THE UNITED REPUBLIC OF TANZANIA

PRESIDENT’S OFFICE REGIONAL ADMINISTRATION AND LOCAL GOVERNMENT (PO-RALG)

TANZANIA RURAL AND URBAN ROADS AGENCY (TARURA)

and

TANZANIA NATIONAL ROAD AGENCY (TANROADS)

RESETTLEMENT POLICY FRAMEWORK FOR THE “ROADS TO INCLUSION AND SOCIO-ECONOMIC OPPORTUNITIES (RISE) PROGRAM”

DRAFT REPORT

FEBRUARY 2020
EXECUTIVE SUMMARY

E1: Introduction: The Government of United Republic of Tanzania, through Tanzania Rural and Urban Roads Agency (TARURA) and Tanzania National Roads Agency (TANROADS) is preparing the World Bank financed “Roads to Inclusion and Socio Economic Opportunities (RISE) Program” whose objective is “to improve rural road access for population in selected rural areas and build capacity in the sustainable management of rural roads” through upgrading and maintenance of rural roads.

The RISE Program consists of four components: (i) Rural Road Development and Maintenance; (ii) Institutional Strengthening, Human Capital and Project Management and monitoring; (iii) Community Engagement, Inclusion and Protection and (iv) Contingency Emergency Response (CERC). Following the implementation of Component 1 especially sub-components 1a and 1b which entails roads upgrading and may require land acquisition or restrictions on land use as a result strategies and interventions governing the same needs to be in place.

E2: A Resettlement Policy Framework (RPF) has been prepared to cover for the unidentified sub-project that may have potential for physical and/or economic displacement but the likely nature or magnitude is unknown during project preparation. This RPF establishes: (i) resettlement objectives and principles; (ii) organizational arrangements and mechanisms for any resettlement operation that may ultimately be inevitable during sub-projects implementation; (iii) provides the legal and regulatory framework and international best practice policies which include World Bank Environmental and Social Framework (ESF), specifically Environmental and Social Standard (ESS) 5 applicable to the RISE program; (iv) when the information is available and the extent of resettlement is determined, the specific resettlement plans will be prepared based on the policy framework for land acquisition, restrictions on land use, resettlement and compensation provided in this RPF. This RPF will guide the preparation of sub-project specific Resettlement Action Plans (RAPs). The preparation and implementation of the RAPs will be completed prior to the start of RISE sub-project implementations.

E3: Objective of the Resettlement Policy Framework (RPF): The purpose of the Resettlement Policy Framework (RPF) is to establish resettlement objectives and principles, organizational arrangements and mechanisms for any resettlement operation, and guide implementers to execute affair compensation to Project Affected Persons (PAPs). The RPF has:

- Established the resettlement and compensation principles and implementation arrangements in RISE program area;
- Described the legal and institutional framework underlying Tanzanian approaches for resettlement, compensation and rehabilitation and The World Bank’s ESS5
- Defined the eligibility criteria for identification of project affected persons (PAPs) and entitlements;
- Described the consultation procedures and participatory approaches involving PAPs and other key stakeholders with relevant reference to the Stakeholder Engagement Plan (SEP);
- Provided procedures for addressing grievances and resolving disputes and.
- Provided a framework for supervision, monitoring and evaluation of resettlement implementation.

E4: Public Disclosure of the RPF: The Draft Resettlement Policy Framework was disclosed to stakeholders in a stakeholders workshop conducted on the 9th of January 2020 in Dodoma for comments and suggestions. The approved version of the RPF will be widely disclosed. Methods that will be used to disclose the document are as follows:

- Distribution of as many copies as possible to different TARURA/TANROADS offices such
as Dodoma, Dar es Salaam, Iringa and Morogoro Regions Offices.

- Distribution to individuals and representative persons like Members of Parliament (MPs), District Commissioners (DCs), Village Councilors, Ward and the like in the relevant regions including Iringa and Morogoro Regions.
- Conducting meetings and workshops for discussion of the plan. The meeting and workshops will be conducted at various places including the place where the resettlement will take place.
- Through TARURA and TANROADS websites for the internal and external disclosure.

Further details on disclosure of project documents, including the RPF, are in the Stakeholder Engagement Plan (SEP).

**E5: Institutional Arrangement for RPF and RAP:** TARURA/TANROADS Environment and Social (E&S) team will be responsible for the implementation of the RPF, managing the process of preparation of RAPs and their implementation. The implementing agencies shall set up the Resettlement Committee and Grievance Committees at Ward and District level.

### Table 1 Organizational responsibilities

<table>
<thead>
<tr>
<th>S/No</th>
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<td>1</td>
<td>Description of the Project &amp; Its Land Impact</td>
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<td>Resettlement Plan</td>
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**E6: Guiding Principles, Eligibility And Entitlement**: The principles listed below will be taken into account whenever communities living in the areas proposed for projects may be impacted by implementing activities, whether a permanent or temporary impact:

- Resettlement/relocation and compensation planning and implementation activities, and the compensation of PAPs and other relevant stakeholders, will be undertaken with continuous consultation throughout the process;
- PAPs will be informed about their rights and options pertaining to displacement, compensation and resettlement/relocation, and about grievance mechanisms available to them;
- Displacement of people, property and livelihoods is to be minimized as much as possible;
- All possible means will be used to ensure that no people are harmed in any way by construction activities and project outcomes;
- PAPs who meet agreed eligibility criteria will be entitled to compensation and relocation measures;
- Compensation, resettlement/relocation and rehabilitation measures will be as fair to all parties concerned;
- Compensation, resettlement/relocation and rehabilitation entitlements will be provided in accordance with Tanzanian law and procedures as a minimum, but will include additional measures to meet World Bank requirements where appropriate;
- Where compensation in cash is provided for loss of assets (including housing and other structures), for loss of access to assets, or for damage caused to assets, it will be provided at full replacement cost which will include necessary additional costs incurred to achieve full restoration;
- Specific and additional assistance will be provided for particularly vulnerable people, namely
women-headed households, widows, orphans, the elderly and handicapped people;  
- Adherence to the Vulnerable Groups Policy Framework (VGPF) which includes other requirements for Vulnerable Groups;  
- Prior to any impacts on PAPs or the start of any pre-construction and construction work individual RAPs must be implemented.

Eligible individual(s) are those who are directly affected socially and economically through RISE funded sub-projects caused loss of land rights. When land acquisition /restrictions on land use cannot be avoided, Eligible PAPs are compensated at full replacement cost, and other assistance when necessary to help them improve or at least restore their livelihoods to meet the ESS5 requirements. Alternative for land acquisition - Voluntary Land Donation procedures and protocols are provided in this RPF to be applied where individual land owners or community members may agree to donate their land for the use of the project. Table below presents criteria for eligibility and the full entitlement matrix is available in the RPF.

**Table 2 Criteria for Eligibility**

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<th>SN</th>
<th>Displacement Category</th>
<th>Entitlement</th>
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| 1  | Individuals who have formal legal rights to land (including customary and traditional rights recognized under the laws of Tanzania) | o Compensation for loss of land and assets at full replacement cost.  
   |                                          | o In case of physical relocation, provide assistance during relocation (i.e. moving allowance) and residential housing and/or agricultural sites with productive and location advantages equivalent to the lost sites.  
   |                                          | o Support after displacement, until livelihoods and standards of living are restored to pre-displacement levels.  
   |                                          | o Development assistance in addition to compensation measures (i.e. land preparation, credit facilities, training, job opportunities.) |
| 2  | Individuals who do not have formal legal rights to land, but have a claim to such land or assets (provided that such claims are recognized under Tanzanian laws or become recognized through a process identified in the resettlement plan) | o Compensation for loss of land and assets at full replacement cost.  
   |                                          | o In case of physical relocation, provide assistance during relocation (i.e. moving allowances) and residential housing and/or agricultural sites with productive and location advantages equivalent to the lost sites.  
   |                                          | o Support after displacement, until livelihoods and standards of living are restored to pre-displacement levels.  
   |                                          | o Development assistance in addition to compensation measures (i.e. land preparation, credit facilities, training, job opportunities.) |
| 3  | Individuals who have no recognizable legal right or claim to the land they are occupy or use (i.e. | o Compensation of improvements on land but not the land and Resettlement assistance as appropriate. |
E7: Resettlement Planning: Resettlement planning consists of several activities. Efficient implementation of RAP activities requires several measures to be taken prior to startup of implementation. These activities may include:

- Consultation with PAPs;
- Screening of sub-projects by PIU to establish resettlement needs;
- Selection/contracting of RAP preparation consultant;
- Establishment of Grievance Redress Mechanism;
- Surveys; PAPs identification and inventory of assets;
- Census of PAPs;
- Socio-economic baseline survey;
- Establishment and communication of cut-off date for eligibility;
- Valuation of affected properties;
- Development of a database of PAPs and entitlements for each;
- Preparation of the RAP report, formal reviews and its approval by PIU;
- Disclosure of RAP;
- Verification of PAPs; entitlements and disclosure;
- Bank account opening;
- Actual payment of compensation and delivery of other entitlements;
- Payment within 6 months after approval by the Chief Government Valuer;
- Giving relocation notes after effecting payments (this refers to notice of clearing the acquired site);
- Removal of all affected structures at fixed date (advised at the time of compensation payment) provided in writing Monitoring and evaluation;
- Preparation of RAP implementation completion report.

E8: Stakeholders’ Consultation, Information Disclosure and Grievance Redress Mechanism

- A Stakeholders Engagement Plan (SEP) has been prepared to govern all stakeholders consultations, engagements, information disclosure and Grievance Redress Mechanism for the RISE Program;
- PAPs to have full access to information on the resettlement process and the options for and choice of compensation through participation in planning and decision making;
- Specific provisions for PAPs consultations and grievances handlings and resolutions procedures have been provided in this RPF and are to be customized in specific RAPs;
- The grievance redress committees’ members and their roles at Ward/Village and District levels have been identified and the room for grieved PAPs to take the case to the court of Law if the resolutions were not met at the District level is clearly stated in this RPF.

E9: Monitoring and supervision: Monitoring and supervision for the implementation of the RPF will be as follows:

- Implementation of this RPF and Resettlement Action Plans (RAPs) will be supervised and monitored by the PIU and the findings recorded in progress reports provided to the World Bank;
- The PIU will verify the collection of PAPs baseline information; and
- An external monitoring consultant to be engaged by the PIU to carry out monitoring and supervision of RAPs implementation in at least every five to six months after effecting
compensation.

Generally: To achieve the policy objectives and to ensure the measures listed above are effectively implemented, the following key recommendations for early action are identified:

- All efforts to be made to avoid and minimize negative social impacts;
- PAPs to be informed, consulted and participate in planning, implementation and monitoring of resettlement;
- A cut-off date which is the date of commencement of assets inventory has to be clearly identified and publicly be disseminated through the Media and public displays.
- For poor households and vulnerable PAPs, an additional entitlements/compensation will be provided based on consultations, to improve their pre-project socio-economic conditions; and
- Fair compensation to be paid to all PAPs before implementation starts;
- The PIU to coordinate implementation of a fair, quick and transparent mechanism for grievance redress
LIST OF FIGURES AND TABLES.................................................................XI

ABBREVIATIONS AND ACRONYMS......................................................XII

GLOSSARY/DEFINITIONS OF TERMS..................................................XIII

1.0 INTRODUCTION.....................................................................................1

1.1 Project Background .............................................................................1

1.2 Objective of the Resettlement Policy Framework (RPF) .......................2

1.3 Approach and Methodology .................................................................2

1.3.1 Overview .........................................................................................2

1.3.2 Desk Survey ....................................................................................2

1.3.3 Stakeholders Consultations .............................................................3

1.3.4 Public Disclosure of the RPF ..........................................................3

1.4 Structure of the RPF ...........................................................................3

2.0 RISE PROGRAM DESCRIPTION AND ORGANIZATION ...................5

2.2.1 RISE Program Steering Committee................................................8

2.2.2 Broad Institutional coordination and roles .......................................9

3.0 LEGISLATIVE AND INSTITUTIONAL FRAMEWORK GOVERNING LAND, RESETTLEMENT AND COMPENSATION..............................................12

3.1 Land Tenure and Ownership in Tanzania ...........................................12

3.1.1 General land ..................................................................................12

3.1.2 Village land: ...................................................................................12

3.1.3 Reserved land: ...............................................................................12

3.2 National Policies ................................................................................13

3.2.1 National Land Policy of 1995 ..........................................................13

3.3 Applicable National Legislations and Regulations to the RISE Program ..........................................................13

3.3.1 Land Act No. 4 of 1999 ..................................................................13

3.3.2 Village Land Act No. 5 of 1999 .........................................................14

3.3.3 Land Acquisition Act No. 47 of 1967 .................................................15

3.3.4 Local Government (District Authorities) Act No. 7 of 1982 and Local Government (Urban Authorities) Act No. 8 of 1982 ..........................................................16

3.3.5 National Land Use Planning Commission Act No 3 of 1984 ................16

3.3.6 Graves (Removal) Act No. 9 of 1969 .................................................16

3.3.7 Land (Assessment of the Value of Land for Compensation) Regulations of 2001 ..........................................................17

3.3.8 The Land (Disposition of Right of Occupancy) Regulations, 2001 ..........................................................17

3.3.9 The Roads Act No. 13 of 2007 and its Regulation of 2009 ..................18

3.4 World Bank’s Land Acquisition, Restrictions on Land Use and Involuntary Resettlement (ESS5) ....18

3.5 Gap Assessment between National Legislations and the World Bank’s ESS5 ..........................................................19

3.6 Institutional Arrangement for Land Administration and Compensation ..........................................................26

3.6.1 Ministry of Lands, Housing and Human Settlement Development ..........................................................26

viii
4.0 GUIDING PRINCIPLES, ELIGIBILITY AND ENTITLEMENT ..................... 30

4.1 Principles Guiding Resettlement of PAPs .................................................. 30

4.2 Categories of PAP ...................................................................................... 31
  4.2.1 Affected Individual ........................................................................ 31
  4.2.2 Affected Household ........................................................................ 32
  4.2.3 Affected Local Community .............................................................. 32

4.3 Types of Losses due to Land Acquisition .................................................. 32
  4.3.1 Alternative to Land Acquisition - Voluntary Land Donation ............. 33

4.4 Eligibility .................................................................................................... 34

4.5 Entitlement .................................................................................................. 35

4.6 Cut-off Date and Methods to Determine .................................................. 51
  4.7 Forms of Compensation and Calculations ............................................. 51
    4.7.1 Basis of Valuation .................................................................. 51
    4.7.2 Methods of Valuing Assets ...................................................... 51
    4.7.3 Methods of Compensation ...................................................... 52
    4.7.4 Valuation for Compensation Payment ....................................... 53

5.0 RESETTLEMENT PLANNING, TOOLS AND INSTRUMENTS ............... 55

5.2 PAP Consultation and Engagement .......................................................... 55
  5.2.1 Planning for PAPs Consultation ...................................................... 56
  5.2.3 Data collection phase ..................................................................... 57
  5.2.4 Implementation Phase ................................................................. 57
  5.2.5 Monitoring and Evaluation Phase .................................................. 58
  5.2.6 Documentation of Stakeholders and PAPs consultations .................. 58

5.3 Baseline Socio-economic Survey and PAP Census ................................... 58

5.4 Valuation and Compensation of Affected Property under RISE ............. 59
  5.4.1 Residential Buildings, Structures and Fixtures ............................. 60
  5.4.2 Annual and/or Seasonal Crops ...................................................... 61
  5.4.3 Perennial Crops and Trees ............................................................ 61
  5.4.4 Land ............................................................................................ 62
  5.4.5 Transportation of Removable Property ....................................... 62
  5.4.6 Cemeteries and Sacred Sites ....................................................... 63
  5.4.7 Loss of Profit for Businesses Owners .......................................... 63
  5.4.8 Damage Caused During Construction Work ............................... 64
  5.4.9 Community Facilities ................................................................. 64
  5.4.10 Compensation for loss of rental income ...................................... 64
  5.4.11 Relocation Allowances (Transport, Disturbance and Accommodation) ................................. 65
  5.4.12 Vulnerable Individual ................................................................. 65
  5.5.1 Acquisition of land ..................................................................... 66
  5.5.2 Compensation Assessment ........................................................... 66

6.0 RAP PREPARATION AND IMPLEMENTATION STEPS ....................... 69
  6.1.1 Identify RAP implementation responsibilities .................................... 69
  6.1.3 RAP budget .................................................................................. 69
6.1.5 RAP report preparation and Submission .................................................................. 70

6.2 RAP implementation Process .................................................................................... 71
   6.2.1 Awareness raising meetings ............................................................................... 71
   6.2.2 Mobilisation for implementation ....................................................................... 71
   6.2.3 Addressing Grievances and Dispute Resolution ............................................... 71
   6.2.4 Monitoring of RAP implementation ................................................................ 71

6.3 Timeframes/Milestone in RAP and Compensation .................................................. 73

6.4 Monitoring, Evaluation and Audit ........................................................................... 73
   6.4.1 Evaluation ......................................................................................................... 73
   6.4.2 Monitoring and Evaluation Indicators ................................................................ 74
   6.4.3 Audits ............................................................................................................... 76

6.5 Grievance Redress Mechanism ................................................................................. 76
   6.5.1 Steps to be followed for Grievance Redress under RISE ............................... 77

7.0 STAKEHOLDERS CONSULTATION AND DISCLOSURE PROCEDURE FOR RPF 80
   7.1.1 Stakeholder Identification and Analysis ............................................................. 80
   7.1.2 Stakeholders Participation in preparation of the RPF ........................................ 81

8.0 ESTIMATED BUDGET ............................................................................................... 90

9.0 REFERENCES ........................................................................................................ 91

10. APPENDICES AND TEMPLATES ........................................................................ 92
    Appendix I. RISE Program Components ................................................................ 92
    Appendix II: TERMS OF REFERENCE (ToR) ......................................................... 95
    Appendix III: List of Participants/Stakeholders .................................................... 104
    Appendix IV – Sample Grievance Forms ................................................................ 111
    Appendix VI: Voluntary Land Donation Protocol: ............................................ 118
    Appendix VII: The Land Donation Agreement Form ........................................... 120
    Template 01A: Sample Form for Census Survey and Inventory .......................... 125
    Template 02: Monitoring Indicators ...................................................................... 127
    Template 03: RAP Monitoring Report .................................................................... 129
    Template 04: RAP Entitlement Matrix .................................................................. 129
    Template 05: RAP Implementation Schedule ........................................................ 130
    Template 06: Table of cost/budget estimates for RAP ......................................... 131
    Template 7: RAP Monitoring Plan ........................................................................ 132
List of Figures and Tables

FIGURE
FIGURE 1: RURAL DEVELOPMENT AND MAINTENANCE UNDER COMPONENT 1A, 1B AND 1C  8

TABLES

TABLE 1: EXTENDED INSTITUTIONAL ROLES ................................................................. 9
TABLE 2: COMPARISON ON RESettleMENT ELEMENTS BETWEEN THE WB ESS5 AND TANZANIAN LEGISLATIONS .... 20
TABLE 3: COMMITTEES AND RESPONSIBILITIES FOR RAP IMPLEMENTATION ........................................... 28
TABLE 4: PAPs LOSS DUE TO LAND ACQUISITION ........................................................................ 32
TABLE 5: CRITERIA FOR ELIGIBILITY ....................................................................................... 34
TABLE 6: ENTITLEMENT MATRIX FOR THE RISE PROGRAM ....................................................... 36
TABLE 7: SAMPLE OF CONSULTATION ACTIVITY SUMMARY ...................................................... 58
TABLE 8: RESettleMENT ACTION PLAN MATRIX ..................................................................... 72
TABLE 9: INDICATORS FOR MONITORING AND EVALUATION ..................................................... 75
TABLE 10: GRIEVANCE REDRESS PROCESS .............................................................................. 77
TABLE 11: COMMENTS AND RESPONSE DURING THE CONSULTATIVE MEETINGS WITH STAKEHOLDERS CONDUCTED BETWEEN DECEMBER 2018 AND FEBRUARY 2019 .......................................................... 82
TABLE 12: STAKEHOLDERS COMMENTS ON THE DRAFT RESettleMENT POLICY FRAMEWORK .......................................................... 88
### Abbreviations and Acronyms

<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Full Form</th>
</tr>
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<tbody>
<tr>
<td>AIDS</td>
<td>Acquired Immune Deficiency Syndrome</td>
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<td>CBOs</td>
<td>Community Based Organizations</td>
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<td>CDO</td>
<td>Community Development Officer</td>
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<td>District Planning Officer</td>
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<tr>
<td>RPF</td>
<td>Resettlement Policy Frame</td>
</tr>
<tr>
<td>TANROADS</td>
<td>Tanzania National Roads Agency</td>
</tr>
<tr>
<td>TARURA</td>
<td>Tanzania Rural and Urban Roads Agency</td>
</tr>
<tr>
<td>VC</td>
<td>Village Council</td>
</tr>
<tr>
<td>VLC</td>
<td>Village Land Council</td>
</tr>
<tr>
<td>WB</td>
<td>World Bank</td>
</tr>
<tr>
<td>WT</td>
<td>Ward Tribunal</td>
</tr>
<tr>
<td>Phrase</td>
<td>Meaning</td>
</tr>
<tr>
<td>--------------------------------------------</td>
<td>---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>“An Environmental and Social Impact Assessment (ESIA)”</td>
<td>An Environmental and Social Impact Assessment is an instrument to identify and assess potential environmental and social impacts of proposed sub projects, evaluate alternatives and design appropriate mitigation, management and monitoring measures</td>
</tr>
<tr>
<td>Census</td>
<td>A field survey carried out to identify and determine the number of Project Affected Persons (PAPs) or Displaced Persons (DPs) as a result of land acquisition and related impacts. The census provides the basic information necessary for determining eligibility for compensation, resettlement, and other measures emanating from consultations with affected communities and the local government institutions</td>
</tr>
<tr>
<td>Compensation</td>
<td>The payment in kind, cash or other assets given in exchange for the acquisition of land including fixed assets, is called compensation. These include other impacts resulting from activities to rehabilitate or cushion the impacts from displacement</td>
</tr>
<tr>
<td>Cutoff Date</td>
<td>The cut-off date is the date of commencement of the census of PAPs or DPs within the RISE program area boundaries. This is the date on and beyond which any person whose land is occupied for RISE program, will not be eligible for compensation.</td>
</tr>
<tr>
<td>District Council</td>
<td>The district council established under section 5 of the Local Government (District Authorities) Act No. 7 of 1982. The District Council is responsible for managing the district</td>
</tr>
<tr>
<td>General land</td>
<td>All public land which is not reserved land or village land and includes unoccupied or unused village land</td>
</tr>
<tr>
<td>Grievance Mechanism</td>
<td>The RPF contains a grievance mechanism based on policies and procedures that are designed to ensure that the complaints or disputes about any aspect of the land acquisition, compensation, resettlement, and rehabilitation process, etc. are being addressed. This mechanism includes a procedure for filing of complaints and a process for dispute resolution within an acceptable time period</td>
</tr>
<tr>
<td>Implementation Schedule</td>
<td>The RPF contains an implementation schedule that outlines the time frame for planning, implementation, and monitoring and evaluation of the RAPs for sub-projects, if applicable.</td>
</tr>
<tr>
<td>Land</td>
<td>Land refers to all types of agricultural and/or non-agricultural land and any structures thereon whether temporary or permanent and which may be acquired by the project.</td>
</tr>
<tr>
<td>Land Acquisition</td>
<td>Land acquisition means the possession of or alienation of land, buildings, or other assets thereon for purposes of the project.</td>
</tr>
<tr>
<td>Local Government Authorities</td>
<td>A district authority or an urban authority</td>
</tr>
<tr>
<td><strong>Market Value</strong></td>
<td>The most probable selling price or the value most often sought by buyers and sellers. It assumes buyers and sellers have reasonable knowledge, act competitively and rationally are motivated by self-interest to maximize satisfaction and both act independently and without collusion fraud or misrepresentation.</td>
</tr>
<tr>
<td><strong>Project Affected Persons (PAPs) or Displaced Persons (DPs)</strong></td>
<td>Project affected persons (PAPs) or Displaced Persons (DPs) are persons affected by land and other assets loss as a result of EASP activities. These person(s) are affected because they may lose, be denied, or be restricted access to economic assets; lose shelter, income sources, or means of livelihood. These persons are affected whether or not they will move to another location. Most often, the term DPs applies to those who are physically relocated. These people may have their: standard of living adversely affected, whether or not the Displaced Person will move to another location; lose right, title, interest in any houses, land (including premises, agricultural and grazing land) or any other fixed or movable assets acquired or possessed, lose access to productive assets or any means of livelihood.</td>
</tr>
<tr>
<td><strong>Project Impact</strong></td>
<td>Impacts on the people living and working in the affected areas of the project, including the surrounding and host communities are assessed as part of the overall evaluation of the project.</td>
</tr>
<tr>
<td><strong>Public land</strong></td>
<td>All land in Tanzania whether granted, customary or occupied.</td>
</tr>
<tr>
<td><strong>Replacement Cost</strong></td>
<td>Replacement cost refers to the amount sufficient to cover full recovery of lost assets and related transaction costs. The cost should be based on Market rate (commercial rate) according to Tanzanian laws for sale of land or property. It is normally calculated based on a willing buyer-willing seller basis, but also applies in Tanzania to acceptable market valuation or from an assessment from the Land Commission and government valuer.</td>
</tr>
<tr>
<td><strong>Reserved Land</strong></td>
<td>Includes land designated for use such as: forest reserves, national parks, game reserves, conservation areas and townships. Land declared as hazard land also falls into this category. The procedure through which general land is designated as reserved or village land depends on the type of land use. Amongst the laws which provide that land to be reserved include the Land Act. No. 4 of 1999, the Village Land Act. No. 5 of 1999 the Land Acquisition Act No. 17 of 1967, the Forest Ordinance, Cap 209, The National Parks Ordinance Cap 412, the Wildlife Conservation Act No. 12 of 1974, the Marine Park and Reserves Act. No. 29 of 1994, the Town and Country Planning Ordinance 1961, etc.</td>
</tr>
<tr>
<td><strong>Resettlement Action Plan (RAP)</strong></td>
<td>The RAP is a resettlement instrument (document) to be prepared when sub-project locations are identified. In such cases, land acquisition leads to physical displacement of</td>
</tr>
</tbody>
</table>
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 implementing agency and contain specific and legal binding requirements to resettle and compensate the affected people before project implementation.

<table>
<thead>
<tr>
<th>Resettlement Assistance</th>
<th>Resettlement assistance refers to activities that are usually provided during, and immediately after, relocation, such as moving allowances, residential housing, or rentals or other assistance to make the transition smoother for affected households</th>
</tr>
</thead>
<tbody>
<tr>
<td>Resettlement Policy Framework</td>
<td>The instrument of the Government of Tanzania prepared in compliance with the World Bank Environmental and Social Standard 5 (Land Acquisition, Restrictions on Land Use and Involuntary Resettlement) whose purpose is to clarify, among other things, resettlement principles, organizational arrangements, and design criteria to be applied to sub project to be prepared during project implementation. Sub project resettlement plans consistent with the policy framework subsequently are submitted to the Bank for approval after specific site information becomes available</td>
</tr>
<tr>
<td>Rights and Entitlements</td>
<td>Rights and entitlements are defined for PAPs and DPs (with the cut-off date) and cover those losing businesses, jobs, and income. These include options for land-for-land or cash compensation. Options regarding community and individual resettlement, and provisions and entitlements to be provided for each affected community or household will be determined and explained, usually in an entitlement matrix</td>
</tr>
<tr>
<td>Township authority</td>
<td>A township authority established under section 13 of the Local Government (District Authorities) Act No. 7 of 1982</td>
</tr>
<tr>
<td>Urban Authorities</td>
<td>A City Council, a Municipal Council or a Town Council</td>
</tr>
<tr>
<td>Village Council</td>
<td>The Village Council established under section 25 of the Local Government (District Authorities) Act No. 7 of 1982. The Village Council is responsible for managing the village</td>
</tr>
<tr>
<td>Village Land</td>
<td>Any public land in which the boundaries have been demarcated under any law or administrative procedures as village land falls into this category. In addition, land in a registered or designated village under the Local Government (District Authorities) Act No. 7 of 1982 and the Village Settlement Act. No. 27 of 1965 respectively is also village land. Furthermore, the Village Land Act No. 5 of 1999 categorizes land as village land when it is not reserved which has been occupied by villagers during the twelve years preceding its enactment</td>
</tr>
<tr>
<td>Village Land Council</td>
<td>The village land council established under section 60 of the Village Land Act. No. 5 of 1999</td>
</tr>
</tbody>
</table>
1.0 INTRODUCTION

1.1 Project Background

Accessibility remains a major development challenge for Tanzania despite being a number one priority in the country development programs. The main challenge is in rural areas with a low Rural Access Index (RAI), which is only 24.6%. Over three quarters of Tanzania’s population which is about 70% living in rural areas of rural people faces accessibility problems with no all-season traversable roads. Many of the agriculturally-rich areas in Tanzania remain unconnected year-round, owing to missing or unreliable road links, which have been hampering the extraction of full agriculture potentials from those areas and exacerbating transportation costs. Further, the draft shows that the rural roads are crucial for accessing social (e.g. schools, health centres) and economic (e.g. markets, employment centres) services and facilities.

In 2017 The Government established Tanzania Rural and Urban Roads Agency (TARURA) as part of strategic intervention to overcome transport challenges. The Agency is established under the Executive Agencies Act Cap. 245, as an institution mandated to execute non-policy Government functions related to rural and urban roads network on its behalf. Further, it was established to improve and address concerns on the performance of the LGAs relating to execution of development and maintenance of rural and urban roads network. The facts attributed to this state of affair include, intrusion in the road work plans; Institutional arrangements; road financial resource mobilization; mismanagement of road works fund, inadequate human resource with appropriate technical and managerial skills and inadequate funding for road works. Thus, TARURA aims at promoting economic development through provision of sustainable transport infrastructure, and strengthen management of the transportation sector.

In fulfilling the above objective, The Government of Tanzania (GoT) is preparing the Roads to Inclusion and Social Economic Opportunities (RISE) program in collaboration with the World Bank through its executive agencies the Tanzania Rural and Urban Roads Agency (TARURA) and Tanzania National Roads Agency (TANROADS). The Program aims at achieving the development objective by improving rural road access for population in selected rural areas and build capacity in the sustainable management of rural roads.

The RISE program is comprised of four key components. The components are:-

a) Rural Road Development and Maintenance (sub-divided into 3 sub-components: (i). Development of Regional Roads; (ii) Development of Rural Districts Roads; and (iii) Rural Road Maintenance);

b) Institutional Strengthening, Human Capital and Project Management and monitoring;

c) Community Engagement, Inclusion and Protection; and

d) Contingency Emergency Response (CERC).

