview as a technique of data collection is very popular and extensively used in every field of social sciences research. The interview is, in a sense, an oral questionnaire. Instead of writing the response, the interviewee or subject gives the needed information verbally in a face-to-face relationship. The dynamics of interviewing, however, involves much more than an oral questionnaire. Questionnaire provides the most speedy and simple technique of gathering data about groups of individuals scattered in a wide and extended field, in this regard, the questionnaire has been used to all head of households during the data collection process. The survey involved all Households to be affected within the sub-project lots.

### **IV.2. Demography Characteristics of the affected households**

The project will be implemented in MUSANZE and RUBAVU administrative Districts in Northern and Western Provinces of the Republic of Rwanda. The total number of households to be affected is 7,824 with 41,373 household members. The total individual plots counted equal to 9,772 because one household can possess more than one plot. All households to be affected participated in this socio-economic survey (100%) in which the District of MUSANZE has more households than RUBAVU with 63.1% as presented in the table below.

**Table 5: Distribution of the Affected Households**

| Districts          | Number of PAH | Percentage (%) |
|--------------------|---------------|----------------|
| Musanze            | 4,938         | 63.1           |
| Rubavu             | 2,886         | 36.9           |
| <b>Grand Total</b> | <b>7,824</b>  | <b>100</b>     |

Source: Primary Data, 2022

The above table demonstrates that most of the households to be affected are located in MUSANZE administrative district with 63.1% (4,938) than RUBAVU district having 36.9% (2,886) of households to be affected as the MV line to be constructed in RUBAVU is shorter than that of MUSANZE administrative district. However, this table also shows that there is difference in households to be affected in both districts.

### IV.3. Gender Analysis of the Project Affected Persons

In a bid to promote a sustainable and equitable development as a subsequent impact of any development projects, gender needs to be mainstreamed into the day-to-day development initiatives. This is important for the design and implementation of projects that are responsive to the practical needs of women, households, and to those of communities in general.

**Table 6.1: Distribution of the Households' Heads by Sex**

| District     | Male         |             | Female       |             | Total        |              |
|--------------|--------------|-------------|--------------|-------------|--------------|--------------|
|              | N            | %           | N            | %           | N            | %            |
| Musanze      | 3,369        | 68.2        | 1,569        | 31.8        | 4,938        | 63.1         |
| Rubavu       | 2,111        | 73.1        | 775          | 26.9        | 2,886        | 36.9         |
| <b>Total</b> | <b>5,480</b> | <b>70.0</b> | <b>2,344</b> | <b>30.0</b> | <b>7,824</b> | <b>100.0</b> |

Source: Primary Data, 2022

The above table demonstrates that from 7,824 households 70% were headed by males and 30% headed by females. From 4,938 households in Musanze District 68.2% are headed by males and 31.8% headed by females and from 2,886 households in Rubavu District 73.1% were headed by males to 26.9% headed by females.

**Table 7.2: Distribution of the Households' Members by Sex**

| District           | Number of Male |             | Number of Female |             | Total         |              |
|--------------------|----------------|-------------|------------------|-------------|---------------|--------------|
|                    | N              | %           | N                | %           | N             | %            |
| Musanze            | 12,665         | 48.5        | 13,447           | 51.5        | 26,112        | 63.1         |
| Rubavu             | 7,467          | 48.9        | 7,794            | 51.1        | 15,261        | 36.9         |
| <b>Grand Total</b> | <b>20,132</b>  | <b>48.7</b> | <b>21,241</b>    | <b>51.3</b> | <b>41,373</b> | <b>100.0</b> |

Source: Primary Data, 2022

The above table indicates that from 7,824 households affected by the project have 41,373 members (5.2 person per household) and from which 48.7% are males to 51.3% females. In other case from 4,938 households in Musanze District was counted 26,112 members where 48.5% are males to 51.5% females and from 2,886 households in Rubavu District was counted 15,261 members and from which 48.9% are males to 51.1% females.

#### IV.4. Project Affected Household Composition

The composition of the affected households is key determinants to demonstrate the number of all the beneficiaries based on the members of the household with 1-3 members, Household with 4-6 members, Household with over 7 members.

**Table 8: Household Composition per Administrative District**

| S/N          | District | Household with 1-3 members |             | Household with 4-6 members |             | Household with 7 and over members |             | Total        |            |
|--------------|----------|----------------------------|-------------|----------------------------|-------------|-----------------------------------|-------------|--------------|------------|
|              |          | N                          | %           | N                          | %           | N                                 | %           | N            | %          |
| 1            | Musanze  | 1,385                      | 33.0        | 2,409                      | 57.4        | 1,144                             | 27.3        | 4,938        | 63.1       |
| 2            | Rubavu   | 563                        | 15.5        | 1,272                      | 35.1        | 1,052                             | 29.0        | 2,886        | 36.9       |
| <b>Total</b> |          | <b>1,948</b>               | <b>24.9</b> | <b>3,681</b>               | <b>47.0</b> | <b>2,196</b>                      | <b>28.1</b> | <b>7,824</b> | <b>100</b> |

Source: Primary Data, 2022

The above table highlights that from 7,824 households affected 24.9% are composed by 1-3 members, 47% composed by 4-6 members and 28.1% composed by 7 and above household members. In Musanze District most of households are with 4-6 members counted 57.4% of 4,938 Musanze total households and for Rubavu district most of households are also with 4-6 members among 2,886 counted affected households.

The household's composition showed that most of the members are within the range of 4 to 6 members per family based on the total population to be affected represented by 7,824 households, this is because in rural areas the family planning attendance remain low, due to the different believes. The fourth Rwanda Population and Housing Census conducted in August 2012 resulted that the average composition of

household in Rwanda is 4.3 members and this indicates that the household composition in members is in range for the national level.

#### IV.5. Education Level of the Project Affected Persons

Education is one of key priority of NST1 (National Strategy for Transformation one) on social transformation pillar by Ensuring Quality of education for all aiming at building a knowledge-based economy, therefore below table illustrates the level of the education for the surveyed community.

**Table 9: Distribution of Members of PAHs by Level of Education**

| District     | Primary and pre-primary School |             | Secondary School or TVET |             | University/Tertiary education |            | Never went to school |             | Not Concern (Below 3 years) |            | Total         |              |
|--------------|--------------------------------|-------------|--------------------------|-------------|-------------------------------|------------|----------------------|-------------|-----------------------------|------------|---------------|--------------|
|              | N                              | %           | N                        | %           | N                             | %          | N                    | %           | N                           | %          | N             | %            |
| Musanze      | 17,052                         | 65.3        | 3,794                    | 14.5        | 626                           | 2.4        | 3,155                | 12.1        | 1,486                       | 5.7        | <b>26,112</b> | 63.1         |
| Rubavu       | 9,762                          | 64.0        | 2,448                    | 16.0        | 196                           | 1.3        | 1,537                | 10.1        | 1,318                       | 8.6        | <b>15,261</b> | 36.9         |
| <b>Total</b> | <b>26,814</b>                  | <b>64.8</b> | <b>6,242</b>             | <b>15.1</b> | <b>822</b>                    | <b>2.0</b> | <b>4,691</b>         | <b>11.3</b> | <b>2,804</b>                | <b>6.8</b> | <b>41,373</b> | <b>100.0</b> |

Source: Primary Data, 2022

The above table reveals that from 41,373 households' members only 64.8% attended any pre-primary and primary education level, only 15.1% attended secondary school or TVET, only 2% attended any level of University/ Tertiary education and from them 11.3% never went to school and around 6.8% were not concerned as they were aged below 3 years. Both Musanze and Rubavu districts also follow this range.

#### IV.6. Age Structure of the Respondents among the Members of the PAHs

The age structure of the PAPHs was a necessary part of the assignment to determine whether the survey's findings are from mature persons who understand the significance of the project. According to Rwandan legislation, the majority age starts from 18 years. The table below gives a clear picture of age structure.

**Table 10: Age Structure of the Members of the PAHs**

| District | Below 3 years | Between 4-17 years | Between 18-35 years | Between 36-64 years | No of elderly | Total |
|----------|---------------|--------------------|---------------------|---------------------|---------------|-------|
|----------|---------------|--------------------|---------------------|---------------------|---------------|-------|

|              |              |            |               |             |               |             |              |             | (Over 65 Years) |            |               |              |
|--------------|--------------|------------|---------------|-------------|---------------|-------------|--------------|-------------|-----------------|------------|---------------|--------------|
|              | N            | %          | N             | %           | N             | %           | N            | %           | N               | %          | N             | %            |
| Musanze      | 1,471        | 5.6        | 9,418         | 36.1        | 7,844         | 30.0        | 5,818        | 22.3        | 1,561           | 6.0        | 26,112        | 63.1         |
| Rubavu       | 1,325        | 8.7        | 6,086         | 39.9        | 4,163         | 27.3        | 3,134        | 20.5        | 553             | 3.6        | 15,261        | 36.9         |
| <b>Total</b> | <b>2,795</b> | <b>6.8</b> | <b>15,504</b> | <b>37.5</b> | <b>12,007</b> | <b>29.0</b> | <b>8,952</b> | <b>21.6</b> | <b>2,114</b>    | <b>5.1</b> | <b>41,373</b> | <b>100.0</b> |

Source: Primary Data, 2022

The above table shows that among 41,373 counted households' members in Musanze and Rubavu District 37.5% were aged between 4-17 years old, 29% aged between 18-35 years old, 21.6% aged between 36-64 years, 6.8% aged below 3 years and 5.1% elderly over 65 years old. The larger part of household's members in Musanze district is that aged 4-17 years old (36.1%) and same case for Rubavu District (39.9%). These results show that most households' members are in active age, and they are also active in the development of the country, and the society can have a bright future if this age category is well equipped with knowledge and skills. This project will be benefit to the society because without energy the development is doubtful.

#### IV.7. Marital Status of Respondents

The marital status of the PAP is an important parameter to know the views of different categories of people about the project. The situation is presented in below table.

**Table 11: Marital Status of the PAPs**

| District     | Divorce /Separated |            | Married/ Cohabiting |             | Single     |            | Widow/ Widower |             | Total Plots Owners |              |
|--------------|--------------------|------------|---------------------|-------------|------------|------------|----------------|-------------|--------------------|--------------|
|              | N                  | %          | N                   | %           | N          | %          | N              | %           | N                  | %            |
| Musanze      | 164                | 2.7        | 4,356               | 71.5        | 89         | 1.5        | 1,487          | 24.4        | 6,096              | 62.4         |
| Rubavu       | 104                | 2.8        | 2,939               | 79.9        | 73         | 2.0        | 561            | 15.3        | 3,676              | 37.6         |
| <b>Total</b> | <b>267</b>         | <b>2.7</b> | <b>7,295</b>        | <b>74.7</b> | <b>162</b> | <b>1.7</b> | <b>2,048</b>   | <b>21.0</b> | <b>9,772</b>       | <b>100.0</b> |

Source: Primary Data, 2022

The surveyed community revealed that 9,772 plots owners and tenant 74.7% are married, 21% widowed, 2.7% divorced or separated and 1.7% single. The same case for Musanze district (6,096 plots owners) 71.5% are married and in Rubavu District (3,676 plots owners) 79.9% were married or cohabiting.

#### IV.8. Status of Land ownership in Surveyed Community

The below table indicates the distribution of households in the project vicinity for in MUSANZE and RUBAVU District by land ownership.



**Table 12: Distribution of the PAHs by Land Ownership Status**

| Districts    | Owner        |                | Tenant       |                |
|--------------|--------------|----------------|--------------|----------------|
|              | N            | Percentage (%) | N            | Percentage (%) |
| MUSANZE      | 3,984        | 64.6           | 954          | 58             |
| RUBAVU       | 2,187        | 35.4           | 699          | 42             |
| <b>Total</b> | <b>6,171</b> | <b>100</b>     | <b>1,653</b> | <b>100</b>     |

**Source:** Primary Data, 2022

The table above demonstrates that 64.6% 3,984 households are the landowners for MUSANZE District while RUBAVU District landowner are 35.5% 2,187 whereas tenants for MUSANZE are 58% while RUBAVU has 42% of the tenants.

#### **IV.9. PAPs Vulnerability Analysis**

The vulnerability assessment in social impact assessments remains a fundamental safeguard tool in protecting, supporting and accompanying vulnerable PAPs during the project implementation. In development projects requiring the loss of properties, some groups of people are classified by the Government of Rwanda in the category of vulnerable people and are therefore classified in Ubudehe 1 category. These include people living with disability, elderly people with 65 years of age and above, orphans, child headed households and people living in extreme poverty.

The table below demonstrates the categories of vulnerable PAPs in the areas to be covered the by MV lines under this sub-project.

**Table 13: PAPs distribution by Districts and Vulnerability**

| District     | PD <sup>1</sup> |            | Orphan    |            | Elderly (Above 65 years) |            | Extreme poor |            | WHH <sup>2</sup> |            | Total        |
|--------------|-----------------|------------|-----------|------------|--------------------------|------------|--------------|------------|------------------|------------|--------------|
|              | N               | %          | N         | %          | N                        | %          | N            | %          | N                | %          |              |
| MUSANZE      | 32              | 70         | 18        | 62         | 1,561                    | 74         | 79           | 68         | 247              | 89         | 1,937        |
| RUBAVU       | 14              | 30         | 11        | 38         | 553                      | 26         | 38           | 32         | 30               | 11         | 646          |
| <b>Total</b> | <b>46</b>       | <b>100</b> | <b>29</b> | <b>100</b> | <b>2,114</b>             | <b>100</b> | <b>117</b>   | <b>100</b> | <b>277</b>       | <b>100</b> | <b>2,583</b> |

Source: Primary Data, 2022

The above table illustrates that among 41,373 households' members of 7,824 households, 2, 583 are vulnerable but the big number of the vulnerable is the persons above 65 years of age in the surveyed community while women headed households was 277 in both RUBAVU and MUSANZE Administrative Districts, and extreme poor was 117 (these in the 1<sup>st</sup> Ubudehe category) the vulnerable in this category are supported by the Nation social protection scheme where all basic needs and livelihoods are included in the package of the social protection in Rwanda.

#### IV.10. Distribution of Affected Plots of Land by Districts

The below table indicates the affected plots of land of the PAHs in RUBAVU and MUSANZE and corresponding proportion.

**Table 14: Plots Affected Distribution by District**

| District     | Plots affected |              |
|--------------|----------------|--------------|
|              | N              | %            |
| Musanze      | 6,096          | 62.4         |
| Rubavu       | 3,676          | 37.6         |
| <b>Total</b> | <b>9,772</b>   | <b>100.0</b> |

Source: Primary Data, 2022

<sup>1</sup> Permanent Disability

<sup>2</sup> Women Headed Household

As seen from the above table, 9,772 plots were counted to be affected where 62.4% (6,096) counted in Musanze district and 37.6% (3,676) counted from Rubavu district.

#### IV.11. Distribution of the PAHs by sources of lighting and cooking

The surveyed community has different sources of lighting and cooking, such as Electricity, rechargeable torch, Kerosene lamp, solar energy, Candle for lighting. About cooking, these are the identified sources: Charcoal, firewood, and biomass residues. The two below tables indicate the distribution of the PAHs by source of the lighting and cooking.

**Table 15 PAHs distribution by source of lighting**

| District     | Electricity  |             | Chargeable torch |             | Kerosene lamp |            | Solar energy |            | Candle     |            | Firewood  |            | Battery    |            | Total        |              |
|--------------|--------------|-------------|------------------|-------------|---------------|------------|--------------|------------|------------|------------|-----------|------------|------------|------------|--------------|--------------|
|              | N            | %           | N                | %           | N             | %          | N            | %          | N          | %          | N         | %          | N          | %          | N            | %            |
| Musanze      | 1,578        | 32.0        | 2,072            | 42.0        | 277           | 5.6        | 494          | 10.0       | 313        | 6.3        | 36        | 0.7        | 169        | 3.4        | 4,938        | 63.1         |
| Rubavu       | 620          | 21.5        | 1,516            | 52.5        | 204           | 7.1        | 155          | 5.4        | 318        | 11.0       | 41        | 1.4        | 33         | 1.1        | 2,886        | 36.9         |
| <b>Total</b> | <b>2,197</b> | <b>28.1</b> | <b>3,588</b>     | <b>45.9</b> | <b>481</b>    | <b>6.1</b> | <b>649</b>   | <b>8.3</b> | <b>631</b> | <b>8.1</b> | <b>77</b> | <b>1.0</b> | <b>201</b> | <b>2.6</b> | <b>7,824</b> | <b>100.0</b> |

Source: Primary Data, 2022

The above table illustrates that 7,824 households affected 28.1% have access to electricity and use it for lighting, 45.9% use chargeable torch for lighting, 6.1% remain using kerosene lamp, 8.3% use candle for in house lighting, 1% use firewood and 2.6% use batteries. Musanze and Rubavu also follow the same share of the overall rate defined. Electricity users in the surveyed households which will be affected, and these are mainly the households that have the plots of land within the project vicinity but living in the other area having electricity and this sub-project is expected to use fill in connections whereby the electricity users claimed to use it only for lighting without other productive activity; this also means that their crops and trees will be affected during the construction of the MV line in both Districts even if some of them are not living in the same area.

**Table 16: Distribution of the PAHs by source of cooking fuel**

| District     | Gas       |            | Firewood     |             | Charcoal   |            | Electricity |            | Biomass Residue |            | Total        |              |
|--------------|-----------|------------|--------------|-------------|------------|------------|-------------|------------|-----------------|------------|--------------|--------------|
|              | N         | %          | N            | %           | N          | %          | N           | %          | N               | %          | N            | %            |
| Musanze      | 72        | 1.5        | 4,300        | 87.1        | 289        | 5.9        | 48          | 1.0        | 229             | 4.6        | 4,938        | 63.1         |
| Rubavu       | 8         | 0.3        | 2,413        | 83.6        | 391        | 13.6       | 0           | 0.0        | 73              | 2.5        | 2,886        | 36.9         |
| <b>Total</b> | <b>80</b> | <b>1.0</b> | <b>6,713</b> | <b>85.8</b> | <b>680</b> | <b>8.7</b> | <b>48</b>   | <b>0.6</b> | <b>302</b>      | <b>3.9</b> | <b>7,824</b> | <b>100.0</b> |

Source: Primary Data, 2022

The above table indicates that 7,824 households affected by the project 85.8% use firewood for cooking (87.1% for Musanze and 83.6% for Rubavu), 8.7% use charcoal for cooking (5.9% for Musanze and 13.6% for Rubavu districts), 3.9% use biomass residues (4.6% for Musanze district and 2.5% for Rubavu district), 1% use gas (LPG) (1.5% Musanze District and 0.3% for Rubavu District) and 0.6% use electricity as main cooking fuel in household (1% for Musanze district and 0% in Rubavu District). Finally, the most of PAHs use the firewood as source of cooking given that also the surveyed community is in the rural area where there is no other energy which would be used during cooking apart from firewood, this is a result of the rural area where the affected people are not able to use other different source of cooking. The connection to electricity is expected to reduce the dependency on firewood and hence contribute to environmental protection.

#### IV.12. Distribution of the PAPs by health status

The health indicators are very important during the development project preparation and implementation, this was also imperative for the safeguards to identify the frequent diseases in the community given that the affected people should demonstrate their capacity to work for their development, it is therefore classified chronicle and acute diseases as malaria, diarrhea, Upper Respiratory Tract Infections, blood pressure, skin diseases, diabetes, and other diseases such as dental diseases, metabolic diseases, etc. In the project activities vicinity, the 36 PAPs encountered different diseases. The below table demonstrates the diseases frequency during the last 6 months in MUSANZE and RUBAVU administrative Districts.