The overall achievement and sustainability of the RISE program depend on adherence of all four program components. Implementations of the components rely upon a well-articulated among other things, environment and social management policy framework. This document provides

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1 In the 2016/2017 Country development budget, roads construction and maintenance was a second priority being allocated TShs 807.4 billion and ranked the second from the TShs 1,000 billion allocated for construction of the Standard Gauge Railways. URT.Ministry of the 2016/2017 Budget Speech


3 The Draft National Transport Policy (NTP) 2016
resettlements guidelines (Resettlement Policy Framework (RPF) for the preparation Resettlement Action Plans (RAPs) for the sub-projects under the RISE Program

1.2 **Objective of the Resettlement Policy Framework (RPF)**

The purpose of the Resettlement Policy Framework (RPF) is to establish resettlement objectives and principles, organizational arrangements, and mechanisms for any resettlement operation, and guide implementers to execute affair compensation to Project Affected Persons (PAPs). The RPF will:

(i) Establish the resettlement and compensation principles and implementation arrangements in RISE program area;
(ii) Describe the legal and institutional framework underlying Tanzanian approaches for resettlement, compensation and rehabilitation and The World Bank’s ESS5
(iii) Define the eligibility criteria for identification of project affected persons (PAPs) and entitlements;
(iv) Describe the consultation procedures and participatory approaches involving PAPs and other key stakeholders with relevant reference to the Stakeholder Engagement Plan (SEP);
(v) Provide procedures for addressing grievances and resolving disputes and.
(vi) Provide a framework for supervision, monitoring and evaluation of resettlement implementation.

1.3 **Approach and Methodology**

1.3.1 **Overview**

The general approach that were used in the preparation and completion of this RPF which eventually will generate RAPs took into consideration the nature of the subprojects as typically linear projects and other rehabilitation/improvement and not a green-field project. In that case the project will have moderate impact especially mostly in urban/populated settings, but also occasionally in rural settings.

A combination of deskwork review and field visits and stakeholder participation formed the basis of this RPF, approaches used include:

(a) **Review of available data:** Available documents namely, the previous relevant Resettlement Policy Frameworks (RPFs) and the Environmental and Social Impact Assessments (ESIAs) reports

(b) **Review of Relevant Policies** and acts documents includes:
   - Land Acquisition Act 1967
   - Land Act No. 4 of 1999
   - Village Land Act No. 5 of 1999
   - Land Regulations (Assessment of the Value of Land for Compensation; Compensation Claims: and Scheme of Regularization) of 2001
   - World Bank’s Environmental and Social Framework (ESS5)

(c) **Site Verification and assessment**

The team conducted a site visit mainly to determine the magnitude and type of impacts associated with the project, determine mechanisms to minimize magnitude of impact as well as verification of properties and consultation with the PAPs

1.3.2 **Desk Survey**

Desk based research and site reconnaissance (commonly known as ‘phase 1 desk study’) was used to develop a conceptual model and as a basis for preliminary assessment. Under current social economic and environmental regulations a desk study was used for a planning application to
establish whether there are any unacceptable risks to social economic and welfare of the public such as peoples welfare human health, property or the environment, arising from Project can be of negative impact

The desk study was also used to understand any impacts which the Project is obliged consider by complying with national and ESF requirements at each step of the planning, design and construction process. This was also used by involving local planning authorities in investigation, and carrying the initial assessment of the remedial work in accordance with current guidance to an acceptable level. The review was tailored to look at different aspects that may have implications for implementation of the Project including: public infrastructure, economic and trading infrastructures, household settlement and crops. Others include environmental sensitivity, contemporary and historical uses of the site and surrounding area. The aim is to identify and initially quantify the potential risks associated with social environmental or economic impacts. The review may include: a review of local historical maps; aerial photographs; public register searches and archive data; and consideration of the other social economic conditions for the site.

1.3.3 Stakeholders Consultations
The Consultations with stakeholders during preparation of RPF was geared towards soliciting views and opinions of stakeholders before finalization of the RPF. Stakeholders included relevant government departments, local government councils, private sector non-governmental organizations, civil society members, including community-based organizations representing women groups. This exercise was conducted jointly with TARURA and TANROADS. The stakeholder engagement were carried out between December 2018 and February 2019 in Dodoma, Dar es Salaam and Iringa Regions during the initial stage of the preparation of the RPF, and the details are included in section 7.1.

1.3.4 Public Disclosure of the RPF
The Draft Resettlement Policy Framework was disclosed to stakeholders in a stakeholders workshop conducted on the 9th of January 2020 in Dodoma for comments and suggestions. The approved version of the RPF will be widely disclosed. Methods that will be used to disclosure the document are as follows:

(i) Distribution of as many copies as possible to different TARURA/TANROADS offices such as Dodoma, Dar es Salaam, Iringa and Morogoro Regions Offices.
(ii) Distribution to individuals and representative persons like Members of Parliament (MPs), District Commissioners (DCs), Village Councilors, Ward and the like in the relevant regions including Iringa and Morogoro Regions.
(iii) Conducting meetings and workshops for discussion of the plan. The meeting and workshops will be conducted at various places including the place where the resettlement will take place.
(iv) Through TARURA and TANROADS websites for the internal and external disclosure

Further details on disclosure of project documents, including the RPF, are in the SEP.

1.4 Structure of the RPF
RPF is written in English (and a translated executive summary in Kiswahili). Basically, the RPF format is as follows:

Section 1: Introduction -outlines the project background, objectives of the assignment and how it was carried out.
Section 2: Explains the project Description and Organization on project components, sub-components and implementation agencies and proposed specific projects for RISE. Furthermore, project activities, RISE institutional and implementation coordination as well as Land acquisition impacts and safeguard triggered were also discussed.

Section 3: Outlines the legislative requirements in resettlement and social management and presents the key issues in RISA program in relation to implementing these requirements.

Section 4: Outlines the Guiding Principles, Eligibility and entitlement. Additionally, Category of PAPs, type of losses due to land acquisition, cut-off date, forms of compensation and Replacement cost are also presented in this section.

Section 5: Presents Resettlement planning, tools and instruments in public consultations and engagement, Baseline socio-economic survey and valuation and compensation of PAPs under RISE.

Section 6: Outlines The RAP implementation, organization and responsibilities while

Section 7: Summarizes the stakeholders consultations and disclosure for RPF; and

Section 8: highlights on estimated budget.
2.0 RISE PROGRAM DESCRIPTION AND ORGANIZATION

Program Description

The Roads for Inclusion and Social Economic Opportunities (RISE) Program to be financed by World Bank in Tanzania involves road infrastructure interventions to improve rural road access for population in selected rural areas and build capacity in the sustainable management of rural roads. The immediate focus will be to contribute to the efficient and safe movement of goods and people in accessing and traversing to rural areas with untapped agricultural potentials. The project will also support Tanzania-wide geographical reach in spot improvements and routine maintenance activities of regional and district roads respectively. The project has four components:

- Component 1: Rural Road Development and Maintenance
- Component 2: Institutional Strengthening, Human Capital and Project Management and monitoring
- Component 3: Community Engagement; Inclusion and Protection
- Component 4: Contingency Emergency Response (CERC)

This RPF pertains to Component 1 specifically sub-components 1a, 1b and 1c. Details of these components are given in Annex I and Figure 1 depicts the location of Component 1.

This RPF is complimented by the following instruments:

- Environmental and Social Management Framework (ESMF)
- Vulnerable Groups Planning Framework (VGPF)
- Stakeholder Engagement Plan (SEP)
- Environmental and Social Commitment Plan (ESCP)
- Gender Action Plan

Component 1: Rural Road Development and Maintenance

1. This component would comprise three mutually reinforcing subcomponents to physically improve rural road access. The component scope includes the development of rural roads (regional and rural district), spot improvements of rural district roads, and the development of community-based sustainable maintenance practices for rural district roads.

   (a) Subcomponent 1a: Development of Regional Roads. The subcomponent will support upgrading or rehabilitation of regional roads (approximately 170 km) in Iringa Region rural districts (Mufindi, Iringa Rural, and Kilolo) to ensure all-season access. These roads will be improved to a bitumen paved standard, if found justified from economic, social, and environmental viewpoints. The improvement contracts may include performance-based maintenance following the road construction. This subcomponent will be implemented by TANROADS.

   (b) Subcomponent 1b: Development of Rural District Roads. This subcomponent will support upgrading or rehabilitation of rural district roads (approximately 400 km) to ensure all season access. These roads will be improved to a paved standard using

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4 Due to resource constraints, road development activities will be concentrated in the Iringa Region rural districts and spot improvements and routine maintenance will be concentrated in the rural districts of the Southern Highlands, Coastal and South zones of the Agricultural Sector Development Program Phase II rolled out by the GoT in 2018.
cost-effective surfacing technologies (e.g. Otta-Seal), as justified from economic, social, and environmental viewpoints. The subcomponent will also include support spot-improvements (i.e. improvement of selected short sections) of rural district roads (up to 2,900 km). While the geographical coverage of the upgrading/rehabilitation interventions will be Iringa Region rural districts (Mufindi, Iringa Rural, and Kilolo), zones targeted for the spot improvement interventions will include the rural districts of Southern Highlands and Coastal and South zones. This subcomponent will be implemented by TARURA.

(c) **Subcomponent 1c: Rural Road Maintenance.** The subcomponent will support routine maintenance activities (23,250 km by Program completion) of rural district roads in the Southern Highlands, Coastal and South zones. Local communities will be involved in the routine road maintenance activities through different models for CBRM. This subcomponent will be implemented by TARURA.

**Component 2: Institutional Strengthening, Human Capital and Project Management and Monitoring**

2. The component will support building capacity in the sustainable management of rural roads in Tanzania. The component will primarily focus on TARURA but will also include selected support to other institutions including TANROADS, the MoWTC, and PO-RALG. This component will endeavor to strengthen and capacitate TARURA to achieve its objectives and deliver its functions in a modernized and sustainable way; and to lay out a groundwork for a robust planning and policy framework for delivery of its mandate in the medium and long term.

3. The component will have five subcomponents:

   (a) **Subcomponent 2a: Rural Road Sector Policy Framework.** This subcomponent will assist the GoT with development and updates of policies and strategies relevant to the sustainable management of the rural road subsector. This includes activities and studies associated with the development and implementation of a National Rural Roads Plan and Program and associated policies and strategies and a climate change resilience strategy and action plan for the Tanzania road sector. It will also provide support to selected institutional strengthening activities in PO-RALG and the MoWTC, and it will design of shared facilities and services strategy for TARURA and TANROADS.

   (b) **Subcomponent 2b: Institutional and Administrative Strengthening.** This subcomponent will support TARURA’s institutional and administrative strengthening activities to accelerate TARURA becoming an efficient service delivery institution and assist in maximizing its value to the communities. This includes activities that will lead to the development of organization and human resource (HR) and business plans addressing all functional areas and the implementation of these plans, including a functional and institutional review (FIR).

   (c) **Subcomponent 2c: Technical Strengthening.** The subcomponent will support the development and implementation of technical strengthening and capacity-building activities for modernized technical rural road asset management systems and processes (planning, design, development, operations, and maintenance) with strong attention to climate resilience.
(d) **Subcomponent 2d: Road Safety Development.** The subcomponent will support a multidimensional approach to strengthen Tanzania’s transport sector capacity for rural road safety management. This will be accomplished through road safety institutional strengthening, inputs to road safety policy framework enhancement, road safety data management system strengthening, and capacity-building activities for road safety.

(e) **Subcomponent 2e: Project Management, Monitoring and Evaluation.** This subcomponent will support strengthening of TARURA’s institutional capacity for successful coordination and implementation of the program. This will include incremental administrative costs for the program delivery (including staff, audits, communications strategy and dissemination, trainings and knowledge exchanges, and other goods and materials necessary for project management); operational support (including consulting and advisory services) for project management; and all activities associated with program monitoring and evaluation and impact evaluation.

**Component 3: Community Engagement, Inclusion and Protection**

4. This cross-cutting component will leverage the impacts of other components by proactively engaging communities by increasing their participation and decision making, especially for women and implementing approaches that will ensure social inclusion and protection while contributing to mitigate and respond to potential social risks derived by the program such as gender-based violence (GBV), HIV/AIDS, and occupational health and safety (OHS). The component will be managed by TARURA but with involvement of TANROADS, the MoWTC, or PO-RALG, as applicable. The component has three subcomponents: (a) Subcomponent 3a: Community Engagement. This subcomponent supports activities linked to the design and implementation of proactive policies and activities to involve communities in the program design and monitoring, including targeting low-income women and other groups in a situation of vulnerability; (b) Subcomponent 3b. Community Inclusion. This subcomponent will support the design and implementation of a national model for CBRM for TARURA, with particular emphasis on the participation of low-income women and other groups in a situation of vulnerability; and (c) Subcomponent 3c. Community Protection. This subcomponent finances activities to tackle potentially sensitive community and social risks, specifically GBV risks, including SEA, sexual harassment in the workplace, and HIV/AIDS that can arise from the presence of the program in the intervened areas.

**Component 4: Contingency Emergency Response (CERC)**

5. This component will allow for reallocation of credit proceeds from Component 1 to provide immediate emergency recovery support following an eligible crisis or emergency. An Emergency Response Manual (ERM) was developed during preparation in coordination with TARURA, TANROADS, and the Prime Minister’s Office - Disaster Management Department, considering the fiduciary, safeguards, and monitoring and reporting, and other necessary coordination and implementation arrangements.

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5 GBV is an umbrella term for any harmful act that is perpetrated against a person’s will and that is based on socially ascribed (that is, gender) differences between males and females. It includes acts that inflict physical, sexual, or mental harm or suffering and threats of such acts, coercion, and other deprivations of liberty. These acts can occur in public or in private (Inter-Agency Standing Committee 2015). Women and girls are disproportionately affected by GBV across the globe. This Program document will refer to GBV; however, the Program will only mitigate and respond to the forms of GBV that it can specifically exacerbate, that is to say SEA and sexual harassment in the workplace—which has been identified as a risk during the community consultations for the first-generation roads.
Implementing Agencies

The RISE program will be implemented by TARURA and TANROADS, TARURA will be the lead coordinating agency.

As the leading coordinator, TARURA will create a Program Coordination Group (PCG) to coordinate program activities. The PCG will have management over sight, preparation of reports of all components of the Project including integrated financial and technical progress reports from each of the agencies being funded. This group will also be responsible for carrying out the overall M&E and Impact Evaluation for the Project. Arrangement and staffing of the PCG is stipulated within the Operational Manual (OM). As implementing agencies, TARURA and TANROADS, will prepare annual work plans and budgets to be submitted to the PCG for approval by the Project Steering Committee.

2.2.1 RISE Program Steering Committee.

Important decision on the Program will be made and agreed by a Steering Committee (or equivalent). This Steering Committee will be comprised of TARURA, TANROADS, PORALG, MoWTC and Ministry of Finance and Planning, RFB and Land Transport Regulatory Authority (LANTRA) will also be invited to attend meetings as needed. The Steering Committee will be meeting at least biannually. TARURA and TANROADS will also present the development of
projects to be implemented with Subcomponent 1a and 1b to ensure continuing political buy-in.

### 2.2.2 Broad Institutional coordination and roles

The proposed role(s) of the institutions involved in the implementation and management of RPF and RAP is presented in Table 1 below.

#### Table 1: extended institutional roles

<table>
<thead>
<tr>
<th>Institution</th>
<th>Role in the RPF and RAP(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>TARURA/ TANROADS</td>
<td>• Decision on the proposed subprojects</td>
</tr>
<tr>
<td></td>
<td>• Screening of proposed activity to determine if there is land acquisition, physical and/or economic displacement;</td>
</tr>
<tr>
<td></td>
<td>• Coordinate the preparation and implementation of the RAPs</td>
</tr>
<tr>
<td></td>
<td>• Procuring a consultant for preparation of RAP, Valuation report and M&amp;E of RAP implementation</td>
</tr>
<tr>
<td></td>
<td>• Coordinate the preparation and implementation of the Valuation process</td>
</tr>
<tr>
<td></td>
<td>• Responsible to finance the valuation report approval process through LGAs</td>
</tr>
<tr>
<td></td>
<td>• Conduct valuation report disclosure</td>
</tr>
<tr>
<td></td>
<td>• Disbursement of compensation fund to PAPs</td>
</tr>
<tr>
<td></td>
<td>• Initiate and ensure smooth RAP implementation</td>
</tr>
<tr>
<td></td>
<td>• Oversee resettlement processes</td>
</tr>
<tr>
<td></td>
<td>• Prepares RAP implementation related cost</td>
</tr>
<tr>
<td></td>
<td>• Verification of valuation report prior to the approval by the Chief Government Valuer Endorse RAP</td>
</tr>
<tr>
<td></td>
<td>• Provides notification on land acquisition</td>
</tr>
<tr>
<td></td>
<td>• Coordinate with relevant agencies in settlement of grievances</td>
</tr>
<tr>
<td></td>
<td>• Monitor and evaluate the implementation of RAP</td>
</tr>
<tr>
<td>The PORALG and The MWTC</td>
<td>• Oversees and ensure compensation is paid or resettlement is undertaken as agreed</td>
</tr>
<tr>
<td></td>
<td>• Involved in policy formulation</td>
</tr>
<tr>
<td></td>
<td>• Advisory assistance to the Project</td>
</tr>
<tr>
<td>World Bank Technical/ safeguards</td>
<td>• Reviews, comments and endorse RAP(s) (if and when prepared)</td>
</tr>
<tr>
<td>Advisory/</td>
<td>• Provide No Objection to RAP and the Project</td>
</tr>
<tr>
<td>Ministry of Lands, Housing and Human</td>
<td>• Register and provide license to valuers to undertake the valuation exercise</td>
</tr>
<tr>
<td>Settlement Development (MLHHSD)</td>
<td>• Endorses the valuation assessment for compensation payment (Chief Government Valuer)</td>
</tr>
<tr>
<td></td>
<td>• Provide guideline related to compensation disputes</td>
</tr>
<tr>
<td>Ministry of Finance and Planning (MFP)</td>
<td>• Disbursing compensation funds to the implementing agency</td>
</tr>
<tr>
<td></td>
<td>• Ensuring funds are appropriately utilized</td>
</tr>
<tr>
<td>Implementing Agency focal person/project management team/</td>
<td>• Preparation of the RAP including identification of resettlement impacts, collaboration with respective District CDO for sensitization and consultation, assessment of potential resettlement site, Asset inventory and valuation (done by a registered Valuer as part of the consultants’</td>
</tr>
<tr>
<td>Institution</td>
<td>Role in the RPF and RAP(s)</td>
</tr>
<tr>
<td>-------------</td>
<td>----------------------------</td>
</tr>
</tbody>
</table>
| Consultant (if required – determined on a case by case basis by PIU) | • Consulting Regional Commissioners Office, District Executive Director and Technical Departments, Ward Office and Village Council;  
• Implementing the RAP including all PAPs are able to receive payments (i.e. have bank accounts if necessary) |
| Regional Commissioners Office | • Verifies and endorses the compensation Schedules  
• Ensures security is maintained and grievances are addressed |
| District Authority Technical departments (e.g. Land, Community Development) | • Verifies and endorses the compensation Schedules  
• Coordinate RAP implementation at the local level  
• Provides support to PAPs and relevant authorities during RAP implementation using the existing administrative structure and technical department staff  
• Support in public consultation and participation  
• Support in grievance redress |
| Resettlement Planning and Implementation Team | • Refer to Section 3.6.3 and Section 6.2.5 for composition of RPIT  
• Ensure that resettlement is transparently and objectively handled when implemented. |
| Grievance Redress Committee | • Refer Section 6.5 |
| Ward Office | • Verifies and endorses the compensation Schedules  
• Participate in the asset inventory and valuation exercise  
• Signs off valuation forms prepared during valuation  
• Provide recognition letter to the PAPs  
• Assist in valuation report disclosure |
| Village Council | • Assists to organize village assemblies and/or meetings with PAPs for consultation and engagement  
• Verifies PAP and affected assets during asset inventory and valuation  
• Local liaison and PAP witness during the compensation process and any handing over of assets. |
| CSOs (to be identified during RAP preparation if needed) | • Provides advice to PAPs on various issues including proper use of compensation money received  
• Participate in planning, follow up and monitor the implementation of the RAP.  
• To ensure fairness and appropriate handling of RAPs and where relevant, monitor the process. These players maintain a close line of communication with the PAPs and serve as advocates in most instances. |

**Land Acquisition Impacts**

Land acquisition and social impacts are the impacts of developmental interventions on human environment. The impacts of development interventions take different forms as the consequences to human populations of any public or private actions that alter the ways in which people live, work, play, relate to one another, organize to meet their needs, and generally cope as members of society. Such impacts not only need to be identified and measured but also need to be managed in a way that the positive impacts are maximized and the negative impacts are minimized. A balanced development planning takes into account environmental, social and biodiversity impacts of economic development. The multidimensional nature of development interventions call for identification of not only potential impacts but also potential social and environmental impacts.
Social impacts include changes in people’s way of life, their culture, community, political systems, environment, health and wellbeing, their personal and property rights and their fears and aspirations. The main types of social impacts that occur as a result of these development projects can be grouped into the following overlapping categories:

- **Lifestyle impacts** – on the way people behave and relate to family, friends and cohorts on day-to-day basis
- **Cultural impacts** – on shared customs, obligations, values, language, religious belief and other elements which make a social or ethnic group distinct
- **Economic impacts** – on land, properties and assets
- **Community impacts** – on infrastructure, services, voluntary organizations, activity networks and cohesion
- **Quality of life impacts** – on sense of place, aesthetics and heritage, perception of belonging, security and livability, and aspirations for the future
- **Health impacts** – on mental, physical and social wellbeing, although these aspects are also the subject of health impact assessment
- **Livelihood impacts** – on activities related to income generation
3.0 LEGISLATIVE AND INSTITUTIONAL FRAMEWORK GOVERNING LAND, RESETTLEMENT AND COMPENSATION

3.1 Land Tenure and Ownership in Tanzania

Land is the main subject and a point of focus in this project. Land tenure and ownership in Tanzania is governed by statutes such as the Constitution of the United Republic of Tanzania of 1977, National Land Act No.4of 1999, Village Land Act No.5of 1999, Land Acquisition Act 1967, and Land Ordinance, 1923 Cap.113. Land in Tanzania is owned by the state, For the purpose of management of land under the land Act No.4 of 1999 and all other laws applicable to land, public land in Tanzania either:

3.1.1 General land

General land is described as consisting of all land, which is neither village land nor reserved land. All urban land falls under this category, except land, which is covered by laws constituting reserved land, or that which is considered hazard land. General land is governed by the Land Act and, hence, is under the control and jurisdiction of the Commissioner for Lands. This ministerial key person has delegated much of the powers to local government land officers. Property rights can be created over general land in terms of a granted Rights of Occupancy for a period of 33,66 or 99 years confirmed by a Certificate of Title. Longstanding occupation of land except on government land is recognized as conferring property rights. In the case of land acquisition all occupiers of land irrespective of whether they have a granted right of occupancy or not, are eligible to compensation. Granted rights of occupancy carry conditions including land development and the payment of land rent. Failure to abide with these conditions can lead to the loss of the right. This covers the part of the Ipoporo-Kilolo that is under Iringa Municipal Council

3.1.2 Village land:

This is defined as being the land falling under the jurisdiction and management of a registered village. As Tanzania consists of a vast countryside with only a few urban areas, most land in the country is village land. Village and is held under customary tenure and the government can issue customary certificates of tenure to individuals or communities where the village is surveyed and has a Certificate of Village Land. Customary tenure is a kin to freehold. Main part of the Project is implemented in the rural areas where land is managed by Village Land Laws

3.1.3 Reserved land:

Reserved land is defined as land being reserved and governed for purposes subject to nine listed laws. It includes environmental protection areas, such as national parks, forest reserves, wild life reserves, and marine parks as well as areas intended and set aside for spatial planning and (future) infrastructure development.

The Commissioner for Lands can convert land from one category to the other. By far the majority of land occupiers have no certificates of title, in part because land has to be surveyed before it can be issued with a title. However, there is a lot of “defacto” recognition of property rights for the majority of land occupiers. This applies to the environmentally protected areas such as the land along rivers and their tributaries, wetlands and water catchment areas.

RISE Program will be implemented within these categories of land. Designing and implementation of the Program is in accordance with Tanzanian law and procedures within these categories.
However, Land taking and compensation will include additional measures to meet World Bank requirements where appropriate. It means in land taking when so deemed, the compensation will follow Replacement cost instead of market value.

3.2 National Policies

3.2.1 National Land Policy of 1995
The policy provides guidance and directives on land ownership and tenure rights and taking of land and other land-based assets. The overall aim of the policy is to promote and ensure secure land National tenure system in Tanzania that protects the rights in land and resources for its entire citizen. It stipulates organization and procedures for valuing assets and delivery of compensation. The land policy stipulates that all land is public land, vested in the president as a trustee, and that this should been trench in the constitutions. The National Land Policy (1995) provides that a dual system of tenure, which recognizes both customary and statutory right of occupancy as being equal in law be established. The policy further establishes that the land has value, which right and interests of citizens in land shall not be taken without due process of law and that full, fair and prompt compensation shall be paid, when land is acquired. The compensation should be paid to any person whose right of occupancy or recognized long-standing occupation or customary use of land is revoked or otherwise interfered with to their detriment by the State under the Land Act of 1999. According to the policy, the administration of village land is vested in the village councils. Village councils have to consent before any alienation of village land is affected. In case of land allocations, village councils shall report to respective village assemblies. The land in the towns is governed by City, Municipal or Town Council.

In principle, the Minister responsible for land is the sole authority in land issues. However, the policy involves public and private institutions whose functions are associated with lands i.e. local authorities, communities, non-governmental organizations and community based development organizations to participate and co-operate with the minister at different levels during the implementation of the policy and utilization of land. To address the problem of multiple land allocation, and its resultant disputes, the Commissioner for Lands, is the delegated sole authority for administration of land. She/ He may appoint officers to administer on her/his behalf.

3.3 Applicable National Legislations and Regulations to the RISE Program

3.3.1 Land Act No. 4 of 1999
This is the paramount laws in the administration of land use and ownership in The Country. It guides land transfers, taking and compensation thus forms a basis of resettlement process in the Project. Section156 of the Land Act requires that compensation be payable to any person for any damage caused for the affected land, buildings, trees and crops as a result of creation of communal right of way or a way leave.

The Act provides for the basic law in relation to land other than the village land, the management of land, settlement of disputes and related matters. The Act relate to land-use planning processes and land-use management and guidance to land ownership in Tanzania. The law vest all land in the President and grant occupancy rights to individuals, legal persons and territorial communities. The President is and empowered to revoke the “Right of Occupancy” of any landholder for the “public/national interest” should the need arises. The President holds land in trust for all citizens and can acquire land for public use and benefit, for instance, to resettle people from densely
populated areas to sparsely populated areas, settle refugees and so forth. The President can also acquire land for other national projects, like railway infrastructure. However, the law declares the value attached to any piece of land and as such any land rights transfer is subject to compensation.

Section 152 provides that an application for a way leave shall be made by any ministry or department of Government, or local authority or public authority or corporate body shall be made to the Commissioner. The applicant should serve a notice to all persons occupying land under a right of occupancy including persons occupying land in accordance with customary pastoral rights, local government authorities, all people’s actual occupation of land in an urban and peri-urban area and any other interested person occupying land over which the proposed way leave is to be created.

Section 156 on Compensation in respect of public right of way states that compensation shall be payable to any person for the use of land, of which he is in lawful or actual occupation, as a communal right of way and, with respect to a wayleave, in addition to any compensation for the use of land for any damage suffered in respect of trees, crops and buildings as a result of the creation of such wayleave. Section 156 (2) states that any damage caused as a result of any preliminary work undertaken in connection with surveying or determining the route of that wayleave, whether the trees, crops or buildings so damaged were included in the route of the wayleave as delineated in the order of the Minister.

Section 156 (3) elaborates that the duty to pay compensation lie with the Government department of ministry, local or public authority or corporate body which applied for the public right of way and that duty shall be complied with promptly. Section 156 (4) states that where the person entitled to compensation under this section and the body under a duty to pay that compensation are unable to agree on the amount or method of payment of that compensation or where the person entitled to compensation is dissatisfied with the time taken by the body under a duty to pay that compensation to make, negotiate or process an offer of compensation, that person may apply to the High Court to determine the amount and method payment of compensation and the High Court may in making any award make any additional costs and inconvenience incurred by the person entitled to compensation through the dilatory or other unsatisfactory procedures of that public authority.

The RISE program has been designed according to the requirements of these laws especially on the use of land for the construction of roads, which is the matter of national interest as stipulated in the laws. The RISE program will also use various sections of the laws to ensure that issues of land ownership especially in areas close to the roads are understood and settled to avoid any public complaints which might hinder smooth implementation of the project.

3.3.2 Village Land Act No. 5 of 1999

The Village Land Act of 1999 confers the management and administration of village lands to Village Councils, under the approval of the Village Assemblies. However, the Minister of Lands is entitled to decide on the amount of land, which can be owned, by a single person or commercial entity. Section 9 and 11 of the Village Land Regulations states that, compensation shall include; the replacement cost of the land and the unexhausted improvements which shall be assessed by a qualified Valuer. In Section 13 of the Village Land Regulations, it states that compensation shall also include disturbance allowance, transport allowance, accommodation allowance and loss of profits.
This Act provides for the management and administration of land in villages, and for related matters. The Act has set clear procedures for full, fair and prompt compensation while acquiring land. Under the provisions of this Act, the village council is responsible for the management of the village land and is empowered to do so in accordance with the principles of a trustee managing property on behalf of a beneficiary.

According to section 27 of the Act the length of the customary Right of Occupancy may be indefinite, or for a period not exceeding 99 years, or from year to year. The Act divide village land in three categories as follows:

- Communal village land: Land which is occupied and used or available for occupation and use on community and public basis. Communal village land shall not be made available to individual occupation and use by any person through a grant of communal or individual customary rights of occupancy or a derivative right or any other disposition
- Allocated/Occupied Village land: Land which is being occupied or used by an individual or family or group of persons under customary law
- Village land: Land which may be made available for communal or individual occupation and use through allocation by the village council in accordance with the provisions of Village Land Act

The Village Land Act 1999 empowers the village assembly to divide the village land, occupied, used, available for occupation, community used and/or public used land, then to be known as communal village land. It will also identify land being occupied or used by an individual, family, or group of persons under customary law. Finally, the village council will identify land, which may be made available for communal or individual occupation and use, through allocation by the village council. The same Act provides mandate to the village assembly to further plan the land uses to be designated to the communal village land.

### 3.3.3 Land Acquisition Act No. 47 of 1967

The Land Acquisition Act 1967 is the principal legislation governing the compulsory acquisition of land in Tanzania. It is important legislation required during designing in case of realigning of the roads, construction of bypass and provision for construction materials. For the purpose of the project this legislation will guide permanent and temporary land acquisition.

Sections 3-18 of the Land Acquisition Act 1967 empower the President to acquire land, and provide the procedures to be followed when doing so. The President is empowered to acquire land in any locality provided that such land is required for public purposes. The procedures provided by the Land Acquisition Act include the investigation of the land to see if it is suitable for the intended purpose; notification to the landowners to inform them of the decision to acquire their land before the President takes possession; and payment of compensation to those who will be adversely affected. The law restricts compensation to un-exhausted improvements on the land excluding the land or such improvements as land clearing and fencing. The Land Act 1999 has rectified this latter situation.