**Table 17: Distribution of people by frequently encountered diseases in the community.**

| District     | Diarrhea |            | Malaria   |            | Respiratory Infections |            | Blood pressure |            | Skin Diseases |           | Diabetes |           | Others   |            | Total     |
|--------------|----------|------------|-----------|------------|------------------------|------------|----------------|------------|---------------|-----------|----------|-----------|----------|------------|-----------|
|              | N        | %          | N         | %          | N                      | %          | N              | %          | N             | %         | N        | %         | N        | %          |           |
| MUSANZE      | 2        | 10%        | 8         | 40%        | 2                      | 10%        | 3              | 15%        | 1             | 5%        | 1        | 5%        | 3        | 15%        | 20        |
| RUBAVU       | 3        | 19%        | 3         | 19%        | 4                      | 25%        | 2              | 13%        | 2             | 13%       | 1        | 6%        | 1        | 6%         | 16        |
| <b>Total</b> | <b>5</b> | <b>14%</b> | <b>11</b> | <b>31%</b> | <b>6</b>               | <b>17%</b> | <b>5</b>       | <b>14%</b> | <b>3</b>      | <b>8%</b> | <b>2</b> | <b>6%</b> | <b>4</b> | <b>11%</b> | <b>36</b> |

Source: Primary Data, 2022

In the surveyed community, only 36 people get sick from different diseases within a period of six months, as demonstrated in the above the incidence of diseases within the surveyed community such as malaria, diarrhea, Upper Respiratory Tract Infections (URTIs), Blood pressure, skin diseases, diabetes and other diseases. As shown by the PAHs most people suffered from malaria in at least six months where 11 PAPs suffered from malaria representing 31% of illness cases, 5 PAPs representing 14% suffered from diarrhea in six months before conducting the survey. Blood pressure is 5 people denoted by 14% of the total cases. The surveyed community indicated that many PAPs didn't contract any disease, only malaria cases are

identified to be more frequency in the area, the surveyed community demonstrates to haven't many diseases and this gives chance to the PAPs to remain strong, healthy and active to contribute to the socio-economic development and hence increase the household income. All 7,824 households which will be affected under this project have health insurance which enable them to visit the nearest health facility when fall ill, this constitutes the main reason for all Rwandese to have health insurance because it helps to improve the health conditions of the people and remains social-economically strong.

#### IV.13. The employment status in the surveyed community

The surveyed communities in MUSANZE and RUBAVU revealed that the income level of the households because the employment is key element of the development when the people is active to work in different economic sectors, therefore the distribution of the PAHs describes the employment of the beneficiaries in different domains such as Agriculture, Trading, Civil Servants and Skilled handcraft and level of the unemployment within the surveyed community. The below table indicates the proportions.

**Table 18.1: Distribution of the Household by employment.**

| District     | Agriculture  |             | Government salaried |            | Grazing   |            | Private sector |            | Self-employed |            | Skilled handcraft (Carpentry) |            | Trading (shops, market) |            | Transport (taxi driver, market) |            | Unemployed |            | Total        |              |
|--------------|--------------|-------------|---------------------|------------|-----------|------------|----------------|------------|---------------|------------|-------------------------------|------------|-------------------------|------------|---------------------------------|------------|------------|------------|--------------|--------------|
|              | N            | %           | N                   | %          | N         | %          | N              | %          | N             | %          | N                             | %          | N                       | %          | N                               | %          | N          | %          | N            | %            |
| Musanze      | 4,489        | 90.9        | 62                  | 1.3        | 12        | 0.3        | 37             | 0.8        | 0             | 0.0        | 75                            | 1.5        | 50                      | 1.0        | 50                              | 1.0        | 162        | 3.3        | 4,938        | 63.1         |
| Rubavu       | 2,608        | 90.4        | 17                  | 0.6        | 8         | 0.3        | 8              | 0.3        | 8             | 0.3        | 84                            | 2.9        | 76                      | 2.6        | 25                              | 0.9        | 50         | 1.7        | 2,886        | 36.9         |
| <b>Total</b> | <b>7,097</b> | <b>90.7</b> | <b>79</b>           | <b>1.0</b> | <b>21</b> | <b>0.3</b> | <b>46</b>      | <b>0.6</b> | <b>8</b>      | <b>0.1</b> | <b>159</b>                    | <b>2.0</b> | <b>126</b>              | <b>1.6</b> | <b>75</b>                       | <b>1.0</b> | <b>213</b> | <b>2.7</b> | <b>7,824</b> | <b>100.0</b> |

Source: Primary Data, 2022

The above table illustrates the PAHs distribution by the employment by the head of household. The agriculture is a predominant activity employing many people represented by 90.7% (7,097) of the total surveyed households with small disparities from MUSANZE with 90.9% and RUBAVU represented by 90.4%, this imbalance is negligible due to the chances where the line route will pass through. The trading is an activity represented by 1.6% (126) for both RUBAVU and MUSANZE Districts whereby MUSANZE has 1% and RUBAVU has 2.6% as demonstrated by the respondents. The unemployment rate in the two administrative Districts is 2.7% as responded by the heads of the household, many of them are the young people with hope that when electricity will reach the area, the unemployment shall reduce given that there will be the creation of the new employment specifically for the youth which will lead to the reduction of poverty and hence increase the household income then increasing the socio-economic development of the districts and wellbeing of the beneficiaries.

## **V. PUBLIC CONSULTATIONS AND STAKEHOLDERS' ENGAGEMENT**

This chapter is an exposition of the public consultation and stakeholder engagement during the preparation of the project RAP in line with the ESS10 of the WB ESF and EAQIP disclosed SEP. The section starts with a brief description of the public consultation and stakeholder engagement then continues with the identification of stakeholders later giving an outline of the public consultations and stakeholder engagements carried out in the project.

The Safeguards (Environmental and Social) and GIS team undertaken several public consultation meetings to ensure that the Project activities and the likely impacts on the local people and their livelihoods were explained and openly discussed. Consultation meetings with the affected communities and individuals is a key element of the RAP preparation and implementation process. The gathering of stakeholders and open discussion was the key approach used during the process of the stakeholder's consultation because it brings the participants to develop effective relationships and interpersonal or social trust. During the consultation, several categories of the society have been considered at each stage from central to the decentralized governments.

### **V.1. Key Objectives of consultation and Stakeholders Engagement**

The public consultation aims to improve and facilitate decision-making and create an atmosphere of understanding that actively involves individuals, groups, and organizations that can affect, or be affected by the development of the Project. Community consultation meetings covered the following issues: description of the project objectives, components, and implementation activities; property and livelihood impacts associated with project implementation; the resettlement/compensation alternatives and strategies available for PAPs; the rights of PAPs; Grievance redress; RAP preparation; valuation principles and procedures; RAP public disclosure; and the approval process.

PAPs were mainly concerned about the likely impact of the Project activities on their livelihood with respect to displacement on the encroached RoW and damage to the developments/structures, trees and crops on their land. The PAPs and stakeholders consulted voiced the need for prompt and adequate compensation for the PAPs to enable them to re-establish their property and livelihood activities. The views of the PAPs and other stakeholders consulted were documented and have been integrated into the resettlement measures and strategies outlined in this RAP. PAPs also were explained that there will be no physical displacement as the project activities will affect only crops and trees within the RoW of 12m.

**Table 19: Summary of Stakeholders Analysis**

| <b>Primary stakeholder</b>  | <b>Secondary Stakeholders</b>   |
|---|---|
| WB  | Local Governments Entities  |
| MININFRA  | FBOs  |
| MINECOFIN   | Farmers organizations   |
| REG-EDCL  | Civil Society Organizations   |
| RDB   | Private Sector Federation   |
| Beneficiaries/Local community members and the Project Affected Persons-PAPs | Academia, University of Rwanda (UR), Centre of Excellent and Biodiversity, Rwanda polytechnic (RP), researchers |
| REMA  | International and Local NGOs  |
| RURA  |   |
| RLMUA   |   |
| IRPV  |   |

## **V.2. Methodology used along the Public Consultation Planning and Implementation**

People were mobilized in collaboration of the safeguards, GIS, and local authorities. The safeguards sent an official invitation letter describing the project in brief (concept note) to the concerned Districts, its objectives and detailed schedule of meetings in each administrative District and sector. It also described where the line routing will pass through (sectors and cells) in order to facilitate local authorities to invite right people.

The district's administrative officials informed the sectors and requested the Executive Secretaries of interested sectors to facilitate the safeguards by inviting right people (people affected by the Project activities and everyone that will benefit from the Project works) to participate in these public consultation meetings. After the above administrative methods, the safeguards did call for follow-ups (with sectors executive secretaries) to make sure that people are mobilized to attend the meetings.

Meetings were held at different sector offices and establishment of Local Resettlement Committees (LRCs) held at cell level. Public meetings were chaired by mostly the Executive secretary who introduced team of safeguards and GIS to people attended meetings. After the opening remarks given by the local authority, the safeguards briefly explained the project, process of RAP, brief on expropriation law, new WB ESF, grievance mechanism, valuation process & principals, the cut-off date etc. After the presentations the

community was given opportunity to give their views, comments, and queries. Questions were answered, clarifications offered, their recommendations received and taken into considerations.

### **V.3. Stakeholder Groups**

A stakeholder refers to individuals or groups who are affected or likely to be affected by the project (project-affected parties) and may have an interest in the project (other interested parties) (World Bank, 2016). Projects resulting in physical or economic resettlement call for special consultation process that provides a medium of free flow of information among key project stakeholders. For effective resettlement to be carried out without raising conflicts, the project must incorporate regular consultation with a wide range of project stakeholders. Broadly defined, stakeholders in such projects (projects resulting in physical or economic resettlement) are classified in two broad categories primary and Secondary.

- Primary stakeholders are those directly affected, either positively or negatively, by the project, decisions, or actions, whereas
- Secondary stakeholders are those that are indirectly affected by the project, or decision, or actions (Republic of Rwanda, 2020).

From this board classification, the stakeholders can further be classified into 3 categories as outlined in the SEP which includes Government agencies, Project Affected People, and other Interested Parties.

Government agencies: Have a role in the project implementation (also known as ‘implementing agencies’): they consist mainly of government agencies (ministries, Musanze and Rubavu Administrative Districts).

- Project Affected People: This group includes people who will lose resources (crops and trees) and/or livelihoods due to project activities, vulnerable groups and users of the project area who will lose their livelihoods due to the project activities such as farmers, etc. under this category, you will also find a sub-category of vulnerable people who are likely to be disproportionately affected by project activities such as poor households, poor women headed households, elderly people and people leaving with disabilities as well as children headed households.
- Other Interested Parties may have an interest in the project. They include individuals or groups whose interests may be indirectly affected by the project and who have the potential to influence the Project outcomes in any way, in this group are found civil society organizations, opinion leaders in the project vicinity, the private sector etc.

As per groups of stakeholders, the consultation of major stakeholder groups is summarized below:



### **V.3.1. Government Agencies**

Institutions of the Government of Rwanda influence the Project through acting as the lead project proponent, as well as the regulatory process of monitoring for compliance, issuing licenses and permits. REG/EDCL/RUEAP-EAQIP is the Project Proponent, working under its parent ministry, the Ministry of Infrastructure (MININFRA). In addition, the Ministry of Environment and Land Use and Management Authority has a key role in governing resettlement. The implementation of this project RAP will involve a Project Implementation Unit (PIU) within REG/EDCL/ RUEAP-EAQIP, made up of engineers, social and environmental professionals, and any other person to be appointed by the project developer.

District Level Administrations play a key role in the planning and implementation of the land access and resettlement project and the future planning of the area. The District Resettlement Committees set up in each Cell and Sector will be the key implementing bodies for RAP related activities at their respective entity level, coordinating with REG/EDCL/ RUEAP-EAQIP Implementation Unit.

### **IV.3.2. Communities and Grievance Redress Committees**

The elected Grievance Committees at Cell level participated in the census activity, valuation and following up on the sign-off process. These committees are set up in each Cell, Sectors and Districts Administrative level where the project will pass through, due to the big volume of the document, only Districts members are annexed to this report (annex 3). At the Cell (AKAGALI) level, there are mediation committees (ABUNZI) whose work is to hear and handle local disputes, particularly land and other associated disputes. They are also involved in the implementation of the RAP as much as possible to ensure that everything is done right.

### **V.3.3. Public Consultation**

Public participation and community consultation have been taken up as an integral part of social assessment process of the project. Consultation was used as a tool to inform and educate stakeholders about the proposed action both before and after the development decisions were made. This participatory process enables the participation in the decision-making process. Initial Public consultation has been carried out in the project areas with the objectives of minimizing probable adverse impacts of the project and to achieve speedy implementation of the project through bringing in awareness among the community on the benefits of the project. The project consultations were made to consult with the public as well as a number of local authorities, to determine their thoughts, opinions and feedback on the impact of the electrification project in the district.

The PAPs were also provided with relevant and sufficient information on the project prior to its start-up. These stakeholders include the central and local authorities, as well as the population. Socio-economic

information was obtained during informal meetings with local authorities and PAPs during the field visits as well as the information obtained from field survey. Efforts were made to reach as many people as possible. For this purpose, the strategies of reaching people in public meetings “INTEKO Z’ABATURAGE and UMUGANDA where applicable” were mainly exploited by the informed people on the project to disseminate sufficient information to all concerned people. The public consultation was carried out with different groups in different areas. All consultative meetings were done by observing the National Health Guidelines to curb the spread of COVID-19.

#### V.4. Public Consultation Meetings and Stakeholder Engagement Conducted in MUSANZE and RUBAVU Administrative Districts

**Table 20: Issues and Response Matrix for MUSANZE Administrative Districts.**

The consultation meeting was guided by the safeguards and GIS team in collaboration with the Local Government Officials of the concerned administrative Districts.

| S/N | Location: MUSANZE (26-28/10/2021). Venue of the meetings: Different Cells Administrative Offices, Number of participants: 80 people               |  |
|-----|---|--|
|     | Topic or Concerns and expectations raised   | Explanation/Response   |
| 1.  | Brief Introduction of the project, Background, and its objectives.  | Team of safeguards explain the project to local people   |
| 2.  | Are you supporting this project?  | Yes, we support the project  |
| 3.  | What are the project opportunities and positive impact of the project on your livelihood?   | Wellbeing through connection of health and education facilities<br>Development of new business<br>Lightning of our homes and charging of our devices         |
| 4.  | What are the negative impacts of the project on your livelihood?  | Delay in compensation of affected assets<br>Unfair compensation  |
| 5.  | How could we mitigate or avoid above negative Impacts?  | Advocacy on compensation related to our assets and payment to be done before the implementation of this project  |
| 6.  | What is your contribution as citizens in implementation of this project?  | We will provide all support where needed<br>We will participate in construction activities<br>We will mobilize people to protect constructed infrastructures |
| 7.  | Is there a similar project implemented in the area?   | Hydro Power plant Project in nearby places   |
| 8.  | If there is another project required expropriation and compensation in the area, which negative impacts it caused? How can we avoid these impacts | No negative impacts caused   |

| S/N | <b>Location:</b> MUSANZE (26-28/10/2021). <b>Venue of the meetings:</b> Different Cells Administrative Offices, Number of participants: 80 people   |   |
|-----|---|---|
|     | <b>Topic or Concerns and expectations raised</b>  | <b>Explanation/Response</b>   |
| 9.  | What do you think on expropriation and compensation for this project?   | We hope that the compensation process will consider our concerns  |
| 10. | How should this project support vulnerable people?  | Job opportunities for their children or other family members & relatives on their behalf  |
| 11. | Some of you will be affected by the project. Which compensation mode do you prefer? (Compensation in cash or compensation in kind)  | Some prefer cash, but they must be pay on time<br>Others said that it depends on own choice   |
| 12. | Introduce the cut-off date and inform them that a new asset/house to be constructed within the right of way after survey/valuation will not be compensated.   | The organic law explained to local people especially article 36 stipulate that after survey, no one allowed to add new asset. The added assets will not have considered during compensation. This cut-off date has validity of 120 days.  |
| 13. | <p>Considerable delays in compensation payments; Some cases of expropriation are also pending.</p> <p>There is no problem with assets valuation.</p> <p>The district staff presented the priority areas that urgently need electricity and suggested that this should be the basis for planning on electrification within the district.</p> <p>Delayed people due to their cause like not having all required documents should not stop the project to move on</p> <p>The project should consider employing local people for their socio-economic development</p> | <p>Local Government Officials should work hand in hand with SACCOs (bank) to avoid errors in accounts numbers.</p> <p>Local authorities should help the local population to secure the required document for a file to be complete.</p> <p>Local Government Officials should have a permanent eye on hired certified valuator for the quality of valuation but also, they should speed up the activity of signing the forms within their offices so that they can be transferred to EDCL for payment.</p> <p>Compensation payments should be done before the commencement of project works.</p> |

|     |   |  |
|-----|---|--|
| S/N | <b>Location:</b> MUSANZE (26-28/10/2021). <b>Venue of the meetings:</b> Different Cells Administrative Offices, Number of participants: 80 people |  |
|     | <b>Topic or Concerns and expectations raised</b>  | <b>Explanation/Response</b>  |
|     |   | Local people who are physically capable will be given the priority for employment. |

**Table 21: Open discussion/ Questions and Answers & Recommendation MUSANZE and RUBAVU Administrative Districts.**

| No | Gender | Question raised  | Response  |
|----|--------|--|---|
| 1  | Male   | The project is genuine and very good for us, but how about the loss of our properties?                                   | The Safeguards team suggested that they will make a list of people affected, and apply the rules and regulation in line with compensation. The RAP will investigate these loses.  |
| 2  | Female | What will happen if there is no agreement on the compensation rate?  | The Certified Independent valuer from IRPV oversees and explains methodology he/she used. If the owner of assets still refuses the compensation rate, this enter in grievance to be handled by external team as per expropriation law in public interest. |
| 3  | Male   | We are presenting other people who are not attended this meeting. Can we let them know when the project will be started? | As per the EDCL-RUEAP-EAQIP plan, it is supposed to start in 2022 after all PAPs are paid.  |
| 4  | Female | Wishes to speed up the electrification in the area (project)   | This is likely to occur based on NST1.  |
| 5  | Female | Comment – If I my land is restricted to use, will you employ me for my survival?   | The team explained that the employment does not replace the compensation process prescribed by the law. They assured the projected affected people that they will be compensated in line with the law and capable PAPs will be temporarily employed.      |

| No | Gender | Question raised | Response |
|----|--------|-----------------|----------|
|    |        |                 |          |