If land is required for public purpose the President is required to give a six weeks' notice to those with an interest in the land in question but, if the situation so demands, the notice can be shortened without the need to give explanation. After the expiration of the notice period, the President is entitled to enter the land in question even before compensation is paid. Section 11 and 12 of the Act allows for the person whose land is acquired is entitled to be compensated if they so deserve. The persons entitled to compensation are those interested or claiming to be interested in such
land; or persons entitled to sell or convey the same or as the government may find out after reasonable inquiries.

3.3.4 Local Government (District Authorities) Act No. 7 of 1982 and Local Government (Urban Authorities) Act No. 8 of 1982
The Act stipulates the functions of District/Urban councils. The Act enables local authorities to enact by-laws regarding soil protection, agriculture, natural resource exploitation, etc. Issues of land are included in the Act as objectives of functions and therefore part of the mandates of local government in their respective areas. These are relevant legislations since the improvement in the priority PAs will involve, amongst others:

✓ Vegetation clearance activities, earth works activities – this will expose the soil thus making it to susceptible to wind and water erosion

✓ Expansion/extraction of construction materials thus causing loss trees.

3.3.5 National Land Use Planning Commission Act No 3 of 1984
The Act established a National Land Use Planning Commission (NLUPC) as the principal advisory organ of the government in all matters related to land use. Among other things, the Commission recommends measures to ensure that the government policies, including those for development and conservation of land, take adequate account of their effects on land use, seek the advancement of scientific knowledge of changes in land use and encourage development of technology to prevent, or minimize adverse effects that endanger human man’s health and welfare. The Act also specifies standards, norms and criteria for the protection of beneficial uses and the maintenance of the quality of the land. In addition, the Act established Participatory Land Use Planning and Management (PLUM), which are explicitly recognized in the Land Policy of 1995

3.3.6 Graves (Removal) Act No. 9 of 1969
This is an Act to provide for the Removal of Graves from land required for public purposes. Subject to section 3 of this Act, where any land on which a grave is situated is required for a public purpose the Minister may cause such grave and any dead body buried therein to be removed from the land and, in such case, shall take all such steps as may be requisite or convenient for the reinstatement of the grave and the re-interment of the dead body in a place approved by him for the purpose. This legislation will be applied in case of presence of grave or grave sites within the right of way which is 60 meters for Iringa Kilolo and 40 meters for the districts roads.

Under section 7, the removal, transportation and reinstatement or re-interment conditions of a grave or dead body authorized under this Act shall be undertaken:

- As far as is possible, with due regard to the views of the persons interested and the religious susceptibilities of the members of the religious community to which the person belonged whose grave or dead body it is;
- With due solemnity and respectful treatment of the dead;
- So far as is practicable, without unnecessary damage to the grave and the dead body;
- So that a dead body which is disinterred is transported and reinterred without undue delay;
- Under such conditions of privacy as ensures that no dead body is exposed to public view;
- In a manner which is not injurious to public health;
- In accordance with such directions as may be given by a public officer appointed by the Minister to supervise the undertaking.
The compensation payable under section 9 shall be limited to the reasonable expenses incurred in the removal, transportation, reinstatement and re-interment of the grave or dead body and any placatory or expiatory rites or other ceremony accompanying such removal and re-interment.

3.3.7 Land (Assessment of the Value of Land for Compensation) Regulations of 2001

A qualified and authorized valuer must conduct the valuation of the affected properties. Section 34 of the Act states that ‘where a right of occupancy includes land which is occupied by persons under customary law, and those persons are to be moved or relocated, they must be compensated for loss of interest in the land and for other losses’. They also have the right to reap crops that are sown before any notice for vacating that land is given.

The regulations provide criteria for the assessment of compensation on land, as per replacement cost for real property; disturbance allowance is calculated as a percentage of replacement cost of the acquired assets over twelve months; and transport allowance calculated at the cost of 12 tons hauled over a distance not exceeding 20 km. The other criteria include loss of profit on accommodation based on business audited accounts and accommodation allowance equivalent to the rent of the acquired property per month over a 36-month period.

Further, Section 4 of the Land (Compensation Claims) Regulations of 2001 defines who can claim for compensation. These include:

- Holder of granted Right of Occupancy in general or reserved land that is transferred to village land or land held under Right of Occupancy that is compulsory acquired for public purpose (Section 22); or a right of occupancy that is revoked.
- Holder of a granted customary right of occupancy that is revoked for the land in question been in hazardous land,
- Holder of a customary right of occupancy where the subject land is acquired to be granted to another person under right of occupancy (Section 34),
- Occupier of land who has obtained (by disposition) from holder of a granted or customary right of occupancy where this occupier is denied right of occupancy (Section 54), and
- Occupier of land in any urban or peri-urban area where such land is acquired by the President under Section 60 i.e. Scheme of Regularization

In accordance to the Land Compensation Claims Regulations, claims for compensation are preceded by an issuance of public notice by the Commissioner for Lands to inform all occupiers whose land is subject for compensation to submit their claims for compensation. Under section 6, the Commissioner is also required to inform the occupiers to appear physically on such date, place and time where assessment shall be done. Upon this, and for the Commissioners’ directive, valuation for compensation purposes can be undertaken. The compensation claim and compensation schedules are supposed to be submitted by the Commissioner to the Land Compensation Fund for verification. The Fund, upon verification, will either accepts or rejects payment within a span of 30 days since it received compensation schedule from the Commissioner.

3.3.8 The Land (Disposition of Right of Occupancy) Regulations, 2001

The following require approval under the approval under the Act:

- Assignment of the right of occupancy to another party less than three years after the assignor was granted the right to occupy the land;
- A loan granted on the security of every mortgage of a right of occupancy or right of lease;
- Partition of land granted under right of occupancy;
- Creation of an easement;
- Transfer;
- Sale;
- Grant;
- Surrender.

Applications for approval are to be done by the holder of the right of occupany and the intended assignee.

### 3.3.9 The Roads Act No. 13 of 2007 and its Regulation of 2009

This Act describe about road management, roads classification and declaration, execution of road works, restriction of use of roads and financial provision on undertaking various road activities. Other issues described in the Road Act are offences, penalties and recovery as well as road safety and road of access. This Act also provides description on initiation of the road agency TANROADS to deal with road construction and management within the country. Although this Act was approved and came to being about ten years earlier than TARURA establishment it is however envisaged that some parts of the Act will be used by TARURA in executing RISE project activities. The TARURA establishment order gives functions and responsibilities of TARURA which among other things will be to develop and maintain rural and urban roads network, which coincide with Part three of the Road Act on road classification and declaration. The defined Right of Way in the new regulation has been changed as follows: TANROADS from 45M to 60M for both the Regional and Trunk Roads, while that of TARURA changed from 30M to 45M for Collector roads, 20M to 30M for Feeder roads and 10M to 20M for Community roads.

However, if land Acquisition will occur under RISE program the concentration for the development of roads will be confined on construction corridor in order to minimize the impact of resettlement. Under TANROADS jurisdiction, the road construction corridor will range from 30M to 45M (RoW) and for TARURA jurisdiction, the road construction corridor will range from 20M to 30M (RoW) depending on the road design and geometry.

### 3.4 World Bank’s Land Acquisition, Restrictions on Land Use and Involuntary Resettlement (ESS5)

The World Bank's 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.

The standard aims:
- To avoid involuntary resettlement or, when unavoidable, minimize involuntary resettlement by exploring project design alternatives;
- To avoid forced eviction;
- To mitigate unavoidable adverse social and economic impacts from land acquisition or restrictions on land use;
- 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;
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; and
To ensure that resettlement activities are planned and implemented with appropriate disclosure of information, meaningful consultation, and the informed participation of those affected.

At time of project screening of potential environmental and social impacts, an RPF is prepared where the project impacts are unknown at the time of project preparation. The RPF will guide preparation of Resettlement Action Plan when project locations are known during project implementation.

3.5 Gap Assessment between National Legislations and the World Bank’s ESS5
Tanzania does not possess a National Resettlement Policy and subsequent legislation, and thus to ensure compliance and consideration for the adverse impacts of resettlement, use of existing laws relevant to Land and property is employed. Notably, there are some differences particularly in the understanding of how various PAPs are handled. Table 2 presents a gap analysis in a matrix format between requirements under Tanzanian laws and the Bank’s ESS5. Where gaps have been identified, ESS5 will apply.
<table>
<thead>
<tr>
<th>S/N</th>
<th>Key Policy Element</th>
<th>Tanzanian Law</th>
<th>World Bank ESS5</th>
<th>Comparison/Gap</th>
<th>How this program will address the Gaps</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Squatters/Encroachers</td>
<td>Squatters/Encroachers may be paid compensation on the whims of the government. Those who constructed on road reserves are not paid.</td>
<td>Squatters may fit category (c) above and are provided resettlement assistance as well as other relocation assistance and compensation for lost assets.</td>
<td>Under Tanzanian Law Squatters/Encroachers within the existing Right of Way are not entitled for the compensation.</td>
<td>Under the RISE Program Squatters/Encroachers will be compensated for the improvement made on land and provided with resettlement and livelihood assistance.</td>
</tr>
<tr>
<td>2</td>
<td>Land Users</td>
<td>Tanzania law on compulsory acquisition and compensation is limited to those who can prove <em>de jure</em> or <em>de facto</em> land ownership. Seasonal land/resource users are not covered.</td>
<td>World Bank’s ESS 5 on Land Acquisition, Restriction on Land Use and Involuntary Resettlement, includes users or displaced persons who have no recognizable legal rights or claim to the land or assets they occupy or use, these includes seasonal resource users such as herders, grazers, fishers or hunters.</td>
<td>Tanzania law does not recognize the Seasonal land/resource users as eligible for compensation for assets and provision with resettlement and livelihood assistance.</td>
<td>Under the RISE Program Seasonal land/resource users will be compensated for the loss of assets and provided with resettlement and livelihood assistance.</td>
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<tr>
<td>3</td>
<td>Timing of compensation payments</td>
<td>Tanzanian law requires that compensation be full, fair and prompt. Prompt means it should be paid within six months, failure to do which attracts an interest rate equivalent to the average rate offered by commercial banks on fixed deposits.</td>
<td>ESS5 displaced persons are provided with compensation at full replacement cost for losses of assets directly attributable to the project before any impact on people and any start of civil works.</td>
<td>In terms of timing, both Tanzanian laws and ESS5 require that compensation be paid before any impact on people and any start of civil works.</td>
<td>Sub-project through the RPF will comply with the requirements of both the Tanzania law and the ESS5 and compensate the affected people prior to any land acquisition/resettlement related impacts and the start of civil works.</td>
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<td>S/ N</td>
<td>Key Policy Element</td>
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<td>Legally, the possession of land can be done after effecting compensation to the affected PAPs</td>
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<td>The compensation shall be done within six months after the approval of valuation report by the Chief Government Valuer</td>
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<td>4</td>
<td>Calculation of compensation and valuation of assets</td>
<td>According to the Land Assessment of the value of Land for Compensation Regulations, 2001, as well as the Village Land Regulations, 2001, compensation for loss of any interest inland shall include the value of unexhausted improvements, disturbance allowance, transport allowance, accommodation allowance, and loss of profits. Land: The basis for assessment any land and unexhausted improvement for purposes of compensation is ESS5 requires that the Displaced persons be provided with compensation at full replacement cost for losses of assets attributable to the project.</td>
<td>Tanzania law provides for the calculation of compensation on the basis of the market value of the lost land and unexhausted improvements with depreciation, plus other relevant allowances while the ESS5 provides for compensation at full replacement cost for lost assets.</td>
<td>Full Replacement cost without depreciation will apply for this program.</td>
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<tr>
<td>S/N</td>
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<td>the market value of such land.</td>
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<td>The market value is arrived at by the use of comparative method evidenced by actual recent sales of similar properties; or by the use of the income approach, or replacement cost method, where the property is of special nature and not saleable.</td>
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<td>In practice, with land an attempt is made to establish market value from recent sales. Structures: As for unexhausted improvements in terms of buildings and other civil infrastructure, the depreciated replacement cost approach is used.</td>
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<td>Associated allowances: disturbance allowance, transport allowance, accommodation allowance, and loss of profits.</td>
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<tr>
<td>S/ N</td>
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<td>5</td>
<td>Economic displacement (Livelihood restoration and assistance)</td>
<td>To manage the economic impacts, Tanzanian legal system provides for several allowances such as loss of profit, disturbances, transport and accommodation. However it gives a room to provide other assistance such as trainings and awareness related to livelihood support. Moreover, there are no provisions in land acquisition laws that require the government to pay special attention to vulnerable persons affected by the projects.</td>
<td>ESS5 recommend that projects involving economic displacement with significant livelihood impacts or income generation, the plans with set out the additional measures relating to livelihood improvement/restoration.</td>
<td>There is no clear provision for livelihood restoration/rehabilitation when dealing with economic impacts of project affected persons under the Tanzanian law. The Tanzanian law (related to land acquisition) does not make provisions requiring the government to pay special attention to vulnerable persons in the administration of compensation.</td>
<td>The RAPs under the RISE program will provide for preparation of livelihood rehabilitation and restoration plans in the event that the subprojects have significant impacts on livelihood/income generation.</td>
</tr>
<tr>
<td>7</td>
<td>Stakeholder engagement and information disclosure</td>
<td>The Land Act of 1999 and its Regulation of 2001 and the Valuers and Valuation Registration Act of 2016 provide for stakeholders’ engagement and information disclosure on valuation exercise and processes prior to execution of the projects.</td>
<td>ESS5 provide for need for consultation with PAPs, host communities and local government. In the event of dealing with vulnerable persons additional provisions apply to consultations with displaced vulnerable groups in accordance with ESS7.</td>
<td>The provisions in ESS5 have no equivalence in implementation of Stakeholder engagement and information disclosure processes in Tanzanian practice.</td>
<td>This program will have continuous consultations with the PAPs and their local leaders during preparation of the RAP report, their disclosure and implementation. Consultations will ensure equitable gender representation within PAHs.</td>
</tr>
<tr>
<td>S/N</td>
<td>Key Policy Element</td>
<td>Tanzanian Law</td>
<td>World Bank ESS5</td>
<td>Comparison/Gaps</td>
<td>How this program will address the Gaps</td>
</tr>
<tr>
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</tr>
<tr>
<td>8</td>
<td>Grievance mechanism and dispute resolution</td>
<td>Under s. 13 of the Land Acquisition Act, 1967, if dispute of disagreement regarding any of the matter listed below is not settled by the parties concerned within six weeks from the date of publication of notice that land is required for a public purpose the Minister or person holding claim in the land may institute a suit in the high court of Tanzania for the determination of the dispute. (a) the amount of compensation ; (b) the right to acquire the land; (c) the identity of persons entitled to compensation ; (d) the application of section 12 to the land; (e) any right privilege or liability conferred or imposed by the Act; (f) the apportionment of compensation</td>
<td>ESS5 requires that grievance mechanism for the project is in place as early as possible in project development to address specific concerns about compensation, relocation or livelihood restoration measures raised by the displaced persons (or others) in a timely manner.</td>
<td>The law in Tanzania does not provide for the establishment of grievance resolution mechanisms specific to particular resettlement cases. Tanzania has a well-established and accessible local grievance redress mechanism through existing systems and structures.</td>
<td>For this program, comprehensive GRMs will be set up as further described herein (see Section 6.5 on GRM).</td>
</tr>
<tr>
<td>S/ N</td>
<td>Key Policy Element</td>
<td>Tanzanian Law</td>
<td>World Bank ESS5 Comparison/Gaps</td>
<td>How this program will address the Gaps</td>
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<tr>
<td></td>
<td></td>
<td>In practice the government resolves grievances through existing LGA’s resolution systems.</td>
<td></td>
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</tr>
</tbody>
</table>
3.6 Institutional Arrangement for Land Administration and Compensation

Tanzania has no policy on involuntary resettlement, but acts stipulate the various actors in land and natural resources administration and management including acquisition of land, access, use and management of public resources. Taking this and requirement of the World Bank ESS5 into consideration, two institutional frameworks comes into play in the development and implementation of the RPF - Central Government Ministries, Department and Agencies and Local Government Authorities:

3.6.1 Ministry of Lands, Housing and Human Settlement Development

Housing and Human Settlement Development is responsible for policy, regulation and coordination of matters pertaining to land in Tanzania and administers the various land acts: Land Acquisition Act, the Land Act and the Village Land Act. The Ministry is responsible for land use planning, management and land delivery activities specifically surveying and demarcating land/parcel/farms, and provision of land ownership and tenancy in both rural and urban areas.

3.6.1.1 Minister Responsible for Lands / Land Use Planning

Established under the Land Policy and the Land Act (Section 8) as the sole authority over all land matters, the Land Act poses to Minister the duty of policy formulation and implementation of Land Policy and Act. The Minister is directed to perform a number of functions (delegated to the Commissioner for Lands) including issuing permit for using land (other than village or reserved land). The Minister is empowered to designate any Body or Organ as a planning authority (Section7 (4)) and to declare any area of land to be a planning area (Section 8(1)).

3.6.1.2 Commissioner for Lands

Established under the Land Policy and Land Act as sole authority responsible for land administration, Land Act (Section 9-11) impose the Commissioner for land as the principal administrative officer and professional officer and advisor to the government in land matters (land allocation, acquisition, registration and land management in general) at all levels. All instances of acquisition of land for public purposes and the need for resettlement and/or compensation have to be referred to the Commissioner. The Commissioner may appoint officers at the appropriate levels of government to administer land other than village land. Has power to delegate the powers to officers at Local Authority or public organization all who work and comply to directives of the Commissioners.

3.6.1.3 National Land Use Planning Commission

Established under Section 6 &7 of the Land Use Planning Act, as the principal advisory organ of the Government on all matters related to land use, The Commission is comprised of various environmental stakeholders to ensure oversee the best use of land use planning.

3.6.1.4 Survey and Mapping Division

The Surveys and Mapping Division also provides land survey services to government agencies, maintains geodetic survey control networks, prepares and maintains cadastral and topographic maps for the entire country. The Director of Surveys is responsible for coordinating all public sector mapping activities and for maintaining records of all maps, plans and land surveys, which are conducted by government agencies.
3.6.1.5 National Land Advisory Council
Established under the Land Act (Section 17) to advice Minister on Land Policy and institutional framework and organizational structure for land matters.

3.6.1.6 Land Allocations Committee
Under the Land Act (Section 12) Land Allocation Committees are to be established at central, urban and district authorities to perform duties related to advise of application of Rights of Occupancy.

3.6.1.7 Chief Government Valuer
Land (Assessment of the Value of Land for Compensation) Regulations, 2001 (Regulation 6) directs that every assessment of the value of land and unexhausted improvement is verified and endorsed by the Chief Valuer of the Government or Representative.

3.6.1.8 Qualified (Registered) Valuer
Land (Assessment of the Value of Land for Compensation) Regulations, 2001 (Regulation 5) directs that every assessment of the value of land and unexhausted improvement is done by a qualified Valuer. These are government employees or individuals or companies registered as service providers in the lands sector and conduct surveys, property valuation etc.

3.6.2 Local Government Authorities
The Local Government system in Tanzania is based on the decentralization policy and is enshrined in the Regional Administration Act (1997), Local Government (District Authorities) Act No. 7, 1982, and the Local Government (Urban Authorities) Act No. 8, 1982. Relevant to this RPF is the former, governing District authorities. Administratively, Tanzania is divided into three levels of Local Governments whereby each level has statutory functions with respect to development planning. The three levels with respect to District authorities are District Councils, Ward Office, and Village Council.

The District Councils are responsible for planning, financing and implementing development programs and the law within their areas of jurisdiction. The Council is comprised of:

i. District technical and supporting Departments including:
   - Land and Natural Resources (including environment) with sections /units for physical planning, surveying, valuation;
   - Community Development (community mobilization, communication and sensitization);
   - Planning (budget planning, investment planning and has a Monitoring and Evaluation (M&E) unit);
   - Public Health, which includes a District Medical Officer.

ii. Land Tribunals (District and Ward levels) for handling and resolving land-related disputes and grievances;

iii. Various multi-disciplinary, multi-sectoral technical teams and committees of Councilors' provided for in the legislation responsible for budgeting, social issues, environmental management, security, planning development projects at local government levels (Refer to Annex 9.2 for details). These are:
   - Finance, Administration and Planning Committee;
   - Education, Health and Water Committee;
   - Economic Affairs, Works and Environment Committee.
In addition, there are other standing committees for Resettlement and Compensation and Grievance Redress. These are the most relevant for the RPF and any subsequent RAPs. Their composition and responsibilities are provided.

### 3.6.3 Institutional Arrangement for RAP

TARURA/TANROADS E&S team will be responsible for the implementation of the RPF, managing the process of preparation of RAPs and their implementation. The implementing agencies shall set up the Resettlement Committee and grievance committee whose responsibilities are presented in Table 3.

**Table 3: Committees and Responsibilities for RAP implementation**

<table>
<thead>
<tr>
<th>Unit</th>
<th>Responsibilities</th>
<th>Members</th>
</tr>
</thead>
<tbody>
<tr>
<td>Resettlement/Compensation Committee</td>
<td>Coordinate management of compensation process; Ensure compensation is consistent with RAP guidelines.</td>
<td>TARURA/TANROADS Regional manager/coordinator (Chair)</td>
</tr>
</tbody>
</table>
| District Grievance redress Committee | • Address entitlement issues and other disputes and concerns among PAPs and other stakeholders  
• Advice PAPs and other stakeholders on redress mechanisms which cannot be resolved  
• Refer unresolved to be taken to Court  
• Liaise with other authorities and Resettlement Committee | District Commissioner (Chair) | TARURA/TANROADS Regional manager/coordinator (Secretary) | TARURA/TANROADS Sociologist and Environmental officer | District Land Officer | District Lawyer | District Valuer | Representative of PAPs | Representative from local NGO’s | WEO/VEO |
| Ward Grievance redress Committee | • Address entitlement issues and other disputes and concerns among PAPs and other stakeholders  
• Advice PAPs and other stakeholders on redress mechanisms which cannot be resolved  
• Refer unresolved disputes to District Grievance redress committee | WEO/VEO (Chair) | TARURA District Council Manager /TANROADS Regional manager (Secretary) | TARURA/TANROADS Sociologist and Environmental officer | Representative of PAPs | Representative from local NGO’s | Ward Community development officer |
<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>• Representative from local community who is neither interested</td>
<td>• Representative from local community who is neither interested</td>
</tr>
<tr>
<td>nor affected by project (Member)</td>
<td>nor affected by project (Member)</td>
</tr>
</tbody>
</table>

One of major task of the Resettlement Committee is to assist PAPs without bank accounts to open them. The procedure is to invite different banks available in the vicinity to meet with PAPs (potential customers) and explain /disclose their services and PAPs will select one bank of her/his choice and become a customer. This exercise has been done in different projects whereby Banks go to the customers and the project facilitate opening of accounts.
4.0 GUIDING PRINCIPLES, ELIGIBILITY AND ENTITLEMENT

4.1. Principles Guiding Resettlement of PAPs

Execution of RISE program may result in acquisition of land, loss of access and property which might cause involuntary resettlement. Implementation of the project activities may cause land acquisition, where a physical piece of land is needed. People may be affected because they are cultivating on that land, have buildings or other land use such as water sources, grazing of animals, spiritually needs, recreation and any other activity which may not be possible during and after the project is implemented. The World Bank ESS5, asserts that people be compensated for their loss of land, property or access either in kind or in cash of which the former is preferred. In principle, the executing Agency (TARURA /TANROADS) is obliged to compensate affected individuals or groups who are eligible.

The principles listed below should be taken into account whenever communities living in the areas proposed for projects may be impacted by implementing activities, whether a permanent or temporary impact:

i. Resettlement/relocation and compensation planning and implementation activities, and the compensation of PAPs and other relevant stakeholders, will be undertaken with continuous consultation throughout the process;

ii. PAPs will be informed about their rights and options pertaining to displacement, compensation and resettlement/relocation, and about grievance mechanisms available to them;

iii. Displacement of people, property and livelihoods is to be minimized as much as possible, by employing alternative technologies of project infrastructure in such a manner so as to minimize the need to acquire land and property, and to cause as little disturbance and disruption as possible;

iv. All possible means will be used to ensure that no people are harmed in any way by construction activities and project outcomes;

v. PAPs who meet agreed eligibility criteria will be entitled to compensation and relocation measures. Lack of legal rights to land and assets occupied or used will not preclude a PAP from entitlement to resettlement/relocation and compensation measures;

vi. Compensation, resettlement/relocation and rehabilitation measures will be as fair to all parties concerned;

vii. Compensation, resettlement/relocation and rehabilitation entitlements will be provided in accordance with Tanzanian law and procedures as a minimum, but will include additional measures to meet World Bank requirements where appropriate;

viii. Where compensation in cash is provided for loss of assets (including housing and other structures), for loss of access to assets, or for damage caused to assets, it will be provided at full replacement cost which will include necessary additional costs incurred to achieve full restoration;

ix. Specific and additional assistance will be provided for particularly vulnerable people, namely women-headed households, widows, orphans, the elderly and handicapped people;

x. Adherence to the Vulnerable Groups Policy Framework (VGPF) which includes other requirements for Vulnerable Groups.

xi. Prior to any impacts on PAPs or the start of any pre-construction and construction work individual RAPs must be implemented.
4.2 Categories of PAPs

The PAPs are those who have been affected directly socially and economically by the project activities. The PAPs include individuals and institutions with various interests in the land that is within the RoW. Majority of these are the assets owners with temporary or permanent structures or farms who will be affected by the loss of the structures and economic earnings. Land acquisition for minor realignment may occur outside of the RoW with similar impacts. On the other side, transportation of farm products and goods such as giant tea producers Brook Bonds and small holders, timbers and food products and small consumers will be affected during construction. For the transporters, using of diversion and changing of the bus or waiting bays might equally affect their operation and their business. Small business and vendors might lose their business permanently or temporarily. For small business which have encroached the right of way might be displaced or re allocated to new places. The World Bank’s ESS5 stipulates that PAPs should include all the economically and/or physically displaced persons, including those with no legal right or claims to the land (informal users or squatters).

The exact nature and locations of sub-projects are unknown; the following categories of PAPs will be used in identifying groups of PAPs for the purpose of determining impacts:

All project affected persons irrespective of their status or whether they have formal titles, legal rights or not, squatters or otherwise encroaching illegally on land, are eligible for some kind of assistance if they occupied the land before the entitlement cut-off date. The entitlement cut-off date refers to the first date when the assessment of persons and their property in the identified project areas are carried out and will be detailed in the RAP.

4.2.1 Affected Individual

This is an individual who suffers a loss of assets or investments, land and property and/or access to natural and/or economical resources as a result of the proposed project activities. For example, an affected individual is a person whose farms, or who has built a structure on land that is now required by the project for purposes other than farming or residence by the initial individuals. Categorized as follows:

(a) Affected property owners – are owners of land or owners of structures for business, residential or other purpose.

(b) Affected tenants: these are people who do not own property but rent house, premises or land for the respective purposes; This category of PAPs is classified in different sub-categories including residential tenants, business tenants, or farm tenants

(c) Affected encroachers and other opportunistic land occupiers – are persons who do not own land that they occupy or use and non-bone fide occupants and intruders of lands reserved for public or other uses. Encroachers in urban area may occupy land for residential / commercial purposes.

(d) Affected squatters - include persons or groups who have settled in place with no legal right or claim to the land.
4.2.2 AFFECTED HOUSEHOLD
A household is affected if one or more of its members is affected by project activities, either by loss of property, land, loss of access or otherwise affected in any way by project activities. This provides for:

(a) Any members in the households, men, women, children, dependent relatives and friends, tenants;
(b) Vulnerable individuals who may be too old or ill to farm along with the others;
(c) Relatives who depend on one another for their daily existence and
(d) Other vulnerable people who cannot participate for physical or cultural reasons in production, consumption, or co-residence.

4.2.3 AFFECTED LOCAL COMMUNITY
A community is affected if project activities affect their socio-economic and/or social-cultural relationships or cohesion. For example project activities could lead into such improvement of socio-economic welfare that class-consciousness arises coupled with cultural erosion etc.

4.3 TYPES OF LOSSES DUE TO LAND ACQUISITION
Any loss of PAPs property will lead to inability on livelihood which is capabilities, assets (including both materials and social resources) and activities required for a means of living. Under the RISE program there may be for example impacts on markets and small businesses. A livelihood is sustainable when it can cope with and recover from stress and shocks and maintain or enhance its capabilities and assets both now and in future, while not undermining the natural resource base. The implementation of the project may affect properties/ assets as indicated in the table below.

Table 4: PAPs loss due to land acquisition

<table>
<thead>
<tr>
<th>Loss</th>
<th>Summary of Impacts/Loss</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential structures</td>
<td>Permanent loss of structure/Loss of accommodation/Displaced person needs to relocate - physical relocation/ others can relocate on the same plot</td>
</tr>
<tr>
<td>Residential and Commercial</td>
<td>These are structures that the owner combines both residence and commercial activities such commercial activities include residential tenants and shops</td>
</tr>
<tr>
<td>Commercial structures</td>
<td>These are structures used for business especially retail shops and local brew bars</td>
</tr>
<tr>
<td>Annual and Perennial crops and</td>
<td>These include timber and fruit trees and bananas. Different in maturity level. Temporary loss of food sources and/or income or profit while re-establishing farming activities</td>
</tr>
<tr>
<td>trees</td>
<td></td>
</tr>
<tr>
<td>Annexed structures</td>
<td>These are structures that impacts do not affect the main structures i.e. security fence,</td>
</tr>
<tr>
<td>Public structures</td>
<td>Structures which are public owned i.e. Government amenities, religious buildings,</td>
</tr>
<tr>
<td>Graves, archeological structures and cultural shrines etc.</td>
<td>The graves, archeological structures and cultural shrines are located within the RoW along the proposed road</td>
</tr>
<tr>
<td>Business</td>
<td>Business will be affected due to replacement of the structures used for business</td>
</tr>
<tr>
<td>----------</td>
<td>--------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Utilities</td>
<td>Construction may lead to relocation of utilities such as water pipes, electric poles, Telecommunication etc</td>
</tr>
</tbody>
</table>

4.3.1 Alternative to Land Acquisition - Voluntary Land Donation

In some cases, individual land owners or community members may agree to donate their land for the use of the project. Any decisions for Voluntary Land Donation must meet certain requirements including:

(a) The potential donor or donors have been appropriately informed and consulted about the project and the choices available to them;
(b) Potential donors are aware that refusal is an option, and have confirmed in writing their willingness to proceed with the donation;
(c) The amount of land being donated is minor and will not reduce the donor’s remaining land area below that required to maintain the donor’s livelihood at current levels;
(d) No household relocation is involved;
(e) The donor is expected to benefit directly from the project; and
(f) For community or collective land, donation can only occur with the consent of individuals using or occupying the land.

In all cases of land donation, a transparent record of all consultations will be maintained by the donor and the project. In addition, transfer of ownership will be completed with all costs paid by the project.

i. Once land owner agrees to offer land for subprojects, the decision is presented to the General Village Assembly Meeting that approved the subprojects

ii. For Privately owned land, land donation form will be completed while for a public owned land, change on land use will be documented.

iii. A formal statement of donation, establishing informed consent, confirming that there is no disputed ownership and that there are no claims by renters, users, squatters, or encroachers, and signed by each owner or user involved

iv. A duly signed land donation form will be filled, signed and stamped by the responsible authorities. The form should be witnessed by representatives of the land owner (family member), representative of the Village Council, and attested by the PAA Legal Officer

v. The Village Council oversees the process and keep all records in the sub project file; including minutes of Villages Assembly Meeting and records of the completed land donation forms

vi. The Village Council to disclose the summary of land acquisition agreement to the public through village assembly and other communication channels.
4.4 Eligibility

Eligible individual(s) are those who are directly affected socially and economically through RISE funded sub-projects caused by:

a) Land rights or land use rights acquired or restricted through expropriation or other compulsory procedures in accordance with national law;
b) Restrictions on land use and access to natural resources that cause a community or groups within a community to lose access to resource usage where they have traditional or customary tenure, or recognizable usage rights. This may include situations where legally designated protected areas, forests, biodiversity areas, or buffer zones are established in connection with the project;
c) Relocation of people without formal, traditional, or recognizable usage rights, who are occupying or utilizing land prior to a project-specific cut-off date;
d) Displacement of people as a result of project impacts that render their land unusable or inaccessible;

Table 5: Criteria for Eligibility

<table>
<thead>
<tr>
<th>SN</th>
<th>Displacement Category</th>
<th>Entitlement</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Individuals who have formal legal rights to land (including customary and traditional rights recognized under the laws of Tanzania)</td>
<td>o Compensation for loss of land and assets at full replacement cost. &lt;br&gt; o In case of physical relocation, provide assistance during relocation (i.e. moving allowance) and residential housing and/or agricultural sites with productive and location advantages equivalent to the lost sites. &lt;br&gt; o Support after displacement, until livelihoods and standards of living are restored to pre-displacement levels. &lt;br&gt; o Development assistance in addition to compensation measures (i.e. land preparation, credit facilities, training, job opportunities.)</td>
</tr>
<tr>
<td>2</td>
<td>Individuals who do not have formal legal rights to land, but have a claim to such land or assets (provided that such claims are recognized under Tanzanian laws or become recognized through a process identified in the resettlement plan)</td>
<td>o Compensation for loss of land and assets at full replacement cost. &lt;br&gt; o In case of physical relocation, provide assistance during relocation (i.e. moving allowances) and residential housing and/or agricultural sites with productive and location advantages equivalent to the lost sites. &lt;br&gt; o Support after displacement, until livelihoods and standards of living are restored to pre-displacement levels. &lt;br&gt; o Development assistance in addition to compensation measures (i.e. land preparation, credit facilities, training, job opportunities.)</td>
</tr>
<tr>
<td>3</td>
<td>Individuals who have no recognizable legal right or claim to the land they are occupy or use (i.e. squatter settlements,)</td>
<td>o Compensation of improvements on land but not the land and Resettlement assistance as appropriate.</td>
</tr>
</tbody>
</table>
4.5 Entitlement

Eligible PAPs are also entitled for allowances as the table 6 below provides a summary of the entitlement standards for PAPs affected by the RISE program.
Table 6: Entitlement Matrix for the RISE Program

<table>
<thead>
<tr>
<th>Land and Assets</th>
<th>Types of Impact</th>
<th>Person(s) Affected</th>
<th>Compensation/Entitlement/Benefits</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agricultural land</td>
<td>Loss of land rights.</td>
<td>Farmer/ title holder</td>
<td>Provision of In-kind with land of similar qualities or higher or Cash compensation for affected land at full replacement costs for the lost piece of land as per the preference of the PAP; Consultations and concurrence of both spouses in the process of land acquisition and provision of compensation. Notice to harvest standing seasonal crops and compensation.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>loosing less than 20% and the rest of the land is economically viable</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Farmer/ title holder</td>
<td>Provision of In-kind with land of similar qualities or higher or Cash compensation for affected land at full replacement costs for the lost land as per the preference of the PAP; Consultations and concurrence of both spouses in the process of land acquisition and provision of compensation.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>loosing greater than 20% and the rest of the land is not economically viable</td>
<td></td>
</tr>
<tr>
<td>Entitlement Matrix</td>
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<td>--------------------</td>
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<td></td>
<td></td>
</tr>
<tr>
<td><strong>Land and Assets</strong></td>
<td><strong>Types of Impact</strong></td>
<td><strong>Person(s) Affected</strong></td>
<td><strong>Compensation/Entitlement/Benefits</strong></td>
</tr>
<tr>
<td>---------------------</td>
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<td>------------------------</td>
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</tr>
<tr>
<td></td>
<td></td>
<td><strong>Tenant</strong></td>
<td>Cash compensation for the harvest or produce from the affected land, structures and other assets owned or established by the tenant at full replacement costs.</td>
</tr>
</tbody>
</table>

Provide at least three (3) months advance notice to shift from occupied land.

Cash compensation equivalent to average of last 3 years’ market value for the mature and harvested crop, or market value of the crop for the remaining period of tenancy/lease agreement, whichever is greater.

Cash compensation for structures and other land improvements at full replacement cost (if affected);

Legal assistance, transaction costs for purchase such as registration, transfer taxes and/or customary fees will also be compensated for those opting for replacement land.
<table>
<thead>
<tr>
<th>Land and Assets</th>
<th>Types of Impact</th>
<th>Person(s) Affected</th>
<th>Compensation/Entitlement/Benefits</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Squatter/informal occupant</td>
<td>Cash compensation for crops and trees planted by the occupant. Provision of advance notice of at least three (3) months to harvest and/or shift from the land. If the farmers without land title are classified as a vulnerable person, then additional assistance should be described in individual RAP/ARAP, and may include additional training on farming techniques, additional legal guidance on how to acquire title to land, and identification of financing options for acquiring land.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Lease holder</td>
<td>Cash compensation at full replacement costs of the affected permanent crops or of the crops if seasonal crops will have to be harvested prior to maturity. Cash compensation for any unfulfilled lease prorated by the area lost.</td>
</tr>
<tr>
<td>Land and Assets</td>
<td>Types of Impact</td>
<td>Person(s) Affected</td>
<td>Compensation/Entitlement/Benefits</td>
</tr>
<tr>
<td>------------------</td>
<td>-----------------</td>
<td>------------------------------------------------------------------------------------</td>
<td>--------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Commercial land</td>
<td>Loss of land</td>
<td>Business owner is lease holder (the person who is losing the income or business)</td>
<td>Cash compensation for affected land at full replacement costs for the lost piece of land</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Land used for business partially affected</td>
<td>Loss of Profit (Net profit/p.m. x 36 months) calculated based on loss by PAP.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Limited loss</td>
<td>Consultations and concurrence of both spouses in the process of land acquisition and provision of compensation.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Land used for business severely affected</td>
<td>Provision of In-kind or Cash compensation for affected land at full replacement costs for the lost land as per the preference of the PAP</td>
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<td>Loss of Profit (Net profit/p.m. x 36 months)</td>
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<td>Cash compensation/refund of the any unfulfilled lease/rents.</td>
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<td>Support for transportation of business materials to relocation site and back to reconstructed facilities</td>
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<td>Land and Assets</td>
<td>Types of Impact</td>
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<td>Provide at least three (3) months advance notice to shift from occupied land.</td>
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<td>Consultations and concurrence of both spouses in the process of land acquisition and provision of compensation.</td>
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<tr>
<td>Business structure</td>
<td>Business structure</td>
<td>Owner occupied business structure owners</td>
<td>Choose between options such as: (i) Structure unit in chosen relocation site; (ii) Reconstruction of structure in adjacent unaffected lot or (iii) Cash compensation for the lost structure; and, Loss of profit as per the national legal requirements (Net profit/p.m. x 36 months)</td>
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<td>Consultations and concurrence of both spouses in the process of land acquisition and provision of compensation.</td>
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<td>Provide at least three (3) months advance notice to shift from occupied property.</td>
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<td>Resettlement assistance in the form of: (a) transport allowance; (b) disturbance allowance; (c) accommodation allowance during reestablishment to new place; and, (d) livelihood development</td>
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<td>Land and Assets</td>
<td>Types of Impact</td>
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</table>
|                |                 | Tenant/Lessee of house   | (e) Legal assistance for purchase of land, transactional costs and taxes  
(f) Search assistance by the local land office.  
Cash compensation for affected assets (verifiable improvements to the property by the tenant);  
Loss of profit calculated at 36 months net profit as per the legal requirement;  
Relocation assistance (costs of shifting + allowance equivalent to four months rental costs)  
Assistance to help find alternative rental arrangements  
Livelihood Rehabilitation and Restoration assistance if required (assistance with job placement, skills training).  
First refusal rights over future rented commercial space in terminals and feeder stations  
Provide at least three (3) months advance notice to shift from |
<table>
<thead>
<tr>
<th>Land and Assets</th>
<th>Types of Impact</th>
<th>Person(s) Affected</th>
<th>Compensation/Entitlement/Benefits</th>
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</thead>
</table>
| Residential Land | Loss of portion of residential land Remaining land still viable for present use. | Owner occupied residential structure that will move - Legal (occupancy rights or residential license) holder | Provision of options for Cash and In-kind compensation for affected land at full replacement costs with consultations and concurrence of both spouses; Provision of at least three (3) months’ notice to vacate the land prior to land take; PAPs to be allowed to salvage remain of the affected property. Cash compensation for the affected structures and land improvements including trees; Resettlement assistance: (a) Legal assistance for purchase (b) Search assistance (c)complementary allowance for additional cost of living (d) assistance to find alternative rental during the
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<tr>
<th>Land and Assets</th>
<th>Types of Impact</th>
<th>Person(s) Affected</th>
<th>Compensation/Entitlement/Benefits</th>
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<tbody>
<tr>
<td>Owner occupied residential structure that may redevelop in the same plot - Legal (occupancy rights or residential license) holder</td>
<td></td>
<td>Cash compensation for affected land at full replacement costs for land acquired portion acquired; Cash compensation for the affected structures (if the whole structure will be lost) and land improvements including trees built/established and owned by the legal holder with consultations and concurrence of both spouses; If structure is affected but still usable, cash compensation for the lost section and compensation to repair the remainder of the usable structure.</td>
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<tr>
<td>Lessee/Leaseholder</td>
<td></td>
<td>Cash compensation for any unfulfilled lease prorated by the area lost. Cash compensation at full replacement cost for affected structures and improvements, including economic trees, built or established and owned by the lessee.</td>
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<td>Land and Assets</td>
<td>Types of Impact</td>
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<tr>
<td>Squatter/informal settler</td>
<td>Squatter/informal settler</td>
<td>Search assistance for alternative land by linking to local government authority to allocate surveyed plots.</td>
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<tr>
<td>Loss of all or major portion of residential land</td>
<td>Loss of all or major portion of residential land</td>
<td>If the renter or lease holder is classified as a vulnerable person, then additional assistance should be described in individual RAP/ARAPs and may include: additional legal guidance on terms/conditions to request in rental agreement, and identification of programs that specifically provide support to vulnerable people renting land.</td>
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<tr>
<td>Remaining area insufficient</td>
<td>Remaining area insufficient</td>
<td>Cash compensation for affected structures and improvements, including economic trees, built or established and owned by the informal settler.</td>
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<td>Provide at least three (3) months advance notice to shift from occupied land.</td>
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<tr>
<td>Legal (occupancy rights/residential license holder)</td>
<td>Legal (occupancy rights/residential license holder)</td>
<td>Option for In-kind with land of similar qualities or higher or Cash compensation lost land at full replacement cost; Cash compensation of affected land improvements, structures,</td>
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<tr>
<td>Land and Assets</td>
<td>Types of Impact</td>
<td>Person(s) Affected</td>
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<td>for continued use or becomes uneconomically viable</td>
<td>Lessee/leaseholder of land</td>
<td>trees, crops owned by the legal holder at full replacement cost.</td>
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<td></td>
<td>Salvageable materials of demolished structures and cut trees.</td>
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<td>Provide at least three (3) months advance notice to shift from occupied land.</td>
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<td>Legal assistance, transaction costs for purchase such as registration, transfer taxes and/or customary fees will also be</td>
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<td>compensated for those opting for replacement land.</td>
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<td>Squatter/informal settler into the land</td>
<td>Cash compensation/refund of the any unfulfilled lease/rents.</td>
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<td>Cash compensation for land improvements, structures (including house) and trees established and owned by the Lessee</td>
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<td>Salvageable materials of the structure or house;</td>
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<td>Cash compensation for land improvements, structures (including house) and trees established and owned by the squatter.</td>
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<td>Land and Assets</td>
<td>Types of Impact</td>
<td>Person(s) Affected</td>
<td>Compensation/Entitlement/Benefits</td>
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<tr>
<td>House/Abodes</td>
<td>Physical displacement of household (loss of dwelling), Loss of rental income</td>
<td>Homeowners and his family and members of households</td>
<td>Choose between options such as: (i) Housing unit in chosen relocation site; (ii) Reconstruction of house in adjacent unaffected lot or (iii) Cash compensation for the lost house; and, Resettlement assistance in the form of: (a) transport allowance; (b) disturbance allowance; (c) accommodation allowance during reestablishment to new place; and, (d) livelihood development assistance (e) Legal assistance for purchase (c) Search assistance</td>
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<td>Cash compensation for affected assets (verifiable improvements to the property by the tenant)</td>
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<td>Right to salvage materials without deduction from compensation</td>
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<td>Relocation assistance (costs of shifting + allowance equivalent to four months rental costs)</td>
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<td>Land and Assets</td>
<td>Types of Impact</td>
<td>Person(s) Affected</td>
<td>Compensation/Entitlement/Benefits</td>
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<td>Squatter of house/structure</td>
<td>Assistance to help find alternative rental arrangements</td>
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<td></td>
<td>Rehabilitation assistance if required (assistance with job placement, skills training)</td>
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<td>Cash compensation for affected structure at full replacement cost</td>
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<td></td>
<td>Right to salvage materials without deduction from compensation</td>
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<td>Relocation assistance (costs of shifting + assistance to find alternative secure accommodation preferably in the community of residence through involvement of the project</td>
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<td>Alternatively, assistance to find accommodation in rental housing or in a squatter settlement scheme, if available.</td>
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<td>Rehabilitation assistance if required assistance with job placement, skills training.</td>
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<td>Land and Assets</td>
<td>Types of Impact</td>
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<tr>
<td>Buildings and structures other</td>
<td>Loss of structures or portions of structures other than the</td>
<td>Owner of structure</td>
<td>Cash compensation for affected structure based on replacement cost without depreciation</td>
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<td>than the house</td>
<td>house</td>
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<td>Right to salvageable materials of demolished structure</td>
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<tr>
<td>Business or access to livelihood</td>
<td>Loss of business of livelihood source</td>
<td>Street vendor (informal without title or</td>
<td>Opportunity cost compensation equivalent to 2 months net income based on tax records for</td>
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<td>lease to the stall or shop)</td>
<td>previous year (or tax records from comparable business, or estimates), or the relocation</td>
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<td>allowance, whichever is higher.</td>
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<td>Relocation assistance (costs of shifting)</td>
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<td>Assistance to obtain alternative site to re-establish the business.</td>
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<td></td>
<td>Business owners</td>
<td>Cash compensation for relocation cost and lost net income during the relocation period as per</td>
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<td>the national legal provisions of loss of profit allowance (Net profit/p.m. x 36 months).</td>
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<td>Alternative site within the area to continue business, transport</td>
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<td>Land and Assets</td>
<td>Types of Impact</td>
<td>Person(s) Affected</td>
<td>Compensation/Entitlement/Benefits</td>
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</tr>
<tr>
<td>Seasonal crops</td>
<td>Loss of harvest</td>
<td>Verified owner of crops (whether land owner, tenant, or squatter)</td>
<td>No compensation</td>
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<td>Provision of advance notice of at least three (3) months to harvest and/or shift from the land</td>
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<tr>
<td>Trees and perennial</td>
<td>Loss of trees or perennial crops</td>
<td>Verified owner of trees (whether landowner, tenant or squatter)</td>
<td>Cash compensation based on type, age and productive value of affected trees plus disturbance allowance</td>
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<td>crops</td>
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<tr>
<td>Temporary possession of</td>
<td>Interruption of economic activities</td>
<td>PAP (whether owner, tenant, or squatter)</td>
<td>Cash compensation for any loss of income, cash compensation for any temporary land possession (rental charges)</td>
</tr>
<tr>
<td>land during construction</td>
<td></td>
<td></td>
<td>Restoration of land to its original or better state.</td>
</tr>
<tr>
<td>Any Asset</td>
<td>Losses of any asset and disruption of lives</td>
<td>Vulnerable PAPs (Enumerate Categories) Household with PWDs Single Women HH head Poor households</td>
<td>Additional entitlements to be determined based on consultation with Vulnerable PAPs</td>
</tr>
<tr>
<td>Land and Assets</td>
<td>Types of Impact</td>
<td>Person(s) Affected</td>
<td>Compensation/Entitlement/Benefits</td>
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<tr>
<td>Community facilities</td>
<td>Loss of community facility (church, halls, school, sports)</td>
<td>Community residents</td>
<td>Replacement/restoration at the cost of the project</td>
</tr>
<tr>
<td>Graves</td>
<td>Removal of graves</td>
<td>Relatives, community</td>
<td>Relocation or removal according to local customs and as per the provisions in the Graves removal act</td>
</tr>
<tr>
<td>Seasonal Land Users</td>
<td>Loss of use of land for seasonal activities</td>
<td>Affected persons</td>
<td>Assistance to help find alternative land for seasonal use</td>
</tr>
</tbody>
</table>
4.6 Cut-off Date and Methods to Determine
Valuation and Valuers Registration Act, 2016 & Valuation and Valuers (General) Regulations, 2018 stipulates the Cut-off-date will be on the date of commencement of assets inventory. Hence, only assets which will be in existence as of the first date to commencement of assets inventory will be eligible for compensation. Those assets that will be developed or created after that date will not be compensated. Any person who undertakes any development activity in the newly demarcated project area after the cut-off date will not be eligible for compensation. The cut-off dates will be determined through consultation with PAPs, agreed with them and publicly communicated through the village administration, notice provision in public places in a language understandable to PAPs and through PAP representatives. The area will be demarcated and signs posted to ensure continued awareness of the cut-off date.

4.7 Forms of Compensation and Calculations

4.7.1 Basis of Valuation
The law and practice in Tanzania advocate market value as Basis for Valuation. However, implementation of the RISE program adopts the use of full replacement cost. Replacement cost of affected property/asset may be arrived at by different methods. Regulation 3 of the Land (Assessment of the Value of Land for Compensation) Regulations, 2001 and Part III of the Village Land Regulations, 2002 provide for practical guidelines on assessment of compensation. In short, it is pointed out that in the course of assessing compensation the Replacement cost of any land and unexhausted improvement thereon shall be arrived at by the use of:

1. Income/Earnings Approach
2. Comparative Method evidenced by the actual recent sales of similar property.
3. Replacement Cost Method where the property is of special nature and not saleable.

4.7.2 Methods of Valuing Assets
During the implementation of Program TARURA and TANROADS, where resettlement is an issue the following methods of valuing assets will be used.

4.7.2.1 Investment method
The Investment Method treats property like any other investment in the market, where the main factors influencing investment decisions are security of principal, adequate yield, security of income, administrative costs and capital growth. The procedure is to capitalize the rental income (net of expenses or outgoing) using a coefficient based on the prevailing market yield. Yield adjustments have to be made where income is terminable. Where ownership will accrue in future or the expected income stream is likely to change, the benefit is deferred at an appropriate rate, where adequate market data are available. Where sale and rental transactions are rare, and there is scarcity of comparative data on rental and capitalization rates, the method will not be used. Investment Method of Valuation is not common in Tanzania. Crop Compensation Rates are determined by the yielding capacity of the individual crop over a number of years taking into account the cost of producing the crop and marketing.
4.7.2.2 Direct Comparison Method
The method will be used to value assets by comparing like with like. It is a very reliable method if current market information is available on sale prices and rentals. It is usual to reduce sales or rented information to unit price for compensation purpose. The common units used are like

(i) Agriculture land: ha, sq. m., number of trees
(ii) Vacant build able land: ha, sqm, standard plot
(iii) Beach plots: m, of beach frontage
(iv) Houses and apartments: floor area measured in sq. m, rooms
(v) Shops and houses: floor area measured in sqm, rooms
(vi) Industrial property: floor areas measured in sqm
(vii) Schools, hospitals, school place, bed space, seat etc.

Adjustment may have to be made for age conditions or location. For instance small farm in the same location would command a comparable price be ha of farm land near town.

4.7.2.3 The Residual Method
The Residual Method is used to value vacant sites and other properties with development potentials if direct comparisons method cannot be applied due to lack of market information. The basic assumption is that the subject site could be developed to accommodate a specified development whose Development Value may be determined. The difference between the Development Value and Development Cost is the Residual which represents Land Value and hence the Compensation Value.

4.7.2.4 The Profit Method
The Profit Method is used when neither the investment nor the cost approaches is suitable. The method is based on the theory that the value of an asset is determined by the benefit or future income streams it will yield. The method is useful in valuing running businesses or going concerns. The basic data required for the application of the model is audited accounts. The Land Regulations (2001) of the Land Act of 1999 provide that in estimating loss of profit, audited accounts over at least the last 5 years should be analyzed.

4.7.2.5 The Regression method
Regression Model may be used to evaluate parameters/variables that are analyzed in the case of the other methods of valuation.

4.7.3 Methods of Compensation
The common methods of compensation are as follows:

(a) Replacement cost compensation based on Replacement cost paid in private ownership and when there is relatively high volume of market transactions on land or assets. Replacement cost is normally defined as the priced the interest in land or of assets would command in the open market assuming a willing-buyer-willing-seller situation.

(b) Compensation is based on value of improvements where land belongs to the State. Here compensation is normally based on the value of unexhausted improvements whose utility has not expired.

(c) Frozen values method of compensation and amount of compensation may be pegged to the market price at a particular historical date
(d) Existing value based on the replacement cost of asset on its existing use and discounting any potential value attributable to development possibilities or changes in the market.

(e) Tanzania Mainland compensation is tangible and understandable. The affected people have to see that they have received something substantive in return for their assets and the manner in which the amount was arrived is comprehensible.

4.7.4 Valuation for Compensation Payment

Compensation Payment referred to by the “The new Land Act of 2002” shall include:

1. Market value of the real property (i.e. value of unexhausted improvement and land). These will have been arrived at either on:
   - Market Value Basis- by Direct Comparison Valuation Technique
   - Earnings Approach
   - Cost Approach.

In practice, the Ministry of Agriculture with effect from 2002, through the Zonal Office prepare and issue the cost, for Crop Compensation and their respective population per ha and he compensating rate per ha or crop.

2. Accommodation allowance = Market Rent of the affected building per month multiplied by 36 Months. i.e.
   Accommodation allowance = Rent/p.m. x 36 Months.

3. Loss of profit allowance is accessed by establishing Net profit per month evidenced by audited accounts multiplied by 36 Months. i.e.
   Loss of profit = Net Profit/p.m. x 36 Months.

4. Disturbance allowance is calculated by value of Land by average percentage rate of interest offered by commercial banks on 12 Months fixed deposit at the time of loss of interest in land i.e.
   Disturbance allowance = Land Value x where: i. = interest rate offered by commercial banks on 12 Months fixed deposits.

5. Transport allowances shall be actual cost of transporting 12tons of luggage rail or road (whichever is cheaper) within 20 Kilometers from the point of displacement. I.e.
   Transport allowance = 12tons x Actual Cost/ton/km x 20km

NOTE

1. Transport, Accommodation and Loss of profits allowances shall not be paid for unoccupied land.
2. Accommodation and Loss of profit shall not be paid concurrently over the same property.
3. Accommodation and Loss of profit shall only be paid to the property owner and not tenant(s).
4. Incidences requiring compensation include:
   - Compulsory acquisition under the Land Acquisition, 1967.
- Where land is declared to be hazardous land under section 7(8) of Act No. 4 of 1999
- Where land is declared to be under regularization as per section 60(7)(f) & 60(3)(b) of the Act No. 4 of 1999.
- Where revocation of a Right of Occupancy under section 49(3) of Act No. 4 of 1999.

### 4.8 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. With regard to land, structures, and businesses, the replacement costs are:

1. **Agricultural land:** The market value of land of equal productive use or potential located in the vicinity of the affected land, plus the cost of preparation to levels similar to or better than those of the affected land, plus the cost of any registration and transfer taxes;
2. **Land in urban areas:** The market value of land of equal size and use, with similar or improved public infrastructure facilities and services preferably located near the affected land, plus the cost of any registration and transfer taxes; and
3. **Household and public structures:** The cost of purchasing or building a new structure, with an area and quality similar to or better than those of the affected structure, or of repairing a partially affected structure, including labour and contractors’ fees and any registration and transfer taxes. In determining the replacement cost, depreciation of the asset and the value of salvage materials are not taken into account, nor is the value of benefits to be derived from the project deducted from the valuation of an affected asset.
5.0 RESETTLEMENT PLANNING, TOOLS AND INSTRUMENTS

5.1 Resettlement Planning

Resettlement planning consists of several activities. Efficient implementation of RAP activities requires several measures to be taken prior to startup of implementation. These include setting up of relevant committees at district level, hiring of NGO or consultant etc. In principle project civil works may not start and there can be no impacts on PAPs until the RAP is implemented. The timeframe provided (to be determined upon nature of project on the implementation schedule) must take this into account. Thus, the key RAP implementation activities include:

- Consultation with PAPs;
- Screening of sub-projects by PIU to establish resettlement needs;
- Selection/contracting of RAP preparation consultant;
- Establishment of Grievance Redress Mechanism;
- Surveys; PAPs identification and inventory of assets;
- Census of PAPs;
- Socio-economic baseline survey;
- Establishment and communication of cut-off date for eligibility;
- Valuation of affected properties;
- Development of a database of PAPs and entitlements for each;
- Preparation of the RAP report, formal reviews and its approval by PIU;
- Disclosure of RAP
- Verification of PAPs; entitlements and disclosure
- Bank account opening;
- Actual payment of compensation and delivery of other entitlements
- Payment within 6 months after approval by the Chief Government Valuer;
- Giving relocation notes after effecting payments (this refers to notice of clearing the acquired site)
- Removal of all affected structures at fixed date (advised at the time of compensation payment) provided in writing Monitoring and evaluation;
- Preparation of RAP implementation completion report.

5.2 PAP Consultation and Engagement

Roads to be upgraded or rehabilitated under Subcomponents 1a and 1b will be prepared with a “people-centered design approach” to support and protect communities that will benefit from the RISE program. To ensure that the roads are inclusive and protect the communities, in addition to improved access through improved traditional road infrastructure (pavements, earth works and drainage), the approach will consider the mobility needs of all road users- the majority of which are non-motorized. This will result in sensitive treatments of all segments including the implementation of special treatments in populated areas with bikeways and sidewalks/walkways, traffic calmed areas and speed management, public transport stands, and bays as needed (catering to all public transport modes such as buses, three-wheelers and moto-taxis) and space for freight needs for loading and off-loading and other needs.

The consultation process should ensure that women’s perspectives are obtained and their interests factored into all aspects of resettlement planning and implementation. Intra-household analysis will be employed in cases where women’s and men’s livelihoods are affected differently. Women’s and men’s preferences in terms of compensation mechanisms, such as replacement land or alternative access to natural resources rather than in cash, should be explored.
Consultations will be conducted in conducive environment, accessible locations and at flexible and comfortable hours of the day. Sessions should be clear and short enough to minimize discomfort. Consultations shall be made at time and places that are suitable for women and vulnerable segment of the PAP’s, for example, in early hours women are normally occupied with household activities. To enable these people to participate in the consultation process, the following services should be provided; translation into Swahili and local language, accessible venues for events; having small, focused and short meetings where they will be more comfortable asking questions or rising concerns.

5.2.1 Planning for PAPs Consultation

Public consultations in relation to the RAP will occur at all stages, starting with inception and planning when potential lands and alternative sites are being considered. A participatory approach is adopted as an on-going strategy throughout the entire project cycle. Public participation and consultations take place through individual, group, or community meetings. Additionally, other media forms may be used to further disseminate information. PAPs will be consulted in the survey process; public notices where explanations of the project are made; RAP implementation of activities; and during the monitoring and evaluation process. Selection of ways to consult, and expand participation by PAPs and other stakeholders, will take into consideration literacy levels prevalent in affected communities; ethnicity and cultural aspects; and practical conditions (like distance). Consultations with VGs will likely need to accommodate cultural aspects which are discussed in detail in the VGPF and will be detailed for each sub-project.

It is essential that the affected persons are made aware of, and understand during preparation of the RAP:

- Their options and rights pertaining to resettlement/relocation and compensation;
- Specific technically and economically feasible options and alternatives for resettlement/relocation sites;
- The set dates for the process of resettlement/relocation and compensation;
- Effective compensation rates at full replacement cost for loss of assets and services;
- Proposed measures and costs to maintain or improve their living standards;
- Grievance and redress mechanism.

The results of the consultation process will be summarized in a table, including responses to the PAP concerns and presented in the RAP report(s) as part of informing RAP preparation. The consultations will examine among other things:

- Acceptable design alternatives;
- Conditions under which the impacts will be socially adequate;
- Measures required to guarantee that the affected people will enhance or at least restore their livelihoods and living standards;
- Preferences regarding forms of compensation assistance;
- Presentation of compensation options;
- Measures to mitigate impacts and arrangements for addressing conflicts that might occur; and
• Institutional and organizational arrangements by which displaced people can communicate their concerns to project authorities, express grievances and participate throughout planning, implementation and monitoring of the RAP.

The role of traditional political and cultural leaders, including the community elders, in the participation strategy will be important. The TARURA/TANROADS E&S team should ensure that these leaders and local representatives of PAPs are fully involved in designing the public consultation procedures.

5.2.2 Engagement and Disclosure Methods for PAPs
The proposed Engagement and Disclosure Methods for Land Acquisition & Resettlement Planning for Project-Affected People and Directly Affected Communities are:
1. Public meetings with the PAPs.
2. Resettlement committee and/or Sub-committees.
3. Small group meetings / focus groups, including those for vulnerable groups.
5. Household surveys, Household visits/individual meetings for vulnerable individuals.
6. Local disclosure materials in local language
7. Disclosure in radio and local newspapers.

5.2.3 Data collection phase
Consultations during preparation, in particular, the collection of background information and social economic data, are paramount for successful data collection. The levels of consultation will vary from households to community groups, based on the particular context of the sub-project(s). The TARURA/TANROADS E&S team through Consultants will design the questionnaires but it will be the households, organizations, and institutions that will validate their effectiveness through feedback.

Focus group meetings with women, associations for local businesses, individuals who own shops, stalls, etc. as well as primary and/or secondary schools, health centers are good sources for establishing the community baseline situation. Once the affected lands have been surveyed, the affected assets are inventoried and all the PAPs have been identified and censuses, TARURA/TANROADS shall conduct consultations with the PAPs to finalize the Entitlement Matrix. During the consultations the PAPs will be informed of their rights and options.