**Table 22: Issues and Response Matrix for RUBAVU Administrative Districts.**

| S/N | Location: RUBAVU (29-31/10/2021), Venue of the meeting: Different Cells Administrative Offices, Number of participants: 97 people. |  |
|-----|--|--|
|     | Topic or Concerns and expectations raised  | Explanation/Response   |
| 1.  | Brief Introduction of the project, Background, and its objectives  | The project explained briefly to local people by team of safeguards  |
| 2.  | Are you supporting this project?   | Yes, we support it   |
| 3.  | What are the project opportunities and positive impact of the project on your livelihood?  | The main opportunity is to speed up development through creation of new investments which will create new jobs and wellbeing in general,<br>Development of the area<br>New investment like industries and SMEs<br>Job creation |
| 4.  | What are the negative impacts of the project on your livelihood?   | Non-fair compensation of assets to be affected by the project<br>Delay in compensation payment   |
| 5.  | How could we mitigate or avoid above negative Impacts?   | Fair compensation of assets to be affected by the project (considering market rates for each asset to be affected)<br>To compensate on time (before implementation of the project)   |
| 6.  | What is your contribution as citizens in implementation of this project?   | To give any support when needed<br>Mobilisation of people and owning the project   |

| S/N | <b>Location:</b> RUBAVU (29-31/10/2021), <b>Venue of the meeting:</b> Different Cells Administrative Offices, Number of participants: 97 people.  |  |
|-----|---|--|
|     | <b>Topic or Concerns and expectations raised</b>  | <b>Explanation/Response</b>  |
| 7.  | Is there a similar project implemented in the area?   | Yes, the electrification projects conducted by different contractors in NYAMYUMBA, NYUNDO, KANAMA, RUBAVU, BUSASAMANA Sectors for transmission (Evacuation transmission lines from SHEMA HPP and Access Projects under RESSP and 220 interconnection Rwanda-DRC).  |
| 8.  | If there is another project required expropriation and compensation in the area, which negative impacts it caused? How can we avoid these impacts | The caused impact relates to delay in providing compensation, but we found out that it has been caused by ourselves due to the lack of supporting documents of our expropriation files, for this project, we are ready, and we gained experience to dispose all supporting documents as early as possible such we can have the compensation on time (Said one of the PAPs) for leaving our land for the project activities implementation. |
| 9.  | What do you think on expropriation and compensation for this project?   | As this consultation is done at early stage of the project, we hope this project will make difference to other implemented elsewhere and hope to receive compensation on time  |
| 10. | How should this project support vulnerable people?  | Job opportunities to them depending on their capacity<br>Given that the vulnerable PAPs will be identified during socio-economic baseline data collection, we will conduct the advocacy to the local government officials so that they can be assisted by other social protection scheme as provided by LODA.  |
| 11. | Some of you will be affected by the project. Which compensation mode do you prefer? (Compensation in cash or compensation in kind)?               | Most of them prefer cash compensation<br>Other prefer in kind compensation, but for this project, the cash compensation is preferred because it will affect only trees and crops either seasonal or perennial.   |
| 12. | Introduce the cut-off date and inform them that a new asset/house to be constructed   | The cut-off date was explained to them, and team of safeguards highlighted those new buildings will not be considered during expropriation. People committed to respect established cut-off date by avoiding the RoW encroachment.   |

|     |  |                             |
|-----|--|-----------------------------|
| S/N | <b>Location:</b> RUBAVU (29-31/10/2021), <b>Venue of the meeting:</b> Different Cells Administrative Offices, Number of participants: 97 people. |                             |
|     | <b>Topic or Concerns and expectations raised</b>   | <b>Explanation/Response</b> |
|     | within the right of way after survey/valuation will not be compensated.  |                             |

**Table 23: Open Discussions/ Questions and Answers & Recommendation RUBAVU Administrative District**

| # | Gender | Question raised  | Response   |
|---|--------|--|--|
| 1 | Male   | We have experienced such project, at the beginning, they seem to be good, but during the implementation it becomes something else. They cut our Banana, sugar can, trees and other crops without compensation. | The safeguards team explained that each project is unique, therefore the current one will fully comply with all the principles and laws and regulations as well as procedures related to compensation.   |
| 2 | Male   | How land under RoW will be used after implementation of the project?   | Land under RoW will be owned by you and will be used by agriculture activities but with restriction of not growing higher trees & plants for respecting vertical clearance as of RURA Guidelines   |
| 3 | Female | When the project will be implemented   | It is supposed to start implementation early this year of 2022 after all PAPs are paid.  |
| 4 | Female | Electricity will be connected to only cells where the line will pass through?  | Not necessary, this project is expected to connect all PAPs and is being implemented in accordance to 7 Year Government Program or NST1 where all citizens will be connected either on grid electricity or off grid, but this one will connect all citizens on grid based on National Electrification Plan -NEP. |



| # | Gender | Question raised  | Response   |
|---|--------|--|--|
| 5 | Male   | This project will be supplied to the people, or it is only the lines?  | Power to be transported by this MV lines will be constructed to supply the electricity to the people but it will require transformers and other accessories before connecting to your house, you will only be required to install your house and other location where you need to use the electricity. |
| 6 | Female | What is the capacity of this power Lines   | Medium Voltage   |
| 7 | Female | What is the cost for connecting to the power of this project?  | As usually, EUCL has quotation (BoQ). Rules and conditions will apply for this project.  |
| 8 | Female | I appreciate the project, but I am wondering whether the project will let us harvest our crops and trees. And if the forest is removed who will benefit the timber from it, can I harvest my forest early given that it has been pegged? | The safeguards team pointed out that this will be taken care of it and the project will give you enough time for harvesting your seasonal crops and mature ones will be your properties without deduction to your cost of compensation, and your forest can be harvested as needed.                    |

## V.5. General outcome of the consultation meetings from all venues and all stakeholders

The table below summarizes the findings from the consultation meetings, roadmap of public consultation meetings and key issues discussed during meetings.

**Table 24: Summary findings from the consultation meeting and Stakeholder Engagement**

| <b>Brief Introduction of the project:</b> Team of safeguards and GIS briefly explained the project (objectives, components, and activities), process of RAP, brief on new expropriation law, grievance redress mechanism, valuation process & principals and the cut-off date etc. |  |
|--|--|
| <b>Directives, issue asked by the safeguards</b>   | <b>Concerns and expectations raised by participants</b>  |
| Are you supporting this project?   | People for all visited sites supported the project   |
| What are the project opportunities and positive impact of the project on your livelihood   | The main opportunity of this project as said by most of participants is development of areas. They emphasized that the project would increase investment which will create new jobs and will drive to the sustainable development. Wellbeing will be improved through electrification of houses, health, school facilities as well as administrative facilities.   |
| What are the negative impacts of the project on your livelihood?   | In general, most of visited area blamed delay in compensation of assets affected by the project as well as unfair valuation  |
| How could we mitigate or avoid above negative Impacts?   | To mitigate these issues, they suggested that valuation and compensation rates must be based on local market rates. They also suggested that compensation payments must be paid before commencement of any project activities so that people move from their assets after reception of compensation fees. They also requested enough time to move from their assets after reception of compensation payments |
| What do you think on expropriation and compensation for this project?  | They said that they are hoped that this project will make difference to other project as the consultation was started at early stage of the project and ask to continue informed on the further process of the project.  |

|   |   |
|---|---|
| How should this project support vulnerable people?  | For vulnerable people who might be affected by the project, they suggest that a family member or relative to vulnerable people must be prioritized during job recruitment.                              |
| Some of you will be affected by the project. Which compensation mode do you prefer? (Compensation in cash or compensation in kind)                | Most of them suggested to be compensated in cash (if compensation payment will not be delayed as for other projects). A small number of people suggested in kind compensation                           |
| Introduce the cut-off date and inform them that a new asset to be planted within the right of way after survey/valuation will not be compensated. | The cut-off & its principles were introduced and explained to local people. People committed to respect the cut-off date, but they were worried on the delay in implementation of big project projects. |

**Source:** Primary data, 2022

## V.6. Summary of meetings conducted in MUSANZE and RUBAVU Administrative Districts

**Table 25: Category Participants in consultation meetings and Stakeholders Engagement**

| Dates         | District | Venue         | Category of the participants  |
|---------------|----------|---------------|---|
| 26-28/10/2021 | MUSANZE  | Cells Offices | PAPs, Sector ES& SLM, Cells executive secretaries and villages leaders, National Youth Council.<br>Energy Sector representative.<br>National Women Council,<br>Civil society organization representative. |
| 29-31/10/2021 | RUBAVU   | Cell Offices  | PAPs, Sector ES &SLM, Cells executive secretaries and villages leaders, National Youth Council<br>Energy Sector representative.<br>National Women Council.<br>Civil society organization representative.  |

**Source:** Primary Data, 2022

Apart from the above consultation meetings, the following table presents key informants' persons (KIP) discussed from regulatory institutions and they had been consulted and engaged about clarifications on key regulations related to the electrification and energy projects.

**Table 26: Names and institutions of people contacted in Regulatory Institutions**

| S/N | Names                    | Institution and Position                     |
|-----|--------------------------|--|
| 1.  | Mr. KARARA Jean de Dieu  | EIA Specialist/RDB                           |
| 2.  | Mrs. NISHIMWE M. Grace   | Head of Land Administration Department/RLMUA |
| 3.  | Mr. BYIGERO Alfred       | Director Energy/RURA                         |
| 4.  | Mr. Eric MIHIGO          | Program Manager/RUEAP                        |
| 5.  | Mr. Emmanuel NKULIKIYE   | Project Coordinator/EAQIP                    |
| 6.  | Mrs. Chantal NGWINONDEBE | Ag. Director of Corporate Services/EDCL      |
| 7.  | Mr. Simeon HARELIMANA N. | Environmental Analyst/RDB                    |

**Source:** Primary Data, 2022

The interview guide was utilized during the consultation with the above stakeholders and the findings were incorporated in the general outcome of the consultation and engagement meetings.

#### **V.7. Future Stakeholder Engagement (During RAP implementation)**

The disclosure process of the RAP shall be undertaken in a manner that is inclusive, culturally appropriate and ensures participation of all stakeholders including vulnerable groups.

Key public consultation and engagement periods to be performed during RAP implementation will include:

- RAP Public Disclosure meetings.
- Household Sign-Off on Compensation & Valuation individual file.
- Consultations and sensitization during construction.
- Ongoing livelihood and vulnerable assistance.
- Ongoing consultation & participation and inputs into project development.
- RAP Monitoring and implementation.

##### **V.7.1. Individual Household Sign-Off Process**

The sign-off of individual households after agreement of the final valuation of assets and compensation entitlements provides a further opportunity for consultation, addressing of concerns, and confirmation of final preferences regarding compensation.

### **V.7.2. Documentation of Consultation**

The Project will maintain an active file regarding all public consultation and disclosure documentation collected throughout the Project, which will be available for public review upon request. The Project Implementation Unit (PIU) will ensure all consultation and disclosure activities are adequately recorded.

Record keeping will take the following form:

- Maintaining an electronic and hard copy filing system for all external relations activities
- Recording issues raised at meetings and distributing the report to attendees for verification at regular.
- Attendance registers completed at all meetings, and as far as possible taking digital photographs and/or video recordings at all engagement.

Keeping a comprehensive record for reporting purposes of:

- All meetings (dates, venues, attendees, objectives, etc.)
- All events such as training, workshop, etc.
- All comments, compliments, grievances, and responses.
- Times and content of media advertisements, radio broadcasts.
- REG/EDCL/RUEAP-EAQIP will disclose all documentation locally, and will make the following available:
  - i. Full RAP in English available at all times in Project information offices.
  - ii. Simplified RAP version showing the eligibility and entitlement policies in Kinyarwanda in Project information offices, and one copy to each of the Local Resettlement Committees;
  - iii. Update notes when needed, given to each of the Local Resettlement Committees and publicly available at Project information offices, REG and Districts Websites where the project will be implemented.

## **VI. IMPACT ASSESSMENT AND COMPENSATION MEASURES**

This chapter outlines the resettlement impacts that EAQIP in Musanze and Rubavu Administrative Districts set to induce. It also provides a general guideline and action plans for mitigating involuntary resettlement impacts according to Environmental and Social Standards (ESSs) and complimentary national laws and policies of the Republic of Rwanda in relation to Energy Access and Quality Improvement Project.

As explained in detail, only trees, crops and forest will be affected and no relocation which will occur under this sub-project. Similarly, this chapter indicates the expropriation impacts and provides corresponding mitigation measures.

This sub-project has 215.161 Km of length of MV overhead line and 1,238.792 Km of low voltage lines in both RUBAVU and MUSANZE Administrative Districts. Areas to be crossed by the MV power lines are dominated by hills. As other Energy Access Projects mostly crops, and trees will be affected by the project. Some impacts were identified by the safeguards during site investigation and other identified during stakeholder engagement and consultative meetings with local leaders and project affected people.

Land use restrictions along the right of way based on the standard adopted (Right of way for 15-30 Kv power lines Guidelines by RURA, 2015; Guidelines No 01/GL/EL-EWS/RURA/2015): Only crops of less than 3 meters high will be allowed under MV lines. No residential houses or other structures will be affected within the right of way, as these MV lines pass through agricultural designated land only crops (seasonal or perennial) and trees will be affected. 5% of disturbance allowance will be added to all PAPs with affected properties as a compensation for any caused disturbance, the crops and trees will be harvested by the owners for a period of trees months during the expropriation process.

### **VI.1. Impact identification and evaluation**

The field survey and public consultation meetings revealed that the MUSANZE and RUBAVU Administrative Districts sub-project will affect a total number of 7824 Households who have or use land plots in 12m of RoW in the project construction area. The expected resettlement impacts range from loss of trees, agroforestry, fruits trees, perennial and season crops. During the impact assessment and assets inventory all Households to be affected were identified and, in this identification, a surveying team identified each one and collected data on assets to be affected, size of the land owned or leased and the main usage of the land. This information helped an independent valuer in collaboration with the safeguards team to calculate the compensation package.

#### **VI.1.1 Temporary loss of land**

All Project affected people will not be able to use their lands due to the movement of materials during the construction phase. This impact will affect all plots located in RoW equivalent to 12m ( six meters both right and left sides). PAPs have been sensitized to harvest mature crops that are located in the area, all

crops within the RoW according to the cut-off date will be compensated even though they will be harvested by the PAPs. Further 5% of the total cost of assets will be provided as disturbance allowances.

**Table 27: Impact of the Sub-project to the PAPs by Administrative District**

| District | Impact        | # Affected assets | # HHs affected |
|----------|---------------|-------------------|----------------|
| MUSANZE  | Loss of crops | 12,242            | 3,547          |
|          | Loss of trees | 48,738            | 1,391          |
| RUBAVU   | Loss of crops | 32,794            | 2,155          |
|          | Loss of trees | 11,479            | 731            |

Source: Field survey, 2022

### VI.1.2. Loss of trees and crops

During Construction of medium voltage line, the in-house teams will need to clear the RoW of about 12 m. All fruits trees, agroforestry trees, and perennial crops will be affected. Further, during the clearance of RoW all perennial and seasonal crops will be affected. Affected households were sensitized to harvest mature crops but some of them are still young and will be affected. Therefore, all crops were identified, and the project will have to compensate owners.

### VI.1.3. Restriction to land use in RoW

The installation of medium voltage line entails clearing of the vegetation inherent in the project site which includes fruit trees, forest trees, grass and crops that have been planted and or cultivated by the farmers. According to both national regulations and international policies, certain activities such as permanent houses, trees that goes above 3m are not allowed in the RoW of power transmission line. Therefore, an easement will be required and after construction owners will use the land under conditions. For this reason, in addition to the compensation fees of assets trees and crops, disturbance allowances of 5% will be provided.

## VI.2. Eligibility Criteria and Entitlements Matrix for Compensation

### VI.2.1. Eligibility Criteria

Eligibility for compensation for this project is guided by legal provisions and policy guidelines according to the Rwandan Constitution (Article 29), the Expropriation Law of Rwanda (N° 32/2015 of 11/06/2015) and the World Bank’s ESS5. These documents regulate and give entitlement to the affected persons and

institutions. Based on review and interpretation of laws relating to valuation in Rwanda in particular the Rwanda expropriation law and the constitution of Rwanda, the provisions in these key pieces of legal statutes and legislative frameworks do not meet the standard of compensation at full replacement cost.

According to the ESS5 definition and categorization of PAPs and eligibility criteria, three main groups of potentially affected people are entitled to compensation or resettlement assistance for loss of land or other assets taken for project purposes in any of the following situations: Affected persons may be classified as persons:

- (i) Who have formal legal rights to the land or assets they occupy or use.
- (ii) Who do not have formal legal rights to land or assets, but have a claim to land that is recognized or recognizable under national law; or
- (iii) Who have no recognizable legal right or claim to the land or assets they occupy.
- (iv) Who have no recognizable legal right or claim to the land or assets they occupy or use.

The process involved review of tenure documents owned by occupants, interviews with households and groups in the affected area. Local Leaders and the Ministry of Environment have also helped in this assignment that will be undertaken by the EDCL/RUEAP-EAQIP Senior Environmental and Social Safeguards Specialist, Social Safeguards Specialist and Expropriation Team.

### **VI.2.2. Entitlements for Compensation**

Entitlements for compensation will refer to the affected household as a joint entity rather than to the head of household considered as an individual. In a bi-parental family, both spouses will be considered as entitled to cash compensation and both are intended to be beneficiaries of any livelihood restoration measures based on their capability as assessed during socio-economic baseline survey. Respective procedures, e.g. confirmation of compensation agreements, will be performed in the presence of and with the signatures of both spouses; bank transfers will be made to accounts held by both spouses.

Where the household is headed by a single person, entitlements will be in the name of this individual only. In case the head of household is a child (under 14 years), the head of household would be entitled to a special support program in order to obtain the capacity to manage compensation money. Where possible, an adult relative would be asked to act as trustee. The cash compensation process will be subject to monitoring in order to ensure that the entire affected household benefits from compensation and that compensation money is used in a meaningful manner.

Project Affected Persons will be entitled to compensation and resettlement assistance that will help in the restoration of their livelihoods to at least, pre-project standards. We should note that the above principles will apply to all PAPs (whether owner, tenant, or informal dweller).



**Table 28: Entitlement Matrix**

| Category of PAP         | Type of Loss   | No of PAHs | Compensation for the losses  | Compensation for forgone Income   | Other Assistance/Observation   |
|-------------------------|--|------------|--|---|--|
| Land titles owner       | Temporary loss of access to land due to power line construction activities | 4,387      | Damaged trees and crops will be compensated in cash at full compensation cost. | Compensation based on size, location and annual yield of crops on temporarily affected land. PAPs will be allowed to harvest their crops even though these crops will be paid for. An additional 5% of the disruption caused will be paid | Job opportunities to physically capable and skilled PAPs where possible. Trees that will be cut as part of a forest, will be compensated in cash to the owners. Disturbance allowance of 5% will be provided to all PAPs with affected crops and trees. They will also have 120 days for harvesting their seasonal crops without deduction from the compensation fees. |
| Asset/property Owners   | Loss of forest Trees and crops   | 7,824      | Damaged trees and crops will be compensated in cash.                           | Cash compensation based on type, age and productive value of affected trees or crops  | Trees and crops which will be damaged, will be compensated in cash to the owners. Disturbance allowance of 5% will be provided to all PAPs with affected crops and trees. They will also have 120 days for harvesting without deduction from the compensation fees.  |
| Property Tenant holders | Loss of Trees and crops  | 1,653      | Damaged trees and crops will be  | Cash compensation based on the type, age and market value of the mature crop in the   | Disturbance allowances of 5% will be provided to them; Job opportunities to physically capable and   |

| Category of PAP | Type of Loss            | No of PAHs | Compensation for the losses                          | Compensation for forgone Income   | Other Assistance/Observation  |
|-----------------|-------------------------|------------|--|---|---|
|                 |                         |            | compensated in cash.                                 | scarce season, for the remaining period of the tenancy/lease  | skilled PAPs where possible will be provided; They will also have 120 days for harvesting without deduction from the compensation fees.   |
| Vulnerable PAPs | Loss of Trees and crops | 2,583      | Damaged trees and crops will be compensated in cash. | Compensation based on size, location and annual yield of crops on temporarily affected land. PAPs will be allowed to harvest their crops even though these crops will be paid for. An additional 5% of the disruption caused will be paid | Trees that will be cut as part of a forest, will be compensated in cash to the owners and disturbance allowance of 5% will be provided to all PAPs with affected crops and trees. They will also have 120 days for harvesting their seasonal crops without deduction from the compensation fees. Vulnerable PAPs will be given priority in recruiting field staffs and those who are skilled and fit for the job will be hired. |

Source: Safeguards own construct, 2022

### VI.3. Valuation of Assets and Compensation

As per the Valuation Law, all peoples affected by expropriation must receive fair and just compensation. The calculation of fair and just compensation is to be made by independent valuers. Without prejudice to other laws, the value of land and property incorporated thereon to be expropriated in the public interest shall be calculated based on their size, nature and location and the prevailing market rates.