As early as possible during the sub-project design and preparation stage, the grievance redress mechanism should be in place. All grievances will be recorded. The participation of local Leaders and PAPs in disseminating information and resolving disputes will be important.

5.2.4 Implementation Phase
During RAP implementation, the disclosure of RAP and entitlements will be undertaken at closest village chairman’s office. PAPs will be explained to through a PAP open meeting on how asset inventory and valuation were conducted and compensation arrived at. The PAPS will then be provided with an opportunity to inspect the valuation roll and their individual entitlements. Afterwards, signing of the compensation contracts shall be undertaken.
5.2.5 Monitoring and Evaluation Phase

RAP monitoring and evaluation will be done by TARURA/TANROADS PIU at mid-term and at the end of RAP implementation, where by the RAP implementation report will be done by independent consultant at least five to six month after effecting compensation. The RAP implementation and monitoring report among other team will suggest corrective measures, as needed, to improve RAP implementation in the other sub-project(s) PAPs will participate in the whole process of RAP evaluation by giving the opinions, suggestions and feedback as part of community participation and consultation.

5.2.6 Documentation of Stakeholders and PAPs consultations

Meeting minutes for each consultation meeting should be recorded and photographic evidence collected to enable the preparation of a consultation report as indicated in the format below in the following sample table of contents for Consultation reports

i. Introduction.
ii. Stakeholder Analysis of the PAPs
iii. Stakeholder Engagement
iv. Summary of Key Issues
v. Future Consultation Events
vi. Disclosure Plan

Table 7: Sample of consultation activity summary.

<table>
<thead>
<tr>
<th>Location and Communities Represented</th>
<th>Meeting Dates</th>
<th>Attendees</th>
<th>Discussion Summary</th>
</tr>
</thead>
</table>

5.3 Baseline Socio-economic Survey and PAP Census

An important aspect of preparing a RAP is to establish appropriate and accurate baseline socio-economic data and census to identify the persons who will be affected by the individual subproject, to determine who will be eligible for compensation and assistance, and to discourage inflow of people who are ineligible for these benefits

Socio-economic information on the communities within and surrounding the Project area is collected typically with the use of questionnaires and secondary documentation collected. The aim is to understand the PAPs socio-economic status to mitigate against further negative impacts. In addition, a census to record the details of the PAP and their household is to be undertaken. Therefore, a household survey is done concurrently to gather information on the socio-economic profile of the PAPs for planning and monitoring purposes. Information to be collected in both the PAP census and household surveys will include:

Household information

✓ Household Head and Structure
✓ Household Size
✓ Gender structure
✓ Age structure
✓ Ethnicity and Religion
✓ Migratory status
✓ Occupation
✓ Income and expenditure levels
✓ Education level
✓ Health Status
✓ Marital Status
✓ Vulnerability status, if relevant (for example Person With Disability in Household, elderly-led household)

PAP Census information should include:

✓ The PAP’s valuation reference number (indicating the proponent-location-sequential number);
✓ The PAP’s name and spouse name where applicable;
✓ The date of the census;
✓ Location of affected property: plot number (or Land Registration No.), house number, street name, village or town;
✓ A sketch is drawn of the property, indicating affected portions, cropped area, fallow land, open and covered buildings, etc. Where possible, mapping with GPS coordinates can supplement this information.
✓ A photograph of the property is taken with the PAP in the foreground holding a large piece of paper indicating his reference number.

5.4 Valuation and Compensation of Affected Property under RISE

Although the subproject locations have not been identified, it can be concluded that the RISE subprojects may cover several types of land, including urban, peri-urban and rural segments. For all the three segments (urban, peri-urban and rural) land and assets will be valued and compensated for according to the following guidelines and as appropriate for each segment:

- The RISE project will compensate for assets and investments (including labour, crops, buildings, and other improvements) according to the provisions of the resettlement plan;
- Eligibility for compensation will not be valid for new persons occupying/using the project sites after the cut-off date, in accordance with this policy;
- Compensation cost values will be based on replacement costs, as of the date that the replacement is to be provided or at the date of project identification, whichever is higher;
- The market prices for cash crops will have to be determined based on the values as determined by each district. This is often the Ministry of Agriculture but differ from country to country; and
- PAPs who lose farmland allotted by the village under customary tenure will be compensated. A customary land owner will be compensated for land, assets and investments including loss of access, at replacement costs;
• User of state-owned land will be compensated for assets and investments including loss of access, at replacement costs but not land.

5.4.1 Residential Buildings, Structures and Fixtures
Compensation will be paid by replacing structures such as huts, houses, farm, outbuildings, latrines and fences on alternative land provided as a in-kind compensation, cash compensation would be available as preferred option for structures lost, that are not the main house or house in which someone is living. The ongoing market prices for construction materials will be determined. Alternatively, compensation will be paid in-kind at replacement costs without depreciation of the structure.

Compensation will be made for structures that will be affected by works activities. Average replacement costs of different types of homestead building and structures should be based on collection of information on the numbers and types of materials used to construct different types of structures. The price of the items collected in different local market, cost for transpiration and delivery of these items to the acquired land or building and estimates of construction of new building including labor required will be considered.

5.4.1.1 Loss of Structures (residential structures)
There are likely to minor impact of loss of structures that will be caused by the proposed project mainly within the construction corridor of the road which is likely to have a major impact to the livelihood of the PAPs if not well compensated. Types of structures that may be affected are largely the common semi urban structures cement blocks/baked bricks and corrugated iron sheets as roofing materials.

For the impact of residential structures they are mainly of three types that include those used as residents for the owner of the house, those used with tenants and therefore a source of income for the owner and other residential structures that combine both residents for the property owner sharing with tenants .There are also some residential structures that are still under construction (unfinished)

All affected structures will be valued and compensated in the form of cash equal to cost of building a new structure equivalent to replacement of lost asset. Valuation will be conducted by a registered Valuer – either government employee or private contractor. PAPs will have the option of reconstructing their new structures on alternative land either in the vicinity or away from the site as per their individual preferences.

PAPs losing residential structures are entitled to the following compensation:

- Compensation of the residential structure according to the cost of building a similar type of structure and Replacement cost
- Compensation of land according to the Replacement cost if the PAP owns the land;
- Transactional costs and resources required to bring the acquired land to the similar status of the land lost to the project;
Loss of Accommodation allowance;

Transport allowance;

Disturbance allowance.

5.4.1.2 Annexed structures
Demolition of outer structures and services such as fences, stores, toilets, and kitchens will result in loss of PAPs basic services that individuals, family or enterprises depend upon for sanitation, security, and general well-being, however, this will not necessitate physical relocation of PAPs or loss of business. Annexed structures in this RAP are counted separately from the main buildings.

5.4.2 Annual and/or Seasonal Crops
Valuation of Crops is estimated on the basis of earning capacity of the crop. Crop valuation by earning approach entails discounting net income expectancies to a present worth estimate which a prudent and well informed purchaser would be willing to pay at a fixed time for the right to receive the income stream produced by a particular crop.

Affected persons with crops only may not qualify for relocation. This is the view of the law and practice in Tanzania.

Seasonal crops are mainly those that take less than six months to reach total maturity that allows them to be fully harvested and the land cleared, they include maize, cassava, paddy, vegetables, sunflower, and beans. PAPs with seasonal crops will not be compensated for the loss these assets, however, in order to prevent any financial impact or loss of harvest that mainly includes food crops, notice must be provided to all PAPs with seasonal crops within the Right-of-Way to alert on when to stop cultivating once they have been compensated for loss of land. If they have already cultivated they must be allowed to harvest their crops prior to start of construction.

PAPs losing seasonal crops are entitled to the following compensation:

✓ Compensation of land where the seasonal crops are grown according to the replacement cost if PAP owns the land;

✓ Disturbance allowance.

5.4.3 Perennial Crops and Trees
Trees have recognized local replacement costs, depending upon the species and age. Compensation for trees is calculated based on the growth stage of the tree, using the local current price per m³. Subsistence trees (predominantly mango) are to be compensated on a combined replacement market/subsistence value. Trees are classified into three categories: small (saplings), medium (mature trees), and large (for poles).

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6The Valuation Division in the Ministry of Lands, Housing, and Human Settlements Development (MLHHSD) has developed crop compensation rates. These rates are reviewed every year. Compensation assessment must be approved by Chief Government Valuer. These procedures will be followed before compensation to affected people is effected.
For trees that have already started giving yields, compensation is to be calculated considering the annual production of each tree, multiplied by the current local market price and the total number of plants, as well as including the costs for the development of the perennial trees.

If households are resettled, they will be compensated for the commercial/food value of the trees they leave behind. Owners will be allowed to take the plantation of trees within the time limit granted according to the proclamation and those that cannot be moved will be compensated. In addition, losses to any perennial crops and trees impacted by the project will be eligible for compensation.

Large tree like mangoes, coconuts and other fruit trees as a source of subsistence food for families, petty market income in the same areas and shade. Crops have their significance to the local subsistence economy which this project is to enhance, crops tree used for commercial purpose will be compensated under replacement cost based on historical production records. If households choose to resettle they will be compensated for the labour invested in the tree they leave behind. The compensation rate will be based on information obtained from the socio-economic study. From this study a compensation schedule for tree can be developed incorporating the following goals.

- Replace subsistence tree production yields as officially as possible
- Provide subsistence farmers with trees to extend the number of months of the year during which fruit is produced and can be harvested as a supplemental source of food for their families.
- Provide cash payments to farmers to replace pre-sub project income denied from the sale of excess production until replacement trees produce the equivalent in project cash income.

The compensation schedule is based on providing a combination of new grafted and local trees to farmers as well as cash payment to offset lost yearly income.

PAPs losing perennial crops are entitled to the following compensation:

- Compensation of value of each crop/tree according to the replacement cost and level of maturity;
- Compensation of land where the crops are grown according to the replacement cost if the land is under the ownership of the PAP;
- Disturbance allowance

5.4.4 Land

The proposed project will result in loss of land mainly for settlement, recreational and commercial purpose. All the plots to be affected may be owned by individual and have been developed and some plots are owned by the Local Government/public ownership. All PAPs that will lose land will receive the following compensation: Compensation of the land according to the replacement cost if the PAP owns the land and disturbance allowance (Refer entitlement matrix)

5.4.5 Transportation of Removable Property

The actual cost of transporting removable property is governed by the law which directs twelve tons of luggage’s by road within 20 km from the point of displacement (Refer Methods of
valuation and Entitlement matrix). On the other hand when eligible PAP is among the vulnerable people extra cost for transport is required to make the livelihood of the affected normal like before.

5.4.6 Cemeteries and Sacred Sites
The Graves (Removal) Act of 1969 refers directly to grave removal. As a general principle, however, the exhumation and re-burial of individual graves within the project area will be avoided as much as possible if unavoidable. In case of relocation of Cemeteries and Sacred Sites within construction corridor, the following shall be done

(i) Identify all existing graves within the construction corridor;
(ii) Calculation of relocation cost;
(iii)Calculation of ceremonial and condolences cost;
(iv)Liaise with Local Entities (District Government and health officials) for reburial arrangements;
(v) Location/site for reburial to be determined by family members

In consultation with the village government, identify land for the purposes of preparing such land as a formal cemetery. All reburial will take place within the designated cemeteries. The government rate for payment of the grave will be applied.

The procedure for relocating the graves will be handled by RAP implementing agency who will fund the district authorities to conduct the exercise under the supervision of District Medical Officer (DMO). The DMO exists in the current administrative set up under District Health and Social Welfare Department. As stated in the district authorities’ legislation, the DMO is responsible for ensuring graves are exhumed, transported and buried to a different site as part of their mandate. According to the Graves (Removal) Act of 1969, the family of the deceased will be provided with ceremonial cost allowance, as compensation, which will be determined by the registered Valuer and communicated to the PAPs during sensitization meetings for the development of the RAP. Any additional costs that might arise in the relocation and/or ceremony will be borne by Ministry responsible for initiating land acquisition.

Compensation for sacred sites (e.g., proprietary rights and reconstruction) is determined through negotiation with the appropriate parties. Sacred sites include but are not restricted to altars, initiation centers, ritual sites etc. Sacred sites include such sites or places/features that are accepted by local laws including customary practice, tradition and culture as sacred. To avoid any possible conflicts between individuals and/or communities, homesteads and village government, the use of sacred sites for any project activities is not permitted under the RISE.

5.4.7 Loss of Profit for Businesses Owners
During the implementation of the project, the loss of profit for owner of structure with business will be among the entitlement to PAPs with relevant audited accounts records. The calculation for loss of profit will follow the procedure stipulated in the Land Act of 1999. For owners of business structures without audited accounts records will be compensated for loss of profit upon conducting social market survey analysis that determines profit loss done by the valuer. Specific RAPs will evaluate and analyze the calculation of different categories of entitlements in regards to loss of profit.
5.4.8 Damage Caused During Construction Work
These are people or families or even property owners suffering unintentional and temporary damage to their land and property during construction due to unforeseen actions or simply by accidents such as damage to nearby utilities, crops, structures or infrastructure caused by movement of machines and other construction activities. Whenever an unintentional impact occurs, during construction; the property should be compensated as per the entitlement matrix in this RAP. This will be the responsibility of the Developer in collaboration with the contractor and therefore this item should be included in the contract to the project contractor.

5.4.9 Community Facilities
The socio-economic activities usually exchange hands; the valuation methods normally employed are replacement costs, going concern and profit method depending on type of property and availability of data of socio-economic activities. Value will be determined by the potential for future income growth which in turn will depend on location and quality of service provided. The business and physical characteristic will be observed and the valuer will examine the quality of management.

The public/community properties include structures and land that are publicly owned, used or controlled, example by a government authority, such as a school, health center or sports field; and those that are actually private, but serving community purpose, Such as a place of worship, a private clinic or a private school. Compensation for public and private community properties will be provided according to preference of owner. For this project the religious representatives opted for in-kind compensation enable the project proponent construct another structures for them by looking for another plots of the same value which the proponent could built structures. However, the religious representatives have not provided to the consultant the plots for assessment.

For in-kind compensation the proponent will have to replace a better structure or equivalent to those affected while for those opting for cash compensation the properties will be entitled for the following compensation;

- Compensation of the public structure according to the type of structure at replacement value;
- Compensation of land where the structure is according to the replacement value if PAPs owns the land;
- Loss of accommodation allowance;
- Transport allowance;
- Disturbance allowance.

5.4.10 Compensation for loss of rental income
This is a payment to affected person from the loss of profit allowance whereas a business or income generating operation is affected by land acquisition. The regulation require the loss of profit allowance to be calculated as the net monthly profit of the business carried out on the affected property, as evidenced by audited accounts, where available, multiplied by 36 months (i.e. Net Profit/p.m. x 36 Months). Alternatively, payment could be half of turnover for 6 months. Whereas the property owner lose rental income (due to displacement of house or business premise tenants), he/she is paid lump sum cash payments of 6 months’ rent per tenant. However, whereas
affected businesses are small enterprises without proper records the Valuer could substitute the loss of profit allowance with lose of accommodation allowance.

5.4.11 Relocation Allowances (Transport, Disturbance and Accommodation)

It is transitional assistance - provided to eligible property owners paid in addition to the compensation value of the affected assets/properties. It is paid in the case of an individual property/land owner whose property/land is being acquired for the proposed project or an earmarked project site has been abandoned in favor of another site and after the land has been taken. It is also paid where an individual’s interest in land suffered proven physical damage/disturbance in the course of executing the proposed project. Disturbance shall be assessed as a percentage of the value of the property acquired as provided by the Land Act No. 4 of 1999. The Valuer calculate disturbance allowance accordingly by multiplying the assessed value of the affected —estatel (i.e. land not assets) by the average percentage rate of interest offered by commercial banks on twelve month fixed deposits. These amounts, in cash, are to be paid to each property owner.

Accommodation allowance is cash allowance provided to affected people houses and other structures are lost during the implementation. The allowance will enable them to cover cost for renting similar houses or structures for a period of three years, as per the requirement of the Land (compensation assessment) Regulations of 2001, while re-establishing themselves elsewhere. The Valuer calculate accommodation allowance by multiplying the assessed monthly market rent (applied value bands based on a market survey of rental properties in the respective project coverage areas) for the affected building or part of the building by 36 months (i.e. Rent/p.m. x 36 Months).

Transport allowance is provided to eligible property owners who will need to relocate their movable properties and assets – furniture, equipment, and business goods to a new location. The transport allowance paid in cash – only to PAPs, who are to physically move, is the equivalent of the prevailing cost of hauling 12t of goods by rail or road over a distance of 20km from the point of displacement. Transport allowances shall be actual cost of transporting 12tons of luggage rail or road (whichever is cheaper) within 20 Kilometers from the point of displacement (i.e. 12tons x Actual Cost/ton/km x 20km).

5.4.12 Vulnerable Individual

Among household/community members are people regarded as vulnerable due to their inability to perform or meet their basic needs and require special treatment. These individuals will need support during and after the relocation process to enable them, maintain/improve their livelihoods or at least restore their livelihood to their pre-project conditions. These are the people who needed special attention and assistance during RAP implementation. Authorities and the Project should ensure that social welfare offices are involved in the compensation exercise to ensure that vulnerable people get special attention. Vulnerable individuals include the following:

a) Low income female headed households
b) People below the poverty line
c) Children
d) Elderly
e) The infirm or ill
f) Orphans  
g) People with disabilities  
Determinant of vulnerability of an individual will not only depend on the above categories rather, other factors should be considered depending on the sensitivity of vulnerability. During RAP preparation a social economic survey will be conducted to assess the type of vulnerability eligible for special assistance.

5.5 Land Acquisition and Compensation Process under RISE

5.5.1 Acquisition of land

Land Acquisition in Tanzania Mainland is governed by Land Act No. 4 of 1999, the Village Land Act No. 5 of 1999 while assessment for compensation is as per Act. No. 47 of 1967. Furthermore, the Village Land Act provides that the Village Council, the organ upon which the President has delegated powers to manage village land is obliged to ensure that the village prepare an appropriate village land use plan for sustainable development, to enter into agreement with neighboring villages, to ensure that joint Village Land use plans are prepared for areas which are used jointly. Preparation of such plans among other things includes setting aside areas for community uses including areas for schools, dispensaries, water catchments, water supply utilities, market places, burial areas, offices etc. Therefore, the Land Acts, especially the Village land Act No. 5 provides a basis for ensuring that resettlement is avoided completely or a few people as possible are resettled in the implementation of sub projects. Adherence to the Village Land Act, No. 5 will facilitate minimization or avoidance of resettlement problems, costs and grievances.

Also, the Land Acts provide procedure of resolving land conflicts. The Land Disputes Courts Act No. 2 of 2002 and the land Tribunal Act, 1994 provide the respective courts and their functions. This Resettlement Policy Framework underscores that before implementation of sub projects, any land conflicts existing in the areas shall be resolved through the appropriate land courts to ensure that harmony prevails in the intended undertaking. Beneficiaries will therefore be bounded by these Acts.

5.5.2 Compensation Assessment

Act No. 47 as it is commonly known provided for compulsory acquisition of land for public purposes as well as how compensation should be assessed to compensate those whose interest on land has been acquired. This is the current Act used nowadays in Tanzania and is the 'mother Act' when it comes to land acquisition. However, the provision assessment is elaborated by the new Land Act, Part II. Section 3(1) paragraph "g" of the Land Act No.4 of 1999 provides: "To pay full, fair prompt compensation to any person whose right of occupancy or recognized long standing occupation or customary use of land is revoked or otherwise interfered with to their detriment by the State under this Act or is acquired under the Land Acquisition Act."

According to the Land Act, assessment of compensation on land acquired shall consider the following:

- Market value of the real property
- Disturbance allowance;
- Transport allowance
- Loss of profit or accommodation;
- Cost of acquiring or getting the subject land;
Any other cost loss or capital expenditure incurred to the development of the subject land, Interest at market rate will be charged.

Under this program valuation for loss of land will be done following replacement cost method. Therefore, the gaps in valuation methodology between the Land act and ESS 5, the provisions in ESS5 will apply.

5.5.2.1 Valuation Procedures
- The guiding principles in assessing compensation value are those found in the Valuation Handbook. These are: The Principle of Equivalence. Under this principle “The claimant should neither be better off, nor worse off as a result of the acquisition.
- The claimant should not suffer financially, at the same time; he should not gain a benefit or suffer a loss due to compensation.
- Compensation may be either in monetary or by issuance of some other equivalent parcel of land.
- Compensation should be fair and adequate.
- Additional considerations should be taken into account in assessing compensation. These include:
  - Severance; This is a division of land that results in a reduction of the land's area, usefulness; and profitability.
  - Injurious Affection; This refers to the loss in the value to the part retained, which is brought about by or will be brought about by the proposed development on the acquired part of the land.
  - Betterment; This is the reverse of injurious affection. It refers to the appreciation (increase) of the value of the land retained (not acquired) brought about by the proposed development on the acquired part of the land.
  - Disturbance ; This is loss to the claimant that is not directly related to the market value of land.

5.5.2.2 Effecting Compensation
After the valuation of the affected people's properties (Section 6.4 above) the Valuer prepares a compensation schedule based on the national format prescribed for a valuation report. The endorsed payment schedule by the Government Chief Valuer is counter-signed for approval by relevant authorities before implementation, including:
  i. Ward or Mtaa Executive Officers (WEO/MEO)
  ii. Authorized land officer (informing the Director of the LGA).
  iii. District Commissioner
  iv. Regional Commissioner for final approval

The implementing agency will implement the RAP, in collaboration with the District Resettlement and Compensation Committee presented in Section 5.4 above). If the implementing agency does not have internal capacity, they shall procure a Consultant to provide these services. The cost of RAP implementation will be borne by the implementing agency. The implementing agency is to prepare a time schedule that indicates how the resettlement activities are linked to the implementation of the overall project. The schedule should also include target dates for the achievement of expected benefits to PAPs, resettlement sites and terminating the various forms of assistance.

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7 Valuation Report or known as Valuation Form No 2 includes the compensation schedule which has 2 main parts: Part 1: Summary of reference number, name and total compensation cost for each PAP and Part 2: Itemized valuation of each property/asset and each allowance entitled for each PAP with their picture
Meetings need to be arranged with affected individuals and/or households to discuss the compensation process, to explain all compensation options and types, and identify the suitable payment method for the PAP and particular needs for assistant, paying particular attention to gender aspects within the affected households. Each PAP is to be presented with a contract listing all property and land being surrendered/acquired, and the types of compensation (cash and/or in-kind) selected and expected timeframe to vacate/relocate. In case of in-kind compensation the PAPs will have an order form prior to arrangement of a resettlement, which is signed and witnessed.

Current practice in Tanzania is that the compensation payments are deposited into bank accounts directly to avoid speculations, theft, amongst others, to ensure safety of households' compensation money. The PAPs without bank accounts will be required to open one and Resettlement committee will facilitate the exercise as explained in section 3.6.3. For households with both man and woman present, they will be required to open a joint bank account. The potential PAPs will be sensitized to open joint accounts during sensitization meetings and that the institution responsible for triggering ESS5 will be required to have an individual to follow up on the opening of joint accounts. The government, through institutions responsible, will facilitate the opening of the bank account.

The PAPs should have a choice on what bank to use. The implementing agency will be responsible for payment. The payment will be done in two forms. Those whose entitlement is less than 300,000 Tshs will be paid in cash while those who are entitled to more than 300,000 Tshs will be paid through a cheque deposited into their bank account. The TARURA?TANROADS PIUs will provide training on how to properly use compensation money and arrange for training sessions, which will bring bank officials to provide education on how to operate a bank account.

After receiving their compensation, the PAP will be required to vacate the area before the contractors can start the construction activities or implement the desired interventions. Therefore, the implementation schedule prepared needs to be incorporated in the contractor's and project implementation schedules. The contractor will be required to demolish all the structure and remove all salvages. The PAPs will sign a contract between with the project management agreeing on the timeframe to vacate which will depend on availability of alternative accommodation or readiness of new home. All handing over of property such as land and buildings and compensation payments will be made in the presence of the affected party and the Village Executive Officer (VEO).
6.0 RAP PREPARATION AND IMPLEMENTATION STEPS

6.1 Planning for the RAP

6.1.1 Identify RAP implementation responsibilities
TARURA/TANROADS E&S team shall outline the organizational framework for implementing resettlement, including:

- Identification of agencies responsible for delivery of resettlement measures and provision of services;
- Arrangements to ensure appropriate coordination between agencies and jurisdictions involved in implementation. This includes identification of roles and responsibilities for all stakeholders involved in the implementation of the compensation and resettlement process;
- External (non-project) institutions involved in the process of income restoration (land development/land allocation/training/credit, etc)
- Responsibility for managing facilities and services provided under the project and for transferring other such responsibilities from the resettlement implementing agencies, when appropriate.
- Mechanisms for ensuring independent monitoring, evaluation and financial audit of the RAP and reviewing and revising the RAP if necessary.

6.1.2 RAP implementation schedule
TARURA/TANROADS E&S team shall prepare a schedule of chronological steps covering all resettlement and compensation activities from preparation through implementation and agencies responsible for each activity (Template No 07). The schedule should indicate how the resettlement activities are linked to the implementation of the overall project. The schedule should also include target dates for the achievement of expected benefits to PAPs and hosts and terminating the various forms of assistance.

6.1.3 RAP budget
The TARURA/TANROADS E&S team shall itemise the costs for resettlement and compensation, administrative costs and sources of funds. Costs of affected land/property and assets are provided in the valuation report. Costs and sources of funds for monitoring, evaluation, procurement and maintenance of contracts for the entire duration of resettlement should be included. The RAP implementation budget is to be included as part of the overall project budget.

The TARURA/TANROADS E&S team should also identify and document: financial responsibility and authority, sources of funds for resettlement, flow of funds and the mechanisms that will be established to ensure coordination of disbursements with the RAP and the project schedule.

6.1.4 RAP monitoring and evaluation plan
The TARURA/TANROADS E&S team monitoring plan for the implementation of resettlement activities for the project shall be prepared by following the guidelines stipulated in Template No 07. The key components of the monitoring plan should be performance monitoring indicators to measure the progress of resettlement activities against milestones; and impact monitoring to
evaluate the effectiveness of the RAP and its implementation with respect to meeting the needs of the PAPs.

The purpose of monitoring is to assess the performance of the RAP implementation in terms of:
- Disbursement of the compensation payments,
- Progress of resettlement and rehabilitation activities including construction of structures and houses and assistance during rebuilding
- Public consultation process/ Stakeholder involvement
- Employment and/or livelihood restoration activities.
- Types of grievance issues and effectiveness of the grievance redress mechanism to resolve them.
- Services to community/ improved livelihoods

6.1.4.1 Assessment of resettlement sites
The TARURA/TANROADS E&S team shall describe the boundaries of the relocation area and assess the environmental impacts of the proposed resettlement and measures to mitigate and manage these impacts (coordinated as appropriate with the ESIA of the main investment requiring the resettlement).

Measures to mitigate the impact of resettlement on any host communities should be elaborated. These include:
- Consultations with host communities and local governments;
- Arrangements for prompt tendering of any payment due the hosts for land or other assets provided to resettlers;
- Arrangements for addressing any conflict that may arise between resettlers and host communities; and
- Any measures necessary to provide/expand services in host communities (e.g. education, water, health, and production services) to make them at least comparable to services available to resettlers.

6.1.5 RAP report preparation and Submission
TARURA/TANROADS E&S team shall contract consultants to prepare a RAP and submit it for review and clearance by the respective implementing agency. The consultant shall also undertake assets inventory and valuation and prepare a valuation report and submit it for review and approval by TARURA/TANROADS and the Chief Government Valuer. The decision should consider the estimated costs identified in the RAP i.e. does the TARURA/TANROADS/LGA and MoFP have the financial resources to cover the estimated costs for any resettlement and compensation activities.

6.1.6 Verification and approval
Upon approval from the Chief Government Valuer, TARURA/TANROADS E&S team ensures that the valuation report and compensation schedule is verified to ascertain the real individual identity of PAPs to be compensated
- Ward or Mtaa Executive Officers (WEO/MEO)
- Authorized land officer (informing the Director of the LGA).
- District Commissioner
• Regional Commissioner
• Chief Valuer for final approval

The consultant then informs the TARURA/TANROADS and the resettlement/compensation committee of the approved RAP. The RAP will also be submitted for formal review and clearance by the Bank prior to its implementation.

6.2 RAP implementation Process
After the RAP has been approved, the implementation of the RAP includes 6 main activities:

6.2.1 Awareness raising meetings
TARURA/TANROADS E&S team should raise awareness through consultations with the PAPs to:
• Inform them of the RAP implementation.
• Provide them with a timeframe for the implementation process i.e. the implementation schedule (Template No 05).
• Confirm the acceptability of the sites that have been identified for relocation
• Assure them that they will be compensated and/or resettled
• Resolve concerns they may have
• Sensitize them with regard to further concerns they may have and general procedures that will be followed.

6.2.2 Mobilisation for implementation
The resettlement/compensation committee mobilises and confirms the commitment of implementing staff, organisations, agencies and entities identified in the RAP preparation that will oversee and follow up on all compensation and resettlement matters during and after the RAP implementation.

TARURA/TANROADS E&S team confirms the planning process for implementation and logistical arrangements compensation and carrying out resettlement activities.

6.2.3 Addressing Grievances and Dispute Resolution
The grievance redress committees with the assistance of TARURA/TANROADS E&S team shall document the nature of all grievances reported using the sample grievance forms listed in Appendix IV. TARURA/TANROADS E&S team should strive to ensure that any grievance and disputes are resolved at the Ward/Village level by the Ward grievance redress committee before escalation to the District grievance committee.. If an agreement is not reached at the District level then the grievance is to follow the formal system through tribunals and the courts. A Grievance log shall be maintained at project level and copies of the same kept at TARURA Regional/District and TANROADS Regional Offices.

6.2.4 Monitoring of RAP implementation
The RAP monitoring plan for the implementation of resettlement activities for the project (Template No 07) shall be prepared by TARURA/TANROADS E&S team.. The key components of the monitoring plan should be performance monitoring indicators to measure the progress of
resettlement activities against milestones; and impact monitoring to evaluate the effectiveness of the RAP and its implementation with respect to meeting the needs of the PAPs.