In this regard, the article 22 of the Law N°32/2015 of 11/06/2015 governing the expropriation stipulates that Land values and prices for property incorporated on land consistent with the prevailing market rates provided under this Law shall be established by the Institute of Real Property Valuers in Rwanda. However,

considering the available information, it seems that the land values prices for the land and property incorporated on the land are not yet published. In the meantime, there is an arrangement whereby the valuers determine the prices considering the prevailing market rates, approved by the district council in line with the article 9 of the Law N°32/2015 of 11/06/2015. To ensure that WB ESS5 requirements are met for valuation; these valuation methods are to be adopted for all sections of the proposed MV Lines.

### **VI.3.1. Cut-off date**

While WB ESS5 indicates that the PAPs should be informed of a cut-off date, Rwanda law has no such mechanism. Thus, the cut-off date was established in accordance with the World Bank ESS, it is also determining eligibility for compensation or other assistance is intended to help prevent encroachment by opportunistic settlers. It is most effective when it is well communicated, documented, and disseminated, including by providing clear demarcation of areas designated for resettlement. The cut-off dates in the project area were set and agreed on with the PAPs following the schedule of consultation meetings in relation with the performance of this RAP and the exact dates are as follows: MUSANZE, the cut-off-date is 28/10/2021 and RUBAVU administrative district, the cut of date is set on 31/10/2021, the PAPs and Local Government officials disseminated the information to the people on the consultation made and other citizens meetings held on regular basis. In this case, the cut-off dates were announced to the PAPs during the consultation meetings that were held between the PAPs representative, Local Government Officials and the Project staff and this was followed by assets inventory in the subproject line routes. Those who encroach on the area after the established cut-off dates will not be eligible for compensation or assistance. Any claims for occupation prior to that date, and therefore mistakenly omitted from the census, will be reviewed against evidence, and referred to the Grievance Redress Committee (GRC) for resolution.

### **VI.3.2. Valuation of Assets and Compensation Measures**

During public consultation and engagement with the PAPs, they were informed of the different compensation options available most of them indicated that they would prefer cash compensation. Cash compensations were preferred by PAPs of this project for two reasons:

- Firstly, given the nature of this project (linear) without the relocation of PAPs nor the alteration of the initial land use (agriculture) activities, and
- Secondly all PAPs preferred cash compensation during public consultation meetings (refer to the public consultation meetings summary report) as this will be mostly a cost for their trees and crops damaged during the construction activities. The present project shall therefore provide compensation in cash consistent to the national law requirements and REG/EDCL will be required to work closely with the local leaders along the compensation process and agreeing on modalities to avoid the misuse of the compensated cash.

### **VI.3.2.1. Compensation for Crops and Trees**

The PAPs will be encouraged to harvest their produce before electrification project activity. In order to ensure that this is possible, and that appropriate market prices are received for yields, there needs to be sufficient consultation beforehand so that harvesting can be properly planned. In the event that crops, and trees cannot be harvested, compensation for loss of crops and trees including value of fruit trees will be provided as follows:

- Provision of cash compensation for value of crops and trees lost, as per the Rwandan expropriation law in public interest.
- Provision of time for harvesting the mature crops and 5% of disturbance allowance to the affected people.

In addition to compensation for tree and shrub losses, the PAP shall be mobilized to plant the forest in collaboration with their respective administration District given that the area where the project will be implemented is among the districts that have potential forest on their territory.

### **VI.3.3. Cost Approach/ Replacement cost method/ Contractor's method**

Property valuation was done by an independent and certified valuer together with field team of engineers following the methodology described below. The replacement cost was used as valuation methods and considered the cost at the maturity age of trees/crops, the nature and use of crops/trees and quantity of crops. Based on these criteria, commercial rate was calculated and are presented in annex 4 of this report.

### **VI.4. Acquisition of the Right of Way (RoW)**

The construction of medium voltage lines requires a Right of Way (RoW) for both construction and operational phases. During the construction, the right of way is cleared for visibility and construction activities while during operational Phase the RoW used under restriction conditions. Due to the impacts associated with the acquisition of rights-of-way for projects will follow laid down procedures and be in conformance with both the World Bank ESS5 of Land acquisition, restriction on land use and involuntary resettlement principles and the Rwanda Utilities Regulatory Agency (RURA) guidelines N° 01/GL/EL-EWS/RURA/2015 on the right-of way for Power Lines in Rwanda. In accordance to the guidelines N° 01/GL/EL-EWS/RURA/2015 on the right-of way for Power Lines in Rwanda the easement process will follow the following key steps:

- Rwanda Energy Group shall acquire easements by negotiating with landowners on whose land the power line will be placed. As agreed, upon in negotiations, the Licensee may pay a compensation fee to the landowner in one lump sum.

- The easement agreement shall specify rights and restrictions of both the Licensee's and the landowner's use of the land. The Licensee shall be allowed to build and maintain the power line while the landowner shall retain general ownership and control of the land.
- The Local Authorities in charge of land management and the landowner shall ensure that this easement is disclosed for all subsequent transaction including proposals for development and sales/exchange or transfer of ownership of the land.
- If the Licensee removes a power line, it might offer the landowners the opportunity to cancel their easement agreements.
- The Implementing agency shall not use any land beyond the boundaries of the easement for any purpose, without the consent of the landowner.

- **General requirements on the use of the Right of Way/ Restrictions:**

- It is forbidden for any person to construct any building or structure or carry out cultivation, farming or any other activity within the Right-of-Way prior to the consent of the Licensee.
- To drill, mine or excavate or carry on any similar operation within the Right-of-Way.
- To place any combustible material inside the Right-of-Way.
- To cause any fire to burn within Sixty (60) meters of the transmission line Right-of-Way.
- To climb on to attach to or hang any object on or from any tower/pole or transmission/distribution line;
- To cause anything to come into contact with the power line.
- To place, drive, tow, pull or carry any crane, jig, or any object, under, over or near the transmission line except with the prior consent of the Licensee obtained in writing and subject to any condition that the Utility may impose in relation to such consent;
- To carry out any form of blasting within hundred (100) meters of any power line; and
- Permanent buildings, including foundations and overhangs, pools, septic tanks, dumps, junkyards, wells, fuelling or fuel storage facilities, garbage, recycling receptacles and other non-compatible uses shall not be permitted on the Right-of-Way.

- **General derogations on the use of the Right of Way**

As long as minimum clearances from poles and conductors are maintained and with a prior written consent of the Licensee, the Right-of-Way can be used for certain activities such as yards, gardens, pastures and farming, recreational fields, streets, roads, driveways, parking lots, lakes, fences, drainage ditches, grading or any other activity that may not interfere with the line operation. Temporary buildings or structures that are small and easily movable may be acceptable in the Right-of-Way with prior approval of the Licensee, provided that:

- They are located away from the Licensee's works and access roads and not directly beneath overhead conductors.
- They are not habitable.
- They are not used for the purpose of storing flammable, explosive or toxic materials that could create a fire hazard.
- They do not have electrical or water service.
- They are of non-metallic construction or are grounded to the utilities' satisfaction.
- They do not adversely affect safety of customers, utility personnel and the public.

- **General Licensee's Obligations**

In constructing and maintaining power lines on the property covered by the easement, the Licensee shall:

- Maintain the Right-of-Way as it requires, both within the Wire Zone and the Border Zone.
- Remove vegetation that could pose danger to a power line or pole inside the Right-of-Way and outside the Right-of-Way if it could come too close to power lines or poles.
- If excavation is necessary, ensure that the topsoil is stripped, piled and replaced upon completion of the operation.
- Restore to its original condition any strip of land which has been disturbed by the construction or maintenance.
- Clear all debris and remove all stones and rocks resulting from construction activity upon completion of construction.
- Pay for any damage caused by such construction or maintenance or satisfactorily repair any damage caused by such construction or maintenance to its original condition;
- Control vegetation and weeds around its power lines and facilities, and decide the appropriate method to adopt to ensure that the clearance space remains free of vegetation that could pose danger to a power line taking account of the potential risk to the public, conservation and other values;
- Ensure that the pruning or clearing is done responsibly; and determine the regrowth space, hazard space and the pruning and clearing cycle;
- Notify the landowner before carrying out any pruning and clearing. In emergency situations, the Licensee may remove vegetation which poses an immediate risk without notification, but the Licensee should notify the owner or occupiers as soon as practicable after the removal of the vegetation;
- Ensure that pruning or clearing activities near power lines are undertaken safely. This may require the Licensee to de-energize the power lines or install necessary grounding to landowner's fence or equipment to enable the clearance of vegetation safely; and

- Ensure that any of his employees undertaking operations in the vicinity of his power lines, and any contractors he engages to carry out such works are appropriately trained and competent for that task, especially on safe working practices near power lines.

It's worth to note that in addition to the compensation of crops and tree affected during right of way clearing, the implementing agency will pay 5% of disturbance allowances to cover impacts caused by restriction of land use in the RoW as a requirement stated in the RURA Guidelines in Annex 9 of this RAP.

## VII. RAP BUDGET AND IMPLEMENTATION SCHEDULE

This chapter presents a summary of RAP Compensation for trees, crops, contingency as well as estimates related to the RAP implementation and follow-up. The costing for assets has been done in reference to the valuation methodologies and unit value rates. This overall RAP costing estimates is subdivided into three main components. The first is related to the costing of the RAP compensation for trees and crops plantation, forest to be affected by the construction of the power lines in Sub-project. The Second is related to the costing of the RAP implementation and follow up activities while the last presents an overall estimate of the RAP.

### VII.1. RAP Budget for Trees and Crops Compensation.

**Table 29: Cost for the Resettlement Action Plan Compensation**

| All lots                                      | Affected assets | Measurement unit | # Affected assets | # HHs affected | Valuation methods | Total cost in FRW including 5% of disturbance allowance |
|---|-----------------|------------------|-------------------|----------------|-------------------|---|
| MUSANZE and RUBAVU                            | Crops           | Are              | 23,480            | 2,471          | Replacement Cost  | 191,692,602   |
|   | Crops           | Pce              | 16,427            | 1,843          | Replacement Cost  | 182,392,602   |
|   | Trees           | Are              | 25,973            | 2,157          | Replacement Cost  | 313,842,602   |
|   | Trees           | Pce              | 114,613           | 1,353          | Replacement Cost  | 257,642,602   |
| <b>Total with 5% of disturbance allowance</b> |                 |                  |                   |                |                   | <b>945,570,406</b>                                      |

**Source:** Primary Data, 2022

The compensation value for trees and crops have been estimated to **945,570,406 Rwf** as a gross value including 5% of disturbance allowance before the addition of the contingency amounts. The next table presents an estimate cost of the RAP implementation and follow up cost along a period not exceeding one year after the compensation and harvesting assignment.



**Table 30: Estimated Cost for RAP Implementation and Follow Up for Sub-project.**

| Item   | Activity  | Unit                     | # of staff | Duration/number of days | Unit cost (Rwf) | Total cost (Rwf)  |
|--|---|--------------------------|------------|-------------------------|-----------------|-------------------|
| Follow up public consultation and Stakeholder's engagement | Consultation meeting with the PAPs and other stakeholders   | Public consultation      | 20         | 3                       | 60,000          | 3,600,000         |
| Database (RAP Update)                                      | Census and valuation of assets (crops, trees, structures & land)  | Valuer + team            | 25         | 5                       | 30,000          | 3,750,000         |
| Disclosure of entitlement                                  | Meeting with PAPs for displaying census results   | Number of project staff  | 20         | 3                       | 30,000          | 1,800,000         |
| Resettlement Completion Report                             | - To assess overall compliance with the RAP   | Number of Auditor staffs | 15         | 25 days                 | 57,200          | 21,450,000        |
|  | - To verify that measures for GRM are well respected.   |                          |            |                         |                 |                   |
|  | - To assess whether all PAPs are satisfied with the compensation fees and the project activities outcome. |                          |            |                         |                 |                   |
| <b>TOTAL</b>   |   |                          |            |                         |                 | <b>30,600,000</b> |

Source: Primary data, 2022

During the RAP implementation, RAP follow up and disturbance payment activities will cost in addition to the compensation costs aligned to it, an amount equivalent to thirty million six thousand Rwandan Francs (**30,600,000Rwf**) to be used during the Project implementation and Completion report. This value, in addition to the RAP compensation cost constitutes a total RAP cost estimate relating to its implementation and follow up. In overall, the following section presents a total RAP cost for both items for this RAP to be successively implemented.

## VII.2. Total RAP Cost

The overall total RAP cost is equivalent to the RAP compensation cost added by the implementation and monitoring costs and is presented in the table below:

**Table 31: Total RAP Cost**

| S/N                | Item                                  | Overall Cost/Rwf     | Source of funds            |
|--------------------|---------------------------------------|----------------------|----------------------------|
| 1.                 | RAP compensation cost                 | 898,291,886          | Gov't of Rwanda (MININFRA) |
| 2.                 | Disturbance Allowance (5%)            | 47,278,520           | Gov't of Rwanda (MININFRA) |
| <b>Sub-Total 1</b> |                                       | <b>945,570,406</b>   |                            |
| 3.                 | Contingency amount (5%)               | 44,914,594           | Gov't of Rwanda (MININFRA) |
| 4.                 | RAP implementation and follow up cost | 30,600,000           | REG/EDCL                   |
| <b>Sub-Total 2</b> |                                       | <b>75,514,594</b>    |                            |
| <b>Grand Total</b> |                                       | <b>1,021,085,000</b> |                            |

The overall total compensation, implementation and follow up of this RAP will cost **1,021,085,000** Rwf, this amount comprises money that will be used as a contingency to mostly cover disturbance entitlement to PAPs inventoried in the electricity line for right of way (RoW), RAP implementation and follow up cost for all-inclusive activities and finally for an effective project completion.

## **VIII. RAP IMPLEMENTATION AND MONITORING**

### **VIII.1. RAP Implementation Arrangement**

The preparation and implementation of the compensation and resettlement strategies will require participation of several institutions and stakeholders at different levels. Coordination of the participating institutions is a critical requirement to successful compensation and resettlement programs. It is always preferred to have this addressed early into the project cycle, to inform them about their roles and responsibilities, lines of reporting, communication channels, expectations, and responsibility limits.

In this perspective, the overall coordination of the project will be managed by the Ministry of Infrastructure through the EDCL (RUEAP-EQIP) which will be responsible for overall technical and financial management of the project, and this to include the preparation and implementation of the RAP. These two entities will oversee the compensation and resettlement planning and coordinate issues relating to a fair compensation of Project Affected Persons. Given the importance of the activities under the various sub-components, EDCL (RUEAP-EQIP) will collaborate with Local Government Officials falling within the subproject area in coordination and implementation.

The implementation arrangements of the RAP build on:

- The implementation arrangements for the overall compensation and resettlement process and insure proper coordination between concerned agencies at the National, District and Local levels; and
- The implementation arrangements for resettlement and compensation activities in line with the Rwandan legislation and that of the WB ESS5 and 10.

Actors involved in both these sets of institutional arrangements need to be considered in the implementation of resettlement and compensation activities for RAP Project.

### **VIII.2. Institutional Implementation Arrangements**

A major issue in resettlement implementation and management is development of the appropriate institutional framework for all concerned parties. It is important to ensure timely establishment and effective functioning of appropriate organizations mandated to plan and implement the RAP. The overall coordination of the implementation of the RAP will be provided by REG/EDCL/RUEAP-EAQIP, which will oversee all resettlement planning and coordinate all issues relating to the compensation. Given the importance of the Project, REG/EDCL/ RUEAP-EAQIP will collaborate with other government agencies as appropriate and Local Authorities falling within the project area that will assist in coordination and implementation.

REG/EDCL has a Project Implementation Unit (PIU) for the Project, drawing together technical, social and environmental personnel. Activities to perform during RAP implementation are i) Notification to

affected parties; ii) Agreement on compensation, including agreement and further development of rehabilitation measures; and iii) Preparation of contracts, compensation payments and provision of assistance in resettlement. The RAP will be implemented under an institutional arrangement. The implementation arrangements of the RAP build on:

- The arrangements for the overall program management is of REG/EDCL/RUEAP-EAQIP;
- REG/EDCL/RUEAP-EAQIP will collaborate with other agencies at the National, District and Local levels for coordination.

The main executing entity MININFRA/REG/EDCL will work in close coordination with Ministry of Environment (MoE) through Rwanda Land Management and use Authority (RLMUA) and through District Administration at local government level. An institutional roles and responsibilities matrix has been prepared for the implementation of the Resettlement Action Plan.