**Table 8: Resettlement Action Plan Matrix**

<table>
<thead>
<tr>
<th>S/No</th>
<th>Elements</th>
<th>Activities</th>
<th>Responsible Organization</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Description of the Project &amp; Its Land Impact</td>
<td>General Description of the project and identification of the project area</td>
<td>TARURA/TANROADS &amp; LGA -</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Potential Impact, identification</td>
<td>TARURA/TANROADS &amp; LGA -</td>
</tr>
<tr>
<td>2</td>
<td>Project Objectives</td>
<td>Main Objectives of the Resettlement</td>
<td>TARURA/TANROADS &amp; LGA -</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Specific Objectives</td>
<td>TARURA/TANROADS &amp; LGA -</td>
</tr>
<tr>
<td>3</td>
<td>Socio-Economic Studies/Census</td>
<td>Household size/Numbers</td>
<td>TARURA/TANROADS &amp; LGA -</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Affected Assets</td>
<td>TARURA/TANROADS &amp; LGA -</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Impact</td>
<td>TARURA/TANROADS &amp; LGA -</td>
</tr>
<tr>
<td>4</td>
<td>Legal/Institutional Framework</td>
<td>Land Legislation</td>
<td>TARURA/TANROADS &amp; LGA -</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Environmental Legislation</td>
<td>TARURA/TANROADS &amp; LGA -</td>
</tr>
<tr>
<td>5</td>
<td>Eligibility and Entitlements</td>
<td>Proven Ownership(title)</td>
<td>TARURA/TANROADS &amp; LGA -</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Recognized Ownership</td>
<td>TARURA/TANROADS &amp; LGA -</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Recognized Occupation</td>
<td>TARURA/TANROADS/LGA -</td>
</tr>
<tr>
<td>6</td>
<td>Compensation Assessment</td>
<td>Involvement of affected persons</td>
<td>VC, WEO and TARURA/TANROADS</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Identification and Valuation of affected assets</td>
<td>TARURA/TANROADS &amp; LGAs/Hired Consultant</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Approval Procedures</td>
<td>TARURA/TANROADS &amp; LGAs</td>
</tr>
<tr>
<td>7</td>
<td>Resettlement Plan</td>
<td>Land Acquisition</td>
<td>TARURA /TANROADS &amp; LGAs</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Drawing up the Plan</td>
<td>TARURA/TANROADS &amp; LGAs</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Approval of Plan</td>
<td>TARURA/TANROADS &amp; WB</td>
</tr>
<tr>
<td>8</td>
<td>Grievances Procedures</td>
<td>Formation of Committees(GRC)</td>
<td>TARURA /TANROADS &amp; LGAs</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Hearing of objections</td>
<td>GRC</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Appeal Measures</td>
<td>LGAs and Court of Appeal</td>
</tr>
<tr>
<td>9</td>
<td>Organizational Responsibilities</td>
<td>Funds Disbursement Plan</td>
<td>TARURA/TAROADS &amp; MoFP</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Coordination</td>
<td>TARURA/TANROADS</td>
</tr>
</tbody>
</table>
6.3 Timeframes/Milestone in RAP and Compensation

The following key timeframes shall apply unless otherwise agreed between the implementing agency, Environmental Specialist, the Resettlement Committee and the PAPs. Provided however, that no agreement to waive the timeframes shall adversely affect the rights or interests of PAPs, under this Framework:

- the Resettlement Plan shall be submitted to implementing agency for approval immediately after completion of inventory;
- compensations shall be paid within 6 months as per Tanzanian statutory requirements; and
- Civil works shall commence after compensation, resettlement and rehabilitation activities have been affected.

Comprehensive time frames shall be drawn up and agreed upon by all parties including the PAPs. Compensation payments for acquired land and affected assets and resettlement of households as described above, must be completed as a condition for the taking away of land and before commencement of the civil works under the project. Adequate time and attention shall be allowed for consultation of both the displaced and host communities before bringing in the new comers. The actual length of time will depend on the extent of the resettlement and compensation and will have to be agreed upon by all parties.

6.4 Monitoring, Evaluation and Audit

Generally, monitoring and evaluation are fundamental components of the Resettlement Action Plan. It is going to be part of the whole program under RISE responsibility. The monitoring and evaluation procedures will include external and internal evaluation of the compliance of the actual implementation with objectives and method as agreed, and monitoring of specific situations of economic difficulties from the compensation.

6.4.1 Evaluation

The process of evaluation will be raised and the reference will be made from the Resettlement Action Plan (RAP) and its possible amendment required as a result final consultation and public release in World Bank, Info-shop, the Tanzania law and regulations and ESS5. The following are the objectives of the valuation:

(i) General assessment of the compliance of the implementation of the Resettlement Action Plan with general objectives and methods as set in this documents.
(ii) Assessment of the compliance of the implementation of the Resettlement Action Plan with laws, regulations and safeguard policies.
(iii) Assessment of the consultation procedures that took place at individual and community level, together with the Central Government and Local Government levels Assessment of fair, adequate and prompt compensation as they have been implemented.
(iv) Evaluation of the impact of the compensation on income and standard of living
(v) Identification of actions as part of the on-going monitoring to improve the positive impact of the program and mitigate its possible negative impact if any.

6.4.2 Monitoring and Evaluation Indicators

Internal monitoring for RAP implementation will be carried out till all PAP have vacated their existing properties. TARURA and TANROADS should agree on the maximum time of vacating and this should be done once all PAPs have received their compensation. It is recommended that maximum time of vacating could be three months. The Council will keep record of all progress and prepare regular monitoring resettlement implementation reports that outline the successes and challenges encountered and submit to respective district councils. To maximize efficiency TARURA and TANROADS can hire temporary staff, or outsource required service to provide regular views and quality control in addressing provisions of the RAP. Data from field surveys will be used as the benchmark for monitoring the progress of RAP implementation.

This RPF suggests monitoring to be based on maintaining a full-time presence in the field during resettlement implementation; in coordination with respective District Authorities and those at the ward level and monitoring to involve the following:

- Administrative monitoring to ensure that implementation is on schedule and problems are dealt with on a timely basis.
- Socio-economic monitoring during and after the relocation process to ensure that persons have been able to recover successfully and as anticipated from the relocation program.
- Administrative monitoring to ensure that relocation of graves has been adequately performed and all PAPs have been well involved in the relocation process
- Data from baseline socio-economic surveys undertaken during consultation will provide the benchmark for monitoring to assess the progress and success of RAP implementation. Monitoring will also include communication with PAPs and documentation of reactions from PAPs and physical monitoring of progress of the RAP’s implementation, including the relocation of PAPs and the affected community assets

It is also important for TARURA and TANROADS to engage external monitoring personnel who will review all compensation tallies and ascertain whether compensation was provided correctly. The external monitor will also assess whether PAPs have regained their prior living standards in terms of income, housing, access to basic amenities, and ownership of land and material assets. It is anticipated that impact monitoring will first be carried out approximately 3 months after the PAPs have been relocated and a report submitted to the three District Councils and Iringa Region (RAS) giving details of the evaluation and its findings.
For impact monitoring it is planned that an evaluation be conducted by an independent third party to determine the overall impact of the RAP. The key objective of the external evaluation will be to determine whether efforts to restore the living standards of the affected population have been properly executed. The evaluation will also verify the results of performance monitoring and identify adjustments to the RAP packages, if required. The evaluation will assess, inter alia:

- The appropriateness of the relocation sites;
- The appropriateness of the implementation schedule;
- The appropriateness of the grievance mechanism;
- The appropriateness for assisting vulnerable groups;

The Project Affected Persons (PAPs) will be actively involved and informed in impact monitoring through participatory meetings. The cooperation of the Village Executive Officer and Ward Executive Officer is also crucial during these evaluations. It is anticipated that impact monitoring will first be carried out approximately 3 months after the PAPs have been relocated, and thereafter annually for a period of at least 2 years. At the end of each evaluation, a report will be submitted to IPS and the respective district giving details of the evaluation and its findings.

Table 9: Indicators for monitoring and evaluation

<table>
<thead>
<tr>
<th>VERIFIABLE INDICATORS</th>
<th>Monitoring</th>
<th>Evaluation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of outstanding compensation or resettlement contracts not completed before next agricultural season.</td>
<td>Number of outstanding individual compensation or resettlement contracts.</td>
<td></td>
</tr>
<tr>
<td>Number of communities unable to effect village-level compensation after two years.</td>
<td>Number of outstanding village compensation contracts.</td>
<td></td>
</tr>
<tr>
<td>Number of Grievances recognized as legitimate out of all complaints lodged.</td>
<td>All legitimate grievances rectified</td>
<td></td>
</tr>
<tr>
<td>Pre-project production and income (year before land used) versus present production and income of settlers, off-farm-income trainees, and users of improved mining or agricultural techniques.</td>
<td>Affected individuals and/or households compensated or resettled in first year who have maintained their previous standard of living at final evaluation.</td>
<td></td>
</tr>
<tr>
<td>Pre-project production versus present production (crop for crop, land for land).</td>
<td>Equal or improved production per household.</td>
<td></td>
</tr>
<tr>
<td>Pre-project income of vulnerable individuals identified versus present income of vulnerable groups</td>
<td>Higher post-project income of vulnerable individuals.</td>
<td></td>
</tr>
</tbody>
</table>
TARURA/TANROADS will be responsible for RPF implementation, monitoring and evaluation and will provide regular progress reports to the Bank. To meet this end, it will structure, with its own personnel or alternatively through an outsourced specialized consultancy, a Resettlement Planning and Implementation Team (RPIT) which will be coordinated by Manager.

The organizational structure of the team responsible for overseeing RPF/RAP implementation and providing assistance to PAPs as may be required will include the skills to:

- Coordinate all necessary actions to ensure that all compensation and assistance measures are implemented in a proper and timely manner;
- Identify problem cases ensuring they are dealt with;
- Document all resettlement procedures;
- Constitute and maintain the RAP database to be used in the process of evaluation of resettlement;
- Ensure proper participation of affected peoples in the RAP process;
- Prepare and submit reports.

The team will carry out timely inspections in every area where resettlement is taking place, with the frequency deemed necessary by the team Manager. Since full documentation of all assistance provided is necessary, the key steps of each PAP resettlement will need to be directly supervised. The team shall verify that each PAP receives all entitlements established for it in the RAP.

6.4.3 Audits

The key objective of this external evaluation, or completion audit, is to determine whether the sponsor’s efforts to restore the living standards of the affected population have been properly conceived and executed. The audit should verify that all physical inputs committed in the RAP have been delivered and all services provided. In addition, the audit should evaluate whether the mitigation actions prescribed in the RAP have had the desired effect. The socioeconomic status of the affected population, including the host population, should be measured against the baseline conditions of the population before displacement, (as established through the census and socioeconomic studies.

The completion audit should be undertaken after all RAP inputs including development initiative have been completed, but well before the financial commitments to the Client have been met. The timing of the audit thus enables the sponsor to undertake corrective action, if any, as recommended by the auditors before the project is complete. In the majority of cases, the completion audit should bring to closure the sponsor’s liability for resettlement, compensation, livelihood restoration, and development support. -

6.5 Grievance Redress Mechanism

The TARURA/TANROADS E&S team will establish an independent grievance redress mechanism for each sub-project which will conform to the requirements of the RISE program
GRM referred to in the SEP. The grievance redress committee will be set up through Local Authorities, including a Resettlement or grievances Redress Committee. All PAPs will be made aware of established Grievance Redress Mechanism and informed on how to register their grievances or complaints (Appendix IV) including specific concerns about compensation and relocation. The PAPs should also be informed about the disputes resolution process, specifically about how the disputes will be resolved in an impartial and timely manner. The grievance redress committee will produce a Report containing a summary of all grievances. If needed, the dispute resolution process should include Tanzanian Courts of Law, but traditional institutions can be an effective first step in both receiving and resolving grievances.

6.5.1 Steps to be followed for Grievance Redress under RISE

The Grievance Redress Mechanism in accordance with the Compensation and Resettlement Guidelines (2009) and the principles of the RISE SEP will be presented to the stakeholders during consultative meetings with District Officials and public sensitization meetings. According to the Guidelines, the individual PAPs who will be dissatisfied with compensation package or resettlement process or other related issues will present their complaints as follows:

a) First, the complaint should be submitted to Ward Executive Officer (WEO) within one (1) month after compensation. In case the problem is not solved, then the case should be taken to the District Grievance Redress Committee (DGRC).

b) Second, the DGRC shall review the matter and provide resolution to the PAPs’ complaint within stated period (say 14 days).

c) Third, in case the DRC has failed to resolve the case or the PAPs is dissatisfied with the decision of the DGRC, it shall be taken the case to the Court of Law as per Land Acquisition Act No. 4 of 1967 and the Land Act No. 4 and 5 of 1999.

d) Fourth, if the claimant is not satisfied with the decision of Court of Law, he/she may take the case to the Court of Appeal.

The Table 3 below provides details of the procedure that is to be followed for grievance redress in RISE:

**Table 10: Grievance Redress Process**

<table>
<thead>
<tr>
<th>Step</th>
<th>Reporting Officer/Committee</th>
<th>Officer/Committee Members</th>
<th>Timeframe to Redress</th>
<th>Grievance Redressed</th>
<th>Grievance not Redressed</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Complaint related to compensation should be submitted to Ward Executive Officer (WEO/VEO) within one (1) month after compensation.</td>
<td>Grievance Committee of ward level</td>
<td>14 days</td>
<td>If the grievance is resolved and the PAP is satisfied with the committees or local government’s decision, a report of the same shall</td>
<td>If the grievance is not resolved, go to step 2.</td>
</tr>
</tbody>
</table>
construction phase are submitted to the office on occurrence basis and referral is made accordingly. be prepared and copy handover to PAP and case closed.

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>If PAP is not satisfied with step 1 decision, the case shall be forwarded to the land DGRC. DGRC shall review the matter and provide resolution to the PAPs’ Grievance Committee of District level 14 Days If the grievance is resolved and the PAP is satisfied with GRC decision, a report shall be prepared by the respective LGA. A copy of the report shall be handover to PAP for record and copies to be submitted to Local communities for record, case closed. If the grievance is not resolved, go to step 3.</td>
</tr>
<tr>
<td>3</td>
<td>PAP takes the case to court of Law.</td>
</tr>
</tbody>
</table>

Grievance related to resettlement compensation exercise may arise principally from the following:

(i) Mistakes related to identification of affected property and people within the right-of-way;
(ii) Disagreements related to the ownership of property (inheritance and divorce);
(iii) Disagreements on land and asset valuation;
(iv) Disagreements on other compensation allowances;
(v) Problems relating to the time and manner of compensation.

The District Grievance Redress Committee (DGRC) will comprise the following members:

1. District Commissioner - Chairperson
2. TARURA/TANROADS Regional Manager/coordinator - Secretariat
3. TARURA/TANROADS Sociologist and Environmental officer
4. District Land Officer - Member
5. District Legal Officer - Member
6. District Valuer - Member
7. District Community Development Officer/Sociologist - Member
8. NGO representative
9. Mtaa/Village Executive Officer from the area where the project is located
10. Representative of Project Affected Persons (PAPs)

The Ward Grievance Redress Committee will be comprised of the following members:
1. Ward Executive Officer/Village Executive Officer (VEO) (Chairperson)
2. TARURA Council Manager/TANROADS Regional Manager (Secretary)
3. TARURA/TANROADS Sociologist and Environmental officer
4. Ward Community Development Officer
5. Representative from local community who is neither interested nor affected by project (Member)
6. Representative of Project Affected Persons (PAP) from Street/Village level (Member)
7. Representative from Ward level (Ward Community Development Officer) (Member)
8. Mtaa/Village Executive Officers and Chairperson will be members of the Committee because of their positions
7.0 STAKEHOLDERS CONSULTATION AND DISCLOSURE PROCEDURE FOR RPF

7.1 Engagement Process

Comprehensive consultations and participation is required to assure that project implementers, relevant local government, NGOs and the affected population interact during all stages of the project implementation. RAP in linear development projects have minimal impact for one particular area, though cumulatively it might have as significant impact depending on the length of the project. The Community engagement process took into account of RISE program and the best practice in community development projects that require the would be PAPs and stakeholders be meaningfully consulted. Consultations were made through meetings and interviews involving stakeholders at National, Regional, District, Ward and Village levels that operate in the project area.

The main objective of the consultations was to enable stakeholders learn about the project, its impacts and how they will be mitigated. Another objective is to inform them about the compensations and resettlement procedures and to secure their cooperation. Other objectives include assisting stakeholders to understand applicable laws and regulations governing compensation and to involve stakeholders in census, socio-economic surveys, and inventory of households and affected assets for RAP preparation. The RAP consultants must engage the communities/stakeholders in order

- To ensure transparency in all activities related to land acquisition, resettlements and rehabilitation.
- To share fully the information about the proposed project, its components and activities related to PAPs;
- To obtain information about the needs and priorities of the PAPs, as well as information about their reactions
- To improve project design and, thereby, minimize conflicts and delays in implementation;
- To involve public at large together with their responsible institutions and organizations in the design and planning of the mitigation measures;

7.1.1 Stakeholder Identification and Analysis

The following stakeholders/institutions for Resettlement Policy Framework were identified and consulted. These include:

- Ministry of Lands, Housing and Human Settlements- Chief Valuer’s office
- PORALG
- District Authorities of Iringa DC, Kilolo and Mufindi
- TARURA Iringa Regional and District Managers of Iringa DC, Kilolo and Mufindi
- TANROADS Iringa Region
- District commissioner of Iringa DC, Kilolo and Mufindi
- RAS Iringa
7.1.2 Stakeholders Participation in preparation of the RPF

Various approaches were employed by the consultant during the stakeholders’ consultation process. These include consultative and participatory meetings, interviews, and discussions. Due to different levels of stakeholders and their roles regarding the program, the consultative meetings were carried out on various levels of stakeholders to ensure that there is an open and interactive communication.

During the consultative meetings stakeholders aired their views and concerns as summarized in the table below:
Table 11: Comments and Response during the Consultative Meetings with Stakeholders Conducted between December 2018 and February 2019

<table>
<thead>
<tr>
<th>S/N</th>
<th>Issues/Comment</th>
<th>Responses from the consultant</th>
</tr>
</thead>
<tbody>
<tr>
<td>S/N</td>
<td>Chief Valuer’s office Chief valuer advised the valuation process to be conducted according to the laws and regulations in order minimise negative impacts of resettlements to the people and the project. Valuation and Valuers Registration Act No. 7 of 2016 and Valuation regulation of 2018 instruct the valuation process when completed by the hired/private valuer to be channeled through DC and RC then Chief Valuer will be the last. After approval from Chief Valuer is when six months are due for payment. In case of any delay after six months interest charges (equivalent to interest charges by commercial bank) will be imposed. Chief valuer will sign the valuation documents upon receiving a completed written letter on the confirmation of availability of funds for compensation of PAPs</td>
<td>Consultant agrees with the Chief Valuer argument and promised on the thorough preparation before commencement of the project</td>
</tr>
<tr>
<td>1</td>
<td>RAS Iringa The project will enhance regional and district connectivity in terms of human travel, provision of social services and transportations of goods Alongside positive outcomes, implementing of such projects have also being associated</td>
<td>The Consultant advised LGAs to work with implementing agencies (TARURA and TANROADS), contractors, institutions other service providers and the communities to mitigate possible negative impacts brought by the implementation of the project</td>
</tr>
</tbody>
</table>
### S/N | Issues/Comment | Responses from the consultant
--- | --- | ---
1 | with negative outcome such as spread of HIV/AIDS and other sexually transmitted, destabilisation of the income pattern, social relations, compensation grievances, misuse of resources and dissatisfaction over the outcome of the project | On proper spending of compensation money, the municipal council will arrange seminars and meetings with PAPs to provide guidance and arrange follow-up mechanism to all PAPs. 

The Municipal and the Districts authorities are directed to adhere to the national directives on how to mitigate such impacts. |
2 | TARURA Regional office | Consultant agrees with the fact that presence of a sociologist, land use planner and valuer is of vital importance for the supervisory roles at the regional levels. He acknowledges that absence of these important cadres is due to TARURA establishment and setups guidelines which do not provide for these positions at the regional office. The Consultant advises the TARURA to review its setups to include these important expertises at the regional level. |
| | The Regional office is capable of supervising/coordinating the designated project however; its capacity is somehow limited by the nature of its setup. According to its set up, the regional office has no provision for sociologists, land valuers and land use planners positions which are very important for the supervision of the incoming project. In case of the need, these are obtained from the TARURA Headquarters which might be a challenge when similar projects are implemented in a number of districts in the country. | |
3 | TANROADS Iringa | Consultant urges the TANROADS to increase its racking activities to minimise misuse of road reserve and eradicate encroachment. It was also argues to propose for and request for more funds from the government to facilitate roads demarcation and increase its roads monitoring |
<p>| | TANROADS is responsible for coordination and supervision of road works at the regional level. It has the required capacity to supervise roadwork that fall under its category including the RISE. | |</p>
<table>
<thead>
<tr>
<th>S/N</th>
<th>Issues/Comment</th>
<th>Responses from the consultant</th>
</tr>
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<tr>
<td></td>
<td>It was explained that although Ipogoro to Kilolo road under TANROADS has clear beacons for demarcation, it still face challenges of encroachment especial from small business centres such as at Ndiwili. Through the consultations it was revealed that the implementing Agencies (TARURA and TANROADS) are administratively capable of supervising the projects since they are established at the National, Regional and district levels in all regions in Tanzania Mainland. While TANROADS reaches the regional levels TARURA is established the down to district levels i.e. has national office and in all region and districts in Tanzania Mainland.</td>
<td>activities</td>
</tr>
</tbody>
</table>
| 4. | District Authorities of Iringa DC, Kilolo and Mufindi | Consultant advised to establish a framework of cooperation between LGAs and TARURA basing on the fact that  
1. The Council is a body of people representation who are the beneficiaries of the roads (road users)  
2. The Districts Executive Directors are the overall in charge of all low levels LGAs employees and executives leaders who are important in implementation of the project within their jurisdiction  
The Consultant advised LGAs to work with implementing agencies (TARURA and TANROADS), contractors, institutions other service providers to mitigate possible negative impacts. |
<p>|     | All the districts authorities warmly welcomed the project and promised to cooperate with TARURA to make the project succeed. They are optimistic that the project will provide employment during construction phase, encourage business, enhance provision of social services and social networks. They also understand that sometimes such projects have negative impacts on the settlements, business, social and cultural issues, and spread of diseases. The authorities noted some few challenges to addressed |  |</p>
<table>
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<tr>
<th>S/N</th>
<th>Issues/Comment</th>
<th>Responses from the consultant</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Roads under projects are not well demarcated and have been encroached with settlements, business infrastructures and tree farming</td>
<td>brought by the implementation of the project</td>
</tr>
<tr>
<td>2.</td>
<td>People are not aware with the road acts and regulation that govern roads reserves</td>
<td></td>
</tr>
<tr>
<td>3.</td>
<td>There is no clear instructions and procedures on how do LGAs participate in TARURA projects especially in deciding the projects priorities, implementation, monitoring and evaluation phases</td>
<td></td>
</tr>
<tr>
<td>4.</td>
<td>District Manager of TARURA is not a member of District Council Assembly so some of the priorities of Roads proposed by Councilors may not be implemented basing on budget allocated and priorities set by TARURA</td>
<td></td>
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<tr>
<td>S/N</td>
<td>Issues/Comment</td>
<td>Responses from the consultant</td>
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</tr>
<tr>
<td>5</td>
<td>TARURA District offices Iringa DC, Kilolo and Mufindi</td>
<td>Consultant argues TARURA to review its establishment in order to capacitate its district offices with required staff to be able to carry their function accordingly.</td>
</tr>
<tr>
<td></td>
<td>At the districts levels, TARURA acknowledge that the project will enhance rural connectivity, stimulate social economic development and improve people’s well being.</td>
<td>Consultant advised TARURA to work close with district authority in order to utilise human resources available under the District authorities, Provided to those people aged 18 years and above. However employment is competitive so youth should organize themselves with the assistance from ward authority to penetrate in labour market.</td>
</tr>
<tr>
<td></td>
<td>The project has opportunities for employment, both pretty business, access to social services d immoral practices which may result in unwanted pregnancies and prevalence of HIV/AIDS. All three visited districts offices reported on the shortage of staff and thus depending on the head office in case of a need.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>1) All offices have limited number of engineers (maximum 4) one Accountant and a procurement specialist.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>2) All office have no land use planer, Sociologist or valuer</td>
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<tr>
<td></td>
<td>Shortage of staff has direct impact the capacity of the department to supervise projects. employment to the people hailing from the within the project site</td>
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<tr>
<td></td>
<td>During the construction. The communities may be involved in some activities as labourers during construction phase.</td>
<td></td>
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<tr>
<td></td>
<td>TARURA suffers shortage of human resources</td>
<td></td>
</tr>
<tr>
<td>S/N</td>
<td>Issues/Comment</td>
<td>Responses from the consultant</td>
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<td></td>
<td>at regional and district levels. Assessment of the staffing levels of the Iringa Region and Kilolo, Mafinga and Iringa Dc offices noticed that inadequate staffing potential challenges to effective execution of project activities. The Regional Office which coordinates and oversees the districts has limited number of staff. The office has four departments but without social, safety and health personnel. TARURA which is recently established (2017), is responsible for urban, district and community roads which are numerous and majorities are seasonal and affected by weather. This requires more resources (financial and human), time and stakeholders involvement.</td>
<td></td>
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</table>
7.2 Consultations on the of RPF for the RISE Program

Disclosure and consultation of the Resettlement Policy Framework (RPF) will be used as a benchmark for implementation of RAP in the coming sub-projects under RISE. The RPF was consulted on in a stakeholders’ consultation workshop in January 2020 at Dodoma City, and its final version will be made public through official websites of TARURA, TANROADS and World Bank. Information to be conveyed will focus on basic principles, eligibility criteria affecting entitlements and grievance redress procedures when the projects are in place. During this initial phase of disclosure, comments from official entities, NGOs and resettlement specialists, as well as from other influential peoples in the project area, will be received either through website links, standard mail, telephone call service or other means to be informed.

Table 12: Stakeholders Comments on the Draft Resettlement Policy Framework

<table>
<thead>
<tr>
<th>Institution</th>
<th>Views</th>
<th>Responses</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ministry of Health, Community Development, Gender, Elderly and Children</td>
<td>Gender and disability are very important issues to be addressed in construction sector.</td>
<td>Gender and disability issues has already been incorporated in this RPF</td>
</tr>
<tr>
<td>Ministry of Lands, Housing and Human Settlements Development</td>
<td>There should be sharing of frameworks to other stakeholders including the communication ministry and agencies.</td>
<td>This RPF has been shared to the Ministry of Works, Transport and Communication and it will be shared to communication agencies including the TCRA.</td>
</tr>
<tr>
<td></td>
<td>Implementing agencies should discuss with the ministry of Land on how to compensate the PAPs and there should be a specific guiding document to do so.</td>
<td>TARURA/TANROADS will be engaging the ministry of Lands.</td>
</tr>
<tr>
<td></td>
<td>There’s a challenge of recognition of the RPFs and RAPs in Tanzanian National Land Laws and Regulations that guide the Ministry of Lands in compensation processes as they only focus on Valuation Reports approved by the Chief Government Valuer.</td>
<td>The World Banks ESS5 complements the missing gap that is seen in national laws on compensation.</td>
</tr>
<tr>
<td>Ministry of Agriculture</td>
<td>Potential areas for PAPs and compensated areas by the RISE program have to be considered.</td>
<td>This part has been considered in the part of Value of land during compensation.</td>
</tr>
<tr>
<td><strong>When conducting in-kind compensation on agricultural land, the value of land in agricultural terms has to be taken into account.</strong></td>
<td><strong>In-kind compensation on agricultural land, the value of land in agricultural terms has have been taken into account.</strong></td>
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<tr>
<td><strong>The Iringa Regional Commissioner</strong></td>
<td><strong>This RPF will ensure the all kinds of PAPs are compensated according to their entitlements mentioned in the Entitlement matrix that considers the ESS5.</strong></td>
<td></td>
</tr>
<tr>
<td>There happens to be difference between PAPs who voluntarily relocate themselves and those who are compensated; that the compensated ones are those who refuse to relocate but those who voluntarily relocate are usually never compensated.</td>
<td>During compensation, there has to be guidance for families to choose one representative to manage compensation progress, but all members related to property ownership are to be included in all discussions.</td>
<td></td>
</tr>
<tr>
<td><strong>TARURA Iringa DC</strong></td>
<td><strong>PAPs are defined with their entitlement differences, the ones compensated are the ones that will be appointed within their families to issue compensation.</strong></td>
<td></td>
</tr>
<tr>
<td>There has to be clear procedures on valuation and have a common understanding.</td>
<td>The valuation procedures are clearly stipulated in this RPF with reference the ESS5 and National laws</td>
<td></td>
</tr>
<tr>
<td><strong>TANROADS</strong></td>
<td><strong>The RPF has to define the span of TARURA’s and TANROADS’s roads corridors i.e. regional roads needs to have 22.5m from the centerline of the road.</strong></td>
<td></td>
</tr>
<tr>
<td>The RPF has to define the span of TARURA’s and TANROADS’s roads corridors i.e. regional roads needs to have 22.5m from the centerline of the road.</td>
<td>Spans of roads have been mentioned in this RPF.</td>
<td></td>
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</tbody>
</table>
8.0 ESTIMATED BUDGET
8.1 Budget

The estimate of the overall cost of resettlement and compensation cannot be determined prior to identification of the sub project, but will be determined during the socio-economic study. The compensation modality will be agreed upon between the PAPs, beneficiaries/communities and Village Council/Ward Advisory Council prior to submission of an application for the sub project to be funded by TARURA and TANROADS. The land and any resettlement costs will not be part of beneficiaries/communities contribution to the sub project costs. (Refer also template 06)

Based on the census and inventory of assets, the final number of partially or totally affected properties for the infrastructure will be determined, on each project component, RAP will be developed and valuation for properties to be affected will be conducted. From the Valuation Report for implementing compensation the resettlement budget will be established. However, the implementation of RAP and compensation will be implemented in accordance with this Resettlement Policy Framework.

Components which will be considered in the budget development

The following budget items shall be calculated based on the estimated total cost of compensation based on the entitlements of PAPs and their lost assets.

1. Cash compensation for lost land tenure rights (land value)
2. Compensation for affected structures
3. Compensation for affected trees and crops
4. Resettlement Assistance
   (a) Allowances (Transport, Disturbance, Accommodation)
   (b) Lost incomes, profits
   (c) Livelihood Development
   (d) Repair/restoration/replacement of damaged/displaced community facilities
   (e) Grave relocation/removal
   (f) Special assistance to vulnerable PAPs
5. RAP implementation/administration cost, including consultation and grievance redress mechanism
6. Contingency cost

Individual RAPs will be funded like any other project activity eligible under the RISE funding will be processed and affected through the programme’s financial processing arrangements. In general, the cost burden of compensation will be borne by the respective implementing agency for RAPs. The RAP for a sub-project would include an itemized, indicative budget and the implementing agency will finance this budget through the administrative and financial management rules and manuals like any other activity eligible for payment under the RISE Program. This budget will be subject to the approval by the implementing agency. The implementing agency will have to finance the resettlement compensation because they will be impacting on the people’s livelihoods. Disbursements based on budgetary requirements, established by the RAPs in consultation with PAPs and local leaders, will be made through the relevant District administration.
9.0 REFERENCES

1. Manuals and Guidelines


5. Road Sector Environmental Assessment and Management Guidelines, 2011, Ministry of Works, Government of Tanzania


7. Training Modules: Closing of an Open Dumpsite and Shifting from Open Dumping to Controlled Dumping and to Sanitary Landfilling. UNEP-IETC and the Department of Environment and Natural Resources (DENR) of the Philippines.