**Table 32: Institutions to Support RAP Planning and Implementation.**

| <b>Stakeholder Group</b>   | <b>Sub-sector / Agency</b>          | <b>Roles and Responsibilities</b>   |
|----------------------------|-------------------------------------|---|
| Government of Rwanda (GoR) | MININFRA –Project Coordination Unit | <p>To ensure a harmonized way of ESF implementation, there will be an Environmental and Social Management Unit with the following duties:</p> <ul style="list-style-type: none"> <li>- To coordinate ESF implementation across all implementing agencies</li> <li>- To ensure compliance to ESF requirements by all project actors.</li> <li>- To build the capacity of ESF teams at national and District level.</li> <li>- To consolidate ESF implementation reports from all implementing agencies.</li> <li>- Lead negotiation with World Bank</li> </ul> |
| Government of Rwanda (GoR) | MINALOC-Districts                   | <ul style="list-style-type: none"> <li>- Assist in consultations with PAPs and stakeholders</li> <li>- Review and sign off of all documentation (e.g. compensation agreement, compensation report etc.)</li> </ul>  |

| Stakeholder Group          | Sub-sector / Agency             | Roles and Responsibilities  |
|----------------------------|---------------------------------|---|
|                            |                                 | <ul style="list-style-type: none"> <li>- Transfer compensation payments to PAPs</li> <li>- Monitor proper implementation of RAP</li> </ul>  |
| Government of Rwanda (GoR) | MININFRA-REG/EDCL               | <ul style="list-style-type: none"> <li>- Oversee implementation of the RAP</li> <li>- Prepare and update resettlement related documentation to ensure consistency and compliance with RAP</li> <li>- Provide all compensation packages as per RAP</li> <li>- Provide livelihood and vulnerable assistance measures</li> <li>- Overall monitoring and evaluation of resettlement implementation (i.e. annual audits and review of sub-project level monitoring by affected districts)</li> </ul> |
| Government of Rwanda (GoR) | Ministry of Environment /RLMUA  | <ul style="list-style-type: none"> <li>- Work closely with REG/EDCL/EUCL to facilitate resettlement process and ensure it meets national legislation with regard to land ownership and use</li> <li>- Oversee resettlement and compensation process for land resources</li> <li>- Review land title documentation and ensure meets all land legislative requirements</li> </ul>   |
| Government of Rwanda (GoR) | Ministry of Finance (MINECOFIN) | MINECOFIN will be responsible for timely disbursing of the compensation funds to the respective commercial banks. In the case that PAPs own commercial bank accounts, the money will be transferred directly to individual bank accounts but if PAPs have accounts with SACCOs then the commercial banks will transfer to the SACCO accounts.   |
| Civil Society/ NGOs        |                                 | <p>It will be involved in the implementation process of the Resettlement Action Plan. Activities they can be involved in and may include;</p> <p>Witnessing the RAP process, overseeing of livelihood restoration programs,</p>   |

| Stakeholder Group                              | Sub-sector / Agency | Roles and Responsibilities   |
|--|---------------------|--|
|  |                     | <ul style="list-style-type: none"> <li>- Monitoring and evaluation of the RAP activities among others</li> <li>- Contribute to the implementation of energy projects; participate in the Sector-Wide Approach and in coordination mechanisms at the district and national level</li> </ul>   |
| PAPs   |                     | <ul style="list-style-type: none"> <li>- The primary role of the PAPs during the process of measuring land and assessing property thereon is to be physically present and ascertain that indeed the measurements are correct to their satisfaction. Upon being adequately satisfied with the measurements, their signatures will be given as proof of approval.</li> <li>- Engage in project consultation forums</li> <li>- Participation in measurement and sign-off of assets</li> <li>- Participation in monitoring &amp; evaluation</li> </ul> |
| EDCL In-house teams                            |                     | <ul style="list-style-type: none"> <li>- Equitably distribute jobs to both women and men and prioritize vulnerable households and impacted households.</li> <li>- Disseminate Information about dangers of HIV/AIDS, SEA, Child Exploitation and abuse; violence against women, sexual harassment.</li> <li>- Provide guidance for workers and communities regarding anti-social behaviour</li> <li>- Restore all temporary construction works upon completion of project</li> </ul>   |
| District resettlement Committees together with |                     | <ul style="list-style-type: none"> <li>- Interface with District Land Bureau as mandated by revised Land Law.</li> <li>- Public Awareness, including extensive consultation with the affected people.</li> <li>- Approving land expropriation.</li> </ul>  |

| Stakeholder Group  | Sub-sector / Agency | Roles and Responsibilities   |
|--|---------------------|--|
| District One Stop centre   |                     | <ul style="list-style-type: none"> <li>- Provision of information on current land use, land tenure.</li> <li>- Ensuring grievance mechanisms meet legislative requirements;</li> </ul>   |
| Local Resettlement Committees (Grievance Redress committees) at cell level |                     | <ul style="list-style-type: none"> <li>- Public Awareness.</li> <li>- Development and implementation of RAP, including assistance during resettlement, effective consultation with PAPs.</li> <li>- Facilitate coordination of information collation activities (such as surveys, sign-off) for monitoring purposes, in accordance with procedures put in place by the district authorities.</li> <li>- Elect representative of the Committee</li> <li>- To participate in complains resolution.</li> <li>- Complete the Grievance log.</li> </ul> |
| Project Funding Agency   | World Bank          | Monitoring and Evaluation including implementation support mission   |

**Source:** Primary data, 2022

During the RAP implementation, REG/EDCL/EAQIP will play a key role in holding consultation meetings, approving the list of people to be affected by the project, disclosing RAP and compensation payments, following up the resettlement and compensation planning, implementation, and monitoring. At the local level, Districts authorities will play a critical role in arranging for consultation meetings with the project PAPs, supervising the resettlement and compensation planning, implementation, and monitoring. This will mainly be done through the District Infrastructure One Stop Centre.

#### **VIII.4. Grievance Redress Mechanisms (GRM)**

Grievance redress mechanisms will be required to ensure that project affected people (PAPs) are able to lodge complaints or concerns, without cost, and with the assurance of a timely and satisfactory resolution of the issue. The procedures also ensure that the entitlements are effectively transferred to the intended

beneficiaries. All stakeholders will be informed of the intention to implement the grievance mechanism, and the procedure will be communicated before the starting of civil works.

#### **VIII.4.1. GRM overview**

Grievance mechanisms are important to the resettlement process as they allow for RAP implementers to identify disputes in good time and allow for them to be resolved in a transparent and accountable manner. Compensation based disputes and issues are also likely to occur during and after the RAP implementation program, hence it is critical to establish this system prior to implementation of the resettlement program. Lack of perceived transparency may also lead to feelings of mistrust and misinformed judgments on both sides. A well established and validated grievance mechanism can also promote good relations between the project proponent and the affected community thus reducing the risk of hostilities and delays on the construction program, both before and after the contractor takes possession of the site.

According to WB ESF, Grievance Redress Mechanisms, should include inter alia.

- Different ways in which users can submit their grievances, which may include submissions in person, by phone, text message, mail, e-mail or via a web site.
- A log where grievances are registered in writing and maintained as a database.
- Publicly advertised procedures, setting out the length of time users can expect to wait for acknowledgement, response and resolution of their grievances.
- Transparency about the grievance procedure, governing structure and decision makers; and
- An appeals process (including the national judiciary) to which unsatisfied grievances may be referred when resolution of grievance has not been achieved.

Accordingly, the grievance framework recommended for this RAP is built on already existing structures within the laws of the GoR and affected community and as provided in the EAQIP Publicly Disclosed RPF.

#### **VIII.4.2. Possible Grievance Areas**

At the RAP level, grievances are likely to emanate from the following sub-project stages/activities.

- Socio-economic Surveys- Household and businesses social-economic data related grievances.
- Resettlement and Compensation Stage – Valuation, Resettlement and Compensation related grievances.
- Gender Based Violence- Complaints related to gender-based violence at any stage during the resettlement and compensation.

However, during the project implementation stage, grievances are likely to emanate from the following.



- Project Implementation related Grievances-Complaints Related to other project Impacts during the actual project implementation.
- Gender-Based Violence- Complaints related to gender-based violence during the project implementation

To this end, grievance mechanism developed to address conflicts in the RAP for MUSANZE and RUBAVU Administrative adopts a project level GRC at the lower tier of administrative units (Districts, sector and cell). This project level GRC will handle all valuation, compensation and resettlement matters including grievances arising during the project implementation phase. The established GBV taskforce will handle gender based complains and the local leaders to address complaints emanating from social-economic survey exercise as summarized below:

- Social Scio-economic Survey level- Local leaders to address the complaints.
- Resettlement and Compensation and Project implementation stages- Project level Grievance Redress Committee
- One Channel for Gender Based Violence- GBV taskforce to handle all GBV matters arising from Resettlement and Compensation and Project implementation stages

#### **VIII.4.3. Grievance Redress Process**

##### ***Project Level Grievance Redress Mechanism: Grievance Redress Committee (GRC)***

As the GRM works within existing legal and cultural frameworks, it is organized in such a way that the Grievance Redress Committee (GRC) will comprise of local community representative, PAPs representative, local authority representative at village and cell levels, Contractor and Supervising firm representative. Members of GRC are presented below with their roles and responsibilities.

Many projects related grievances are site-specific. Often, they are related to impacts generated during construction such as noise, dust, vibration, contamination, workers dispute etc. Most of the time, they can be resolved easily on site with the contractor commitment to implement the ESMP and proper supervision by the implementing agencies and administrative District officials. Other grievances are more sensitive especially when they are about land boundaries, or misunderstandings between affected households and the Contractor regarding access arrangements, properties accidentally damaged by construction activities, accidents on sites among others. All these grievances and claims must be resolved as soon as they are received.

The grievance procedure at project level will be simple and administered at the extent possible at the local levels to facilitate access, flexibility and ensure transparency. All the grievances will be channelled via the

Grievance Resolution Committees specifically established for the project at Cell, Sector and District level. Stakeholders will be allowed to use any means easily accessible to them to voice their concerns and complaints such as filling a grievance form, sending an email, using phone etc. Complaints will be filled in a Grievance Register that will be distributed to GRC free of charge, this register will be available to the hierarchical level for verification of the complaint and an investigation will be carried out by the hierarchical committee members to verify its authenticity. Thereafter a resolution approach will be selected based on the findings. The decisions of the action to be taken will be communicated to all involved parties mainly in written form.

All measures will be undertaken to ensure that the grievance is solved amicably between the concerned parties. If the grievance is not solved at Cell level, Sector or District level, the courts of law will be the last resort. Efficiency in solving of the grievances will be of paramount importance. The selection of members for the sub-project grievance committee will be at the discretion of the PAPs to decide basing on information provided by the PCUs.

In practice, some complaints are expected to appear. This is on the assumption that all proposed works are within the public land where the farmer have many types of crops and trees, this will be specifically on the component one of Increasing access to grid electricity during grid connections for households, commercial and industrial consumers, and public institutions.

However, some complaints are likely to be associated with construction of medium voltage lines impacts. Most are received directly on site by the Contractor's Site Manager/Engineer who will mandatory be responsible to resolve these issues on site. The Contractor will inform and Grievance Committee (GRC) of these complaints and their outcomes, and of others not satisfactorily resolved that the Grievance Committee should take over. The GC will log these in the Complaints Register and inform the Project Implementation Unit.

At each level of the project GRC, complaints will be solved within a period of 24-48 hours or otherwise handed to the next level, this will also involve women PAPs and the GRM will be open for all PAPs as indicated in the RGM member table 13 of this RPF where the women and youth will be represented in Grievance Redress Mechanism. Once at judiciary level, due process as mandated by the law will be followed depending on what the courts will require.

Through citizen engagement meetings the PAPs will be informed of the different grievance mechanisms in place for them to lodge their complaints and dissatisfactions.

### ***Women PAP issues and GRM access***

The women PAPs are represented in the GRC Members and they will have equal access to GRM, their issues will be raised through the same process as other PAPs and will be carefully reviewed by the committee, if the case is related to the gender-based violence, Grievance channel for Gender-Based Violence as described in paragraph 5.7.4 shall be applied.

***Labor related grievance mechanism.***

In order to create a working environment that provides safety and security to all workers, contractors will be required to present a worker's grievance redress mechanism that responds to the requirements of ESS2. For direct workers, the mechanism should involve an appropriate level of management and address concerns promptly, using an understandable and transparent process that provides feedback to those concerned, without any retribution. The contractor will inform the workers of the grievance mechanism at the time of hiring and make it easily accessible to them.

***For workers and labor contracting issues.***

**(i) Individual labor disputes: Article 102 of law n° 66/2018 of 30/08/2018 regulating labor in Rwanda**

Workers will elect representatives who will form a committee that will act as the Workers Grievance Redress Committee. As mandated by article 102 of the law regulating labor in Rwanda, the employees' representatives amicably settle individual labor disputes between employers and employees. If employees' representatives fail to settle the disputes amicably, the concerned party refers the matter to the labor inspector of the area where the enterprise is located. In the case of this program, it will be the District where activities are being carried out. If the Labor Inspector of the District fails to settle the dispute due to the nature of the case or conflict of interests, he/she refers the dispute to the Labor Inspector at the national level stating grounds to refer such a dispute. If amicable settlement fails at the national level, the case is referred to the competent court.

In any case, the PCU will be informed from the beginning of any workers grievances and provide insight and mediation if possible. The matter will be referred to the labor inspector only if the PCU fails to do the mediation.

**(ii) Collective labor disputes: LAW N° 66/2018 OF 30/08/2018 regulating labor in Rwanda**

The law requires that collective labour disputes be directly notified to the labor inspector of the area by the workers representatives. Within this framework, any collective labor disputes that will arise under the program, will be addressed to labor inspector at District level for assessment and settlement. In case of escalation, the matter will be referred to the national level.

Before escalating the collective labor dispute, the PCU through the Environmental and Social Specialists will be alerted. Necessary investigations will be conducted, and the contractor will be duly approached. The matter will be referred to the labor inspector only if the PCU and workers representatives fail at amicable settlement.

***For workers safety issues***

All grievances related to workers health and safety will be addressed through the Occupational Health and Safety committee as required by Article 78 of the labor law (see section 10).

***Grievance process for non-labor related issues involving project workers***

In the project area there might be other conflicts related to relationships between the workers and the local community. Depending on who is the aggrieved party, the following mechanism will be used:

- (iii) **A worker- against another worker:** These grievances will be handled through the Workers Grievance Committee/representatives.
- (iv) **Community member – against a worker:** If there are any grievances from a community member against a worker, they will be handled through the Workers Grievance Committees/representatives.
- (v) **Worker- against a community member:** The project will establish a project grievance committee at various levels of the local administration scheme in Rwanda from the Cell, Sector up to the District Level as a local Government. This grievance mechanism as described in the Labor Management Procedure, Stakeholder Engagement Plan, RPF and Environmental and Social Management Framework, will have the mandate of solving all complaints and grievances related to project activities and impacting local communities. Any grievance from a worker against a community member will be handled through this committee.

**VIII. 4.4. Gender Equality and Gender Based Violence**

Violence against women and girls is rooted in gender-based discrimination and social norms and gender stereotypes that perpetuate such violence. Prevention entails supporting the implementation of the agreed conclusions of the 57<sup>th</sup> Session of the Commission on the Status of Women (CSW) that placed a strong focus on prevention through the promotion of gender equality, women's empowerment, and their enjoyment of human rights. It also means making the home and public spaces safer for women and girls, ensuring women's economic autonomy and security, and increasing women's participation and decision-making powers in the home and relationships, as well as in public life and politics. Working with men and boys helps accelerate progress in preventing and ending violence against women and girls. They can begin

to challenge the deeply rooted inequalities and social norms that perpetuate men's control and power over women and reinforce tolerance for violence against women and girls.

From the forgoing, a GBV prevention geared approach has been adopted in this project. This has been done through ensuring that there is fair representation. In terms of gender composition, constitution of GRC was purposefully selected to ensure no committee had at more than 30 percent of the members being women as required by National Gender Policy. This ensured equal representation. Similarly, this level of representation would ensure women issues are fairly addressed as well as the women would have a voice in decision making processes. In addition, awareness was created during the sensitization and mobilization meetings on the equality of all persons before the law. During valuation phase of affected properties, in cases where properties earmarked for expropriation was owned by a spouse or co-owned by a couple, consent was sought from both spouses and from dependants of the later in cases where the latter are likely to be adversely affected and they have children who have reached a legal age (mature) though still under the care of the parents.

#### **VIII.4.5. Grievance channel for Gender-Based Violence**

As Gender -Based Violence, Sexual Exploitation and Abuse or Sexual Harassment requires timely access to quality, multi-sectoral services and involves confidentiality and informed consent of the GBV victim. The Gender Action Plan will identify service providers in the project areas with minimum package of services (health, psychosocial, legal/security, safe house/shelter, and livelihood). The Gender Action Plan will also provide enough details to allow for the development of a localized referral pathways, has established procedures of handling cases as part of the service providers mapping. During implementation phase, separate facilities for women and men will be recommended to in-house teams with indication signage. However, in case of a grievance emanating from GBV, a special GBV task force established as required by the RPF will oversee receiving, assessing and handling all cases of sexual harassment and GBV. In the process of performing its mandates, the taskforce will work hand in hand with the competent authorities to ensure prompt response such as the RIB, RNP, anti GBV Committees at community level and Isange One Stop Center among other entities.

Whenever a grievance is logged, it should be registered and logged regardless of whether they were received in writing or verbally. The complainant should receive an acknowledgement of the receipt of the complaint within a prescribed and reasonable timeframe, preferably in writing.

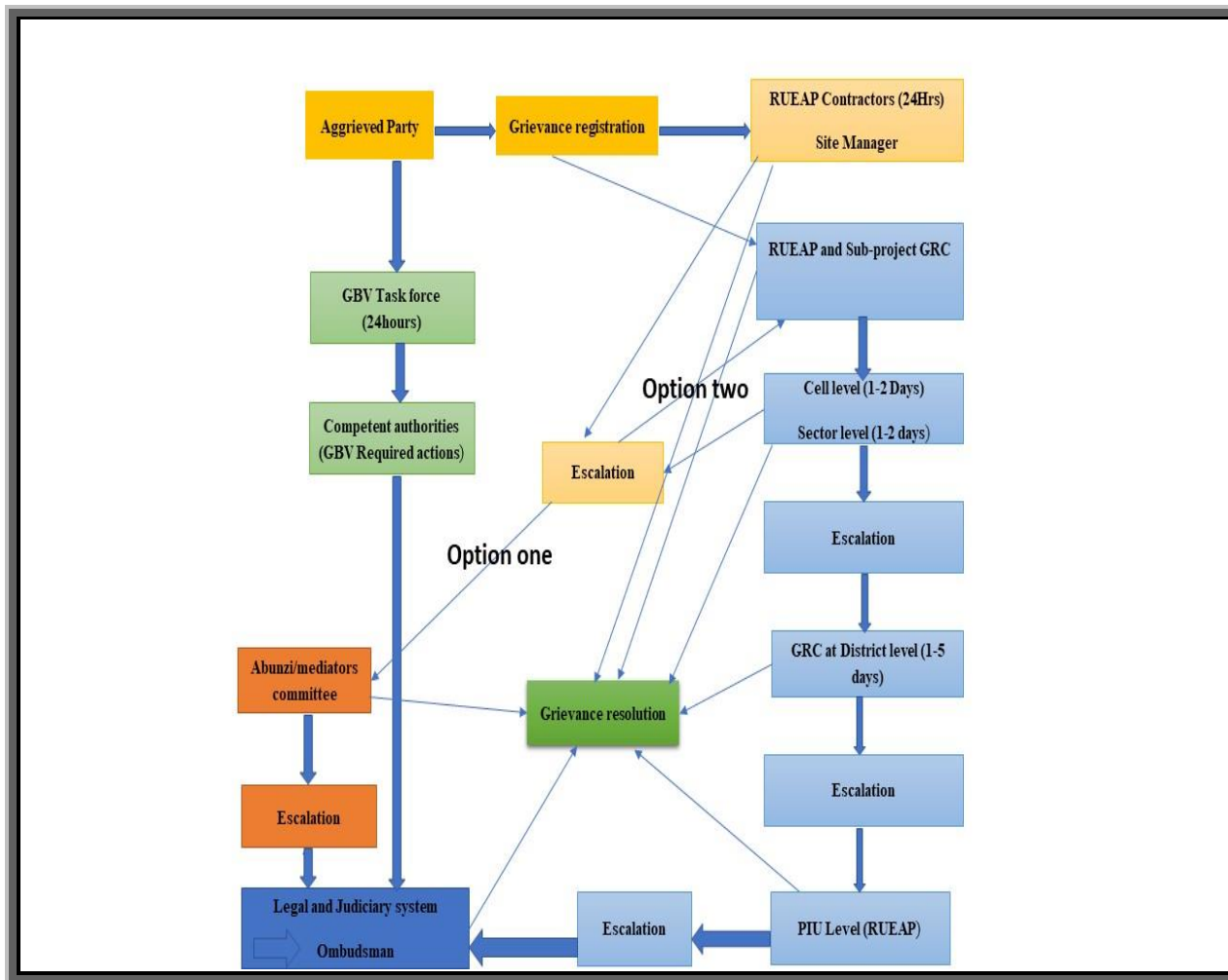
Lodging a grievance should not incur any cost to the complainant. Generally, the contractor should allow for flexibility and make sure that grievances are not dismissed on grounds of an administrative formality and/or procedure. In any case, the mechanism should not impede access to other judicial or administrative remedies that might be available under law or through existing arbitration procedures. In the event there

are serious cases of GBV where there is criminal liability on the part of the offender/perpetrator of GBV, the case(s) will be referred to Isange One Stop Centre as national specialized service centre for GBV cases offering free-of-charge support where survivors of gender-based violence can find comprehensive services such as: medical healthcare; psychosocial support; police and legal support, and collection of legal evidence. The service is available and operational at each District Hospital.

#### **VIII.5. Judiciary Level Grievance Redress Mechanism**

The project level process will not impede PAPs access to the legal system. Local communities have existing traditional and cultural grievance redress mechanisms (Abunzi committees) established and regulated by law no 37/2016 of 08/09/2016 determining organization, jurisdiction, and competence and functioning of Abunzi committee. These are established at cell and Sector level to solve community-based conflicts and grievances their regulatory body being the Ministry of Justice. This mechanism cannot be overlooked by the project. The population can choose to use this channel instead of the project GRC. The escalation at this level leads to the court process. At any time, the complainant may take the matter to the appropriate legal or judicial authority as per Rwanda National Legal procedure.

**Figure 3:Grievance Redress Process for the Implementation of REAQIP**



Source: EDCL-RPF for EAQIP

**Table 33: Process, stage, and timeframe for grievance resolution**

| Stage | Process  | Duration |
|-------|--|----------|
| 1a    | Since most of complaints during the execution of works involves directly the contractor, at first the Aggrieved Party (AP) will take his/her grievance to the team leader of the relevant subproject who will endeavour to resolve it immediately. The contractor representative or site Manager will inform the District Electricity and Maintenance officer or the appointed focal project at the district level. Where AP is not satisfied, the complaint will be transferred to the Sub-project Grievance Committee (GC) at cell level. For complaints | 24hours  |

| Stage | Process  | Duration  |
|-------|--|---|
|       | that were satisfactorily resolved by the Contractor, he/she will inform the GC and the GC will log the grievance and the actions that were taken.<br><br>There is also a possibility that the AP directly takes his/her complainants directly to the GRC without going to the Contractor or Site Manager first. In this case, the GRC will solve it working with the Contractor or Site Manager.   |   |
| 1b    | The AP may choose to escalate the grievance to the Abunzi Mediation Committee <sup>3</sup> especially if she/he is not directly linked to the sub-project.   | Not fixed   |
| 2     | On receipt of the complaint, the GRC at cell level will endeavour to resolve it immediately. In case the GRC at cell level fail to solve the complaint, it will be escalated to the GRC at Sector level. If unsuccessful, the GRC or the complainant then notifies District Officials.   | 1-2 days at Cell level<br>1-2days at Sector level |
| 3     | The District Officials where the project activities are being implemented, he/she will endeavour to address and resolve the complaint and inform the aggrieved party. The District Authority will refer the complaint to the Project Implementation Unit (EAQIP) with other unresolved grievances for their consideration.   | 1 – 5 days  |
| 4     | If it remains unresolved or the complainant is dissatisfied with the outcome proposed by the PCU, he/she is free to refer the matter to the court of law.  | 1 – 7 days  |
| 5     | If the issue remains unresolved through the courts, then the ultimate step will be for the ombudsman. The decisions at this level are final.   | Not fixed   |
| 6     | The dimension represented in purple is strictly for GBV related matters. The AP will approach directly the GBV task force to ensure her/his anonymity and safety. However, in case the complaint was addressed first to the contractor’s Site Manager, the latter is required to immediately refer it to the task force. The GBV task force will work with competent authorities to ensure the proposed official structure for GBV has respected to guarantee the victim the real justice and required medical care. | Not fixed   |

<sup>3</sup> The word Abunzi can be translated as ‘those who reconcile’ or ‘those who bring together’ (from verb kunga). In the traditional Rwanda, Abunzi were men known within their communities for personal integrity and were asked to intervene in the event of conflict. Each conflicting party would choose a person considered trustworthy, known as a problem-solver, and who was unlikely to alienate either party, the result is a set of Home-Grown Solutions - culturally owned practices translated into sustainable development programs.



**Table 34: Proposed Members of GRC and their Roles Under EAQIP.**

| No | Member of GRC                   | Roles and responsibilities   |
|----|---------------------------------|--|
| 1  | President (PAPs representative) | <ul style="list-style-type: none"> <li>- Chairing meetings;</li> <li>- Give direction on how received grievances will be processed;</li> <li>- Assign organizational responsibility for proposing a response;</li> <li>- Referring cases to next level;</li> <li>- Speaks on behalf of GRC and s/he is the one to report to the cell or the sector administration level;</li> <li>- Represents the interests of aggrieved parties.</li> <li>- Give feedback on the efficiency of GRM.</li> </ul>   |
| 3  | Village leader                  | <ul style="list-style-type: none"> <li>- Represents local government at village level;</li> <li>- Resolves and lead community level grievance redress</li> <li>- Sends out notices for meetings;</li> <li>- Records all grievance received and report them to next local level</li> </ul>  |
| 4  | Cell executive secretary        | <ul style="list-style-type: none"> <li>- Proposes responses to grievances and lead in resolving community grievance unsolved from village level;</li> <li>- Records and reports all grievances received from village leaders;</li> <li>- Chairs sensitization meeting at the cell level during public consultations meetings;</li> <li>- Assists and guides in identifying vulnerable and disadvantaged groups within the cell.</li> <li>- Signs the valuations sheets for compensation facilitate a proper Resettlement Plan</li> </ul>       |
| 5  | Women and youth representatives | <ul style="list-style-type: none"> <li>- Represent the interests of women and youth;</li> <li>- Advocate for equity and equal opportunities;</li> <li>- Help in prevention of sexual harassment and promote wellbeing of the women and youth</li> <li>- Take part in resolution of any grievance related to sexual harassment and any gender domestic violence that may arise;</li> <li>- Mobilize women and youth to be active in income generating activities specifically for opportunities in the project's intervention areas.</li> </ul> |

| No | Member of GRC              | Roles and responsibilities   |
|----|----------------------------|--|
| 6  | EDCL-EAQIP Representatives | <ul style="list-style-type: none"> <li>- Receive and log complaints/grievances, note date and time, contact details, nature of complaint and inform complainant of when to expect response;</li> <li>- Handle complaints revolved around nuisance resulted from construction and endeavor to handle them satisfactory;</li> <li>- Inform engineer (supervisor) and GRC of received complaints/grievances and outcomes and forward unresolved complaints/grievance to GRC</li> <li>- Attend community meetings, respond and react to PAPs complaints raised concerning the contractor.</li> </ul> |

**Table 35: Proposed Members of the GBV Taskforce Under EAQIP.**

| Institution   | Staff position   |
|---|--|
| PCU National level (RUEAP- EAQIP)                           | Senior Environmental and Social Safeguards Specialist and Social Safeguards Specialist |
| PCU (District level, where the project will be implemented) | Gender Monitoring Officer, Energy Projects Liaison Officers                            |
| EDCL/RUEAP  | Human Resources Manager  |
| NGO in GBV prevention and advocacy                          | Designated representative  |

As mandated by the law on gender equality, women representation will make up at least 30% of the GRC. All PAPs representatives will be directly elected by their peers and the number of members may vary depending on the context and particularities of each sub-project site characteristics.

The project will plan to facilitate any other person external to the project to communicate with the project, to provide or request for information or file a complaint. These arrangements are provided in the table below.

**Table 36: Other methods of communication with the stakeholders**

To communicate with the project stakeholders by sending their recommendations, claims, and observations are summarized in the following table.

| <b>Methods</b>   | <b>Description</b>   |
|--|--|
| <b>Project webpage</b>   | The ESF documents will be disclosed in the implementing agencies of the project – a specific webpage will be prepared for EAQIP containing program description, implementing arrangements and ESF documents including to communicate with the team, and the email, phone of contact of the concerned PCU Environmental Specialist or Social Safeguards Specialist.   |
| <b>Community project<br/>Displaying board</b>                    | In a community selection point or the Administrative District, a Displaying board with project information, timeline, and information of the works, contractor, announcements will be placed and box for comments/suggestions will be placed with a lock so only the environmental or social safeguards can open and respond to any messages. Any complaint from a third party can be filed using this method. |
| <b>E-mail, Telephone,<br/>instant message or<br/>other media</b> | All contacts of the environmental and social safeguards of PCU at National or District Energy Project liaison officer will be made public to be used by any stakeholder or third party willing to ask for information, provide suggestion or file a complaint.   |

### **VIII.6. Grievance Logbook**

The GRM Committee will ensure that each complaint has an individual reference number and is appropriately tracked, and recorded actions are completed.

The log will contain record of the person responsible for an individual complaint, and records dates for the following events:

- i. Date the complaint was reported;
- ii. Date the Grievance Log was added onto the project database;
- iii. Date information on proposed corrective action sent to complainant (if appropriate);
- iv. The date the complaint was closed out; and
- v. Date response was sent to complainant.

### **VIII.7. Monitoring Complaints**

The monitoring of complaints will be done by administrative districts and PCU at REG on regular basis. The monitoring team will be responsible for:

- i. Providing the sub-project Resettlement and Compensation Committee with a Monthly report detailing the number and status of complaints.

- ii. Any outstanding issues to be addressed; and
- iii. Quarterly reports, including analysis of the type of complaints, levels of complaints, actions to reduce complaints and initiator of such action.

### **VIII.8. Approval of Resettlement Action Plans**

In Rwanda involuntary resettlement is governed by expropriation law and valuation law. Both laws do not have provisions on Resettling Plan preparation and approval. Instead, the expropriation defines the process of expropriation and valuation while the resettlement impacts are assessed together with the ESIA report. The chapter III of the law n° 32/2015 of 11/06/2015 relating to expropriation in the public interest expropriation law defines steps to be undertaken for expropriation as follows:

#### **VIII.8.1. Organs Determining Projects of Expropriation in the Public Interest**

Organs which determine projects of expropriation in the public interest are the following:

- 1) The executive committee at the district level, in case such activities concern one district;
- 2) The executive committee at the level of the City of Kigali, in case such activities concern more than one district in the boundaries of the City;
- 3) The relevant ministry, in case planned activities concern more than one district or if it is an activity at the national level, subject to provisions of item 2° of this Article, therefore the latter will intervene under the EAQIP.

#### **VIII.8.2. Organs Supervising Projects of Expropriation in the Public Interest**

Organs in charge of supervising projects of expropriation in the public interest are hereby established as follows:

- 1) The committee in charge of supervision of projects of expropriation in the public interest at the district level where the project concerns one district;
- 2) The committee in charge of supervision of projects of expropriation in the public interest at the City of Kigali level where the project concerns more than one district within the boundaries of the City;
- 3) The committee in charge of supervision of projects of expropriation due to public interest at the national level where the project concerns more than one district or it is a project at the national level, subject to the provisions of item 2° of this article.

#### **VIII.8.3. Organs Approving Expropriation in the Public Interest**

The organs approving expropriation in the public interest are the following:

- At the district level, it is the district council after considering the recommendation of the committee in charge of supervision of projects of expropriation in the public;

- At the level of the City of Kigali, where the project concerns more than one district within the boundaries of the City of Kigali, it is the council of the City of Kigali after considering the recommendation of the committee in charge of supervision of projects of expropriation in the public interest at the level of the City of Kigali.
- At the level of more than one district, the ministry in charge of land, upon proposal by the committee in charge of supervision of projects of expropriation in the public interest at national level subject to provisions of item 2 of this Article. A ministerial order shall be used.
- At the national level and in case of activities related to security and national sovereignty, the Prime Minister's Office upon proposal by the committee in charge of supervision of projects of expropriation in the public interest at the national level by way of a Prime Minister's order.

### **VIII.9. Procedure for Expropriation in the Public Interest**

Procedures for expropriation are as follows:

- Request for expropriation in the public interest by project proponent/ developer.
- Consideration of the relevance of the project proposal for expropriation in the public interest by relevant committee;
- Decision on the relevance of a project of expropriation in the public interest;
- Approval of expropriation in the public interest;
- Publication of the decision on a project for expropriation in the public interest;
- Valuation of assets and agreement on compensation measures;
- Compensation.

For the proposed project the preparation, approval and implementation of resettlement Plan shall be done in accordance to the organic law on expropriation for public interests but also in compliance with World Bank ESS5. Resettlement Action Plan prepared under this project will be reviewed and cleared by the Bank. Once the Resettlement Action Plan has been finalized and cleared it will be publicly disclosed by REG-EDCL and the World Bank shall also make the Resettlement Action Plan available to the public through its external website.

### **VIII.10. Resettlement Action Plan Implementing Agencies**

As per national laws, only Government of Rwanda is authorized to expropriate landowners for public interest and the valuation of assets should be done by certified independent valuer approved by IRPV. To this end, REG-EDCL PCU will work with local administration in the entire process of Resettlement preparation and Implementation specifically for signing off, consultation with the PAPs and other stakeholders, the GRCs which was established at Cell, Sector and Districts levels in the project area. REG-EDCL PCU will have overall responsibility of monitoring and evaluating the resettlement and

compensation activities while the World Bank shall periodically supervise the resettlement and compensation action plan activities to ensure compliance with the prepared RPF and RAP requirements.

## **IX: Monitoring & Evaluation**

### **IX.1. Overview**

The ESS5 paragraph 5 notes that the Borrower will establish procedures to monitor and evaluate the implementation of the plan and will take corrective action as necessary during implementation to achieve the objectives of the ESS5. The extent of monitoring activities will be proportionate to the project's risks and impacts. For all projects with significant involuntary resettlement impacts, the Borrower will retain competent resettlement professionals to monitor the implementation of resettlement plans, design corrective actions as necessary, provide advice on compliance with this ESS and produce periodic monitoring reports. Affected persons will be consulted during the monitoring process.

The purpose of monitoring and evaluation is to report on the effectiveness of the implementation of the RAP, and the outcomes and impact of resettlement compensation in relation to the objectives and goals of the RAP. This section describes the monitoring and evaluation (M&E) system for the RAP implementation including the parameters, indicators to be used, role of the key persons(s) involved, post implementation/construction monitoring activities and resources needed to carry out the monitoring activities.

Monitoring of the RAP will be carried out during the whole process of assets valuation 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 the Musanze and Rubavu districts administration representatives, PIU for EAQIP and GRCs to ensure that all of the responsible implementing agencies follow the schedule and comply with the principles of the RAP.

### **IX.2. Objectives of Monitoring and Evaluation**

The general objective of the M&E system is to assess the overall success and effectiveness of the RAP implementation processes and mitigation measures. Specific objectives of the M&E process will include:

- To assess the effectiveness of the RAP Implementation delivery arrangements and processes
- To identify RAP implementation related problems as early as possible to allow timely corrective measures to ensure success.
- To ascertain whether planned activities are being realized by assessing RAP implementation outputs and outcomes.
- To provide for a system for evaluation of the RAP implementation

Suggested key indicators are outlined below and include (but 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 for different types of losses (specify the types being monitored) and aggregated amount disbursed compensation (actual versus planned);
- Timings of compensation.
- Number of complaints including total received and resolved. If not resolved reasons, total justified, and total non-justified.
  - o This should include the subject matter for all complaints.
  - o An explanation for non-justified complaints.
  - o Total resolved at various levels including the type of agreement reached.
  - o Total referred to the legal system/ Courts of Law, including a clarification on who initiated (local leaders, PAP or Musanze and Rubavu districts administration) 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 livelihood activities for the affected persons 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.

### **IX.3. Monitoring Tasks**

The major monitoring tasks will include the following:

- Formulating performance monitoring indicators to measure inputs, outputs and outcomes of relocation activities.
- Verifying RAP implementation activities and milestones including timely delivery of resettlement measures and GRM.
- Verifying RAP implementation completion.
- Ensuring involvement of affected PAPs and other stakeholders in the monitoring process (participatory monitoring).

- Assessing and evaluating of the outcomes and impact.
- Planning for and ensuring post RAP implementation monitoring.
- Preparing monitoring reports as indicated in this RAP

#### IX.4. RAP Monitoring Plan

This plan as shown below displays activities to monitor during RAP process, type of information to collect responsibilities and frequency of monitoring actions.

**Table 37: Plan for RAP Monitoring and included activities**

| Item   | Main Activities                                      | Responsible Institution  | Frequency of Monitoring           |
|--|--|--|-----------------------------------|
| Public consultation                          | Consultation meeting with the PAPs                   | PIU-RUEAP-EAQIP,<br>Musanze and Rubavu districts<br>Administration | Monthly                           |
| Database                                     | Updating census results                              | PIU-RUEAP-EAQIP,<br>Musanze and Rubavu districts<br>Administration | Monthly                           |
| Disclosure of entitlement                    | Display to the PAPs the results of the census.       | PIU-RUEAP-EAQIP,<br>Musanze and Rubavu districts<br>Administration | After census and assets valuation |
| Preparation of alternatives                  | Follow up of implementation of proposed alternatives | PIU-RUEAP-EAQIP,<br>Musanze and Rubavu districts<br>Administration | Once a week                       |
| Compensation and other resettlement measures | Follow up compensation Process                       | PIU-RUEAP-EAQIP,<br>Musanze and Rubavu districts<br>Administration | Once a week                       |
| Follow up of PAPs Livelihoods                | Follow up and monitoring of PAPs livelihoods         | PIU-RUEAP-EAQIP,<br>Musanze and Rubavu districts<br>Administration | Once a week                       |

**Source:** Safeguards own construct, 2022



## **IX.5. Resettlement Implementation Completion Report**

The purpose of the Completion report is to verify that REG/EDCL-RUEAP has complied with resettlement commitments defined by the RAP, and more generally follows national and World Bank procedures on involuntary resettlement. Reference documents for the Completion Report are the following:

- This Resettlement Action Plan.
- Rwanda Legislation.
- World Bank regulations and guidance related to involuntary resettlement.

The main objectives of the completion audit are the following:

- General assessment of the implementation of the RAP against the objectives and methods set forth in the RAP.
- Assessment of compliance of implementation with laws, regulations, and safeguard policies
- Assessment of the fairness, adequacy and promptness of the compensation and resettlement procedures as implemented.
- Identification of potential corrective actions necessary to mitigate the negative impacts of the project, if any, and to enhance its positive impacts. The Completion Report will be based on documents and materials generated by internal and external monitoring. In addition, auditors will make their own assessments, surveys and interviews in the field with stakeholders.

The resettlement Implementation Completion report will gather 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 District, compensation paid, issues/complaints raised, and solutions provided.
- Complaint's status.
- Socio-economic status of the PAP families, their living conditions and livelihood. Highlight a few case studies of individual PAP family experience, including at least one family considered "vulnerable"; such as how the PAPs used the cash compensation they received, etc.
- Early assessment of the impacts of resettlement and compensation on affected categories at the time of the report production.
- Total amount disbursed; and,
- Lessons learned from the RAP implementation.