9. World Bank/IFC References


11. IFC Environment and Social Development Department

12. IFC Handbook for Preparing a Resettlement Action Plan

10. APPENDICES AND TEMPLATES

Appendix I. RISE Program Components

Component 1: Rural Road Development and Maintenance

6. This component would comprise three mutually reinforcing subcomponents to physically improve rural road access. The component scope includes the development of rural roads (regional and rural district), spot improvements of rural district roads, and the development of community-based sustainable maintenance practices for rural district roads.

(d) **Subcomponent 1a: Development of Regional Roads.** The subcomponent will support upgrading or rehabilitation of regional roads (approximately 170 km) in Iringa Region rural districts (Mufindi, Iringa Rural, and Kilolo) to ensure all-season access. These roads will be improved to a bitumen paved standard, if found justified from economic, social, and environmental viewpoints. The improvement contracts may include performance-based maintenance following the road construction. This subcomponent will be implemented by TANROADS.

(e) **Subcomponent 1b: Development of Rural District Roads.** This subcomponent will support upgrading or rehabilitation of rural district roads (approximately 400 km) to ensure all season access. These roads will be improved to a paved standard using cost-effective surfacing technologies (e.g. Otta-Seal), as justified from economic, social, and environmental viewpoints. The subcomponent will also include support spot-improvements (i.e. improvement of selected short sections) of rural district roads (up to 2,900 km). While the geographical coverage of the upgrading/rehabilitation interventions will be Iringa Region rural districts (Mufindi, Iringa Rural, and Kilolo), zones targeted for the spot improvement interventions will include the rural districts of Southern Highlands and Coastal and South zones. This subcomponent will be implemented by TARURA.

Subcomponent 1c: Rural Road Maintenance. The subcomponent will support routine maintenance activities (23,250 km by Program completion) of rural district roads in the Southern Highlands, Coastal and South zones. Local communities will be involved in the routine road maintenance activities through different models for CBRM. This subcomponent will be implemented by TARURA.

Component 2: Institutional Strengthening, Human Capital and Project Management and Monitoring

7. The component will support building capacity in the sustainable management of rural roads in Tanzania. The component will primarily focus on TARURA but will also include selected support to other institutions including TANROADS, the MoWTC, and PO-RALG. This component will endeavor to strengthen and capacitate TARURA to achieve its objectives and deliver its functions in a modernized and sustainable way; and to lay out a groundwork for a robust planning and policy

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6 Due to resource constraints, road development activities will be concentrated in the Iringa Region rural districts and spot improvements and routine maintenance will be concentrated in the rural districts of the Southern Highlands, Coastal and South zones of the Agricultural Sector Development Program Phase II rolled out by the GoT in 2018.
8. The component will have five subcomponents:

(f) **Subcomponent 2a: Rural Road Sector Policy Framework.** This subcomponent will assist the GoT with development and updates of policies and strategies relevant to the sustainable management of the rural road subsector. This includes activities and studies associated with the development and implementation of a National Rural Roads Plan and Program and associated policies and strategies and a climate change resilience strategy and action plan for the Tanzania road sector. It will also provide support to selected institutional strengthening activities in PO-RALG and the MoWTC, and it will design of shared facilities and services strategy for TARURA and TANROADS.

(g) **Subcomponent 2b: Institutional and Administrative Strengthening.** This subcomponent will support TARURA’s institutional and administrative strengthening activities to accelerate TARURA becoming an efficient service delivery institution and assist in maximizing its value to the communities. This includes activities that will lead to the development of organization and human resource (HR) and business plans addressing all functional areas and the implementation of these plans, including a functional and institutional review (FIR).

(h) **Subcomponent 2c: Technical Strengthening.** The subcomponent will support the development and implementation of technical strengthening and capacity-building activities for modernized technical rural road asset management systems and processes (planning, design, development, operations, and maintenance) with strong attention to climate resilience.

(i) **Subcomponent 2d: Road Safety Development.** The subcomponent will support a multidimensional approach to strengthen Tanzania’s transport sector capacity for rural road safety management. This will be accomplished through road safety institutional strengthening, inputs to road safety policy framework enhancement, road safety data management system strengthening, and capacity-building activities for road safety.

(j) **Subcomponent 2e: Project Management, Monitoring and Evaluation.** This subcomponent will support strengthening of TARURA’s institutional capacity for successful coordination and implementation of the program. This will include incremental administrative costs for the program delivery (including staff, audits, communications strategy and dissemination, trainings and knowledge exchanges, and other goods and materials necessary for project management); operational support (including consulting and advisory services) for project management; and all activities associated with program monitoring and evaluation and impact evaluation.

### Component 3: Community Engagement, Inclusion and Protection

9. This cross-cutting component will leverage the impacts of other components by proactively engaging communities by increasing their participation and decision making, especially for women and implementing approaches that will ensure social inclusion and protection while contributing to mitigate and respond to potential social risks derived by the program such as gender-based violence (GBV).  

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9 GBV is an umbrella term for any harmful act that is perpetrated against a person’s will and that is based on socially ascribed (that is, gender) differences between males and females. It includes acts that inflict physical, sexual, or mental harm or suffering and threats of such acts, coercion, and other deprivations of liberty. These acts can occur in public or in private (Inter-Agency Standing Committee 2015). Women and
HIV/AIDS, and occupational health and safety (OHS). The component will be managed by TARURA but with involvement of TANROADS, the MoWTC, or PO-RALG, as applicable. The component has three subcomponents: (a) Subcomponent 3a: Community Engagement. This subcomponent supports activities linked to the design and implementation of proactive policies and activities to involve communities in the program design and monitoring, including targeting low-income women and other groups in a situation of vulnerability; (b) Subcomponent 3b. Community Inclusion. This subcomponent will support the design and implementation of a national model for CBRM for TARURA, with particular emphasis on the participation of low-income women and other groups in a situation of vulnerability; and (c) Subcomponent 3c. Community Protection. This subcomponent finances activities to tackle potentially sensitive community and social risks, specifically GBV risks, including SEA, sexual harassment in the workplace, and HIV/AIDS that can arise from the presence of the program in the intervened areas.

Component 4: Contingency Emergency Response (CERC)

10. This component will allow for reallocation of credit proceeds from Component 1 to provide immediate emergency recovery support following an eligible crisis or emergency. An Emergency Response Manual (ERM) was developed during preparation in coordination with TARURA, TANROADS, and the Prime Minister’s Office - Disaster Management Department, considering the fiduciary, safeguards, and monitoring and reporting, and other necessary coordination and implementation arrangements.

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girls are disproportionately affected by GBV across the globe. This Program document will refer to GBV; however, the Program will only mitigate and respond to the forms of GBV that it can specifically exacerbate, that is to say SEA and sexual harassment in the workplace—which has been identified as a risk during the community consultations for the first-generation roads.
Appendix II: TERMS OF REFERENCE (ToR)

1. Background (on the overall program to be supported by the RPF)
Rural connectivity remains a major development challenge for Tanzania. Tanzania has a low Rural Access Index (RAI), indicator that measures the fraction of people who have access to an all-season traversable road within a walking distance of 2 Km. The RAI for Tanzania is only 24.6%, according to a recent World Bank study, as compared to that of neighboring East African sister countries of Kenya and Uganda at 56% and 53%, respectively. This means that over three quarters of Tanzania’s population remain unconnected to an all-season traversable road. With 70 percent of Tanzania’s population being rural this figure equates to approximately 33 million of rural people.

Although an overwhelming majority of Tanzania’s Trunk Road network, about 89%, is in good condition, substantial portion of the regional and district roads are in poor condition. Tanzania’s total road network is 144,000 km comprising 35,000km of trunk and regional roads and about 109,000 km of district roads. It is estimated that 26% of regional and 43% of district roads are in poor conditions. The Draft National Transport Policy (NTP) 2016, estimates that between 20,000 to 30,000 km of the classified tertiary network (totaling 56,000km) are not passable by normal motorized vehicles during the rainy season. The Draft NTP acknowledges the critical role of rural roads in Tanzania’s development and aims to address the rural accessibility challenges through the improvement of rural transport infrastructure. Many of the agriculturally-rich areas in Tanzania remain unconnected year-round, owing to missing or unreliable road links, which have been hampering the extraction of full agriculture potentials from those areas and exacerbating transportation costs. Also, the rural roads are crucial for accessing social (e.g. schools, health centers) and economic (e.g. markets, employment centers) services and facilities.

The Government of Tanzania (GoT) is currently preparing the RISE program in collaboration with the World Bank through its executive agencies the Tanzania Rural and Urban Roads Agency (TARURA) and Tanzania National Roads Agency (TANROADS) aiming to achieve the development objective of “improving road connectivity in support of enhanced livelihoods of population in selected rural areas, and build capacity in the sustainable management of rural roads”.

Scope of the RISE
To fulfill the proposed project development objective, the RISE will comprise four components:

i. Component 1: Rural Road Development and Maintenance
The first component of the Program would comprise three sub-components, as follows:

(a) Sub-component 1a: Development of Regional Roads. This sub-component will fund upgrading of Regional Roads. It is estimated that a total of approximately 220 Km of Regional Roads could be covered. The roads will be upgraded to a paved standard
when justified from economic and social perspectives. There will be a consideration for contracting practices that include performance-based maintenance after completion of planned works.

(b) **Sub-component 1b: Development of Rural Districts Roads.** This sub-component will fund rehabilitation and improvement of Rural District Road Network. The initial analysis shows that a total of up to approximately 400 Km of development/improvement would be attained.

(c) **Sub-component 1c: Rural Road Maintenance.** This sub-component will support routine maintenance and Spot Improvements activities of Rural District Roads. An initial analysis shows that a total of 12,000 Km of Rural District Roads could be maintained during the project period. This sub-component will enable a wide access to most geographical locations in Tanzania. Different employment intensive appropriate technology options would be considered for making cost-effective employment maximizing and sustainable interventions that could also accrue to social inclusion of the poorest population, especially women.

ii. **Component 2: Institutional Strengthening, Capacity Building and Project Management and monitoring**

(a) The institutional strengthening and capacity building component would primarily focus on TARURA. This component will endeavor to strengthen TARURA and build capacity so that the newly created agency will quickly gather strength and build up capacity for the planning (including environmental and social studies), design, construction and maintenance of district road network.

(b) The component is expected to support TANROADS as well, albeit not in a substantial way. Areas of support to TANROADS might include: i) regional road planning; ii) developing and updating standards, manuals and specifications related to Regional Roads; iii) emergency preparedness and response and resilience to climate change and natural disasters linked to regional roads and iv) research activities, if found vital for the sustainable development and management of Regional Roads.

iii. **Component 3: Community Engagement, Inclusion and Protection**

This cross-cutting component will leverage the impacts of other components by proactively engaging communities and implementing approaches that will ensure social inclusion and protection while contributing to reduce violence and increase participation and decision making, especially for women. It is expected that parts of this component will be implemented and scaled up in collaboration/coordination with other government programs, development partners and/or non-government organizations (NGOs) and/or community-based organizations (CBOs). The component will be managed by TARURA but with involvement of TANROADS, MoWTC or PORALG as applicable,

iv. **Component 4: Contingency Emergency Response (CERC)**

This component will be available should the need for an emergency response arise due to a natural disaster. The project will be re-structured to apportion funds for this “zero
value” component, in case of a need for emergency response. Criteria for triggering such restructuring process will be developed during the project preparation.

The proposed project will be implemented widely across mainland Tanzania for spot improvements in subcomponent 1b, subcomponent 1c (maintenance) and components 2, 3 and 4. However, due to limited available budget and the need for a network-level approach (combining investments in the rural district and regional networks for a given community/value chain) to ensure developmental benefits to beneficiary agricultural areas and communities, the components associated with development regional and district rural networks (1a and improvements activities in 1b) are expected to have a geographical focus of Kilolo, Iringa Rural and Mufindi districts in the Iringa Region.

2. **Objective of the Consultancy Assignment**

The objective of this assignment is to prepare an acceptable Resettlement Policy Framework (RPF) based on an assessment of activities that may involve involuntary resettlement. According to the World Bank’s ESS5 (Land Acquisition, Restrictions on Land Use and Involuntary Resettlement), a project requires that the implementing agency screen sub-projects or possible activities to be financed by the Bank to ensure their consistency with ESS5. The implementing agency submits, prior to appraisal, a RPF that contains the most recent and accurate information on potentially project affected persons (PAPs). The developed RPF will ensure; the systematic process is followed in addressing social concerns during different stages of implementation, participation of affected people, involvement of relevant institutions and stakeholders, adherence to both World Bank procedures and Tanzania’s laws, regulations, and requirements, and outlined reasonable compensation for affected people.

Specifically, the Consultant is expected to:

1. Prepare the RPF based on the most accurate and available information on potential Project Affected Peoples (PAPs), which are defined as “those who may be relocated, or whose incomes or livelihoods may be displaced, by the project, and conduct a valuation of the assets and incomes;”
2. Describe the policy and regulatory context (e.g. laws, regulations, and procedures) of the Government of Tanzania on resettlement and displacement. The description should contain a section demonstrating their relevance to the World Bank’s ESS5 (Land Acquisition, Restrictions on Land Use and Involuntary Resettlement) covering displacement, resettlement, and livelihood restoration;
3. Provide guidance on possible compensation and other resettlement assistance, as needed, or when a Resettlement Action Plan (RAP) may need to be prepared;
4. Conduct consultations with potential stakeholders, in the preparation of this RPF making sure participation of women10, vulnerable groups, and other key stakeholders is maximized;

10 To ensure participation of women in the consultations they should be organized at a time and place that is suitable for them, in a separate area from men, facilitated by women and making sure that they count with the project information.
5. Assist the implementing agency and local leaders in establishing the institutional set up for decision making and responsibilities in case a RAP needs to be prepared and implemented; and

6. Develop arrangements for monitoring and evaluation, and specifically if a RAP is to be prepared and implemented, including completion of a baseline socio-economic survey (disaggregated by sex and other relevant indicators to be agreed upon in advance with TARURA/TANROADS) and follow up surveys of PAPs and host communities.

3. **Scope of the assignment**
   
   Under this assignment the consultant is mainly required to perform the following but not limited:

   **Task 1: Development of the Resettlement Policy Framework (RPF)**
   
   1. Describe the project and its components for which land acquisition or Right of Way (RoW) may be required for the upgrade and / or rehabilitation works, and provide an explanation of why a resettlement plan cannot be prepared in advance of the road network determination. Identify potential impacts such as loss of assets, loss of income sources and livelihoods arising from project activities, for both women and men, including for people with disabilities.

   2. Describe principles and objectives governing preparation and implementation of land acquisition, compensation and resettlement. The resettlement objectives are to move (or deprive from resources) as few people as possible consistent with the requirements of the project, and that general principles of doing no harm, of avoiding or minimizing resettlement are to be followed in all project activities. The RPF should include instruments that will be used to ensure that affected people are meaningfully consulted, compensated fully and fairly for their losses, and assisted in their efforts to improve their livelihoods and standards of living or at least to restore them.

   3. Review existing national laws and regulation and World Bank’s Environmental and Social Standards especially the ESS5 (Land Acquisition, Restrictions on Land Use and Involuntary Resettlement) and other guidelines and provisions governing preparation and implementation of RAPs for World Bank financed projects for the purpose of assessing their applicability to the project, and related requirements. Under this area some social issues such as the Environmental Health and Safety (EHS) aspects of the affected population would also be considered, as well as if said laws are discriminatory towards women. It is important to measure the gaps and propose way forward. This should cover but not limited to the following:
   
   - Scope of existing land and property laws governing resources, including state-owned lands under eminent domain and the nature of compensation associated with valuation methodologies; land market; mode and timing of payments, etc;
   
   - Applicable legal and administrative procedures, including a description of the grievance procedures and remedies available to PAPs in the judicial process and the execution of these procedures, including any available alternative dispute resolution mechanisms that may be relevant to implementation of the resettlement for the sub-project;
   
   - Relevant laws (including customary and traditional law) governing land tenure, valuation of assets and losses, compensation, and natural resource usage rights, customary personal law; communal laws, etc related to displacement and resettlement, and environmental laws and social welfare legislation;
- Laws and regulations relating to the agencies responsible for implementing resettlement activities in the sub-projects;
- Gaps, if any, between local laws covering resettlement and the Bank’s ESS5, and the mechanisms for addressing such gaps; and
- Legal steps necessary to ensure the effective implementation of RAP activities in the sub-projects, including, as appropriate, a process for recognizing claims to legal rights to land, including claims that derive from customary and traditional usage, etc and which are specific to the sub-projects.

4. Outline methods to be used by the program in valuing assets eligible for compensation under the World Bank’s policies and under local laws. Explanation on the methods for inventorying assets, assigning values to each type of asset, and coming to agreements with each affected person or group on the total profile of losses and compensation. The RPF will, to the degree possible, present an “entitlement matrix” which shows the types of affected people, the types of losses, and the forms and amounts of compensatory actions that will be taken for each type.

5. Identify institutions, departments, and other proved stakeholders to carry out land acquisition activities along with their respective mandates, role and responsibility. Identify the gaps and suggest way forward for improving of current process for land acquisitions that could be implemented by the project within the existing legal framework in Tanzania;

6. Since it is impossible to estimate exactly eventual human displacement/loss of income to be caused by the proposed activities, the Consultant should prepare guidance and templates for the census, socio-economic baseline survey, asset inventory, valuation of affected properties, consultation processes, classification and description of the likely population to be affected or deprived of income. Said guidance and templates should incorporate a gender perspective. Different categories of those affected may include, for example, those losing lands for cultivation or those losing housing or those losing both, those losing temporary access or those losing permanent rights, business or residential property;

7. Provide eligibility criteria for defining various categories of affected persons. Define the criteria that are to be used to identify the eligibility for compensatory measures for each category of affected people, whether losses are partial or total;

8. The RPF shall describe the mechanisms available to affected people for complaints about aspects of their treatment under this policy framework. Show how the mechanism will be accessible (in terms of language, distance, and cost) to affected people, and what recourse/appeal from the local grievance mechanism may be available;

9. Outline processes to identify and preliminarily identify potential for any disadvantaged people or group that might be disproportionately affected by resettlement process and find conducive mechanism to support them or areas within the project area with land tenure conflict or land disputes that require particular attention to the extent feasible;

10. Estimate the approximate size of land with existing assets that need to be acquired, the current land usage, number of household, business and other roadside activities that are likely to be affected during implementation of the project

11. Outline the arrangements for funding any compensation for losses, including the preparation and review of cost estimates, the flow of funds, and contingency
arrangements. The RPF will describe the relationship of the RPF to the individual RAP that may be required for the project in case there is land acquisition or Right of Way or need to compensate people for losses of assets and sources of livelihoods for women and men. The RPF will describe roles of the Ministry of Lands, Housing and Urban Development and the Ministry of Information, Communication Technology and Tourism and the network developer in the process of developing RAP.

12. Describe mechanisms for consultations with, and participation of displaced persons in planning, implementation and monitoring, ensuring that women are represented. Consultation is to be done for the RPF which sets many of the parameters by which resettlement and compensations will be carried out. Show that meaningful consultation is being carried out with a broad array of stakeholders including both borrower officials at every level. Include a requirement that the draft RPF is to be circulated to interested parties, and that further consultations will take place before finalization. The RPF should further require a record of all such consultations as an annex. For the individual RAPs, show how the people affected by the particular project activities will be consulted throughout the process of RAP formulation, as prescribed by ESS5.

13. Carryout any other tasks or exercise involving Field Investigation and Social Screening, Social Survey of selected household and locations, and Stakeholders Consultations that will add value on developing of Resettlement Policy Framework

**Task 2: Public Consultation on the RPF**
The Consultant will undertake consultation activities with stakeholders during preparation of RPF to solicit views and opinions of stakeholders which will be taken into account before finalization RPF. Stakeholders will include relevant government departments, local government councils, private sector, non-governmental organizations, civil society members, including community based organizations representing women groups. This exercise will be conducted jointly with TARURA and TANROADS.

The consultant is expected to deliver a full packed RPF document possessing the following parts; (i) Executive summary; and the (ii) Main sections of Resettlement Policy Framework. A detailed proposed table of content is presented in Annex I.

5. **Reporting Requirements**

5.1 Inception Report
The inception report should be submitted not later than two (2) weeks from contract award. The inception report should present the Consultant’s Work Plan, define the Implementation Schedule by task, methodology and proposed outline of the RPF.

5.2 Draft Report
The draft report shall be submitted within two (2) months period after signing of contract in English with exception of Executive Summary which should be in both English and Swahili. The submission should be in eight (8) hard copies and an electronic copy.
5.3 Stakeholder workshop
Consultant shall submit the Draft Report to stakeholders’ meeting for comments and suggestions prior to its finalization.

5.4 Final Report
The final report shall be submitted within two (2) weeks’ period to TARURA Head Office in the same manner as in Section 5.2

6. Team Composition and Qualification of Consultants
Desired qualification, competencies, technical background and expertise
   a) A social development specialist with a university degree in social work/social sciences. An advanced degree will be an added advantage;
   b) At least five (5) years of experience in the field of social assessment or resettlement planning on donor financed projects especially World Bank financed projects;
   c) Excellent analytical, communication, writing skills in English and Swahili language;
   d) Experience in social risk management in infrastructure development will be an added advantage.
   e) Experience in conducting gender analysis for development projects will be an advantage.

7. Payment to Consultant
   (a) 20% of the contract sum upon submission of an acceptable inception report
   (b) 30% of the contract sum upon submission of a draft report and incorporation of employer’s comments in the same
   (c) 50% of the contract sum upon submission of an acceptable final report in specified number of copies as per contract

NB: The fees will remain fixed for the duration of the Contract. Reimbursable will be made against submission of acceptable documentary evidence. No other payments will be made to the Consultant under this Contract.

8. Time Frame
The assignment person input is estimated to take three (3) person months.

9. The Consultant’s Obligations
The Consultant’s obligations shall include, but not be limited to
   (a) Reviewing and analysing available documents and reports. The Consultant shall be responsible for the correctness of using such data from these reports.
   (b) Collecting additional information and data from implementing Ministries/Agencies and other relevant stakeholders (including World Bank) on key areas as necessary for preparing an acceptable and well substantiated report.
   (c) The Consultant shall be responsible for arranging for all necessary office and living accommodation, transport, equipment, supplies, secretarial services, communication and such other services, necessary for the proper implementation of the services
   (d) Preparation and submission of the reports.
10. **Support to the Consultant**
Unless otherwise to be agreed during pre-contract negotiations, the assignment will mainly involve review and analysis of relevant documents and records held by the implementing entities (TANROADS, TARURA) and Government (Ministry of Works, Transport and Communication, President’s Office – Regional Administration and Local Government), and the World Bank, as well as interviews with key representatives of these organizations.
Annex I: TOR FOR THE PREPARATION OF RPF

Resettlement Policy Framework

The resettlement policy framework covers the following elements, consistent with the provisions described in ESS5 Annex 1 – involuntary resettlement instruments, B. Resettlement Framework

(a) A brief description of the project and components for which land acquisition and resettlement are required, and an explanation of why a resettlement policy framework rather than a resettlement plan is being prepared;

(b) Principles and objectives governing resettlement preparation and implementation; (c) a description of the process for preparing and approving resettlement plans;

(d) Estimated displacement impacts and estimated numbers and categories of displaced persons, to the extent feasible;

(e) Eligibility criteria for defining various categories of displaced persons;

(f) A legal framework reviewing the fit between borrower laws and regulations and Bank policy requirements and measures proposed to bridge any gaps between them;

(g) Methods of valuing affected assets;

(h) Organizational procedures for delivery of compensation and other resettlement assistance, including, for projects involving private sector intermediaries, the responsibilities of the financial intermediary, the government, and the private developer;

(i) A description of the implementation process, linking resettlement implementation to civil works;

(j) A description of grievance redresses mechanisms;

(k) A description of the arrangements for funding resettlement, including the preparation and review of cost estimates, the flow of funds, and contingency arrangements;

(l) A description of mechanisms for consultations with, and participation of, displaced persons in planning, implementation, and monitoring; and

(m) Arrangements for monitoring by the implementing agency and, if required, by third-party monitors.
Appendix III: List of Participants/Stakeholders

<table>
<thead>
<tr>
<th>S/N</th>
<th>NAME</th>
<th>DESIGNATION</th>
<th>ORGANIZATION</th>
<th>Email/PHONE NUMBER</th>
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<tr>
<td>06</td>
<td>Justin M. Lyambe</td>
<td>MPI</td>
<td>Tarura</td>
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<td>07</td>
<td>Eng. Ezrom Khande</td>
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<td>0715 408703</td>
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<td>08</td>
<td>Emmanuel Ngamo</td>
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<td>Eng. June Wamera</td>
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<td>Prosper Mwamwani</td>
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<td>Patrick Godeke</td>
<td>Director Of Community Development</td>
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<td>0757 681010</td>
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<td>12</td>
<td>Eng. Richard Njia</td>
<td>P(1) TARURA</td>
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### Workshop Attendance Register

**Date:** 09th January 2020  
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<td>Colin Kachiri</td>
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<td>FLORIAN CHUWA</td>
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# ROADS TO INCLUSION AND SOCIOECONOMIC OPPORTUNITIES (RISE) PROGRAM

Stakeholders Workshop for Disclosure of the Environmental and Social Frameworks

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<td>7</td>
<td>Anna N. Kamba</td>
<td>E.O. - TARURA IRINGA</td>
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<tr>
<td>8</td>
<td>Juma Msabani</td>
<td>REC-IRINGA</td>
<td>TSE</td>
<td>0766242000</td>
<td></td>
</tr>
<tr>
<td>9</td>
<td>Richard Sanga</td>
<td>CM-TARURA Mufindi DC</td>
<td>TGSE</td>
<td><a href="mailto:nsibanga2016@gmail.com">nsibanga2016@gmail.com</a></td>
<td>0764189153</td>
</tr>
<tr>
<td>10</td>
<td>E.M. Robert Mashinji</td>
<td>OSHA</td>
<td></td>
<td><a href="mailto:robertulama@osha.go.tz">robertulama@osha.go.tz</a></td>
<td>0766364020</td>
</tr>
<tr>
<td>11</td>
<td>Beatrice Mutome</td>
<td>TARURA</td>
<td></td>
<td>0944646416</td>
<td></td>
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</tbody>
</table>
### Workshop Attendance Register

**Date:** 09\(^{th}\) January 2020  
**Venue:** Dodoma Convention Centre

<table>
<thead>
<tr>
<th>S/N</th>
<th>NAME</th>
<th>DESIGNATION/ORGANIZATION &amp; WORKING STATION</th>
<th>SALARY SCALE</th>
<th>Email/PHONE NUMBER</th>
<th>SIGNATURE</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Faraja Mmaja</td>
<td>MNAT/ASXMPP</td>
<td>TC1 M</td>
<td>065844477</td>
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<tr>
<td>2</td>
<td>SIKAMBARA S. JABY</td>
<td>CM TARURA IPWEA</td>
<td>TC5 E</td>
<td>0757723215</td>
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<tr>
<td>3</td>
<td>EVELYN KADOMA</td>
<td>NDC/DODOMA</td>
<td>TC5 H</td>
<td>0713253253</td>
<td></td>
</tr>
<tr>
<td>4*</td>
<td>ALLY A. KUMIL</td>
<td>TARURA - RISE/DEP</td>
<td>TC3 D</td>
<td>0713598876</td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>HIDA MAINE</td>
<td>TB</td>
<td>-</td>
<td>9679964972</td>
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<tr>
<td>6</td>
<td>Raymond Kilo</td>
<td>ENG-TARURA - DODOMA</td>
<td>TC5 H</td>
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<tr>
<td>7</td>
<td>DURANDI KIMARA</td>
<td>TARURA HR</td>
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<tr>
<td>8</td>
<td>JOHN VAN BIA</td>
<td>ECORYS</td>
<td>-</td>
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<tr>
<td>9</td>
<td>ALLY MWAMCHANDA</td>
<td>EU</td>
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<td>10</td>
<td>LAURENT KYOMBI</td>
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<td>11</td>
<td>MWAJABA BULA</td>
<td>MOW</td>
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Appendix IV – Sample Grievance Forms

Form A: Grievance Registration Form

<table>
<thead>
<tr>
<th>COMPLAINANT DETAILS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name of Complaint:</td>
</tr>
<tr>
<td>Address:</td>
</tr>
<tr>
<td>Telephone number</td>
</tr>
<tr>
<td>District</td>
</tr>
<tr>
<td>Village / Estate / Street</td>
</tr>
<tr>
<td>ID number</td>
</tr>
</tbody>
</table>

Date of receipt:……………………………
Description of complaint:

Nature of grievance:………………………………………………………………………………

Location of grievance:
<table>
<thead>
<tr>
<th>Region</th>
</tr>
</thead>
<tbody>
<tr>
<td>District</td>
</tr>
<tr>
<td>Ward</td>
</tr>
<tr>
<td>Village / Street</td>
</tr>
<tr>
<td>Cell</td>
</tr>
</tbody>
</table>

Location – Name and GPS Coordinates

Deadline for Response (60 days from date grievance received):

Signature of complaint ........................................... Date: ..................
Name and signature of witness; ................................Date: ..................
Name of project personnel: ..................................... Date: ..................
Signature of personnel: ........................................ Date: ..................
**Form B: Grievance Resolution Form**

<table>
<thead>
<tr>
<th>COMPLAINANT DETAILS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name of Complaint:</td>
</tr>
<tr>
<td>Address:</td>
</tr>
<tr>
<td>Telephone number</td>
</tr>
<tr>
<td>District</td>
</tr>
<tr>
<td>Village / Estate / Street</td>
</tr>
<tr>
<td>ID number</td>
</tr>
</tbody>
</table>

**Date of response to complaint:** ……………………………………………………

**Response of complaint:**

<table>
<thead>
<tr>
<th>Name of witness (if available)</th>
<th>…………………………………………………………</th>
</tr>
</thead>
<tbody>
<tr>
<td>Acknowledgement of resolution of grievance:</td>
<td>…………………………………………………………</td>
</tr>
<tr>
<td>Location of grievance:</td>
<td>…………………………………………………………</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Region</th>
</tr>
</thead>
<tbody>
<tr>
<td>District</td>
</tr>
<tr>
<td>Division / Ward</td>
</tr>
<tr>
<td>Village / Street</td>
</tr>
<tr>
<td>Cell</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Location Name and GPS Coordinates</th>
</tr>
</thead>
</table>

**Signature of complaint** ………………………………….. Date: …………………………

**Name of project personnel:** ………………………………….. Date: …………………………

**Signature of personnel:** ………………………………….. Date: …………………………
**Form D: Grievance/inquiry response log form**

*Instructions: This form comprised of two parts: Part A is the response of the committee handing the grievance against the complaints raised by PAPs or other stakeholders. Part B is the clearance/approval of satisfaction or un-satisfaction of the committee response against his/her complaints.*

### PART A: FOR OFFICIAL USE ONLY:

<table>
<thead>
<tr>
<th>Reg. Number:</th>
<th>Date Opened:</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Name of the Recorder:</th>
<th>Contact Number:</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Location: ....................</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Category and classification of complaints or suggestion raised:</th>
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</table>

**Comments from Grievance Handling Committee**

<table>
<thead>
<tr>
<th>Resolved:</th>
<th>Referred</th>
<th>Closed:</th>
</tr>
</thead>
</table>

**Reasons for Referral:**

```
....................................................................................................................
....................................................................................................................
```

<table>
<thead>
<tr>
<th>Name &amp; Signature of Officer</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>...........................................</th>
<th>Date: ....................</th>
</tr>
</thead>
</table>

**NB: This form will be filled after the committee sits and discusses the complaints and agrees on the responses/solutions.**

### PART B: (TO BE FILLED BY PROJECT AFFECTED PERSON/COMPLAINANT)

<table>
<thead>
<tr>
<th>Unsatisfactorily handled</th>
<th>Satisfactorily Handled:</th>
</tr>
</thead>
</table>

The information filled above is true and correct to the best of my knowledge.

<table>
<thead>
<tr>
<th>Signature of Complainant:</th>
<th>Date:</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Comments from Grievance Handling Committee</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Resolved:</th>
<th>Referred:</th>
<th>Closed:</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Name and Signature of GH Officer</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>..................................................</th>
<th>Date:</th>
</tr>
</thead>
</table>
Appendix V: Resettlement Action Plan (RAP)

The scope and level of detail of the RAP will vary depending on the magnitude and complexity of resettlement or displacement. The RAP is prepared based on the most recent and accurate information on the: (i) proposed resettlement and its impacts on displaced persons and other adversely affected groups; and (ii) legal issues affecting resettlement. The RAP covers elements that are specific to the project context.

A broad outline of the RAP, as applied to sub-projects covered under RPF includes, but is not limited to, the following:

Description of the sub-project: General description of the sub-project and identification of sub-project area or areas.

Potential Impacts: Identification of the:
(i) The project components or activities that give rise to displacement, explaining why the selected land must be acquired for use within the timeframe of the project;
(ii) zone of impact of components or activities;
(iii) The scope and scale of land acquisition and impacts on structures and other fixed assets;
(iv) Any project-imposed restrictions on use of, or access to, land or natural resources;
(v) Alternatives considered to avoid or minimize displacement and why those were rejected; and
(vi) The mechanisms established to minimize displacement, to the extent possible, during project implementation.

Objectives: The main objectives of the resettlement program as these apply to the sub-projects.

Census survey and baseline socioeconomic studies: The findings of a household-level census identifying and enumerating affected persons, and, with the involvement of affected persons, surveying land, structures and other fixed assets to be affected by the project. The census survey also serves other essential functions.

(a) identifying characteristics of displaced households, including a description of production systems, labor, and household organization; and baseline information on livelihoods (including, as relevant, production levels and income derived from both formal and informal economic activities) and standards of living (including health status) of the displaced population;
(b) Information on vulnerable groups or persons for whom special provisions may have to be made;
(c) Identifying public or community infrastructure, property or services that may be affected;
(d) Providing a basis for the design of, and budgeting for, the resettlement program;
(e) In conjunction with establishment of a cut-off date, providing a basis for excluding ineligible people from compensation and resettlement assistance; and
(f) Establishing baseline conditions for monitoring and evaluation purposes.

As the Bank may deem relevant, additional studies on the following subjects may be required to supplement or inform the census survey:

(g) Land tenure and transfer systems, including an inventory of common property natural resources from which people derive their livelihoods and sustenance, non-title-based usufruct systems (including fishing, grazing, or use of forest areas) governed by local recognized land allocation mechanisms, and any issues raised by different tenure systems in the project area;
(h) The patterns of social interaction in the affected communities, including social networks and social support systems, and how they will be affected by the project; and (i) social and cultural characteristics of displaced communities, including a description of formal and informal institutions
(e.g. community organizations, ritual groups, nongovernmental organizations (NGOs)) that may be relevant to the consultation strategy and to designing and implementing the resettlement activities.

**Legal framework:** The findings of an analysis of the legal framework, covering:

(a) The scope of the power of compulsory acquisition and imposition of land use restriction and the nature of compensation associated with it, in terms of both the valuation methodology and the timing of payment;
(b) The applicable legal and administrative procedures, including a description of the remedies available to displaced persons in the judicial process and the normal timeframe for such procedures, and any available grievance redress mechanisms that may be relevant to the project;
(c) Laws and regulations relating to the agencies responsible for implementing resettlement activities; and
(d) Gaps, if any, between local laws and practices covering compulsory acquisition, imposition of land use restrictions and provision of resettlement measures and ESS5, and the mechanisms to bridge such gaps.

**Institutional framework:** The findings of an analysis of the institutional framework covering:

(a) The identification of agencies responsible for resettlement activities and NGOs/CSOs that may have a role in project implementation, including providing support for displaced persons;
(b) An assessment of the institutional capacity of such agencies and NGOs/CSOs; and
(c) Any steps that are proposed to enhance the institutional capacity of agencies and NGOs/CSOs responsible for resettlement implementation.

**Eligibility:** Definition of displaced persons and criteria for determining their eligibility for compensation and other resettlement assistance, including relevant cut-off dates.

**Valuation of and compensation for losses:** The methodology to be used in valuing losses to determine their replacement cost; and a description of the proposed types and levels of compensation for land, natural resources and other assets under local law and such supplementary measures as are necessary to achieve replacement cost for them.

**Community participation:** Involvement of displaced persons (including host communities, where relevant):

(a) A description of the strategy for consultation with, and participation of, displaced persons in the design and implementation of the resettlement activities;
(b) A summary of the views expressed and how these views were taken into account in preparing the resettlement plan;
(c) A review of the resettlement alternatives presented and the choices made by displaced persons regarding options available to them; and
(d) Institutionalized arrangements by which displaced people can communicate their concerns to project authorities throughout planning and implementation, and measures to ensure that such vulnerable groups as indigenous people, ethnic minorities, the landless, and women are adequately represented.

**Implementation schedule:** An implementation schedule providing anticipated dates for displacement, an estimated initiation and completion dates for all resettlement plan activities. The schedule should indicate how the resettlement activities are linked to the implementation of the overall project.

**Costs and budget:** Tables showing categorized cost estimates for all resettlement activities, including allowances for inflation, population growth, and other contingencies; timetables for expenditures; sources of funds; and arrangements for timely flow of funds, and funding for resettlement, if any, in areas outside the jurisdiction of the implementing agencies.

**Grievance redress mechanism:** The plan describes affordable and accessible procedures for third-party settlement of disputes arising from displacement or resettlement; such grievance mechanisms should take...
into account the availability of judicial recourse and community and traditional dispute settlement mechanisms.

**Monitoring and evaluation:** Arrangements for monitoring of displacement and resettlement activities by the implementing agency, supplemented by third-party monitors as considered appropriate by the Bank, to ensure complete and objective information; performance monitoring indicators to measure inputs, outputs, and outcomes for resettlement activities; involvement of the displaced persons in the monitoring process; evaluation of results for a reasonable period after all resettlement activities have been completed; using the results of resettlement monitoring to guide subsequent implementation.

**Arrangements for adaptive management:** The plan should include provisions for adapting resettlement implementation in response to unanticipated changes in project conditions, or unanticipated obstacles to achieving satisfactory resettlement outcomes.

**Additional planning requirements where resettlement involves physical displacement**

When project circumstances require the physical relocation of residents (or businesses), resettlement plans require additional information and planning elements. Additional requirements include:

**Transitional assistance:** The plan describes assistance to be provided for relocation of household members and their possessions (or business equipment and inventory). The plan describes any additional assistance to be provided for households choosing cash compensation and securing their own replacement housing, including construction of new housing. If planned relocation sites (for residences or businesses) are not ready for occupancy at the time of physical displacement, the plan establishes a transitional allowance sufficient to meet temporary rental expenses and other costs until occupancy is available.

**Site selection, site preparation, and relocation:** When planned relocation sites are to be prepared, the resettlement plan describes the alternative relocation sites considered and explains sites selected, covering:

(a) Institutional and technical arrangements for identifying and preparing relocation sites, whether rural or urban, for which a combination of productive potential, locational advantages, and other factors is better or at least comparable to the advantages of the old sites, with an estimate of the time needed to acquire and transfer land and ancillary resources;

(b) Identification and consideration of opportunities to improve local living standards by supplemental investment (or through establishment of project benefit-sharing arrangements) in infrastructure, facilities or services;

(c) Any measures necessary to prevent land speculation or influx of ineligible persons at the selected sites;

(d) Procedures for physical relocation under the project, including timetables for site preparation and transfer; and

(e) Legal arrangements for regularizing tenure and transferring titles to those resettled, including provision of security of tenure for those previously lacking full legal rights to land or structures.

**Housing, infrastructure, and social services:** Plans to provide (or to finance local community provision of) housing, infrastructure (e.g., water supply, feeder roads), and social services (e.g., schools, health services); plans to maintain or provide a comparable level of services to host populations; any necessary site development, engineering, and architectural designs for these facilities.

**Environmental protection and management:** A description of the boundaries of the planned relocation sites; and an assessment of the environmental impacts of the proposed resettlement and measures to mitigate and manage these impacts (coordinated as appropriate with the environmental assessment of the main investment requiring the resettlement).
Consultation on relocation arrangements: The plan describes methods of consultation with physically displaced persons on their preferences regarding relocation alternatives available to them, including, as relevant, choices related to forms of compensation and transitional assistance, to relocating as individual households families or with pre-existing communities or kinship groups, to sustaining existing patterns of group organization, and for relocation of, or retaining access to, cultural property (e.g., places of worship, pilgrimage centers, cemeteries).

Integration with host populations: Measures to mitigate the impact of planned relocation sites on any host communities, including:

(a) Consultations with host communities and local governments;
(b) Arrangements for prompt tendering of any payment due the hosts for land or other assets provided in support of planned relocation sites;
(c) Arrangements for identifying and addressing any conflict that may arise between those resettled and host communities; and
(d) Any measures necessary to augment services (e.g., education, water, health, and production services) in host communities to meet increased demands upon them, or to make them at least comparable to services available within planned relocation sites.

Additional planning requirements where resettlement involves economic displacement

If land acquisition or restrictions on use of, or access to, land or natural resources may cause significant economic displacement, arrangements to provide displaced persons with sufficient opportunity to improve, or at least restore, their livelihoods are also incorporated into the resettlement plan, or into a separate livelihoods improvement plan. These include:

Direct land replacement: For those with agricultural livelihoods, the resettlement plan provides for an option to receive replacement land of equivalent productive value, or demonstrates that sufficient land of equivalent value is unavailable. Where replacement land is available, the plan describes methods and timing for its allocation to displaced persons.

Loss of access to land or resources: For those whose livelihood is affected by loss of land or resource use or access, including common property resources, the resettlement plan describes means to obtain substitutes or alternative resources, or otherwise provides support for alternative livelihoods.

Support for alternative livelihoods: For all other categories of economically displaced persons, the resettlement plan describes feasible arrangements for obtaining employment or for establishing a business, including provision of relevant supplemental assistance including skills training, credit, licenses or permits, or specialized equipment. As warranted, livelihood planning provides special assistance to women, minorities or vulnerable groups who may be disadvantaged in securing alternative livelihoods.

Consideration of economic development opportunities: The resettlement plan identifies and assesses any feasible opportunities to promote improved livelihoods as a result of resettlement processes. This may include, for example, preferential project employment arrangements, support for development of specialized products or markets, preferential commercial zoning and trading arrangements, or other measures. Where relevant, the plan should also assess the feasibility of prospects for financial distributions to communities, or directly to displaced persons, through establishment of project-based benefit-sharing arrangements.

Transitional support: The resettlement plan provides transitional support to those whose livelihoods will be disrupted. This may include payment for lost crops and lost natural resources, payment of lost profits for businesses, or payment of lost wages for employees affected by business relocation. The plan provides that the transitional support continues for the duration of the transition period.
Appendix VI: Voluntary Land Donation Protocol:

Voluntary Land Donation will entail:

- Stakeholders meeting about the project (All Authorities in the area of implementation of the project will be the stakeholder) the aim of the meeting to have a same understanding about the project and the land acquisition local protocols

- Village meetings, in each village the meeting should be conducted to create awareness about the project and voluntary land donation and compensation for the damage of any properties such as house, crops.

- After general understanding and the valuation preparation the local protocol will follow by filling the memorandum of understand between the concerning authority, recipients and Project Affected People

1. The village chairperson, in coordination with sub-project staff, verifies the informed consent or power of choice by the people who would donate land or an asset. In particular, the following will be verified and documented in the voluntary donation report (valuation report voluntary land donation agreement)

   - The land will be used for public interest where the road infrastructures will constructed through RISE, the land will be owned by TARURA/TANROADS.

   - Any competing claims of ownership or use will be handled through the developed Grievances Redress Mechanism.

   - Confirmation that affected people agree to donate land or asset, based on a face to face meeting and through valuation report and voluntary land donation agreement.

   - The users of the land, or any parties that occupy the land (either physically or through ownership of an asset or conduct of livelihood or business activities on the land); the properties will be valued according to land acquisition laws.

   - The area where the land will be required for road infrastructure development, the owner of the land will be requested to accept in kind compensation or physical relocation.

2. The right to refuse must be a legitimate right, unconditional, and the potential transferee must be capable of exercising it in the local community and political context. For this reason, it is important to be sure that the decision to donate is undertaken without coercion, manipulation, or any form of pressure on the part of public or traditional authorities. For collective or communal land, donation must be based upon the informed consent of all individuals using or occupying the land;

3. Proper documentation. During the voluntary land donation process for sub-project investments, it is important to distinguish between: (a) the agreement to donate the land; and (b) the document that carries out and evidences the legal transfer of the land. While it is important to have evidence of an intention and agreement to donate the land, it is equally important to
ensure, where required and appropriate, that the land is legally transferred. While the process relating to the legal transfer of the land is frequently complicated and time consuming, it must be addressed. In specific circumstances, for example where the land is being transferred to the community, it may not be necessary to legally transfer the land. However, experience indicates that lack of formal transfer can create significant uncertainty in the future, which impacts on the Program and can have a negative effect on community relations. (Refer the Voluntary Land Donation Agreement)

4. Village Chairperson, Village Executive Officer and sub-project staff should:

   - Identify the appropriate documentation, including the agreement to make the transfer and any legal documentation that may be required;

   - Ensure that the agreement: (i) Refers to the consultation has taken place; (ii) Sets out the terms of the transfer; (iii) Confirms that the decision to transfer was freely made, and was not subject to coercion, manipulation, or any form of pressure; (iii) Attaches an accurate map of the land being transferred (boundaries, coordinates); (iv) Sets out who will bear the costs of the transfer (e.g., notarial fees, taxes, title issues) and documenting the residual land rights.

   - Ensure that all necessary parties sign the documents, including obtaining consent from spouses and children over a certain age;

   - Ensure that the transfer and title is registered or recorded; and

   - Ensure that the land remaining after the donated land is excised is properly titled, registered or recorded. Taking into consideration the project will mostly be implemented in rural areas, where most of the land is customary owned, therefore land ownership is not properly recorded and registered.

5. It is also important to maintain a record of the process that has been followed. Such documents could include the following: (i) The notification indicating the location and amount of land that is sought and its intended use for the project, with a record of when and where this was made public; (ii) Records of the consultations that were held and what was discussed; (iii) A copy of the due diligence that was conducted; (iv) Copies of each of the formal statements of donation, establishing informed consent as described above, and signed by each owner or user involved; (v) Copies of all documents, registrations or records evidencing the legal transfer of the land; and (vi) A map, showing each parcel of land.
Appendix VII: The Land Donation Agreement Form

A: PRIVATELY OWNED LAND:

This agreement is made this …………… Day of ……….. 20………….. between
……………………………………………………………… ( herein after referred as “Donor” ) of
P.O Box……………………………………………….. and

The TARURA/TANROADS Office of ……………………………………….. (herein after
referred as “Donee” ) of P.O Box ……………………………………

WHEREAS

The Donor is a lawful owner of a piece of land situated at ………………………
Village/street…………………………………. Ward………………………. Project Area Authority
…………………………………………….. Region …………… (herein after referred as the Property)

That the property occupies an area of …………………………………… (m2/ km2 hkt2/) and it is held
with a right of occupancy for a period of ………………………………….

NOW THEREFORE THE AGREEMENT WITNESSES AS FOLLOWS:-

1. That the donor hereby is desirous of donating the Property to the Donee permanently/ lease
for the period of …………. commencing from ………………………….. to
…………………………………………….. for implementation of project(s) namely
………………………………………………………………………. financed by the
TARURA/TANROADS.

2. That the Property is identified and determined by boundaries of pieces of land adjacent to it
and under the ownership of :
East…………………………………………
West ………………………………………
North ………………………………………
South ………………………………………

3. That the donor has been appropriately informed and consulted about the project and the
choices available to him/them;

4. That the donor is aware that refusal is an option

5. That the amount of land being donated is minor and will not reduce the donor’s remaining
land area below that required to maintain the donor’s livelihood at current levels;

6. That no household relocation is involved;

7. That the donor is expected to benefit directly from the project;
8. That the donor is aware of the existence and the ability to contact the project Grievance Mechanism in case of complaint.

9. That the parties have agreed to renew this Agreement if need arises after its expiry indicated in the contract.

VERIFICATION

I ……………………………………………………………………………………………………. with sound mind and without any undue influence whatsoever has voluntarily decided to donate by lease/disposition of the above mentioned piece of land to TARURA/TANROADS Office of …………………………………………………………………………………………. for implementations of …………………………………………………………………………………………. RISE Program.

Owners/ Donor’s

Name……………………… Signature ………………… Date ……………

Phone Number……………………………………

Donor’s Witness

1. Name………………………..Signature …………………….date ……………

   Phone Number……………………………………

2. Name………………………..Signature …………………….date ……………

   Phone Number……………………………………

Village Representative

1. Name………………………..Signature …………………….date ……………

   Phone Number……………………………………

2. Name………………………..Signature …………………….date ……………

   Phone Number……………………………………

Before Me:

1. Village Chairman………………………..Signature …………………….date ……………

   Phone Number……………………………………

2. Village Executive Officer/Street/Shehia……………………………………

11 If the piece of land is co-owned, each owner should fill in the form
B: CO-OWNED LAND:

This agreement is made this ............ Day of ............ 20............ between
 ............................................................................................................................And................................................................................
 ...............................................................................................................................being the lawful owners
of...............................................................................................................................( herein after referred as “Donor” ) of P.O Box.............................................

and

The TARURA/TANROADS Office of ....................................................... (herein after referred as “Donee” ) of P.O Box ............................

WHEREAS

The Donor is a lawful owner of a piece of land situated at ......................... Village/street ___________________________________ Ward.......................... Project Area Authority 
 ............................................................................................................................... Region ................. (herein after referred as the Property)

That the property occupies an area of ..................................... (m2/ km2 hkt2/) and it is held 
with a right of occupancy for a period of ............................................

NOW THEREFORE THE AGREEMENT WITNESSES AS FOLLOWS: -

1. That the donor hereby is desirous of donating the Property to the Donee permanently/lease for the period of .......... commencing from ................................................ to .............................................................. for implementation of subproject(s) namely .............................................................. financed by 
TARURA/TANROADS.

2. That the Property boundaries are identified and determined by boundaries of pieces of land adjacent to it and under the ownership of :
   a. East ...................................................... 
   b. West ...............................................  
   c. North ...............................................  
   d. South ..............................................

3. That the donors have been appropriately informed and consulted about the project and the choices available to them;

4. That the donors are aware that refusal is an option
5. That the amount of land being donated is minor and will not reduce the donors’ remaining land area below that required to maintain the donors’ livelihood at current levels;

6. That no household relocation is involved;

7. That the donors are expected to benefit directly from the project;

8. That the donors are aware of the existence and the ability to contact the project Grievance Mechanism in case of complaint.

9. That the parties have agreed to extend tenure or renew this Agreement if need arises after its expiry.

VERIFICATION
I……………………………………………………………………………………….. with sound mind and without any undue influence whatsoever has voluntarily decided to donate by lease/disposition of the above mentioned piece of land to the Village Council of………………………………………………………………………………………..…….. for implementations of……………………………………. RISE Program.

That we 1………………………………………………………2……………………………………………3……………………………..………………………., and 4………………………………… (being the neighbours of the Donor ) were present when the Donor showed the boundaries to the Donee and all of us appeared fully understand and agree to the boundaries that were shown to us.

Owner’s / Donor’s

Name12…………………………Signature………………Date………………
Phone Number…………………………

Donor’s Witness

1. Name…………………………Signature …………………date …………………
Phone Number…………………………

2. Name…………………………Signature………………date …………………
Phone Number…………………………

Village Representative

1. Name…………………………Signature …………………date …………………

12 If the piece of land is co-owned, each owner should fill in the form
Before Me:

1. Village Chairman………………….. Signature …………………..date ……………
   Phone Number……………………………………

2. Village Executive Officer/Street/Shehia…………………………………….
   Signature…………………………………….. Stamp
   Phone Number…………………………………

(Note: Attach the Village Meeting minutes)
## Template 01A: Sample Form for Census Survey and Inventory

### 1 A 1 Socio-economic Household Datasheet of PAPs

<table>
<thead>
<tr>
<th>Name of Interviewer</th>
<th>Signature</th>
</tr>
</thead>
<tbody>
<tr>
<td>ID Code</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Name of Supervisor</th>
<th>(after vérification of interview)</th>
</tr>
</thead>
<tbody>
<tr>
<td>ID Code</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Village Name</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>ID Code</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Number of Concession in Village</th>
</tr>
</thead>
<tbody>
<tr>
<td>(GPS Coordinates)</td>
</tr>
</tbody>
</table>

Date: ........................................2018  
Day       Month       Year

<table>
<thead>
<tr>
<th>Name of Head of Extended Family :</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Number of Nuclear Families in Extended Residential Group</th>
</tr>
</thead>
<tbody>
<tr>
<td>(including household of head of extended family)</td>
</tr>
</tbody>
</table>

## Template 01B: Household Interview

<table>
<thead>
<tr>
<th>Name and Surname</th>
<th>Relationship to Head of Family</th>
<th>Sex</th>
<th>Place of Birth</th>
<th>Age</th>
<th>Marital Status</th>
<th>Residency Tenure</th>
<th>Ethnic Group</th>
<th>Religion</th>
<th>Education Level</th>
<th>Income Earner</th>
<th>Economic Activities</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>M</td>
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<td></td>
</tr>
</tbody>
</table>

1.

2.
### Relation to Head of Family:
- 1 HoH
- 2 Spouse of HoH
- 3 Child of HoH
- 4 Spouse of child of HoH
- 5 Grandchild of HoH
- 6 Parent of HoH
- 7 No Answer
- 8 9 Other (specify)

### Marital Status:
- 1 Married
- 2 Widowed
- 3 Divorced
- 4 Unmarried
- 0 No Answer

### Residential Status:
- 1 PRP (Permanent Resident)
- 2 RA (Resident absent)
- 3 Member of non-resident HH
- 4 Visitor
- 9 Other (specify)
- 0 No Answer

### Principle Occupation:
- Farmer
- Sheppard
- Household
- Merchant
- Religious leader
- Teacher
- Artisan
- Transport
- Volunteer
- Unemployed
- Other (specify)
- 0 No Answer

### Secondary Occupations:
- Idem.

### Educational Level:
- Illiterate
- Three years or less
- Primary School
- Secondary School
- Technical School
- Religious School (literate in Arabic)
- 0 No Answer

### Religion:
- Muslim
- Christian (specify denomination)
- Animist
- Other (specify)
- 0 No Answer
### Template 02: Monitoring Indicators

<table>
<thead>
<tr>
<th>S/N</th>
<th>Component</th>
<th>Socio-Economic Impact</th>
<th>Indicators</th>
<th>Means of Monitoring</th>
<th>Frequency / Timing</th>
<th>Responsible Team</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>Quantitative Indicator</td>
<td>Qualitative Indicator</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1.</td>
<td>Compensation</td>
<td>Timely and adequate compensation of the affected properties</td>
<td>All the affected people are compensated adequately</td>
<td>Less grievances/complaints</td>
<td>Check the list of affected people and verify that all PAPs are compensated</td>
<td>The first 6 months of compensation</td>
</tr>
<tr>
<td>2.</td>
<td>Grievances</td>
<td>Effectiveness of the grievance mechanisms</td>
<td>-Less grievances reported to the project office -Reported grievances resolved -Less court cases reported</td>
<td>Satisfaction of the PAPs</td>
<td>Project reports on reported and solved grievances</td>
<td>Every three month during the entire project</td>
</tr>
<tr>
<td>3.</td>
<td>Stakeholders participation</td>
<td>Consultation and participation with stakeholders, especially vulnerable PAPs</td>
<td>-Number of meetings carried out in the project area -Participants according to gender</td>
<td>Check the project records on the meeting minutes</td>
<td>Every month</td>
<td>Project Management</td>
</tr>
<tr>
<td>4.</td>
<td>Assistance to vulnerable groups</td>
<td>Specific opportunities for vulnerable groups</td>
<td>-Of the identified vulnerable groups in the project area, percentage of those who received any form of assistance -Number of complaints from the affected vulnerable groups</td>
<td>Survey on complaints</td>
<td>Every month during RAP implementation</td>
<td>Project Management</td>
</tr>
<tr>
<td>5.</td>
<td>Impoverishment of the PAPs</td>
<td>Loss of income sources or productive assets (whether or not the affected person move to another location).</td>
<td>-Decreased/Increased levels of poverty in the area -Number of income sources/productive assets moved or affected -Number of people who lost productive assets and managed to establish and/or replace new ones -New economic ventures establish in the villages</td>
<td>Village development report which is compiled annually as part of their mandate</td>
<td>Yearly</td>
<td>- District Office - Village government</td>
</tr>
<tr>
<td>S/N</td>
<td>Component</td>
<td>Socio-Economic Impact</td>
<td>Indicators</td>
<td>Means of Monitoring</td>
<td>Frequency / Timing</td>
<td>Responsible Team</td>
</tr>
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</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Quantitative Indicator</td>
<td>Qualitative Indicator</td>
<td></td>
<td></td>
</tr>
<tr>
<td>6.</td>
<td>Available community groups and networks</td>
<td>Loss of support networks</td>
<td>Number of community groups available</td>
<td>Loss of social networks</td>
<td>Village development report which is compiled annually as part of their mandate</td>
<td>Yearly</td>
</tr>
</tbody>
</table>
|     |           | Change of land use and/or loss of access to land within the project area | - Amount of land use  
- Amount of land available  
- Escalating land rent and price | - Escalating prices of land  
- Change of land use | Village development report which is compiled annually as part of their mandate | Yearly | District Office - Consultant - Village government |
| 7.  | Land resource | Loss of social networks | Village development report | Yearly | District Office - Consultant - Village government |
| 8.  | Property and livelihood | Loss of properties: - Loss of shelter  
- Loss of assets or access to assets - Loss of income | - Number of alternative employment opportunities created and the number of affected people employed in formal/formal sector.  
- Percentage of lost assets replaced  
- Percentage of lost structures/buildings replaced  
- Escalating rents of houses, shops and other business premises | - Improved people’s livelihood  
- Living standards of PAPs | Village development report which is compiled annually as part of their mandate | Yearly | District Office - Local government |
| 9.  | Food | Food security | - Agricultural productivity  
- Food shortage in the community  
- Reported number of months with shortage of food. | Household survey | Half yearly | Community Development Officers - Resettlement Field Officers |
| 10. | Housing | Types of housing | - Percentage of houses replaced  
- Quality of houses replaced based on Tanzania National Standards | Household survey  
- Village government development report | Half yearly & Yearly | Community Development Officers - Resettlement Field Officers - Village government |
### Template 03: RAP Monitoring Report

<table>
<thead>
<tr>
<th>Component</th>
<th>Socio-economic Impact</th>
<th>Quantitative Indicator</th>
<th>Qualitative indicator</th>
<th>Means of monitoring</th>
<th>Frequency/Timing</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
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</tbody>
</table>

### Template 04: RAP Entitlement Matrix

<table>
<thead>
<tr>
<th>Entitlement Matrix</th>
</tr>
</thead>
<tbody>
<tr>
<td>Types of Impact</td>
</tr>
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<tr>
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</tr>
</tbody>
</table>
**Template 05: RAP Implementation Schedule**

[Consultant with the assistance from TARURA/TANROADS E&S team to add more rows and columns to the various actions to be undertaken and months for the timeframe as applicable. The month (s) a particular action is to be implemented is highlighted by shading it a colour or by an “X”]

<table>
<thead>
<tr>
<th>No</th>
<th>Action</th>
<th>Time frame</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Jan</td>
</tr>
<tr>
<td>1</td>
<td>RAP Implementation</td>
<td></td>
</tr>
<tr>
<td></td>
<td>1.1 Awareness raising meeting</td>
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</tr>
<tr>
<td></td>
<td>1.2 Mobilisation</td>
<td></td>
</tr>
<tr>
<td></td>
<td>1.3 Preparation of plots for resettlement</td>
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</tr>
<tr>
<td></td>
<td>1.4 Compensation payments</td>
<td></td>
</tr>
<tr>
<td></td>
<td>1.5 Addressing Grievances and Dispute Resolution</td>
<td></td>
</tr>
<tr>
<td></td>
<td>1.6 Monitoring of RAP implementation</td>
<td></td>
</tr>
<tr>
<td></td>
<td>1.7 Evaluation of RAP implementation</td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>Procurement of Contractor</td>
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</tr>
<tr>
<td></td>
<td>2.1 Etc</td>
<td></td>
</tr>
<tr>
<td></td>
<td>2.2 etc</td>
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</tr>
<tr>
<td>3</td>
<td>Construction Works</td>
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</tr>
<tr>
<td></td>
<td>3.1 etc</td>
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</tr>
<tr>
<td></td>
<td>3.2 etc</td>
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</tbody>
</table>
**Template 06: Table of cost/budget estimates for RAP**
(Reference: step 4h)

<table>
<thead>
<tr>
<th>Resettlement Activity</th>
<th>Unit cost</th>
<th>Quantity</th>
<th>Contingency (inflation, population growth etc.)</th>
<th>Activity Cost</th>
<th>Source of fund</th>
<th>Responsibility</th>
<th>Timeline/Deadlines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Planning (RAP)</td>
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<tr>
<td>Public awareness</td>
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<td>household survey</td>
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<tr>
<td>etc……….</td>
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<td>Compensation costs</td>
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<tr>
<td>Resettlement sites</td>
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<tr>
<td>Etc……….</td>
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</tr>
<tr>
<td>Management &amp; administration</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Monitoring &amp; evaluation</td>
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</tr>
</tbody>
</table>

**TOTAL COST**
## Template 7: RAP Monitoring Plan
(Reference: step 4h)

<table>
<thead>
<tr>
<th>Component Activity</th>
<th>Type of information/ data to be collected</th>
<th>Source of information/ Data collection methods</th>
<th>Responsibility for Data collection, analysis and reporting</th>
<th>Frequency and means of reporting</th>
</tr>
</thead>
<tbody>
<tr>
<td>Performance monitoring</td>
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</tr>
<tr>
<td>Impact Monitoring</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Completion Audit</td>
<td></td>
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</tbody>
</table>