## IX.6. Implementation Schedule

There will be two sections and twelve parts of the steps to be followed during the implementation of RAP as shown in below table

**Table 38: RAP Implementation Schedule**

| Planned Activities                     |   | Year 2022 |    |    |    |    |    |    |    |    |    |    |    |
|--|---|-----------|----|----|----|----|----|----|----|----|----|----|----|
|  |   | 01        | 02 | 03 | 04 | 05 | 06 | 07 | 08 | 09 | 10 | 11 | 12 |
| <b>Phase 1: Preparatory activities</b> |   |           |    |    |    |    |    |    |    |    |    |    |    |
| 1.1                                    | Census of PAP assets and socio-economic surveys of PAPs and affected communities  | X         |    |    |    |    |    |    |    |    |    |    |    |
| 1.2                                    | Preparation of RAP report   |           | X  | X  |    |    |    |    |    |    |    |    |    |
| 1.3                                    | RAP Clearance and Approval  |           |    | X  |    |    |    |    |    |    |    |    |    |
| <b>Phase 2: RAP implementation</b>     |   |           |    |    |    |    |    |    |    |    |    |    |    |
| 2.1                                    | Validation, Agreement with PAPs and Disclosure of the RAP                         |           |    | X  |    |    |    |    |    |    |    |    |    |
| 2.2                                    | Valuation of assets, Sign-Off Process   |           |    | X  | X  | X  |    |    |    |    |    |    |    |
| 2.3                                    | Mobilize REG/EDCL/EUCL for compensation and expropriation money through MINECOFIN |           |    | X  | X  | X  |    |    |    |    |    |    |    |

| Planned Activities |  | Year 2022 |    |    |    |    |    |    |    |    |    |    |    |
|--------------------|--|-----------|----|----|----|----|----|----|----|----|----|----|----|
|                    |  | 01        | 02 | 03 | 04 | 05 | 06 | 07 | 08 | 09 | 10 | 11 | 12 |
| 2.4                | REG/EDCL/EUCL to compensate Project Affected Persons |           |    |    | X  | X  | X  |    |    |    |    |    |    |
| 2.5                | Grievance Redress                                    |           |    |    | X  | X  | X  | X  | X  | X  | X  | X  |    |
| 2.6                | Temporal use of the land in the RoW                  |           |    |    |    | X  | X  | X  | X  | X  | X  | X  |    |
| 2.7                | Implementation of vulnerable PAPs assistance         |           |    |    |    |    |    | X  | X  | X  | X  | X  |    |
| 2.8                | Supervision of RAP implementation                    |           |    |    | X  | X  | X  | X  | X  | X  | X  | X  | X  |
| 2.9                | Resettlement Implementation Completion Report        |           |    |    |    |    |    |    |    |    |    |    | X  |

## **X. RAP PUBLIC DISCLOSURE ARRANGEMENT**

The WB ESF disclosure policy requires that Resettlement Action Plan is disclosed in country and at World Bank external website, prior to disclosure, the final RAP will be cleared/approved by the Government of Rwanda and development partner for specific subproject. For any revisions made to the final disclosed RAP the same approval disclosure protocols will be followed. These reports should be made available to project affected groups, local NGOs, and the public at large extend.

REG/EDCL-RUEAP will disclose this Resettlement Action Plan for MUSANZE and RUBAVU, by making copies available at its head office and at concerned administrative Districts offices. Copies will be made for easy consultations every time it is needed. Further, this Resettlement Action Plans will be disclosed at REG and concerned administrative Districts websites.

Given that most of PAPs may not understand the RAP language, the Safeguards will provide a summary translated in local language (Kinyarwanda) and copies of this summary should be available at concerned Sectors offices where the project will be implemented. The safeguards will be responsible to arrange this summary in local and understandable language during the process of RAP preparation. The World Bank will review, Approve, and provide clearance for all subprojects' safeguards instruments (RAP) before being disclosed.

Furthermore, the Government of Rwanda will authorize the World Bank to disclose electronically this RAP through its external website. This RAP will be disclosed by REG at national level after having the clearance from the World Bank, at administrative Districts level. The Government of Rwanda will also authorize the World Bank to disclose electronically cleared Resettlement Action Plan through its external website.

## References

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2. Handbook for Preparing a Resettlement Action Plan, International Finance Corporation, 2121 Pennsylvania Avenue, NW, Washington, DC 20433 USA; IFC (2002)
3. MINECOFIN, NST1 2017.
4. MINIRENA, 2010. Law No 17/2010 of 12/05/2010 establishing and organizing the real property valuation profession in Rwanda.
5. National Constitution Law of 2003, revised in 2015
6. National Institute of Statistics of Rwanda, November 2018. EICV5
7. Official Gazette n° Special of 10/06/2021, N° 27/2021 of 10/06/2021 Law Governing Land
8. PRIMATURE, 2015. Law No. 32/2015 of 11/06/2015 Relating to Expropriation in the Public Interest.
9. Strategic Environmental and Social Assessment (SESA) For RUEAP, 2021
10. World Bank Environmental and Social Framework (ESF), 2018
11. World Bank Environmental and Social Framework. 2016. World Bank, Washington, DC. License: Creative Commons Attribution CC BY 3.0 IGO



## ANNEXURES

### Annex 1: EDCL/RUEAP Team Members for RAP Preparation and Updates

| S/N | Full Names           | Position                     | Institution |
|-----|----------------------|------------------------------|-------------|
| 1   | Apophia BORAMUNGU    | Senior E&SSS                 | EDCL        |
| 2   | Willy UWIZEYE        | Social Safeguards Specialist | EDCL        |
| 3   | Martin MUSONERA      | Environmentalist             | EDCL        |
| 4   | Jovine NSEKANABANGA  | Statistician Specialist      | EDCL        |
| 5   | Florien NTEZIRYAYO   | GIS Services Manager         | EDCL        |
| 6   | Modeste KUBWIMANA    | Surveyor                     | EDCL        |
| 7   | Angelique SIFA       | Technician                   | EDCL        |
| 8   | Thierry MBAYIHA      | Certified Ind. Valuer        | SIRUIS/IRPV |
| 9   | Pascal TUYISHIME     | Env't Safeguards Specialist  | EDCL        |
| 10  | Justitia U. GAPARAYI | Technician                   | EDCL        |

### Annex 2: Sample Grievance Redresses Form

| <b>Grievance Form</b>                    |  |                                |
|--|--|--------------------------------|
| Grievance Number                         |  | <b>Copies to forward to:</b>   |
| Name of the recorder                     |  | (Original) Receiver Party      |
| District/ Sector/Cell                    |  | (Copy)- Responsible Party      |
| Date                                     |  |                                |
| <b>INFORMATION ABOUT GRIEVANCE</b>       |  |                                |
| Define the Grievance                     |  |                                |
| <b>INFORMATION ABOUT THE COMPLAINANT</b> |  | <b>Forms of Receive</b>        |
| Name-Surname                             |  | Phone line                     |
| Address                                  |  | Community/Information meetings |
| Village/ Cell                            |  | Mail                           |

|                          |  |          |
|--------------------------|--|----------|
| Sector/ District         |  | Informal |
| Signature of Complainant |  | Other    |

| <b>DETAILS OF GRIEVANCE</b>   |  |   |  |   |
|---|--|---|--|---|
| <b>1. Access to land and Resources</b> <ul style="list-style-type: none"> <li>• Lands</li> <li>• Pasture lands</li> <li>• House</li> <li>• Water</li> <li>• Latrines</li> <li>• Commercial site</li> <li>• Other</li> </ul> | <b>2. Damage to</b> <ul style="list-style-type: none"> <li>• House</li> <li>• Land</li> <li>• Latrines</li> <li>• Livestock</li> <li>• Means of livelihood</li> <li>• Water</li> <li>• Road access</li> <li>• Other</li> </ul> | <b>3. Damage to Infrastructure or Community Assets</b> <ul style="list-style-type: none"> <li>• Road</li> <li>• Bridge/ Passageways</li> <li>• Power</li> <li>• Water sources, canals and water infrastructure for irrigation and animals</li> <li>• Drinking water</li> <li>• Other</li> </ul> | <b>4. Decrease or Loss of Livelihood</b> <ul style="list-style-type: none"> <li>• Agriculture</li> <li>• Animal husbandry</li> <li>• Beekeeping</li> <li>• Small scale trade</li> <li>• Other</li> </ul>   | <b>5. Traffic accident</b> <ul style="list-style-type: none"> <li>• Injury</li> <li>• Damage to property</li> <li>• Damage to livestock</li> <li>• Other</li> </ul> |
| <b>6. Incidents Regarding Expropriation and Compensation (Specify)</b>  | <b>7. Resettlement Process (specify)</b>   | <b>8. Employment and recruitment (Specify)</b>  | <b>9. Construction Camp and Community Relations</b> <ul style="list-style-type: none"> <li>• Nuisance from dust</li> <li>• Nuisance from noise</li> <li>• Vibrations due to explosions</li> <li>• Misconduct of the project personal/worker</li> <li>• Complaint follow up</li> <li>• Other</li> </ul> | <b>10. Other (specify)</b>  |

**Grievances Close Out Form**

Grievance Number:.....



Define immediate action required:.....

Define long term action required (if necessary).....

**Verification of corrective action and sign off**

| Corrective action taken | Due date |
|-------------------------|----------|
|                         |          |
|                         |          |

**Responsible Party**

|  |
|--|
| <p><b>Notes:</b> This part will be filled in and signed by the complainant when he/she receives the compensation or file is closed out</p> <p>Complainant:.....</p> <p>Name and Signature.....</p> <p>Date</p> <p>Representative of Responsible Party</p> <p>Title, Name and Signature..... Date:.....</p> |
|--|

**Annex 3: Elected Grievance Redress Committee in two Administrative Districts**

| <b>S/N</b> | <b>Full Name</b>        | <b>Sex</b> | <b>Position in GRC</b>              | <b>Position in LG</b>         | <b>District</b> |
|------------|-------------------------|------------|-------------------------------------|-------------------------------|-----------------|
| 1          | DEOGRATIAS NZABONIMPA   | M          | PRESIDENT                           | VM ED                         | RUBAVU          |
| 2          | GASUKU OSCAR            | M          | VICE PRESIDENT                      | IOSC DIRECTOR                 | RUBAVU          |
| 3          | INNOCENT NTIBATEKEREZA  | M          | SECRETARY                           | DEME                          | RUBAVU          |
| 4          | NIRAGIRE ERIC           | M          | MEMBER                              | DEO                           | RUBAVU          |
| 5          | NIRERE EUGENIE          | F          | REPRESENTATIVE OF VULNERABLE GROUPS | SPECIAL GROUP REPRESENTATIVE  | RUBAVU          |
| 6          | RUCYAHANA MPUHWE ANDREW | M          | PRESIDENT                           | VM ED                         | MUSANZE         |
| 7          | SEBASORE JAVAN          | M          | V/P                                 | IOSC DIRECTOR                 | MUSANZE         |
| 8          | HARERIMANA IGNACE       | M          | SECRETARY                           | DLVO                          | MUSANZE         |
| 9          | UWITONZE HERSON         | M          | REPRESENTATIVE OF VULNERABLE GROUPS | SPECIAL GROUPS REPRESENTATIVE | MUSANZE         |
| 10         | HAKIZAYEZU ALPHONSE     | M          | MEMBER                              | DEME                          | MUSANZE         |

**Annex 4: Prices Reference Applied during assets valuation as of IRPV**



**CROPS REFERENCE PRICES (IBICIRO NGENDERWAHO BY'IBIHINGWA/IBITI)**

**IBITI BIBAZWA /BOIS D' OEUVRE**

Minimum rate is meant for trees fresh from nursery and Maximum price is for trees ready for production. It is important to note that after optimum age of production, this type of trees may depreciate when they can no longer serve the core purpose because of age.

| Commonly known as | Unit  | Minimum rate (FRW) | Maximum rate (FRW) |
|-------------------|-------|--------------------|--------------------|
| Gereveliya        | piece | 1000               | 5,500              |
| Umusave           | pces  | 1000               | 10,000             |
| Inturusu          | pces  | 1000               | 6,500              |
| Umuko             | pces  | 1000               | 8000               |
| Sipure            | pces  | 1000               | 5300               |
| Pinusi            | pces  | 1000               | 5500               |
| Sakaranda         | pces  | 1000               | 6500               |
| Acacia            | pces  | 1000               | 6500               |
| Lilas             | pces  | 1000               | 5200               |
| Araucaria         | pces  | 1000               | 6500               |
| Filawo            | pces  | 1000               | 4500               |

**CULTURES /IMYAKA**

Minimum rate is for crops comparable to nursery level and maximum rate is for pick production stage. Other factors may be the type of seeds, the nature of soil and normal production from it in the area; guidance by an agronomist may be useful if necessary.

| Commonly known as       | Unit | Minimum rate (FRW) | Maximum rate (FRW) |
|-------------------------|------|--------------------|--------------------|
| Ibishyimbo/beans        | sqm  | 80                 | 150                |
| Amashaza/Petit poidis   | sqm  | 80                 | 150                |
| Ubunyobwa/Arachides     | sqm  | 100                | 220                |
| Ingano/Orge             | sqm  | 60                 | 100                |
| Amasaka/Sorgho          | sqm  | 60                 | 100                |
| Mais/Ibigoli            | sqm  | 80                 | 150                |
| Uburo/Eleusine          | sqm  | 300                | 500                |
| Ibirayi/Pomme de terre  | sqm  | 250                | 400                |
| Amateke/Colocases       | sqm  | 150                | 250                |
| Ibikoro/Ignames         | sqm  | 50                 | 100                |
| Ibijumba/Patates douces | sqm  | 150                | 250                |
| Imyumbati/Manioc        | sqm  | 250                | 400                |
| Isombe/Manioc-legumes   | sqm  | 800                | 1,500              |
| Soya/Soja               | sqm  | 100                | 250                |
| Amashu/ Choux           | sqm  | 500                | 900                |
| Ibitunguru/Oignons      | sqm  | 250                | 400                |

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|                            |     |       |       |
|----------------------------|-----|-------|-------|
| Inyanya/ I omales          | sqm | 500   | 800   |
| Intoryi/Abergines          | sqm | 600   | 1,000 |
| Karoti/Carottes            | sqm | 200   | 300   |
| Saladi/Salades             | sqm | 150   | 250   |
| Sereli/Celeriy             | sqm | 200   | 300   |
| Inzuzi/Courges             | sqm | 3,000 | 4,000 |
| Lindi mboga/Autres legumes | sqm | 50    | 300   |
| Ananasi/Ananas             | sqm | 1,350 | 2,000 |
| Ipamba/Coton               | sqm | 720   | 1,500 |
| Umuceli /Riz paddy         | sqm | 360   | 700   |
| Itabi/Tabac                | sqm | 1,000 | 1,200 |
| Ibisheke/Canne a sucre     | sqm | 400   | 1,000 |

**IBITI BYERA IMBUTO ZIRIBWA N'IBITI BIVAMO IMITI/ PLANTES FRUITIERES ET  
MEDICINALES/ FRUIT AND MEDICINAL PLANTS**

Minimum rate is meant for trees fresh from nursery and Maximum price is for trees ready for production. It is important to note that after optimum age of production, this type of trees may depreciate when they can no longer serve the core purpose because of age. Other factors may be the state of care and appearance and visible level of production for items in that age.

| Commonly known as   | Unit | Minimum rate (FRW) | Maximum rate (FRW) |
|---|------|--------------------|--------------------|
| Maracouja   | pce  | 1,000              | 3,000              |
| Ibinyomoro/Prunier du Japon   | pce  | 1,000              | 3,000              |
| Umutima w'imfizi /Coeur de boeuf                                      | pces | 2,000              | 10,000             |
| Umwembe/Manguier  | pces | 2,000              | 10,000             |
| Ipera/Goyavier  | pces | 2,000              | 10,000             |
| Ipapayi/Papayer   | pces | 2,000              | 10,000             |
| Les Agrumes   | pces | 3,000              | 12,000             |
| Macadamia   | pces | 2,000              | 30,000             |
| Igiti cy'avoka/Avocatier  | pces | 3,000              | 20,000             |
| Vanilla   | pces | 2,000              | 10,000             |
| Igiti cyu Muringa   | pces | 3,000              | 12,000             |
| Ibobere/Murier  | pces | 1,500              | 8,000              |
| Ibindi biti byera imbuto ziribwa<br>Bitavuzwe/Autres arbres fruitiers | pces | 2,000              | 10,000             |
| Ibiri hitanga imiti ya<br>Kinyarwanda/Plantes<br>medicinales          | pces | 5,000              | 20,000             |

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## Annex 5: Questionnaire used in data collection

### SOCIO-ECONOMIC DATA COLLECTION TOOL FOR THE PAPS

ORGANIZATION: REG-EDCL

PROGRAM/PROJECT NAME: RUEAP/EAQIP

#### 1. DATA COLLECTION INFORMATION

|                             |  |
|-----------------------------|--|
| <b>Surveyor</b>             | Name : .....<br>Code : .....   |
| <b>Location of PAPs</b>     | District : .....<br>Sector : .....<br>Cell : .....<br>Village : .....  |
| <b>Questionnaire number</b> | (day/month/initials/interview of the day) : .....  |
| <b>Respondent</b>           | Is the person interviewing the head of household? Yes No<br>If no, what's his/her name? _____<br>And what is his/her status?<br>1. Spouse of HofH<br>2. Son/daughter of HofH<br>3. Brother/sister of HofH<br>4. Grandchild<br>5. Son-in-law/daughter-in-law<br>6. Parents of HofH<br>7. Parent-in-law<br>8. Neighbor<br>9. House keeper<br>10. Other (specify : _____) |

Living Condition category of Household (ICYICIRO CY`UBUDEHE)

| Categories         |                          |
|--------------------|--------------------------|
| 1. First Category  | <input type="checkbox"/> |
| 2. Second Category | <input type="checkbox"/> |
| 3. Third Category  | <input type="checkbox"/> |
| 4. Fourth Category | <input type="checkbox"/> |

**Homestead demographic information**

Complete the following table for all household members:

| Number of Members |                |                  | Education Level                                   |  |   |  | Age                         |                         |                          |                          |                               |
|-------------------|----------------|------------------|---|--|---|--|-----------------------------|-------------------------|--------------------------|--------------------------|-------------------------------|
| Total HH number   | Number of Male | Number of Female | Number persons attended at highest Primary school | Number persons attended at highest Secondary school & TVET | Number persons attended at highest University & higher educational Institutions | Number of persons never went to school | Not concern (below 3 years) | No between (4-17) years | No between (18-35) years | No between (36-64) years | No of elderly (over 65 years) |
|                   |                |                  |   |  |   |  |                             |                         |                          |                          |                               |

| HEAD OF HOUSEHOLD       |   |
|-------------------------|---|
| Head of Household Name: | ID:   |
| Spouse Name:            | ID:   |
| Orphans representative: | ID:   |
| Telephone Number        |   |
| Marital status          | 1. Single <input type="checkbox"/><br>2. Married/ Cohabiting <input type="checkbox"/><br>3. Divorced/ Separated <input type="checkbox"/><br>4. Widow/ Widower <input type="checkbox"/>  |
| Main Employment         | 1. Agriculture <input type="checkbox"/><br>2. Grazing <input type="checkbox"/><br>3. Government salaried <input type="checkbox"/><br>4. Private sector salaried <input type="checkbox"/><br>5. Trading (shops, market, etc.) <input type="checkbox"/><br>6. Transport (taxi driver, moto-taxi, etc.) <input type="checkbox"/><br>7. Skilled handcraft (Carpentry, Masonry, Weaver, Electrician, etc.) <input type="checkbox"/><br>8. Self-employed professional (advisors, consultant, etc.) <input type="checkbox"/><br>9. Unemployed <input type="checkbox"/><br>10. Other (please, specify: _____ ) <input type="checkbox"/> |

Estimate Household income (For all working household members) per month (Rwf):

- 1. Less than 5,000
- 2. Between 5,000-10,000
- 3. Between 10,000-20,000
- 4. Between 20,000-30,000
- 5. Between 30,000-50,000
- 6. Between 50,000-80,000
- 7. Between 80,000-100,000
- 8. Above 100,000

**Vulnerability**

Number of vulnerable in Household

| Item                                 | Number (If no, write 0, if yes write 1) |
|--------------------------------------|---|
| 1. Disabled (handicap)               |   |
| 2. Orphan (Both parents)             |   |
| 3. Elderly (Over 65 years)           |   |
| 4. Child Head of Household           |   |
| 5. Woman Head of Household           |   |
| 6. Widow                             |   |
| 7. Permanent illness (ex: HIV, etc.) |   |

**Energy and water conditions in affected households**Please indicate the energy source used for lighting (please choose only one main source):

1. Electricity  2. Candle  3. Kerosene Lamps  4. Battery  5. Solar energy  6. Chargeable torch   
7. Other  *Specify:* \_\_\_\_\_

Please indicate the energy source used for cooking (please choose only one main source):

1. Electricity  2. Kerosene  3. Gas  4. Firewood  5. Charcoal  6. Biomass residue  7. Other

What is your main source of water? (please choose only one source)

1. Piped into dwelling  2. Piped to yard/plot  3. Public tap/standpipe  Distance to public tap .....Km 4. Tube well /borehole  5. Covered well   
6. Protected well  7. Unprotected well  8. Protected spring  9. Unprotected spring   
10. Rainwater  11. Tanker truck  12. Surface water (river/lake/pond/stream/ irrigation channel)  13. Other  *Specify:* \_\_\_\_\_

**Health**Did any members of your household suffer from the following disease/maladies in the past six months?  
Yes  No 

If yes, please specify which diseases/maladies have affected household members during the past six months?



| Disease/ Malady                     |                          |
|-------------------------------------|--------------------------|
| 1. Tuberculosis                     | <input type="checkbox"/> |
| 2. Malaria                          | <input type="checkbox"/> |
| 3. Blood pressure                   | <input type="checkbox"/> |
| 4. Diabetes                         | <input type="checkbox"/> |
| 5. Diarrhea                         | <input type="checkbox"/> |
| 6. RUTI/Respiratory Infections      | <input type="checkbox"/> |
| 7. Skin diseases                    | <input type="checkbox"/> |
| Others <i>Please specify:</i> _____ | <input type="checkbox"/> |

## **Annex 6: Photo log during consultation and stakeholders' engagement**



## **Annex 7: Some Attendance Lists during Consultation and Stakeholders' Engagement**

**Annex 8: Sample of Assets Inventory Form**

| <div style="display: flex; justify-content: space-between;"> <div style="border: 1px solid black; padding: 5px;">                 REPUBLIC OF RWANDA<br/>  </div> <div>                 EXPROPRIATION FILE<br/><br/>                 PROJECT NAME: EAQIP             </div> </div> |                            |  |              |      |       |
|---|----------------------------|---|--------------|------|-------|
| PROVINCE  |                            |   | INSERT PHOTO |      |       |
| DISTRICT  |                            |   |              |      |       |
| SECTOR  |                            |   |              |      |       |
| CELLURE   |                            |   |              |      |       |
| VILLAGE   |                            |   |              |      |       |
| PLOT NUMBER   |                            |   |              |      |       |
| OWNER   |                            |   |              |      |       |
| ID No   |                            |   |              |      |       |
| TELEPHONE   |                            |   |              |      |       |
| ACCOUNT NUMBER  |                            |   |              |      |       |
| SIGNATURE   |                            |   |              |      |       |
| DESCRIPTION   | ITEM                       | UNIT  | QTY          | RATE | TOTAL |
| PLANTATIONS<br>(IBIHINGWA/IBITI)  | Inturusu                   | pces  |              |      |       |
| IBITI            BIBAZWA/BOIS<br>D'OEUVRE   |                            |   |              |      |       |
|   | Gereveliya      Iringaniye | pces  |              |      |       |
| <b>CULTURES/IMYAKA</b>  |                            |   |              |      |       |

|                                     |  |                |  |  |   |
|-------------------------------------|--|----------------|--|--|---|
|                                     | Amateke/Colocases                      | m <sup>2</sup> |  |  |   |
|                                     | Amasaka                                | m <sup>2</sup> |  |  |   |
|                                     | inzuzi                      iringaniye | m <sup>2</sup> |  |  |   |
|                                     | Imyumbati/Manioc                       | m <sup>2</sup> |  |  |   |
| <b>IBITI    BYERA    IMBUTO</b>     |  |                |  |  |   |
| <b>ZIRIBWA   N`IBITI   BIVAMO</b>   |  |                |  |  |   |
| <b>IMITI/PLANTES FRUITIERES</b>     |  |                |  |  |   |
| <b>ET MEDICINALES</b>               |  |                |  |  |   |
|                                     | Ipapayi/Papayer 0-1 Imyaka             | pces           |  |  |   |
| <b>IBIHINGWA            N`IBITI</b> |  |                |  |  |   |
| <b>NKONDABUTAKA/CULTURES</b>        |  |                |  |  |   |
| <b>PLURIANNUELES            ET</b>  |  |                |  |  |   |
| <b>PERENNES</b>                     |  |                |  |  |   |
|                                     | Urutoki/Bananaeraie                    | pces           |  |  |   |
|                                     | Urubingo/Pennisetum                    | m <sup>2</sup> |  |  |   |
| <b>TOTAL</b>                        |  |                |  |  |   |
| <b>Grand Total</b>                  |  |                |  |  |   |
|                                     |  |                |  |  | - |
| <b>Addition of 5%</b>               |  |                |  |  |   |
|                                     |  |                |  |  | - |
| <b>General Total</b>                |  |                |  |  |   |
|                                     |  |                |  |  | - |

I ..... ku wa...../...../2022

Byateguwe kandi byemezwa na:

.....

*Umugenagaciro wemewe na IRPV*

*Umunyamabanga nshingwabikorwa*

*w'Akagari ka .....*

## **Annex 9: Sample Agreement for Right of Way Acquisition**

This agreement is made Between:

Project affected Person ("PAP")

- and -

EDCL (Energy Development Corporation Limited)

### **WHEREAS:**

The PAP is the owner of the land located in right of way in the County of RWANDA, City of KIGALI in the District of ....., the Sector of....., Cell of..... in the village of.....

Whereas EDCL wishes to secure a right of way over a portion of the Property. EDCL and the property owner agree on the following:

#### **1. Property owner Rights and benefits**

- 1) EDCL shall not use any property beyond the boundaries of the RoW for any purpose, without the consent of the property owner.
- 2) The property owner shall be afforded a reasonable time to be agreed with EDCL prior to commencement of construction or maintenance to harvest any trees or vegetation located within the RoW boundaries, and if the property owner fails to do so, the property owner shall nevertheless retain title to all trees cut by EDCL. The property owner will be paid for any vegetation or tree affected though paid for it, and will be given in addition 5% of disturbance allowance.
- 3) In terms of liability, the property owner shall not be responsible for any injury to persons or property caused by the design, construction or upkeep of power lines unless his responsibility has been fully proven by the Competent Court of the Law.

#### **2. General requirements on the use of the Right of Way/ Restrictions**

It is forbidden for any person to do or assist in any of the following acts:

- a) to construct any building or structure or carry out cultivation, farming or any other activity within the Right-of-Way prior to the consent of EDCL. Under this provision only crops of less than 3 meters height will be allowed to grow;
- b) to drill, mine or excavate or carry on any similar operation within the Right-of-Way;
- c) to place any combustible material inside the Right-of-Way;
- d) to cause any fire to burn within Sixty (60) meters of the transmission line Right-of-Way

- e) to climb on to, attach to or hang any object on or from any tower/pole or transmission/distribution line;
- f) to cause anything to come into contact with the power line;
- g) to place, drive, tow, pull or carry any crane, jig, or any object, under, over or near the transmission line except with the prior consent of EDCL obtained in writing and subject to any condition that the Utility may impose in relation to such consent;
- h) to carry out any form of blasting within hundred (100) meters of any power line; and
- i) Permanent buildings, including foundations and overhangs, pools, septic tanks, dumps, junkyards, wells, fueling or fuel storage facilities, garbage, recycling receptacles and other non-compatible uses shall not be permitted on the Right-of-Way.
- j) The PAP should make sure he/she signs the assets inventory form after agreeing on the asset valuation done.

### **3. General derogations on the use of the Right of Way**

1. As long as minimum clearances from poles and conductors are maintained, the Right-of-Way can be used for certain activities such as yards, gardens, pastures and farming, recreational fields, streets, roads, driveways, parking lots, lakes, fences, drainage ditches, grading or any other activity that may not interfere with the line operation.
2. Temporary buildings or structures that are small and easily movable may be acceptable in the Right-of-Way with prior approval of EDCL, provided that:
  - a) they are located away from EDCL' works and access roads and not directly beneath overhead conductors;
  - b) they are not habitable;
  - c) they are not used for the purpose of storing flammable, explosive or toxic materials that could create a fire hazard;
  - d) they do not have electrical or water service;
  - e) they are of non-metallic construction or are grounded to the utilities' satisfaction.
  - f) they do not adversely affect safety of customers, utility personnel and the general public.

### **4. General EDCL's Obligations**

In constructing and maintaining power lines on the property covered by the RoW, EDCL shall:

- a. Maintain the Right-of-Way as it requires, both within the Wire Zone and the Border Zone;
- b. Remove vegetation that could pose danger to a power line or pole inside the Right-of-Way and outside the Right-of-Way if it could come too close to power lines or poles;

- c. If excavation is necessary, ensure that the top soil is stripped, piled and replaced upon completion of the operation;
- d. Restore to its original condition any strip of property which has been disturbed by the construction or maintenance;
- e. Clear all debris and remove all stones and rocks resulting from construction activity upon completion of construction;
- f. Pay for any damage caused by such construction or maintenance or satisfactorily repair any damage caused by such construction or maintenance to its original condition;
- g. Control vegetation and weeds around its power lines and facilities, and decide the appropriate method to adopt to ensure that the clearance space remains free of vegetation that could pose danger to a power line taking account of the potential risk to the public, conservation and other values;
- h. Ensure that the pruning or clearing is done responsibly; and determine the regrowth space, hazard space and the pruning and clearing cycle;
- i. Notify the property owner before carrying out any pruning and clearing. In emergency situations, EDCL may remove vegetation which poses an immediate risk without notification, but EDCL should notify the owner or occupiers as soon as practicable after the removal of the vegetation;
- j. Ensure that pruning or clearing activities near power lines are undertaken safely. This may require EDCL to de-energize the power lines or install necessary grounding to property owner's fence or equipment to enable the clearance of vegetation safely; and
- k. Ensure that any of his employees undertaking operations in the vicinity of his power lines, and any contractors he engages to carry out such works are appropriately trained and competent for that task, especially on safe working practices near power lines.
- l. Ensure that the compensation payment is done before any pruning and clearing in the RoW.
- m. To carry out the fair asset valuation and make sure it is signed by different required parties as shown in the Asset inventory form.

**For Project Affected Person (PAP)**

**For EDCL**

Name and Signature

Name and Signature

**Annex 10: Livelihood Assets**

| <b>Livelihood Asset</b> | <b>Description</b>   | <b>Ranking</b> |
|-------------------------|--|----------------|
| Natural                 | Agricultural and grazing land, water resources, food, timber, fish | High           |
| Physical                | Houses and Trees   | Low            |
| Human                   | Labor force within a household, vocational training                | Low            |
| Financial               | Wages and savings  | Low            |
| Social                  | Kinship structures, religious groups, neighborhoods                | Low            |

**Annex 11: Sample of Screening Form**

**Name of the Program: Rwanda Universal Energy Access Program (RUEAP)**

**Environmental and Social Screening Checklist (ESSC)**

**Note:** The Environmental and Social Screening Checklist (ESSC) is designed to avail information to the decision makers during project implementation. It identifies impacts and mitigation measures and recommends further environmental analysis if required. This form will be filled for each sub-project and will also be used to apply to RDB (in addition of the project brief) to obtain EIA certificate of authorization or EIA clearance and other safeguards instruments (RAP, ESMP, EHSP). It will also be used to screen all sub-project under the above project.

**Sub-project Activity:** .....

**District:** .....

**Sector:** .....

**Cell:** .....

**Villages:** .....

**Date of Screening:** .....



**1. Resource use and socio-economic impacts (Yes or No)**

a) Does local communities rely on the use of natural resources? .....

If yes, explain how will the sub-project affect people's use of natural resources (e.g., drinking and washing water, land cultivated for food, wood fuel, traditional medicines plant, and extraction of building materials, etc.)?

.....  
.....  
.....

b) Will be there additional demands on natural resources as a result of the sub-project?

.....

If yes, explain.....

c) Will the sub-project restrict people's access to natural resources at any time before, during, or after construction? .....

If yes, what plans are available to provide additional resources to meet increased permanent and-temporary needs of local populations? .....

.....

d) Will the sub-project affect downstream users of resources, especially water resources?

.....

If yes, how will those resources be protected? .....

e) Are future natural resource use opportunities being cut off? .....

If yes, what measures will be undertaken? .....

f) Will the sub-project affect land or water use, or require leases, or changes in tenure?

.....

If yes, what measures will be undertaken? .....

g) Will the sub-project require resettlement of any residents? .....

If yes, what measures will be undertaken? .....

h) Will the sub-project result in construction workers or other people moving into or having access to the area? .....

If yes, how many people and how will this affect the availability of local resources?

.....

i) Will the sub-project create jobs locally? .....

If yes, will this include what percentage (%) of work for local women and the youth?

.....

j) Will the sub-project provide a safe working environment? .....

k) Will the sub-project outputs be targeted to meet the needs of vulnerable groups in the community (e.g., women, youths, elderly, or PWDs)? .....

If yes, provide more details per group.....

l) Is the sub-project site culturally or archaeologically sensitive? .....

m) Are rock shelters present in the sub-project site?

.....

n) Are caves present in the sub-project site?

.....

o) Is the sub-project site a place of worship? .....

p) Does the sub-project site have any cultural value for the community? .....

If yes, provide more details.....

q) Is it a sub-project site located in or nearby a cemetery or memorial area? .....

If yes, how far it is from the project site (m/km)? .....

r) Will the sub-project result in destruction of assets (structures and crops, etc.)?

If yes, what measures will be undertaken? .....

s) Will the sub-project result in the loss of primary residential structures and consequently involuntary resettlement? .....

If yes, what measures will be undertaken? .....

t) Is the available land for the additional classroom construction in the first year of the project, government, private or church land?.....

Is this land enough for additional classroom construction in year one of the project implementation or more land will be acquired .....?

Is the land available land for additional classroom construction or new schools under any formal use such as agriculture (specify the crops) or settlement for instance houses or shops?.....

u) Is the identified land for the construction of new schools' part of government, private or church land? Please specify.....

**2. Biophysical/ landscape impacts (Yes or No)**

a) Is the local vegetation at sub-project site mainly forest, swamp vegetation, or farmland?  
.....

If yes, provide more details.....

b) Will the immediate or downstream effects of the sub-project change the vegetation cover?  
.....

If yes, provide more details.....

c) Will the sub-project affect important species, habitats, or ecosystems in the area?

If yes, provide more details.....

d) Is the sub-project site environmentally classified as sensitive area? Check the list of environmentally sensitive environments for Rwanda.

If yes, provide more details.....

e) Is the sub-project site located on a steep slope or very-gently-sloping land?

If yes, provide more details.....

f) Are there areas of limestone karst or wetlands? .....

If yes, have special consideration been given to their management? .....

g) Will vegetation be removed or any surface left bare? .....

If yes, what will be the impact of clearance? .....

h) Will sediments or sand be prevented from entering streams? .....

i) Will slope or soil stability be affected by the sub-project (e.g., by using heavy machinery)?  
.....

If yes, what measures will be undertaken? .....

j) Will a large land area or a high proportion of a community's land be affected? .....

If yes, what measures will be undertaken? .....

k) Will quarries or borrow pits be developed or operated under the sub-project? .....

If yes, provide details on the location of the selected site and proof of necessary authorization?  
.....

- l) Will the present landscape be altered (e.g., by rock or soil removal, spoil dumping, or timber removal)? .....

If yes, what measures will be undertaken? .....

**3. For projects affecting vegetated areas (Yes or No)**

- m) Is the local vegetation at sub-project site mainly savannah, savannah woodland, planted trees, tropical forest? .....

If yes, provide details.....

- n) Are there important species, habitats, or ecosystems in the sub-project site (in the immediate area or off site) or is the area environmentally sensitive or fragile? For e.g.: birds, bats, bees, etc.....

If yes, provide details.....

- o) Will vegetation be removed or any surface left bare?

If yes, provide details.....

**4. Impacts on water and air quality (Yes or No)**

- p) Will the sub-project generate waste products (including increased sewage or solid wastes)? .....

If yes, provide details and what measures will be undertaken? .....

.....

- q) Are there any identified dumping sites for solid and liquid wastes? .....

If yes, where will be the dumping sites? .....

- r) Is there are any site-specific-erosion plans and sediment-control plans for the sub-project site? .....

If yes, provide more details.....

- s) Will the sub-project or its waste disposal affect the quality of local streams or the groundwater? .....

If yes, what steps are planned to minimize sedimentation and siltation in streams and contamination of groundwater? .....

- t) Will toxic chemicals (e.g., herbicides, tar, oils spills, paints, and other hazardous chemicals) be used or disposed of along the route of sub-project? .....

If yes, what the measures will be undertaken.....

.....

- u) Will hazardous substances (e.g., large quantities of fuels) be used or stored in the sub-project area? .....

If yes, what plans are there to contain these substances? How will fuel, oil, or other hazardous chemicals be delivered, transferred, and stored to prevent leaks from contaminating the soil, streams or beaches?.....

.....

- v) Will the sub-project create dust or noise problems? .....
- w) Will the sub-project reduce safety for pedestrians, including children and old people?

If yes, what plans are there to minimize these impacts? .....

.....

.....

- x) Will the batching areas (for concrete or bitumen) produce some waste and spillage?

.....

- y) Will these and other construction sites be contained while in use and cleaned and rehabilitated after use?

If yes, what plans are there to minimize these impacts? .....

.....

.....

- z) Will there be serious dust problems in settled areas during sub-project operation? .....

If yes, what measures will be taken to reduce this impact? .....

**5. Environmental health, natural hazards, and construction hazards (Yes or No)**

- a) Will there be a water logging problem at the sub-project site? .....

If yes, what steps will be taken to control disease vectors, especially mosquitoes? .....

.....

- b) Is the environment at the sub-project site naturally unstable (i.e., in an area prone to erosion, in an area of known earthquake or landslip activity, in an area prone to severe storms, floods, or droughts, thunderstorms)? .....

If yes, what plans are there to protect the development against these natural hazards?

.....

- c) Are safety measures in place to protect the workforce and will all workers have the necessary Person Protective Equipment and be trained to use of safety equipment? .....
- d) Is there a contingency plan to deal with spills of hazardous chemicals (including oil products) in the sub-project area? .....

If yes , .....

- e) Are fire-fighting and spill-clean-up materials / chemicals available for use at the sub-project site (e.g., water, sand, detergent, acid, or alkali)? .....
- f) Are measures being taken to ensure safety to road users after project completion (e.g., speed bumps and adequate road furniture)? .....

**Is the sub-project found in the list of project that require EIA or partial EIA as per the Ministerial Order N°001/2019 of 15/04/2019 establishing the lists of projects that must undergo environmental impact assessment, instructions, requirements and procedures to conduct environmental impact assessment ? .....**

*If the answer to any of the questions is “yes”, Environmental Management Plan (EMP) is required*

*If the answer to any of the questions related to land acquisition is “yes”, please consult the RPF and prepare the Resettlement Action Plan (RAP) or Abbreviated Resettlement Action Plan (ARAP)*

**DECISION MAKING:**

**Refer to Annex E.2**

- Sub-project categorization: .....

**Refer to Ministerial Order N°001/2019 of 15/04/2019**

- EIA required :.....( ✓Yes)..... (✓No)
- EMP required: ..... (✓Yes)..... (✓No)

**CERTIFICATION**

We certify that we have thoroughly examined all the potential adverse impacts of this sub-project as described in the sub-project brief. To the best of our knowledge, the associated safeguard instruments (EIA, ESMPs, RAP) if any, will be adequate to avoid or minimize all adverse environmental and social impacts.

**Cell Authority**

Name:

Position:

Telephone:

Signature:

**Sector Authority**

Name:

Position:

Telephone:

Signature:

**District Environmental Officer (DEO) EAQIP Environment & Social Safeguards Specialists**

Name:

Telephone

Signature:

Name:

Telephone:

Signature: