



**NILE BASIN INITIATIVE  
NILE EQUATORIAL LAKES SUBSIDIARY ACTION PROGRAM  
KAGERA RIVER BASIN MANAGEMENT PROJECT**

Consulting Services for

**ENVIRONMENTAL AND SOCIAL IMPACT ASSESSMENT (ESIA) AND  
DEVELOPING PRELIMINARY RESETTLEMENT ACTION PLANS FOR  
FOUR (4) PROPOSED SMALL MULTIPURPOSE DAMS AT BUYONGWE,  
TABA-GAKOMEYE, BIGASHA AND KARAZI IN THE KAGERA RIVER  
BASIN**

Burundi, Rwanda, Uganda and Tanzania  
**NBI/NELSAP/KAGERA/RFP02/2011**



**PRELIMINARY RESETTLEMENT ACTION PLAN FOR KARAZI SITE –  
FINAL REPORT**

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## SUMMARY OF THE REPORT

This report presents the Preliminary Resettlement Action Plan for Karazi Multipurpose Dam Project. The assessments undertaken were mainly for the reservoir component as other assessments were pending completion of the technical design. This Preliminary RAP excludes the following aspects; actual census of the PAPs and actual inventory of affected property by name, owner, size. It should be noted that this is not the final RAP. A detailed/actual RAP is outside the Consultant's scope and will thus be undertaken as an independent study at another stage of the project.

### *Objectives of the Preliminary Resettlement Action Plan*

The objectives of the Preliminary Resettlement Action Plan are to:

- Establish the Karazi Multipurpose Dam Project resettlement and compensation principles and implementation arrangements;
- Describe the legal and institutional framework underlying *Tanzanian* approaches for resettlement, compensation and rehabilitation;
- Define the eligibility criteria for identification of project affected persons (PAPs) and entitlements;
- Describe the consultation procedures and participatory approaches involving PAPs and other key stakeholders;
- Provide procedures for filing grievances and resolving disputes, and;
- To estimate the costs for resettlement, compensation and or land acquisition where applicable.

### *Project Location, Characteristics and Components*

The project area is located at 010 49.693"; E 0310 01.013" and lies between Chabuhora and Kayungu Villages, in Nyakakika Ward, Nyabiyonza Division, Karagwe District in Tanzania. The site is on a seasonal river with *Hyparrhenia* wooded grassland. The catchment slopes are steep with undulating hills which were well vegetated.

The dam site area has limited agriculture. There was widespread subsistence rain fed agriculture such as bananas on the slopes but tree cover on the slopes was sparse. Livestock grazing is the main pre-occupation of the dam site including cattle, goats and sheep.

The proposed dam has a height of 9.5m with full supply level of 7.5m (1321.5m asl). The dam is expected to be earth fill with maximum reservoir surface area of about 2.36 Km<sup>2</sup>, maximum reservoir length of 3.4 km and reservoir width of 2.11km. The storage capacity is expected to be about 9.2 million m<sup>3</sup> (Mm<sup>3</sup>). The dam is easily accessible by road.

The project components will include the following, the dam and associated structures, quarries and borrow areas, access roads and canals.

The report is prepared under the guidelines of both the Tanzanian laws and policies and the World Bank Operational Policy on Involuntary Resettlement (OP4.12).

### *Legal and Institutional Framework*

Several national policies and local legal frameworks that regulate the land relations in the country been reviewed and these include; National Land Policy, 2nd Edition 1997, The Constitution of the United Republic of Tanzania, The Land Act, 1999, Village Land Act No.5, 1999, Local Government (District Authorities) Act Cap 287 of 1982. The Land Compensation Claims Regulations, 2001, The Land (Assessment of the Value of land for compensation) Regulations, 2001, The Land Acquisition Act, 1967 (Act No 47/1967), The Land Disputes Court Act. 2002 (Act No.2/2002), The Graves Removal Act, 1968 and the National Land Use Planning Act [2007].

Several of institutions will be involved in the overall implementation of this project, either by way of their mandate or because of the direct impact of the project on their areas of jurisdiction. These include: Ministry of Lands, Housing and Human Settlement Development Survey and Mapping Division, Natural Resources and Social Management Agencies [Vice President's Office (National Environment Management Council (NEMC) and Division of Environment (DoE)] and the local government authorities at District, Ward and village levels.

### *Public Consultations*

Public consultations in relation to the RAP occur at all stages, starting with inception and planning when the potential land and alternative sites are being considered and is continuous throughout the project cycle.

It is always important to identify stakeholders at an early stage. In this project, stakeholders are those who have an interest in the project development, and who will be involved in the consultative process. Stakeholders for this project were thus identified purposively. Identified stakeholders include directly affected people in the villages of Chabuhora and Kayungu; indirectly affected persons in downstream and nearby villages of Nyakakika and Bukangara and Government or public sector agencies at national and local levels.

Continuous consultation of the stakeholders in all stages of the project is a key strategy for successful implementation and completion of the project.

### *Social Assessments and Socioeconomic Surveys*

In the study area Chabuhora village has a total population of 9,652 of which 4,730 are males and 4,922 are females and it has 1,518 households. Kayungu village has 4,166 people of which 2,047 are males and 2,119 are females and it has 886 households. Nyakakika village has a population of 12,714 of which 6,230 are and are 6,484 female with 2,564 households.

On average the household size is 4.8 (approx. 5). Number of children below 18 years is more than 60% of the entire population. Adult population age from 18- 39 years occupies 47.9%, 40 – 64 is 41.7% and 65+ is 10.4%.

Agriculture is the primary occupation of the local people living in the project area. Household interviews indicate that agriculture is the first occupation. According to the household interviews, the occupation which earns more income in the study area is farming

which covers 94.2%, followed by salaried workers 2.1%, trading 1.7%, service provision 1.7% and others occupy 0.4%. Majority of the households are peasant farmers.

The population in the project is also categorized into the cultivators and the cattle keepers. Cattle keepers in the area comprise of a sizeable number of the population. The main types of animals kept include cattle, sheep, goats and poultry among others.

### *Potential Impacts*

It is estimated that about 236 Ha of land will be required for the reservoir. The biggest chunk of this land is owned by the government but is currently utilized by pastoralists for cattle grazing. It is estimated that about 198 Ha of land are government owned and only 38 Ha are owned by individuals. According to the socio-economic baseline survey and consultations, the average land holding for a household is 2 Ha. It is thus estimated that about 19 households will directly lose land to the project. The number of pastoralists using the affected land was not easily obtainable at the time of the study however; it is a known fact that a number of them will lose access to grazing land. The actual number of people who will lose access to grazing land and the individual owners will be determined during the actual preparation of the RAP.

There are a number of crops and trees that will be affected and these include bananas, cassava, maize, sugarcanes, coffee, avocado, pawpaw and mangoes among others. In terms of community infrastructure, water sources currently used for both domestic purposes and watering of animals will be destructed by the project. There are no residential structures that will be affected therefore no physical displacement is envisaged.

### *Compensation Framework*

All affected persons irrespective of their status (whether they have formal title or not) are eligible for compensation and some assistance if they occupied the land before the entitlement cut-off date. These will include people with or without land titles and sharecroppers on the land.

### *Methods of Valuing Assets*

Several methods shall be used when valuing affected assets/property. The general methodologies to be applied shall include Estimation of the market value when it is known and/or estimation of the replacement costs. An inventory and registration of affected properties and persons shall be undertaken and shall include the surveying of land (privately owned land and village/government land), taking a careful count of all affected property and undertaking of a socioeconomic profile for each PAP.

### *Livelihood and Income restoration programs*

Livelihood and income restoration can be done through provision of alternative land to PAPs, provision of training and technical advice in improved agricultural methods and technology, training in income generating activities and financial management; extension of

credit facilities to PAPs, provision of employment on the project and assistance to vulnerable groups

#### *Grievance Redress Mechanisms*

Several channels have been proposed through which the grievances shall be resolved and these include The Village Council, The Ward Development Committee, The District Council Management Team, The District Land and Housing Tribunal and the High Court and Court of Appeal of Tanzania which shall be the last resort when all avenues to solve the grievance by the committee have failed.

#### *Implementation Schedule*

Before any project civil works activity is implemented, PAPs will have to be compensated in accordance with the Tanzanian and World Bank resettlement laws, regulations and guidelines. In other words, no individual or affected household should be displaced due to civil works activity before compensation is paid and resettlement sites with adequate facilities are prepared and provided for to the individual or homestead affected.

#### *Costs and budget*

The estimated budget cost for the RAP implementation for the Karazi dam project is 654,485,326 Tanzanian Shillings (436,324 USD) It should however be noted that the figures are just estimates.

#### *Monitoring and Evaluation*

There will be need to carry out both internal and external monitoring to ensure complete and objective information and to avoid biasness. Some of the indicators to be considered include number of grievances filed, number of sub-projects unable to settle compensation after two years; Changes (+/-) in PAPs conditions during transition process, Changes (+/-) in PAPs income and livelihood conditions etc.

## Table of Contents

SUMMARY OF THE REPORT .....	i
Table of Contents .....	v
List of Tables .....	viii
List of Figures.....	viii
List of Acronyms .....	ix
1.0 INTRODUCTION .....	1
1.1. BACKGROUND .....	1
1.1.1. PROJECT DESCRIPTION AND RATIONALE.....	1
1.1.2. NILE BASIN REGIONAL BACKGROUND.....	1
1.1.3. NILE EQUATORIAL LAKES SUBSIDIARY ACTION PROGRAM (NELSAP) .....	2
1.1.4. NELSAP REGIONAL SAFEGUARDS .....	3
1.1.5. INVOLUNTARY RESETTLEMENT.....	3
1.1.6. THE KARAZI MULTIPURPOSE DAM PROJECT.....	4
1.2. OBJECTIVES OF THE PRELIMINARY RESETTLEMENT ACTION PLAN.....	4
1.3. PROJECT LOCATION AND COMPONENTS.....	5
1.4. MAIN OBJECTIVES OF THE WB OPERATIONAL POLICY ON INVOLUNTARY RESETTLEMENT .....	6
1.5. METHODOLOGY .....	6
1.6. STRUCTURE OF THE REPORT .....	7
2.0 LEGAL AND INSTITUTIONAL DESCRIPTION .....	9
2.1. NATIONAL POLICIES .....	9
2.1.1. NATIONAL LAND POLICY, 2 <sup>ND</sup> EDITION 1997 .....	9
2.2. COUNTRY LEGAL FRAMEWORK .....	10
2.2.1. THE CONSTITUTION OF THE UNITED REPUBLIC OF TANZANIA.....	10
2.2.2. THE LAND ACT, 1999.....	10
2.2.3. VILLAGE LAND ACT NO.5, 1999.....	11
2.2.4. LOCAL GOVERNMENT (DISTRICT AUTHORITIES) ACT CAP 287 OF 1982.....	11
2.2.5. THE LAND COMPENSATION CLAIMS REGULATIONS, 2001 .....	11
2.2.6. THE LAND (ASSESSMENT OF THE VALUE OF LAND FOR COMPENSATION) REGULATIONS, 2001 12	
2.2.7. THE LAND ACQUISITION ACT, 1967 (ACT NO 47/1967).....	12
2.2.8. THE LAND DISPUTES COURT ACT, 2002 (ACT NO.2/2002).....	13
2.2.9. THE GRAVES REMOVAL ACT, 1968.....	13
2.2.10. NATIONAL LAND USE PLANNING ACT [2007] .....	13
2.3. INSTITUTIONAL FRAMEWORK .....	13
2.3.1. MINISTRY OF LANDS, HOUSING AND HUMAN SETTLEMENT DEVELOPMENT.....	14
2.3.2. SURVEY AND MAPPING DIVISION.....	14
2.3.3. LOCAL GOVERNMENT AUTHORITIES .....	14
2.3.4. NATURAL RESOURCES AND SOCIAL MANAGEMENT AGENCIES .....	14
2.4. THE WORLD BANK SOCIAL SAFEGUARD POLICIES .....	15
2.5. DIFFERENCE BETWEEN TANZANIAN LAWS AND WORLD BANK SAFEGUARDS POLICIES ON RESETTLEMENT .....	16
3.0 PUBLIC CONSULTATION .....	20
3.1. STAKEHOLDERS IDENTIFICATION.....	20
3.2. SUMMARY OF CONSULTATIONS UNDERTAKEN.....	21
3.3. SUMMARY OF ISSUES RAISED IN REGARD TO LAND ACQUISITION AND COMPENSATION..	22
3.4. COMMUNITY PARTICIPATION & CONSULTATION STRATEGY.....	22

4.0	SOCIAL ASSESSMENTS AND SOCIO-ECONOMIC SURVEYS.....	24
4.1	SOCIO-ECONOMIC BASELINE INFORMATION.....	24
4.1.1	POPULATION.....	24
4.1.2	SETTLEMENT PATTERNS AND SIZE DISTRIBUTION OF SETTLEMENTS .....	24
4.1.3	SOCIAL CAPITAL AND MECHANISMS FOR SOCIAL COHESION .....	24
4.1.4	SOCIAL STRUCTURE.....	25
4.1.5	LIVELIHOOD ACTIVITIES .....	25
4.1.6	HOUSEHOLD INCOMES .....	26
4.1.7	VULNERABLE GROUPS .....	26
4.1.8	POTENTIAL CONFLICTS INHERENT IN DEALING WITH NATURAL RESOURCES.....	26
5.0	POTENTIAL IMPACTS OF THE PROJECT.....	27
5.1	ESTIMATED POPULATION, DISPLACEMENT AND CATEGORIES OF AFFECTED PEOPLE... 27	
5.1.1	CATEGORIES OF PAPS .....	27
5.1.2	ESTIMATED AFFECTED POPULATION.....	27
5.2	LOSS OF LAND AND ACCESS TO LAND.....	28
5.3	LOSS OF TREES AND CROPS .....	28
5.4	LOSS OF COMMUNITY INFRASTRUCTURE.....	29
5.5	LOSS OF STRUCTURES .....	29
5.6	LOSS OF CULTURAL PROPERTY .....	29
5.7	PROJECT ALTERNATIVES TO MINIMIZE LAND ACQUISITION, RESETTLEMENT AND IMPACT ON OTHER INFRASTRUCTURE .....	29
6.0	COMPENSATION SYSTEM/Framework.....	31
6.1	CRITERIA AND ELIGIBILITY FOR COMPENSATION.....	31
6.2	ELIGIBILITY FOR COMMUNITY COMPENSATION.....	32
6.3	COMPENSATION GUIDELINES BY THE HOST GOVERNMENT.....	32
6.4	DETAILS OF OTHER ENTITLEMENTS.....	36
6.5	CUT-OFF DATE .....	38
6.6	PROOF OF ELIGIBILITY.....	38
7.0	METHODS OF VALUING AFFECTED ASSETS.....	39
7.1	INVENTORY AND REGISTRATION OF AFFECTED PROPERTIES AND PERSONS.....	39
7.2	METHODS FOR VALUING STATE OWNED LAND.....	40
7.3	METHODS FOR VALUING ASSETS HELD UNDER CUSTOMARY RIGHTS ON STATE OWNED LAND	40
7.4	COMPARATIVE METHOD.....	40
7.5	VALUATION OF VARIOUS CATEGORIES OF ASSETS .....	40
7.6	CALCULATION OF TOTAL COMPENSATION FIGURE/ INFLATION PREMIUM FOR 6 MONTHS DELAY	41
7.7	FORMS OF COMPENSATION.....	41
7.8	INDIVIDUAL AND HOUSEHOLD COMPENSATION .....	41
7.9	COMMUNITY COMPENSATION.....	42
7.10	PUBLIC INFORMATION AND DISCLOSURE OF COMPENSATION PAYMENTS .....	42
8.0	LIVELIHOOD AND INCOME RESTORATION STRATEGY .....	44
8.1	INTRODUCTION.....	44
8.2	INCOME RESTORATION/REHABILITATION MEASURES .....	44
8.2.1	Provision of alternative land .....	44
8.2.2	Provision of high yielding seedlings.....	44
8.2.3	Provision of credit facilities.....	44



8.2.4	Training.....	45
8.2.5	Employment Offers.....	45
8.2.6	Assistance to Vulnerable Groups.....	45
9	GRIEVANCE MECHANISMS.....	47
9.1.	INTRODUCTION.....	47
9.2.	GRIEVANCE REDRESS MECHANISMS.....	47
9.3.	GRIEVANCE RESOLUTION PROCESS.....	48
9.4.	MONITORING COMPLAINTS.....	49
10	IMPLEMENTATION SCHEDULE.....	50
10.1.	TIME SCHEDULE FOR IMPLEMENTATION OF THE RAP.....	50
10.2.	IMPLEMENTATION SCHEDULE, LINKING RESETTLEMENT IMPLEMENTATION TO CIVIL WORKS 53	
10.3.	RAP IMPLEMENTATION RESPONSIBILITIES.....	53
10.3.1.	<i>Ministry of Water</i> .....	53
10.3.2.	<i>MINISTRY OF LANDS, HOUSING AND HUMAN SETTLEMENT DEVELOPMENT</i> .....	53
10.3.3.	<i>SURVEY AND MAPPING DIVISION</i> .....	54
10.3.4.	<i>NATIONAL ENVIRONMENT MANAGEMENT COUNCIL (NEMC) AND DIVISION OF ENVIRONMENT (DoE)</i> .....	54
10.3.5.	<i>LOCAL GOVERNMENT AUTHORITIES</i> .....	54
10.3.6.	<i>THE CONSULTANT</i> .....	54
10.3.7.	<i>NGOs</i> .....	54
10.3.8.	<i>NBI/NELSAP</i> .....	54
11	COSTS AND BUDGET.....	55
11.1.	COMPENSATION RATES.....	55
11.2.	LAND.....	55
11.3.	TOTAL COMPENSATION COSTS.....	55
11.4.	SOURCES OF FUNDING.....	57
12	MONITORING AND EVALUATION.....	58
12.1.	PURPOSE OF MONITORING AND EVALUATION (M & E).....	58
12.2.	ARRANGEMENTS FOR MONITORING BY IMPLEMENTING AGENCY.....	58
12.3.	INTERNAL AND EXTERNAL MONITORING.....	58
12.3.1.	<i>INTERNAL MONITORING</i> .....	59
12.3.2.	<i>EXTERNAL MONITORING</i> .....	60
12.4.	ANNUAL AUDIT.....	61
12.5.	SOCIO-ECONOMIC ASSESSMENT.....	61
12.6.	STORAGE OF PAPS DETAILS.....	62
	REFERENCES.....	63
	APPENDICES.....	64
	APPENDIX I: List of Persons Contacted.....	65
	APPENDIX II: Sample Grievance Resolution Form.....	67
	APPENDIX III: Compensation Rates for the Period Commencing 01/01/2010.....	68
	APPENDIX IV: Glossary of Terms.....	73

## List of Tables

Table 2-1: Comparison between Tanzanian Legislation and World Bank OP.4.12.....	16
Table 3-1: Schedule of Public meetings conducted.....	22
Table 6-1: Entitlement Matrix.....	32
Table 7-1: Forms of compensation .....	41
Table 10-1: Compensation Payments Implementation Schedule .....	50
Table 11-1: Estimated Compensation Costs .....	56
Table 12-1: Indicators of RAP Impacts .....	59

## List of Figures

Figure 1-1: The Nile River Basin.....	2
Figure 1-2: Karazi Reservoir .....	5
Figure 5-1: Trees in the proposed area for the reservoir.....	28
Figure 5-2: Banana Plantation and cassava trees in the proposed area for the reservoir .....	28
Figure 5-3: Children on their way to a water source in proposed area for the reservoir .....	29
Figure 10-1: Implementation Schedule .....	52

## List of Acronyms

AIDS	-	Acquired Immune Deficiency Syndrome
BP	-	Bank Procedures
CBO	-	Community Based Organizations
DIZ	-	Direct Impact Zone
DLB	-	District Land Board
EIA	-	Environmental Impact Assessment
ENTRO	-	Eastern Nile Technical Regional Office
Ha	-	Hectares
masl	-	Meters above sea level
MS EXCEL	-	Micro Soft Excel
HIV	-	Human Immunodeficiency Virus
NBI	-	Nile Basin Initiative
NEL	-	Nile Equatorial Lakes
NELSAP	-	Nile Equatorial Lakes Subsidiary Action Program
NELSAP-CU	-	Nile Equatorial Lakes Subsidiary Action Program – Coordination Unit
NGOs	-	Non Governmental Organizations
NLUC	-	National Land Use Commission
O.P	-	Operational Procedures
PAPs	-	Project Affected Persons
PWDs	-	People with Disabilities
RAP	-	Resettlement Action Plan
SAPs	-	Subsidiary Action Program
SPSS	-	Statistical Package for Scientists
SVP	-	Shared Vision Program
TAC	-	Technical Advisory Committee
TV	-	Television
TZS	-	Tanzania Shillings
USD	-	United States Dollars
WB	-	World Bank
WB NBTF	-	World Bank Nile Basin Trust Fund

## 1.0 INTRODUCTION

This report presents the Preliminary Resettlement Action Plan for Karazi Multipurpose Dam Project. The assessments undertaken were mainly for the reservoir component as other assessments are pending completion of the technical design. This Preliminary RAP excludes the following aspects; actual census of the PAPs and actual inventory of affected property by name, owner, size. It should be noted that this is not the final RAP. A detailed/actual RAP is outside the Consultant's scope and will thus be undertaken as an independent study at another stage of the project.

### 1.1. Background

#### 1.1.1. Project Description and Rationale

The Nile Basin Initiative (NBI), through cooperation and partnerships among nine member countries – Burundi, Democratic Republic of Congo, Egypt, Ethiopia, Kenya, Rwanda, Sudan, Tanzania, and Uganda – follows a common vision: “to achieve sustainable socio-economic development through equitable utilization of, and benefits from, the common Nile Basin water resources.” Under the current NBI institutional arrangement, the program has a: (i) Shared Vision Program (SVP) meant to build confidence and trust, as well as institutional capacity, so as to create a strong foundation for regional cooperation; and (ii) two sub-basin Subsidiary Action Programs (SAPs) to bring about tangible benefits on the ground through identification and implementation of investment projects that are under implementation as complementary elements of the NBI's Strategic Action Program.

There are three main NBI institutions, namely the NBI Secretariat (Nile-SEC) in Entebbe, Uganda; the Nile Equatorial Lakes Subsidiary Action Program Coordination Unit (NELSAP-CU) in Kigali, Rwanda; and the Eastern Nile Technical Regional Office (ENTRO) in Addis Ababa, Ethiopia.

The NBI has taken steps to put in place systems and mechanisms to ensure environmental and social safeguards in all its interventions at the following key levels: (i) Basin-wide level; (ii) Sub-Basin (SAP) levels; and (iii) Project level.

#### 1.1.2. Nile Basin Regional Background

The River Nile, an asset of extraordinary regional and global importance, is shared by 10 countries and home to more than 300 million people. Some of the poorest countries in the world, the riparian states, all rely on Nile waters for basic needs and economic growth, and the Nile remains at the nexus of security and development in the region.

Over the past decade, the NBI has developed a transitional regional institution, built capacity for basin-wide water management and launched a significant investment portfolio to support water development. Key outcomes thus far included increased communication, trust, involvement and cooperation among Nile Basin governments and populations; enhanced

basin-wide capabilities based on best practices; and increased convergence of institutional frameworks of Nile Basin countries on trans-boundary issues. Significantly, Nile cooperation has led to more than US\$1.0 billion in a first round of investments under the NBI, and an equal amount under other programs that have been enabled by the NBI. Subsequent rounds of investments are focused on complex joint regional projects that could reach into several billions of dollars.

Despite the Basin’s natural endowments, the countries of the Nile Basin face considerable challenges, including high levels of poverty, rapid population growth, lack of access to basic services, an energy crisis, and severe environmental degradation. Four of the Nile Basin states are among the world’s 10 poorest countries.

However, through joint management and development of the Nile Basin’s resources—which the NBI is designed to make possible—the Nile has the potential to catalyze sustainable economic growth for all 10 countries with benefits far beyond those that can be derived from the river itself.

### 1.1.3. Nile Equatorial Lakes Subsidiary Action Program (NELSAP)



The mission of NELSAP is to contribute to the eradication of poverty, to promote economic growth, and to reverse environmental degradation in the NEL region. NELSAP oversees implementation of the jointly identified SAPs and promotes cooperative inter-country and in country investment projects related to the common use of the Nile Basin water resources.

The NEL region includes the six countries in the southern portion of the Nile Basin— Burundi, Democratic Republic of Congo, Kenya, Rwanda, Tanzania, and Uganda -- as well as the downstream riparian countries of Egypt and Sudan. The water resources of the NEL region include one of the world’s great complexes of lakes, wetlands, and rivers. The region’s economies are characterized by rain-fed agriculture, subsistence farming, low industrialization, and poor infrastructure development.

Figure 1-1: The Nile River Basin

#### 1.1.4. NELSAP Regional Safeguards

An important part of the regional NELSAP project identification phase is determining the regional project's safeguards category on the basis of a consolidated assessment covering all participating countries. The safeguards categories are defined as follows:

- *Category A:* Regional projects that have significant adverse environmental impacts that are sensitive, diverse, or unprecedented (which may include impacts broader than the regional projects' coverage of sites, facilities, and physical works).
- *Category B:* Regional projects with potential adverse environmental impacts on human populations or environmentally important areas, including wetlands, forests, grasslands, and other natural habitats, but the impacts are less adverse than those identified under Category A.
- *Category C:* Projects with minimal or no adverse in-country or regional environment impacts.
- *Category F1:* Projects that involve investment of Bank funds, through a financial intermediary, in sub-projects within countries or as a region-wide entity, which may result in adverse environmental impacts.

Delineating the NELSAP regional project's area of influence will require due diligence at the earliest stages of the project cycle. This includes identification of cross-country physical coverage (such as power transmission corridors, pipelines, canals and tunnels, relocation and access roads, borrow and disposal areas, construction sites, and unplanned developments) as well as new areas that the regional project may affect. These new areas may be physical sites inducing spontaneous settlement or migration, logging, shifting agriculture, or commercial activities. Most regional natural resources projects will cover an area of influence defined by a watershed within a project, an estuary or coastal zone, or off-site areas for resettlement and compensatory tracts of land. The boundary demarcation for social impacts should be consistent with the NELSAP regional environmental assessment covering effects like airborne pollution (dust or smoke) and migratory routes of humans, wildlife, or fish. As with national projects included in the NEL region, coverage will include trans-boundary health and safety, livelihood activities, and religious or cultural areas.

#### 1.1.5. Involuntary Resettlement

When the OP4.12 (Involuntary Resettlement) policy is triggered even if it only applies to one country in the NEL region, it is required that a Resettlement Action Plan (RAP) be prepared. An abbreviated plan (RAP) may be developed where less than 200 persons are affected by the project or where the impacts are minor (no one is physically displaced or loses more than 10 percent of their land).

It is further stipulated that the policy is applicable if direct economic and social economic impacts from a development project are expected resulting from the following.

- (a) The involuntary taking of land resulting in

- (i) relocation or loss of shelter;
  - (ii) loss of assets or access to assets; or
  - (iii) loss of income sources or means of livelihood, whether or not the affected persons must move to another location; or
- (b) The involuntary restriction of access to legally designated parks and protected areas resulting in adverse impacts on the livelihoods of the displaced persons.

Although it is envisaged that the Karazi Multipurpose dam will not affect any residential structures and will not lead to physical displacement, a detailed RAP/Abbreviated RAP will be required as there are people who will lose property in form of land, crops and trees.

### 1.1.6. The Karazi Multipurpose Dam Project

In the Karazi multipurpose dam project, it is envisaged that more than 200 persons are likely to be affected by the dam development on each of the sites. It is therefore clear that a Resettlement Action Plan will be prepared once the technical designs for the dam are finalised. In the terms of reference the Consultant was required to prepare a resettlement policy framework for each of the 4 dam sites. However the fact that it was now clear that a RAP will be required, the Project Implementation Unit and the World Bank Social Specialist advised that a preliminary /preparatory RAP be prepared instead. This report therefore presents a Preliminary Resettlement Action Plan for the Karazi Multipurpose Dam Project.

In preparation for the RAP, this preliminary RAP analysis covers all the requirements for a RAP except for the final identification of the PAPs until the boundaries of the affected areas are defined. It should however, final identification of PAPs, their census, and inventory of affected property for each PAP are outside the Consultant's Scope.

## 1.2. Objectives of the Preliminary Resettlement Action Plan

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- Describe the consultation procedures and participatory approaches involving PAPs and other key stakeholders;
- Provide procedures for filing grievances and resolving disputes, and;
- To estimate the costs for resettlement, compensation and or land acquisition where applicable.

### 1.3. Project Location and Components

The project area is located at 010 49.693"; E 0310 01.013" and lies between Chabuhora and Kayungu Villages, in Nyakakika Ward, Nyabiyonza Division, Karagwe District in Tanzania. The site is on a seasonal river with *Hyparrhenia* wooded grassland. The catchment slopes are steep with undulating hills which were well vegetated.

The dam site area has limited agriculture. There was widespread subsistence rain fed agriculture such as bananas on the slopes but tree cover on the slopes was sparse. Livestock grazing is the main pre-occupation of the dam site including cattle, goats and sheep.

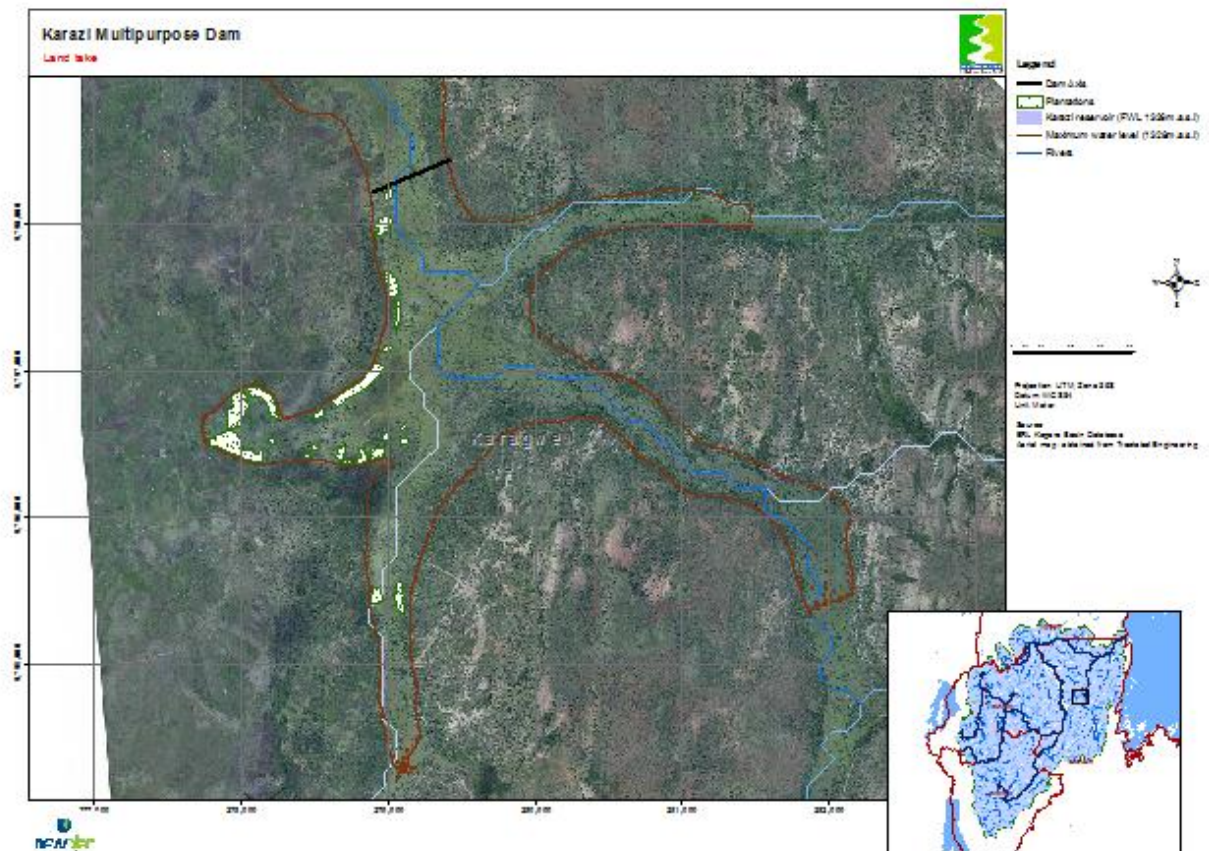


Figure 1-2: Karazi Reservoir

The proposed dam has a height of 9.5m with full supply level of 7.5m (1321.5m asl). The dam is expected to be earth fill with maximum reservoir surface area of about 2.36 Km<sup>2</sup>, maximum reservoir length of 3.4 km and reservoir width of 2.11km. The storage capacity is expected to be about 9.2 million m<sup>3</sup> (Mm<sup>3</sup>). The dam is easily accessible by road.

#### Project components

- The dam and associated structures
- Quarries and borrow areas



- Access roads
- Canals and irrigation channels

The preliminary RAP is prepared under the guidelines of Tanzanian laws and policies and the World Bank Operational Policy on Involuntary Resettlement (OP4.12).

#### 1.4. Main Objectives of the WB Operational Policy on Involuntary Resettlement

- Avoid involuntary resettlement where feasible, or minimize it, exploring all viable alternative project designs. Consult affected persons meaningfully and provide opportunities to participate in planning and implementing resettlement programs.
- Assist affected persons in their efforts to improve their livelihoods and standards of living or at least to restore them, in real terms, to pre-displacement levels.

#### 1.5. Methodology

- *Review of Documentation*

The Consultant reviewed several documentation regarding regulations, policies, national and international laws and guidelines. Documents reviewed included but were not limited to the following: World Bank Safeguard Policies [WB OP4.12 (14, 15) eligibility for benefits, WB OP 4.12 (8) attention to vulnerable groups, WB OP4.12 (12a) payment of cash compensation, WB OP4.12 Para (6b and c) assistance to cases of physical relocation/ displacement, WB OP4.12 Para 13 (a) grievance mechanisms]; Tanzanian National Laws, Regulations and Policies regarding land acquisition, compensation and resettlement among others.

- *Stakeholder Consultation*

The Consultant carried out consultations with the relevant stakeholders who included the Karagwe District Staff (District Land Valuer, Community Development Officer, District Environment Officer, National Environment Management Council and also local people at the project sites that might be affected by the project. The local people provided information on the land tenure systems, existing conflicts in regard to natural resources, and socioeconomic information among others.

- *Rapid Assessment of Potential Affected Persons and Property*

The Consultant carried out foot surveys of property in the proposed reservoir area for the proposed Karazi Dam. Maps including topography maps and locational maps showing administrative boundaries were also used to determine the extent and size of the areas to be affected. During the assessment, the Consultant took note of the type of trees and crops and made a rough estimate of their numbers. In regard to structures, these were also counted and coordinates picked. The types of materials used for construction of the structures were also

taken into consideration. GPS coordinates for each affected property, especially the structures were picked and sample photographs taken.

- *Household Surveys*

The socio economic survey was done using a questionnaire administered at household level. In addition, discussions with the local authorities were held to assess the socio economic conditions of the potential project affected persons. The data collected by use of questionnaires was analyzed by use of MS Excel and MS SPSS.

Observations were also used to supplement and cross check the data from the various sources

An interviewer-administered questionnaire was developed with both open ended and close ended questions for gathering information on socio-economic conditions of the people living in the directly affected villages of Chabuhora and Kayungu. Nyakakika village was also included in the study as consultations showed that some members from this village may own property such as crops in the directly affected area of the project. A 5% sample of the households in the villages adjacent to the project area was purposively selected for inclusion in the interviews. The sample size was determined based on the number of households in a village as provided by the village leaders. Consequently, a total of 240 households from the three villages were included in the survey.

- *Other Methods*

The Consultant used crop compensation rates (for a period commencing 01/01/2010) to estimate the compensation for crops and trees. In addition, land areas and household sizes were used to compute the estimated costs of affected property and estimated number of affected persons.

## **1.6. Structure of the Report**

The Preliminary RAP Report has been organized in twelve chapters as described below.

Chapter 1 of the report provides a background and description of the project, objectives of the PRAP, main objectives of the World Bank Policy on Involuntary Resettlement, and the study methodology.

Chapter 2 gives a description of the policy, legal and institutional framework within which land acquisition and compensation will be carried out. It also gives the difference between World Bank Safeguard Policies on Involuntary Resettlement and Tanzanian Laws.

Chapter 3 provides an overview of the stakeholder consultation process and gives a summary of issues raised in regard to land acquisition and compensation.

Chapter 4 presents the socioeconomic baseline conditions of the people likely to be affected by the project.

Chapter 5 presents the potential impacts of the project. The different categories of PAPs and estimated number of people likely to be affected are also discussed under this chapter. Project alternatives to minimize land acquisition and resettlement are also discussed under this Chapter.

Chapter 6 provides the compensation system/framework. Under this chapter, the criteria and eligibility criteria is discussed.

Chapter 7 presents the methods for valuation of affected assets. Methods for public information and disclosure of compensation payments are also presented.

Chapter 8 gives an overview of the livelihood and income restoration programs/strategies.

Chapter 9 gives the grievance mechanism and different stages of grievance resolution are presented.

Chapter 10 presents the implementation Schedule. It gives the time schedule for implementing the RAP, implementing schedule linking resettlement to civil works.

Chapter 11 presents the Indicative Costs and Budget for resettlement and the sources of funding for resettlement activities.

Chapter 12 presents the Monitoring and Evaluation Plan of resettlement activities.

## 2.0 LEGAL AND INSTITUTIONAL DESCRIPTION

### 2.1. National Policies

#### 2.1.1. *National Land Policy, 2<sup>nd</sup> Edition 1997*

The overall aim of a National Land Policy is to promote and ensure a secure land tenure system, to encourage the optimal use of land resources, and to facilitate broad-based social and economic development without upsetting or endangering the ecological balance of the environment.

Section 4.1 highlights the land tenure and gives the policy statement on land as follows;

Statement i) provides for grading of land as a constitutional category and that four basic policy tenets will be entrenched in the Constitution to ensure continuity. Section (a) stipulates that all land in Tanzania is public land vested in the President as trustee on behalf of all citizens. Section (c) indicates that the rights and interests of citizens shall not be taken without due process of law. Section (d) of this statement stipulates that full, fair and prompt compensation shall be paid when land is acquired.

Statement (iii) concerns administration of village lands by village councils but their powers are limited by the powers embedded in the laws and procedures while the fourth statement indicates that consultation and consent of village councils will be required whenever alienation of village lands is necessary.

Village land 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 akin to freehold.

A statement on women's access to land is in section 4.2.5. It states that women will be entitled to acquire land in their own right not only through purchase but also through allocation but clan land will continue to be governed by customs and tradition as long as it is not contrary to the constitution and natural justice.

Section 4.2.15 on acquisition gives power to the President to acquire land for public purposes or for redevelopment. However no clear legal definition of public interest exists under current and the aggrieved party cannot appeal against the acquisition. Policy statements on land values (4.2.18(iii)) indicate that all land transactions have to be registered with the Registrar of Land Titles before taking legal effect.

Policy statement on compensation (4.2.20) States that compensation for land acquired in the public interest will be based on the concept of opportunity cost and will include; - i) market value of real property; ii) disturbance allowance; iii) transport allowance; iv) loss of profits or accommodation; v) cost of acquiring or getting the land; vi) any other costs or capital expenditure incurred to the development of that land; and other parts (ix). Karazi dam is a public interest and about 93.8 acres of private land and 489.2 acres of public land are likely to

be affected by the reservoir. Therefore this policy and particularly the sections reviewed above will be applicable.

## **2.2. Country Legal Framework**

### *2.2.1. The Constitution of the United Republic of Tanzania*

The Constitution of the United Republic of Tanzania provides for the rights of citizens to own property and disallows the deprivation of one's property held in accordance with the law, unless the owner is fairly and adequately compensated.

Article 24 (1) says: Every person is entitled to own property and has a right to the protection of his property held in accordance to the law.

Sub-article (2) further provides that; it shall be unlawful for any person to be deprived of property for the purposes of nationalization or any other purposes without the authority of the law which makes provision for fair and adequate compensation.

The proposed Karazi Multipurpose Dam will require land and therefore the Constitution of Tanzania will applied.

### *2.2.2. The Land Act, 1999*

The Act provides for land holdings in accordance with the tenure systems in place. Compensation is made for acquisition of land. The Chief Government Valuer (CGV) is invited to assess the value of the land and developments for compensation purposes. According to Land (Assessment of Value of Land for Compensation) Regulations, 2001 one must be compensated for the value of property and land. In addition, accommodation allowance for a period of 36 months is awarded; loss of profit, disturbance allowance, and transport allowance are paid to enable the resettlement of a person whose land has been acquired.

Various methods of assessment of compensation are used: the comparative method where there is identical property or similar sales have taken place in the area in recent times; profit method where premises have been used commercially; replacement cost method which is also used to arrive at the actual market value. Prior to valuation the affected community is sensitized about the proposed project and its likely impact on them; the valuation process and what it will mean to them.

An affected person must be paid compensation within a period of six months from the date of the approval of the award. Failure to do so will attract compounded interest on the award sum at the market rate. If a person is dissatisfied with an award, they can appeal to the CGV; and if still not satisfied with the subsequent award can appeal to the Valuation Tribunal under the Ministry of Lands. A person reserves the right to appeal to the High court.

Land Act (No.4, 1999) was amended in 2008 to form Land (Local Registry) Regulations 2008, to provide for the forms to be used in the registration and application for land.

The proposed Karazi Multipurpose Dam will require land and a number of people will be affected. The Land Act will thus be applicable to this project.

### 2.2.3. *Village Land Act No.5, 1999*

The Village Land Act No. 5 of 1999 was enacted specifically to cater for the management and administration of land in villages, the role of local government in land administration, land allocation and occupation. The Act empowers the village council to manage all village lands in accordance with the principles of a trustee with the villagers being the beneficiaries.

Section 3 (f) of the Act stipulates that one has to take into account that Land has value and that value is taken into consideration for any transaction affecting that interest. This means if one acquired land he/she will have to compensate owners for bare land in addition to un-exhausted improvements.

Section 3 (g) of the Act, requires “to pay full, fair and 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.” Registered Professionals or Specialists will determine the amount of compensation payable on the market value of land or property.

Also the Act contains provisions of critical environmental importance. One of the important fundamental principles of the Land Act 1999 is; “to ensure that land is used productively and that any such use complies with the principles of sustainable development”.

The project is being developed with the intention of contributing to National sustainable development thus contributing to poverty alleviation. There will be measures in place to avoid excessive use of water especially during dry seasons. These measures if implemented will ensure that the project activities do not adversely affect the environment.

The proposed area for the Karazi reservoir belongs to both the government and individuals and big part of it bare land. There will be need for acquisition of this land therefore this Act will be relevant.

### 2.2.4. *Local Government (District Authorities) Act Cap 287 of 1982*

This act provides for a detailed responsibility for the District Councils on administration of day-to-day activities within its area of jurisdiction. Since the project area is within the jurisdiction of the Karagwe District Council, the provisions under this act have to be followed or adhered to and therefore the project proponent shall liaise with the district council in implementing the proposed project.

### 2.2.5. *The Land Compensation Claims Regulations, 2001*

These Regulations shall apply to all applications or claims for compensation against government or local government authority or any public body or institution under the Act who may claim compensation.

This regulation gives guidance on who may claim compensation 4 (a-e) and further indicates compensation which may be claimed by occupier (5 (1-2)). The regulation emphasizes the application of The Land (Assessment of Value for compensation) Regulations, 2001 in claiming for compensation by any person occupying the land. Section 6 stipulates that the Commissioner or authorized officer shall cause a notice to be published on public notice board and serve a notice in a prescribed form on every occupier.

Valuation for compensation purposes is sanctioned by the Commissioner or authorized officer (Section 7). The Commissioner shall further prepare the claim form (Section 8) and submit it to the Fund together with the claim for compensation which shall verify and accept project payment within not less than 30 days of receipt of the claim (9(1)). Forms of compensation are also elaborated in Section 10 (1-2) of the regulation.

Several people with land parcels at the proposed area for the project will have to be compensated for their loss thus this regulation will be triggered.

#### 2.2.6. *The Land (Assessment of the Value of land for compensation) Regulations, 2001*

According to this Act Section 3-4, the basis of assessment of land and unexhausted improvement is market value of such land. This assessment is expected to be prepared by the qualified Valuer and is verified by the Chief Government Valuer (Section 5-6). Section 7 of the Act highlights what is included in compensation for any interest for loss of land as value of unexhausted improvement, disturbance allowance, transport allowance, accommodation allowance and loss of profits details of which are specified in Section 8-11 of this Act.

The Act further indicates that transport and accommodation allowances and loss of profit shall not be payable for unoccupied land at the date of loss of interest in land. The land likely to be affected by the project in Karazi is presently not being used for settlement and thus affected persons may not be entitled for such compensation.

Interest shall be paid where prompt payment of compensation has not been made (Section 13-1).

#### 2.2.7. *The Land Acquisition Act, 1967 (Act No 47/1967)*

The Land Acquisition Act of 1967 stipulates the power and procedures for acquiring land and the required degree of compensation. Section 3 and 4 of the Act gives the President of Tanzania powers to acquire any land for any estate or term where such land is required for public purpose such as exclusive government use, general public use, any government scheme, development of social services or commercial development of any kind including declamation. The Act makes provision for the procedures and method of compulsory acquisition of land for public purposes whether for temporary or permanent use. The Minister responsible for land may authorize any person to enter upon the land and survey the land to determine its suitability for a public purpose.

The Government of Tanzania is supposed to pay compensation to any person who suffers damage as a result of any action. Any dispute as to compensation payable is to be referred to the Attorney General or Court for decision.

The Land Acquisition Act does not go beyond compensation. It is not required under the Act to provide alternative land for the affected people by the project. Each affected person entitled to be compensated; on receipt of his/her compensation is expected to move and has no further claim. Once they are promptly and adequately compensated, then the obligations stop there.

Under this Act, the government is required to pay compensation for the land taken. The compensation may be as agreed upon, or as determined under the Act. The government may in addition to compensation and with agreement of the person entitled to compensation pay compensation as well as give alternative land. There are situations where the government is compelled to give alternative land (eg in cases where land was used as a cemetery) in lieu or in addition to compensation. The land granted must be of the same value and held under the same terms as the land acquired, and must be in the same local government authority area unless the person whose land is being acquired consents to be given land elsewhere.

#### 2.2.8. *The Land Disputes Court Act, 2002 (Act No.2/2002)*

This act provides the respective courts and their functions. 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. Disputes during the implementation of Karazi Multipurpose Project and its sub projects are bound to arise thus the Act will be applicable.

#### 2.2.9. *The Graves Removal Act, 1968*

The Graveyard Removal Act of 1968 refers directly to grave removal and requirement for compensation. The act provides for compensation of owners of graves and reburial of the remains elsewhere to pave way for development interventions. In case there are households with graves in the proposed area for project components, this Act will be triggered.

#### 2.2.10. *National Land Use Planning Act [2007]*

The Act established the National Land Use Commission (NLUC) as the principal advisory organ of the government on all matters related to land use. Among other things, it 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 minimise 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. Since there will be considerable change in land use at the proposed area for the reservoir, this Act will be applicable.

### 2.3. **Institutional Framework**

This section spells out sectors, institutions, and processes through which planning and implementation of the project will be effected.



A number of institutions will be involved in the overall implementation of this project, either by way of their mandate or because of the direct impact of the project on their areas of jurisdiction. These include the Ministry of Lands, Housing and Human Settlement Development, Survey and Mapping Division as well as the Local Government Authorities.

### *2.3.1. Ministry of Lands, Housing and Human Settlement Development*

The Ministry of Lands, Housing and Human Settlement Development is responsible for policy, regulation and coordination of matters pertaining to Land. The Commissioner of Lands administers most issues to do with land allocation, acquisition, registration and land management in general. All instances of acquisition of land for public purposes and the need for resettlement and/or compensation have to be referred to the Commissioner.

### *2.3.2. 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.

### *2.3.3. Local Government Authorities*

Tanzania is divided into three levels of Local Governments and each level has statutory functions with respect to development planning. The three levels are District /Municipal / City Councils, Town Councils and Ward and Village/”Mtaa” Councils.

Each district is subdivided into Wards, that in turn are divided into Villages and these consist of Hamlets (“Vitongoji”). Municipal Councils are subdivided into Municipal Wards followed by sub-wards or “Mtaa”.

The responsibility for planning, financing and implementing development programmes rests with the District Councils, City Councils, Municipal Councils and Village Councils. This is carried out through:

- Municipal/District Land Departments with sections /units for physical planning, surveying, valuation;
- District functional departments including Community Development (communities mobilization and sensitization); Environmental Management Offices (acts as appendages of national environmental authorities);
- Land Tribunals (District, Ward levels) for handling and resolving land-related disputes and grievances;
- Various multi-disciplinary, multi-sectoral technical teams and committees of Councilors responsible for social issues at local government levels.

### *2.3.4. Natural Resources and Social Management Agencies*

*Vice President’s Office (National Environment Management Council (NEMC) and Division of Environment (DoE)*

NEMC is vested with overall responsibility for screening (allocating the appropriate level of the impact assessment) and reviewing big investments and projects of national significance. NEMC constitutes multi-disciplinary, multi-sectoral Technical Review Committees to review adequacies of environmental impact statements (incl. Environmental Social Management Plans/ Environmental Social Monitoring Plans). NEMC issues recommendations to the government for approval of the project. DoE issue approval (EIA Certificates) for the project to proceed. Mitigation of impacts arising from land acquisition and fulfillment of compensation procedures constitute key project approval criteria.

#### **2.4. The World Bank Social Safeguard Policies**

The World Bank Resettlement Policy Framework (OP 4.12 and BP 4.12) is applied for projects that require World Bank financing. It is assumed that this project will be financed by the World Bank Nile Basin Trust Fund (WB NBTF); thus this policy will be applicable to this project.

The World Bank OP 4.12, Annex A (Paragraphs 17-31), describe the scope (level of detail) and the elements that a resettlement plan should include. These include objectives, potential impacts, socio economic studies, legal and institutional framework, eligibility, valuation and compensation of losses, resettlement measures, relocation planning, community participation, grievance redress procedures, implementation schedule, costs and budgets, and monitoring and evaluation. The most relevant paragraphs from the policy are listed below.

WB.OP 4.12 (13 a) stipulates that any displaced persons and their communities and any host communities receiving them should be provided with timely and relevant information, consulted on resettlement options and offered opportunities to participate in planning, implementing and monitoring resettlement.

In addition displaced persons should be offered support after displacement, for a transition period, based on a reasonable estimate of the time likely to be needed to restore their livelihood and standards of living; and provided with development assistance in addition to compensation measures such as land preparation, credit facilities, training, or job opportunities.

WB OP4.12 Para 13 (a) requires that appropriate and accessible grievance mechanisms be established to sort out any issues arising.

The World Bank's Operational Policy on Environmental Assessment (WB. OP 4.01 - point 14a and b) prescribes that public consultation be carried out at least 2 times, after environmental screening or during the process, and after submission of the EIA.

WB OP 4.12.(6a) demands that the resettlement plan includes measures to ensure that displaced persons are (i) informed about their options and rights, (ii) consulted on, offered choices among others and provided with technically and economically feasible resettlement alternatives, and (iii) provided prompt and effective compensation at full replacement costs.

WB OP 4.12 (8) requires that particular attention be paid to the needs of vulnerable groups among those displaced such as those below the poverty line, landless, elderly; women and children and indigenous peoples and ethnic minorities.

WB OP4.12 (12a) states that payment of cash compensation for lost assets may be appropriate where livelihoods are land-based but the land taken for the project is a small fraction (less than 20%) of the affected asset and the residual is economically viable.

WB OP4.12 Para (6 b & c) state that in case of physical relocation, displaced persons should be (i) provided assistance (such as moving allowances) during relocation; and (ii) provided with residential housing, or housing sites, or, as required, agricultural sites for which a combination of productive potential, locational advantages, and other factors is at least equivalent to the advantages of the old site. One household was so far identified as being in the neighborhood of the area likely to be inundated but not inside.

Consultations have been carried out during the preliminary phase of Resettlement Action Plan (RAP) and are expected to continue during preparation of RAP.

## 2.5. Difference between Tanzanian Laws and World Bank Safeguards Policies on Resettlement

There are some differences between the World Bank Policy and the Tanzanian Laws on this matter. Whereas the laws relating to land administration in Tanzania are broad and varied, entitlements for payment of compensation are essentially based on the right of ownership. The national legislation is silent on the rights of squatters and is not specific and precise on the rights of usufruct on public land. However, the Bank OP4.12 is specific and precise. It states that affected persons are entitled to some form of compensation whether or not they have legal title if they occupy the land by a specified cut-off date.

A comparison of the Tanzanian legislation and WB requirements regarding compensation is given in **Table 2-1**.

**Table 2-1: Comparison between Tanzanian Legislation and World Bank OP.4.12**

Category of PAPs/ Type of Lost Assets	Tanzanian Laws	World Bank OP4.12
Land Owners	Cash compensation is based upon market value of the real property, disturbance allowance, transport allowance, loss of profits or accommodation, cost of acquiring or getting	Identification done through census and socio-economic surveys of the affected population,

Category of PAPs/ Type of Lost Assets	Tanzanian Laws	World Bank OP4.12
	the subject land, any other immediate costs or capital expenditure incurred to the development of the subject land Compensation should be paid promptly, and if not paid in time, interest at market rate will be charged.	Land-for-land exchange is the preferred option; compensation is to be based on replacement cost.
Land Squatters	Entitled to compensation based upon the amount of rights they hold upon land	Must be compensated whatever the legal recognition of their occupancy.
Land Users/ Land Sharecroppers	Not entitled to compensation for land, entitled to compensation for crops and sometime provided with other land of equal size and quality	Entitled to compensation for crops and income must be restored to at least pre-project levels.
Owners of non-permanent buildings	Valuation and disturbance allowance. Cost of putting up an equivalent structure as the one existing at the time of valuation, based on price of the open market	Recommends in-kind compensation or cash compensation at full replacement cost including labor. Recommends resettlement assistance
Owners of permanent buildings	Valuation and disturbance allowance. Cost of putting up an equivalent structure as the one existing at the time of valuation, based on price of the open market	Entitled to in-kind compensation or cash compensation at full replacement cost including labor and relocation expenses, prior to displacement
Perennial and annual Crops	Cash compensation at market value based on historical production records. Compensation rates for each crop are established at the Valuation Division in the Ministry of Lands and Human Settlements Development.	No specific provision. Income restoration. Land for land compensation allows people to re-establish annual crops immediately.
Livelihood restoration and assistance	There are no legal provisions requiring the government to restore livelihood or to provide assistance towards the restoration of such livelihoods.  However, payment of disturbance, loss of accommodation, loss of profit and transport allowances help the PAP to improve their livelihoods	Livelihoods and living standards are to be restored in real terms to pre-displacement levels or better
Timing of compensation payments	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.  Construction of the project should be undertaken after all PAPs have been compensated and given time to relocate	Implement all relevant resettlement plans before project completion and provide resettlement entitlements before displacement or restriction of access. For projects involving restrictions of access, impose the restrictions in accordance with the timetable in the plan of actions.
Consultation and disclosure	There are scanty provisions related to consultation and disclosure in Tanzanian law.  The notice, under the <i>Land Acquisition Act</i> , informs land owners about the President's need to acquire	Consult project-affected persons, host communities and local NGOs, as appropriate. Provide them opportunities to participate in the planning, implementation, and

Category of PAPs/ Type of Lost Assets	Tanzanian Laws	World Bank OP4.12
	<p>their land, and their right to give objections. The Land Act allows displaced persons to fill in forms requiring that their land be valued, and giving their own opinion as to what their assets are worth.</p> <p>Since resettlement is not provided for legally, there are no provisions about informing the displaced persons about their options and rights; nor are they offered choice among feasible resettlement alternatives.</p>	<p>monitoring of the resettlement program, especially in the process of developing and implementing the procedures for determining eligibility for compensation benefits and development assistance (as documented in a resettlement plan), and for establishing appropriate and accessible grievance mechanisms.</p>
Relocation and resettlement	<p>Tanzanian laws do not provide for relocation and resettlement. However, there are a few cases where the government has provided both compensation and alternative land, but this has been done at its discretion. In general however, the government feels that it has discharged its duty once compensation is paid, and it is up to the displaced persons to resettle and re-establish themselves elsewhere.</p>	<p>Avoid or minimize involuntary resettlement and, where this is not feasible, assist displaced persons in improving or at least restoring their livelihoods and standards of living in real terms relative to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher</p>
Grievance mechanism and dispute resolution	<p>Under S.13 of the <i>Land Acquisition Act</i>, where there is a dispute or disagreement relating to any of the following matters:</p> <ul style="list-style-type: none"> <li>(a) the amount of compensation;</li> <li>(b) the right to acquire the land;</li> <li>(c) the identity of persons entitled to compensation;</li> <li>(d) the application of section 12 to the land;</li> <li>(e) any right privilege or liability conferred or imposed by this Act;</li> </ul> <p>the apportionment of compensation between the persons entitled to the same and such dispute or disagreement is not settled by the parties concerned within six weeks from the date of the publication of notice that the land is required for a public purpose the Minister or any person holding or claiming any interest in the land may institute a suit in the High Court of Tanzania for the determination of the dispute</p>	<p>Establish appropriate and accessible grievance mechanisms</p>
Calculation of compensation and valuation	<p>According to the <i>Land Assessment of the value of Land for Compensation) Regulations, 2001</i>, as well as the <i>Village Land Regulations, 2001</i>, compensation for loss of any interest inland shall include the value of unexhausted improvements, disturbance allowance, transport allowance, accommodation allowance, and loss of profits.</p> <p>The basis for assessment any land and unexhausted improvement for purposes of compensation is the market value of such land.</p>	<p>WB OP 4.12 requires that the displaced persons be provided with prompt and effective compensation at full replacement cost for losses of assets attributable direct to the project.</p> <p>Replacement cost is the method of valuation of assets that helps determine the amount sufficient to replace lost assets and cover transaction costs. Depreciation is not to be taken into</p>

Category of PAPs/ Type of Lost Assets	Tanzanian Laws	World Bank OP4.12
	<p>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.</p> <p>In practice, with land an attempt is made to establish market value from recent sales, but these are usually not transparent. As for unexhausted improvements in terms of buildings and other civil infrastructure, the depreciated replacement cost approach is used</p>	<p>account when applying this method.</p> <p>For losses that cannot easily be valued or compensated in monetary terms (eg access to public services, customers and suppliers, or to fishing, grazing or forest areas) attempts are made to establish access to equivalent and culturally acceptable resources and earning opportunities.</p>

In regard to this project, land to be acquired will be subject to the Laws of Tanzania and the World Bank OP4.12. In the event of divergence between the two, the policy which will be considered to be of a comparatively higher standard shall apply.

### 3.0 PUBLIC CONSULTATION

Public consultations in relation to the RAP occur at all stages, starting with inception and planning when the potential lands and alternative sites are being considered and is continuous throughout the project cycle.

Public consultation and participation are essential because they provide PAPs the opportunity to contribute to both the design and implementation of the project activities and reduce the likelihood for conflicts. It also enables room for proposal of feasible mitigation measures by the stakeholders. One key factor that exists in all successful approaches to project development and implementation is participation by all stakeholders and communities in all the stages of the project. The more direct involvement of the local level people in the planning and management processes, the greater the likelihood that resource use and protection problems will be solved as well as the likelihood of development opportunities occurring in a balanced way and to the broad benefit of all communities in the project. In addition, involvement of stakeholders provides a sense of ownership for the project.

In regard to this project a participatory approach is adopted as an on-going strategy throughout the entire project cycle.

#### 3.1. Stakeholders Identification

It is always important to identify stakeholders at an early stage. In this project, stakeholders are those who have an interest in the project development, and who will be involved in the consultative process. Stakeholders for this project were thus identified purposively.

Different categories of stakeholders were identified and these included those directly and indirectly affected by the project. These included stakeholders at different levels that is, at national level, local government level, NGOs and communities in the project area. Their participation will make them understand and appreciate the likely impacts of the dam over their livelihood. In the context of the resettlement activities in the project area, extending and distribution of opportunities to PAPs is very important.

The four main groups of stakeholders are:

- (i) **Directly Affected people**- All those who reside or derive their living from areas where the project will have a direct impact, often referred to as the Direct Impact Zone (DIZ), consisting of all the project components. For Karazi dam, directly affected persons are persons who have property in the proposed area for the dam and its sub-components and most of these live in the villages of Chabuhora and Kayungu

This being preliminary RAP where specific PAPs have not yet been identified, consultations were held with potential directly affected communities in the villages where reservoir will be located. Consultations specifically with identified and confirmed PAPs will held during the RAP preparation stage.

These were informed about the project including its location, purpose, features, objectives of the study and the consultation meetings, the team for the assignment the different stages of the project and the different activities to be carried out throughout this phase of the assignment. Their views and concerns in regard to the project were sought and suggestions to mitigate the negative impacts were recorded.

- (ii) **Indirectly Affected Persons**-All those who reside near project features or are reliant on resources in the project area and will have to change or adjust their livelihoods. For this project, these include communities living in the villages affected by the dam but they do not own property in the earmarked locations for the reservoir and communities downstream of the reservoir and also people living in the surrounding villages. Consultations were held with communities in the downstream area of the project and these included Nyakakika, and Bukangara villages.
  
- (iii) **Government or public sector agencies and community based organizations:** These include;
  - *National Stakeholders* : National Liaison Officer, TAC Members, National Environment Management Council etc
  - *Local Government stakeholders* : Karagwe District Director, Manager Karagwe Water Supply, District Veterinary Officer, District Education Officer, District Agricultural Officer, Community Development Officer, District Environment Officers, Village leaders for both the directly affected villages and indirectly affected villages. District Land Valuer
  - *NGOs and CBOs*
  
- (iv) **Other stakeholders:** These include; The Client (Nile Basin Initiative), donors, companies with an indirect interest, external advisors and consultants and private sector. At this stage of the project, only NBI has been consulted.

### 3.2. Summary of Consultations Undertaken

Meetings were held with the relevant officers at national and local government level. The meetings were held in the officers' respective offices and most of these were impromptu meetings but for some appointments were first made through phone calls. They were all conducted in the English language. A list of the different stakeholders consulted is attached to this Report as Appendix I.

Besides, a total of 2 public meetings were held with potential PAPs. The village leaders mobilized people for the meetings. **Table 3-1** shows the schedule of meetings held. A total of 170 participants turned up for the community meetings with an average of about 85 participants for each meeting. Of the total participants, about 38% were women. The meetings were held in Swahili, the official language of Tanzania.



**Table 3-1: Schedule of Public meetings conducted**

Date	Venue	Time	Participants	Number of Participants
02/04/2012	Chabuhora village	2.00pm	People within Chabuhora and Kayunga villages with property in the project area	88
04/02/2012	Nyakakika village		People in the nearby villages of the project area (Nyakakika and Kayungu,)	82

### 3.3. Summary of issues raised in regard to land acquisition and compensation

Consultations were held with some of the stakeholders mentioned in Section 3.1 of this report and these were carried out in the months of January and March 2012. Information regarding aspects of the project was disseminated to them. The Consultant also sought from them information regarding policies, general socioeconomic trends among others. Hard copies and soft copies of secondary information were provided to the Consultant by the different stakeholders. In addition, their views and concerns in regard to the project were sought and suggestions to mitigate the negative impacts were also sought.

Through the discussions and consultations with the community members and other stakeholders, a number of issues were raised in regard to compensation and resettlement and these are summarized as below;

- Destruction and removal of houses and other historical materials: The stakeholders were worried that some houses and historical material may be destroyed during the excavation of materials like stones, murrum for the project.
- Little or no compensation of properties destructed. Stakeholders feared that there might be property that might be destroyed and the affected people may get no compensation at all or they might be given little compensation which is not worth the lost property.
- Failure to identify the rightful owners of the land. The people feared that it may be hard for the valuation to identify the rightful owners of the land as some people may wrongfully claim ownership of the property.

### 3.4. Community Participation & Consultation Strategy

A key strategy for implementation of the RAP is collaboration both in the vertical and horizontal levels between the affected communities/people, central and local government

executives to enhance co-ordination, enabling sharing of experiences to consolidate the RAP process.

Consultation and community participation is a continuous process which will be followed at all stages of the project and with the different levels of stakeholders. The consultation process will ensure that all identified stakeholders are consulted. Information about the project will be shared with the public, to enable meaningful contribution, and enhance the success of the Karazi Multipurpose Dam project

There are several methods that could be used for communication and consultation and these include; stakeholder meetings, use of questionnaires, use of the media (radio, newspapers, TV) with particular emphasis to local media using the local language, use of notice boards at the local administration offices, posters in strategic locations frequented by the local people such as trading centres and offices of the local leaders among others.

All concerns, views and issues raised by the stakeholders will be documented by written minutes. Attendance lists and photographs of the meetings will form part of the RAP Report and all this will be used as evidence that the consultation took place.

Different stakeholders at the national, local and community level will thus be involved in the process of land acquisition and RAP implementation. In addition, NGOs and CBOs currently working in the area can also be involved in the RAP process. These can be involved through acting as witnesses for the compensation process, strengthening local institutions, enhancing the positive impacts and implementing the mitigation measures among other things. In case of relocation of households, it is important to consult the host communities so as to ensure that the new comers are accepted and measures put in place to ensure that there is no increased stress to the existing social services in the new locations.

## 4.0 SOCIAL ASSESSMENTS AND SOCIO-ECONOMIC SURVEYS

To assess the impacts of the project on the potential Project Affected Persons (PAPs), baseline surveys were conducted by the Consultant in month of March 2012. Households considered for the survey included households in the vicinity of the project. This section of the report gives baseline conditions of the project area and the people that are likely to be affected during the implementation of the proposed Karazi Multipurpose Dam. Details of each individual PAP will be got at the stage of preparation of the RAP.

### 4.1. Socio-economic Baseline Information

An interviewer-administered questionnaire was developed with both open ended and close ended questions for gathering information on socio-economic conditions of the people living in the directly affected villages of Katyazo, Kagando and Nyakabingo. These were considered to be potential PAPs of the project. Research Assistants with the knowledge of the local language were deployed and trained. The approximate number of households in these villages was provided by the respective village Local Council I Chairpersons. A 30% sample of these households was randomly selected for inclusion in the interviews. A total of 113 households were included in the household survey as a representative sample.

#### 4.1.1. *Population*

In the study area Chabuhora village has a total population of 9,652 of which 4,730 are males and 4,922 are females and it has 1,518 households. Kayungu village has 4,166 people of which 2,047 are males and 2,119 are females and it has 886 households. Nyakakika village has a population of 12,714 of which 6,230 are and are 6,484 female with 2,564 households.

On average the household size is 4.8 (approx. 5). Number of children below 18 years is more than 60% of the entire population. Adult population age from 18- 39 years occupies 47.9%, 40 – 64 is 41.7% and 65+ is 10.4%.

#### 4.1.2. *Settlement patterns and size distribution of settlements*

The settlements are scattered from each other and this is attributed to the big sizes of land owned by each households. However, in trading centres, the settlements are concentrated and majority of them are used as commercial structures.

In the proposed area for the reservoir, there were no houses or settlements observed.

#### 4.1.3. *Social capital and mechanisms for social cohesion*

Traditional systems of social organization are still of great significance in the daily lives of Tanzanians. Kinship systems provide networks for support and become visible during all major life-cycle ceremonies. There is a great deal of reliance on family members, clan members through the clanship system/kin groups. Of recent, there is also reliance on associations or societies where people come together to assist each other in social and economic problems.

#### 4.1.4. *Social structure*

Tanzanian society is divided along many lines. The traditional elite include descendants of kings and paramount chiefs, who, after independence, lost their traditional titles. The modern elite include many individuals in the government, successful businesspeople, and highly educated individuals.

The basic family structure is extended, although the pressures of development have led increasingly to nuclear family units, particularly in urban areas. In most cases, the man is the supreme head of the household in all major decisions. A wife earns respect through her children and, indeed, is not considered to be a fully mature woman until she has given birth to a healthy child. The society is largely patrilineal.

In regard to inheritance, Tanzanian laws of inheritance vary according to ethnic group. There are also significant differences between national and customary laws of inheritance, which are settled in the court system. Generally speaking, boys and men are favored over girls and women in customary ethnic laws, in part to keep clan holdings together.

#### 4.1.5. *Livelihood Activities*

##### Crop farming

Agriculture is the primary occupation of the local people living in the project area. Household interviews indicate that agriculture is the first occupation. About 99 percent of the interviewed households admitted that about 93 percent of their income is from agricultural produces. Even for the households with other sources of income, agriculture contributed more than half of their income and expenditure.

According to the household interviews, the occupation which earns more income in the study area is farming which covers 94.2%, followed by salaried workers 2.1%, trading 1.7%, service provision 1.7% and others occupy 0.4%. Majority of the households are peasant farmers.

There were a few banana plantations, cassava trees and maize that were noted in the proposed area for the reservoir.

##### Animal rearing

The communities in Karagwe especially in the study area also engage in livestock keeping, and there are about 9022 cattle in Nyakakika and Nyakabanga wards. The population in the project is categorized into the cultivators and the cattle keepers. Cattle keepers in the area comprise of a sizeable number of the population. The main types of animals kept include cattle, sheep, goats and poultry among others. Although there are some households who largely depend on cattle and keep big herds of cattle, other households have a few animals and practice zero grazing.

##### Other economic activities

Other sources of income by the households in the area include petty trading, casual labour, and service provision (restaurants and food vending). A small section of the households is

salariated worker. These incomes are just a means of supplementing the income from agriculture.

#### *4.1.6. Household Incomes*

The annual incomes for the interviewed household ranges between Tshs.500, 000/= and Tshs.10,000,000 while the average monthly income for the household was reported to be Tshs.259,076 which is much lower than the District per capita income. The per capita income for Karagwe district is estimated at Tshs.450,000 and this includes the value of cash and kind production and transfer payments (District Profile, 2011). Collected information shows that households and individuals generate their income from Agriculture, animal husbandry, micro and small-scale enterprises, formal and informal employment; in ascending order of importance.

#### *4.1.7. Vulnerable Groups*

Vulnerable groups reported in the project area include households with People with Disabilities as reported by 7.5% of the interviewed households, female headed households (11.7%), elderly headed households of 65 years and above (10.4%) and 9.6% of the households reported to have an orphan in their family.

All the vulnerable groups identified will need special attention in terms of rehabilitation and livelihood support and ensuring that their status does not get worse than the pre-project period. Details of the directly affected vulnerable groups will be given in the next stage of RAP preparation.

#### *4.1.8. Potential conflicts inherent in dealing with natural resources*

The major conflicts reported in relation to natural resources are land conflicts between livestock keepers and crop farmers. The major cause of these conflicts is the lack of clear and obvious official boundaries/demarcations between pastoral areas and areas used for other purposes like crop farming. Other conflicts are normally between family members about the demarcations of the land. The main cause of this is lack of enough fertile land that can be used to expand and open new farms.

During the RAP preparation for the different sub-projects, a census of the affected populations will be undertaken and a socioeconomic profile of each PAP will be kept for measuring the magnitude of the impacts and for future monitoring of the PAPs.

## 5.0 POTENTIAL IMPACTS OF THE PROJECT

The proposed Karazi multipurpose dam will be located in the village of Chabuhora, Nyakakika ward, Karagwe District. The project will require land for the reservoir, camp site, access road, soil disposal sites, quarry and borrow pit sites among others. This preliminary RAP intends to identify the impacts related to land acquisition and how to mitigate or enhance these impacts. However, it should be noted that the exact location of the sub-projects is not yet determined. However, households will be affected by one or a combination of the identified categories of losses below:

- Loss of land and access to land
- Loss of trees and crops
- Loss of community resources (water ponds)

### 5.1. Estimated Population, Displacement and Categories of Affected People

#### 5.1.1. *Categories of PAPs*

Land acquisition for Karazi dam and its associated components will result in negative impacts to different categories of PAPs. The likely affected persons can be categorized into three groups namely:-

Project affected persons (PAPs) are individuals whose assets may be lost, including land, property, other assets, and/or access to natural and/or economic resources as a result of activities related to sub-project(s) of Karazi dam.

Project affected households are groups of PAPs in one household and where one or more of its members are directly affected by the proposed Karazi multipurpose dam. These include members like the head of household, male, and female members, dependent relatives, and tenants among others.

#### Vulnerable Persons/Households

The proposed Karazi Dam project will pay special attention to the needs of the vulnerable groups discussed under Section 4.1.7 that will in one way or another be affected by the project. A deeper analysis of the vulnerable groups that will be affected by the project will be undertaken and details of their socioeconomic situation during the actual RAP preparation.

The major aims of identifying these groups is to provide additional assistance to restore their pre-project living standards, to ensure that their already vulnerable situations are not made worse by the existence of the project and to ensure that resettlement provides an opportunity to enhance their socioeconomic conditions.

#### 5.1.2. *Estimated affected population*

It is estimated that about 236 Ha of land will be required for the reservoir. The biggest chunk of this land is owned by the government but is currently utilized by pastoralists for cattle grazing. It is estimated that about 198 Ha of land are government owned and only 38 Ha are

owned by individuals. According to the socio-economic baseline survey and consultations, the average land holding for a household is 2 Ha. It is thus estimated that about 19 households will lose land to the project. Given the household size of 5 persons, about 95 persons from the 19 households will be affected by the loss of land as they all depend on the affected land for their livelihood and wellbeing.

The number of pastoralists using the affected land was not easily obtainable at the time of the study however; it is a known fact that a number of them will lose access to grazing land.

It should be noted that the exact number of PAPs will be determined during the actual RAP preparation which will take place after the final design of the project is completed. It is at that stage that the actual number of land owners and sharecroppers will be determined. The above figures are thus just indicative estimates.

## 5.2. Loss of land and access to land

Approximately 236 Ha (583 acres) of land will be lost to the project for the reservoir component. This land (about 198 Ha) is largely used for grazing animals (cattle, goats and sheep) and is owned by the government and a small section (about 38 Ha) is used for cultivation and owned by individuals. The number of people who will lose access to grazing land and the individual owners will be determined at the actual preparation of the RAP.

## 5.3. Loss of trees and crops

There are banana plantations at the periphery of the proposed area for the reservoir. Other crops noted were maize, beans, cassava, sugarcane and coffee. Trees that will be lost include fruit trees like avocado, pawpaw, mango and other trees like pine, eucalyptus and medicinal trees. **Figure 5-1** and **Figure 5-2** show the trees and the crops in the proposed area for the reservoir.

*Figure 5-1: Trees in the proposed area for the reservoir*



*Figure 5-2: Banana Plantation and cassava trees in the proposed area for the reservoir*

#### 5.4. Loss of Community Infrastructure

- Water sources

In the proposed area for the reservoir, there are spring wells that were noted and these will be submerged. These wells are used by the people for both domestic purposes and livestock watering. **Figure 5-3** below shows children on their way to a water source.



*Figure 5-3: Children on their way to a water source in proposed area for the reservoir*

#### 5.5. Loss of structures

There are currently no houses in the area proposed for the reservoir so no physical displacement is envisaged.

#### 5.6. Loss of cultural property

By the time of the study, there was no cultural property identified in the proposed area for the reservoir.

The project and the RAP team should thus ensure that both the Tanzanian laws and World Bank policies are followed during RAP preparation and implementation for the affected households.

#### 5.7. Project Alternatives to Minimize Land Acquisition, Resettlement and Impact on Other Infrastructure

One of the main objectives of the World Bank Operational Policy on Involuntary Resettlement is to avoid involuntary resettlement where feasible, or minimize it by exploring all viable alternative project designs. The project has thus considered several options as a way of minimizing land acquisition and resettlement.



**Option 1:** This option has a Dam Height of 14m and storage capacity of 22.75 million m<sup>3</sup> (Mm<sup>3</sup>) and a reservoir surface area of 3.71 km<sup>2</sup>. The reservoir length is 4km while the reservoir width is 3km. This option would inundate about 371.49 Ha (917.96acres) of land largely used for grazing animals. No residential structures will be affected.

**Option 2:** This option has a height of 9.5m with full supply level of 12m (1321.5m asl). The dam is expected to be earth fill with maximum reservoir surface area of about 2.36 Km<sup>2</sup>, maximum reservoir length of 3.4 km and reservoir width of 2.11km. The storage capacity is expected to be about 9.2 million m<sup>3</sup> (Mm<sup>3</sup>). This design option will inundate about 236 Ha (583 acres) of land.

Option 2 is being considered for further studies and it will have fewer impacts in regard to land take.

## 6.0 COMPENSATION SYSTEM/Framework

### 6.1. Criteria and Eligibility for Compensation

The involuntary taking of land, results in relocation or loss of shelter and loss of assets or access to assets or loss of income sources or means of livelihood, whether or not the PAPs must move to another location. The WB OP 4.12 Para 15 (a, b, & c) categorizes those eligible for compensation and resettlement in three groups as shown below.

- (a) Those who have formal legal rights to land (including customary and traditional rights recognized under the laws of the country);
- (b) Those who do not have formal legal rights to land at the time the census begins but have a claim to such land or assets-provided that such claims are recognized under the laws of the country or become recognized through a process identified in the resettlement action plan (itinerant farmers or sharecroppers) and;
- (c) Those who have no recognizable legal right or claim to the land they are occupying.

WB OP 4.12 Para 16 states that Persons who encroach on the area after the cut-off date are not entitled to compensation or any other form of resettlement assistance.

It is the policy of the Tanzanian government to pay compensation or offer resettlement assistance to people whose land or property is affected by a project. To achieve the objectives of WB OP4.12 and principles set out in this PRAP; those covered under a) and b) above are to be provided compensation for land they lose, and other assistance; persons covered under c) above are to be provided with resettlement assistance in lieu of compensation for the land they occupy or use, and other assistance, as necessary. All persons included in a), b) or c) above are to be provided with compensation for loss of assets other than land if they occupied the land before the entitlement cut-off date.

The OP. 4.12 further categorizes the displaced people eligible for compensation and resettlement assistance into four groups:

- a. Affected Individual who suffers loss of land, assets or investment, and property or access to natural or economic resources as a result of the project activities.
- b. Affected Household: in case any of its members is affected by the project activities either by loss of property, of access or otherwise affected in any way by project activities.
- c. Affected local community: If the project activities affect their socio – economic and/or social – cultural relationships or cohesion.
- d. Vulnerable Households: having different resettlement needs from most households or needs unrelated to the amount of land available to them such as un-married women, elderly, chronically ill persons and orphans.

## 6.2. Eligibility for Community Compensation

Although most sub-projects do not normally take land and other assets belonging to a community, such as a community center, school, or sacred site, if this occurs in a sub-project, the community (as a whole) will be compensated. This compensation will be in the form of reconstruction of the facility (in case of damages) or replacement at least the same standard or equivalent or better standard required by local planning regulation. Examples of community compensation expansion of grazing grounds; rehabilitation of school buildings, public toilets, health facilities; installation of wells or pumps; creation of market places; and reconstruction of community roads.

## 6.3. Compensation Guidelines by the Host Government

The Constitution of the United Republic of Tanzania provides for the rights of citizens to own property and disallows the deprivation of one's property held in accordance with the law, unless the owner is fairly and adequately compensated.

According to the Land Act, 1999, an affected person must be paid compensation within a period of six months from the date of the approval of the award. Failure to do so will attract compounded interest on the award sum at the market rate. If a person is dissatisfied with an award, they can appeal to the CGV; and if still not satisfied with the subsequent award can appeal to the Valuation Tribunal under the Ministry of Lands. A person reserves the right to appeal to the High court.

Section 3 (g) of Village Land Act, 1999 requires “to pay full, fair and 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.” Registered Professionals or Specialists will determine the amount of compensation payable on the market value of land or property. **Table 6-1** shows the entitlement for the different assets.

**Table 6-1: Entitlement Matrix**

Land and Assets	Types of Impact	Person(s) Affected	Compensation/Entitlement/Benefits
Agricultural land	Less than 20% of land holding affected  Land remains economically viable.	Farmer/ title holder	Cash compensation for affected land equivalent to replacement value
		Tenant/ lease holder	Cash compensation for the harvest or product from the affected land or asset, equivalent to average market value of last 3 years, or market value of the crop for the remaining period of tenancy/ lease agreement, whichever is greater.
	Greater than 20% of land holding lost	Farmer/ Title holder	Land for land replacement where feasible, or compensation in cash for the entire landholding

Land and Assets	Types of Impact	Person(s) Affected	Compensation/Entitlement/Benefits
	Land does not become economically viable.		<p>according to PAP's choice.</p> <p>Land for land replacement will be in terms of a new parcel of land of equivalent size and productivity with a secure tenure status at an available location which is acceptable to PAPs. Transfer of the land to PAPs shall be free of taxes, registration, and other costs.</p> <p>Relocation assistance (costs of shifting + assistance in re-establishing economic trees + allowance up to a maximum of 12 months while short- term crops mature )</p> <p>Relocation assistance (costs of shifting + assistance in re-establishing economic trees + allowance up to a maximum of 12 months while short- term crops mature )</p>
		Tenant/Lease holder	<p>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.</p> <p>Relocation assistance (costs of shifting + assistance in re-establishing economic trees + allowance up to a maximum of 12 months while short- term crops mature</p> <p>Relocation assistance (costs of shifting + assistance in re-establishing economic trees + allowance up to a maximum of 12 months while short- term crops mature )</p> <p>Relocation assistance (costs of shifting + allowance).</p>
Commercial Land	Land used for business partially affected	Title holder/ business owner	<p>Cash compensation for affected land</p> <p>Opportunity cost compensation equivalent to 5% of net annual income based on tax records for previous year (or tax records from comparable business, or estimates where such records do not exist).</p>
	Limited loss	Business owner is lease holder	Opportunity cost compensation equivalent to 10% of net annual income based on tax records for previous year (or tax records from comparable business, or estimates where such records do not exist)
	Assets used for business severely affected	Title holder/business owner	Land for land replacement or compensation in cash according to PAP's choice. Land for land replacement will be provided in terms of a new

Land and Assets	Types of Impact	Person(s) Affected	Compensation/Entitlement/Benefits
	If partially affected, the remaining assets become insufficient for business purposes		<p>parcel of land of equivalent size and market potential with a secured tenure status at an available location which is acceptable to the PAP.</p> <p>Transfer of the land to the PAP shall be free of taxes, registration, and other costs.</p> <p>Relocation assistance (costs of shifting + allowance)</p> <p>Opportunity cost compensation equivalent to 2 months net income based on tax records for previous year (or tax records from comparable business, or estimates)</p>
		Business person is lease holder	<p>Opportunity cost compensation equivalent to 2 months net income based on tax records for previous year (or tax records from comparable business, or estimates), or the relocation allowance, whichever is higher.</p> <p>Relocation assistance (costs of shifting)</p> <p>Assistance in rental/ lease of alternative land/ property (for a maximum of 6 months) to reestablish the business.</p>
Residential Land	Land used for residence partially affected, limited loss	Title holder	Cash compensation for affected land
	Remaining land viable for present use.	Rental/lease holder	Cash compensation equivalent to 10% of lease/ rental fee for the remaining period of rental/ lease agreement (written or verbal)
		Title holder	<p>Land for land replacement or compensation in cash according to PAP's choice.</p> <p>Land for land replacement shall be of minimum plot of acceptable size under the zoning law/ s or a plot of equivalent size, whichever is larger, in either the community or a nearby resettlement area with adequate physical and social infrastructure systems as well as secured tenure status.</p> <p>When the affected holding is larger than the relocation plot, cash compensation to cover the difference in value.</p> <p>Transfer of the land to the PAP shall be free of</p>

Land and Assets	Types of Impact	Person(s) Affected	Compensation/Entitlement/Benefits
			taxes, registration, and other costs.  Relocation assistance (costs of shifting + allowance)
	Land and assets used for residence severely affected  Remaining area insufficient for continued use or becomes smaller than minimally accepted under zoning laws	Rental/lease holder	Refund of any lease/ rental fees paid for time/ use after date of removal  Cash compensation equivalent to 3 months of lease/ rental fee  Assistance in rental/ lease of alternative land/ property  Relocation assistance (costs of shifting + allowance)
Buildings and structures	Structures are partially affected	Owner	Cash compensation for affected building and other fixed assets  Cash assistance to cover costs of restoration of the remaining structure
	Remaining structures viable for continued use	Rental/lease holder	Cash compensation for affected assets (verifiable improvements to the property by the tenant).  Disturbance compensation equivalent to two months rental costs
	Entire structures are affected or partially affected  Remaining structures not suitable for continued use	Owner	Cash compensation for entire structure and other fixed assets without depreciation, or alternative structure of equal or better size and quality in an available location which is acceptable to the PAP.  Right to salvage materials without deduction from compensation  Relocation assistance (costs of shifting + allowance)  Rehabilitation assistance if required (assistance with job placement, skills training)
		Rental/lease holder	Cash compensation for affected assets (verifiable improvements to the property by the tenant)  Relocation assistance (costs of shifting + allowance equivalent to four months rental costs)  Assistance to help find alternative rental arrangements  Rehabilitation assistance if required (assistance with job placement, skills training)

Land and Assets	Types of Impact	Person(s) Affected	Compensation/Entitlement/Benefits
		Squatter/informal dweller	<p>Cash compensation for affected structure without depreciation</p> <p>Right to salvage materials without deduction from compensation</p> <p>Relocation assistance (costs of shifting + assistance to find alternative secure accommodation preferably in the community of residence through involvement of the project</p> <p>Alternatively, assistance to find accommodation in rental housing or in a squatter settlement scheme, if available)</p> <p>Rehabilitation assistance if required assistance with job placement, skills training)</p>
		Street vendor (informal without title or lease to the stall or shop)	<p>Opportunity cost compensation equivalent to 2 months net income based on tax records for previous year (or tax records from comparable business, or estimates), or the relocation allowance, whichever is higher.</p> <p>Relocation assistance (costs of shifting)</p> <p>Assistance to obtain alternative site to re- establish the business.</p>
Standing crops	Crops affected by land acquisition or temporary acquisition or easement	PAP (whether owner, tenant, or squatter)	Cash compensation equivalent to average of last 3 years market value for the mature and harvested crop.
Trees	Trees lost	Title holder	Cash compensation based on type, age and productive value of affected trees plus 10% premium
Temporary Acquisition	Temporary acquisition	PAP (whether owner, tenant, or squatter)	Cash compensation for any assets affected (e. g. boundary wall demolished, trees removed)

#### 6.4. Details of Other Entitlements

Other entitlements shall include transport allowance, accommodation allowance and loss of profits.

##### *i. Disturbance Allowance:*

This is transitional assistance provided to eligible property owners paid in addition to the compensation value of the affected assets/properties. Disturbance is paid in the following situations:

- In the case of an individual property/land owner whose property/land is being acquired for the proposed project or
- Where an earmarked project site has been subsequently abandoned in favor of another site and the landowner of the abandoned site was required to relinquish his interest over the land.
- Where during the course of executing the proposed project an individual's interest in land suffered proven physical damage/disturbance. 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 shall calculate disturbance allowance accordingly by multiplying the assessed value of the affected “estate” (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.

*ii. Accommodation Allowance*

This is cash allowance provided to displaced people who lose houses and other structures. The allowance enables them to cover cost for renting similar houses or structures for a period of three years while re-establishing themselves elsewhere. The Valuer shall 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).

*iii. Transport Allowance:*

Transport allowance is provided to eligible property owners who will need to relocate (even if only over a very short distance) 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 12 tones of goods by rail or road over a distance of 20km from the point of displacement. Transport allowance, accommodation allowance and loss of profit do not apply where the land acquired is unoccupied at the date of loss of interest.

*iv. Compensation for Loss of Income (rental accommodation, business profit, crops):*

This will be payment to displaced person if 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/per month. x 36 Months).

Compensation is to be paid promptly but if it is not paid within six months it will attract an interest equal to the average percentage rate of interest offered by commercial banks on fixed deposits.



## **6.5. Cut-off Date**

The entitlement cut-off date refers to the time when the assessment of persons and their property in the area is carried out, i.e. the time when the project area has been identified and when the socio-economic study is taking place. Thereafter, no new cases of affected people will be considered. Persons who encroach the area after the socio-economic study (census and valuation are not eligible for compensation or any form of resettlement assistance.

All stakeholders including PAPs will be informed of the cut-off date and its implications. Information about the cut-off date will be disseminated through formal mainly through public meetings, notices in local newspapers, radio announcements and use of local authorities.

## **6.6. Proof of eligibility**

The RAP implementing team shall consider several aspects for proof of eligibility and these will include among others the following: legal documents like land titles, customary certificates, tenancy agreements, consultations with and witnesses like local authorities, neighbors, family members, customary leaders/clan leaders, elders and the general community. This will ensure that the right beneficiaries of the project are compensated.

District land officers and Village governments will play a crucial role in identifying users of land since most of them would have acquired their statutory or customary rights to use the land from the land office or their local customary heads or Village Government.

## 7.0 METHODS OF VALUING AFFECTED ASSETS

The following general methodologies are applied to value losses:

- (i) Estimation of the market value when it is known and/or
- (ii) Estimation of the replacement costs.

The calculation of compensation and other resettlement allowances for displaced property owners is based on directives of the Land Act, 1999 and Land (Assessment of Value of Land for Compensation) Regulations, 2001. The Act / Regulations stipulate compensation to be paid is the market value of the affected land, structure or asset (direct comparison method) and standing crops (earnings approach) as determined by the valuation assessments. This generally is in agreement with resettlement measures required by the WB OP4.12 which recommends compensation at full replacement value (not depreciated) and replacement of land for land where appropriate.

Valuation methods for affected land and assets would depend on the type of asset. The land asset types identified under Tanzania law in this PRAP are:

- State Land (not within the jurisdiction of a village)
- Village Land, (including customary rights of villagers)

### 7.1. Inventory and Registration of Affected Properties and Persons

An inventory of all property (buildings/ structures, trees and crops) that will be in the designated areas for the different project components like reservoir, access roads among others will be made. The land inventory will specify the different customary tenures under which the different affected plots of land fall (e.g. customary, leasehold, freehold etc.).

A land surveyor will demarcate the boundary of the project land required for acquisition. He will then demarcate individual affected property so as to determine the different land areas/sizes acquired from each PAP. The output of the location survey will be a Strip Map showing affected persons' land parcels and structures.

At each affected land plot, the Valuer will take careful count of all crops and trees. In addition, the Valuer will count and measure all the affected buildings / structures in the presence of the affected person and a local leader. A Compensation Assessment Form will be filled to record all the properties affected. The licensees or sharecroppers crops will also be noted and recorded on a separate Compensation Assessment Form bearing the names of the licensee or sharecropper. The property of the sharecropper/licensee will be recorded in the presence of the landowner, the licensee/sharecropper and the area leader. All the participating parties will verify the contents of the Compensation Assessment Form and will thereafter append their signatures to this form. The affected persons will take a copy of the Compensation Assessment while the original will be retained by the Valuer.

At this stage a socioeconomic profile of each PAP will be also compiled for further analysis. This is necessary because it is one way in which an individual can be monitored over time.

The local leaders: such as Community Executive Officers, Village Committees and individuals who control land will accompany the survey, valuation and the social teams during this exercise.

## **7.2. Methods for Valuing State Owned Land**

State owned land if not in use would be allocated free (perhaps except for surveying and registration fees). This is because, although state owned, the land may be used by individuals and/or community. The guiding principle is that whoever was using the land to be acquired by the sub project would be provided other land of equal size and quality.

## **7.3. Methods for Valuing Assets Held Under Customary Rights on State Owned Land**

Assets held under customary rights on state owned land would have to be valued according to the following method and compensation paid: the respective Planning Authorities will value and the Potential Developers will duly compensate for assets and investments, including land, labor, crops, buildings, and other improvements, according to the provisions of the resettlement and compensation plan. Compensation rates will be market rates as of the date and time that the replacement is to be provided. The current prices for cash crops would have to be determined. Compensation would be based on valuation at or before the entitlement cutoff date.

## **7.4. Comparative method**

This method is used to compare assessments on projects that have recently been undertaken in the area.

## **7.5. Valuation of Various Categories of Assets**

The Valuer shall conduct market survey to determine the current replacement costs and open market values. The Valuer shall adopt the Replacement Cost Method i.e. cost of replacement or selling the affected property (e.g. cost of construction materials, price of buying and selling land and transportation costs, labour) at the date of valuation. To this various allowances will be added according to legitimate claims, and the type of loss incurred.

The Valuation Division in the Ministry of Lands and Human Settlement Development developed guidelines on methodologies for valuing properties and compensation rates for crop including various fruits. Compensation rates for crops including fruit trees developed by the Valuation Division in the Ministry of Lands and Human Settlement Development; also available at Region/District Valuation office shall be used.

In respect to this preliminary RAP, the Consultant made an on-foot assessment of all properties in the reservoir area guided by the local leaders and the map provided by the feasibility team. Consultations with the local leaders and the local people were also carried out. During the assessment, the Consultant took note of the type of trees and crops and made a rough estimate of their numbers. The calculations to determine the indicative amount of compensation were based on Compensation Rates obtained from the Karagwe District for a period commencing 01/01/2010

#### 7.6. Calculation of Total Compensation Figure/ Inflation Premium for 6 Months Delay

Property replacement cost (calculated differently for houses, structures, crops and trees) + land values + accommodation allowance + transport allowance + disturbance allowance (+ loss of profit where applicable). Thus, a customary landowner or land user on state-owned land will be compensated for land, assets, investments, loss of access etc. at market rates at the time of the loss. If payment is delayed by more than six months, an inflation premium, equal to 1% plus the official rate of inflation (using consumer price index, CPI), will be added to the agreed upon sum.

#### 7.7. Forms of Compensation

The project may affect a variety of properties and assets which should all be screened as for their value and their eligibility for due compensation. To settle compensation payments for the loss of assets, in accordance with OP.4.12, compensation may be made any and/or of the following forms indicated in **Table 7-1**: The Compensation team will ensure that the rightful owners of the affected property are compensated.

**Table 7-1: Forms of compensation**

Cash Payments	Compensation will be paid in Tanzanian Shillings
In-kind Compensation	Compensation may include items such as land, houses, buildings, building materials, seedlings, agricultural inputs and financial credits for equipment.
Assistance	Assistance may include moving allowance, transportation and labour

#### 7.8. Individual and Household Compensation

Individual and household compensation will be made in cash, in kind, and/or through assistance. The type of compensation will be an individual choice. However, PAPs will be advised on the importance of accepting in-kind compensation especially when more than 20% of the land has been affected as stated in OP4.12.

Inflation, security and timing of compensation shall be put into consideration. The advantage of in-kind compensation is that it ensures that inflationary pressure on the cost of assets and services is reduced. Local inflation and market prices will be monitored within the time period that compensation is being made to allow for adjustments in compensation values. The issue of security, especially for people who will be receiving cash compensation payments should be addressed by the local administration. Local Banks shall be identified to

work closely with the local administration and the PAPs so as to encourage the use of their facilities and to ensure safekeeping of large amounts of compensation payments.

The time and place for in-kind compensation payments will be decided upon by the Compensation Committee in consultation with each recipient.

Each person who will receive compensation will sign a compensation payment form acknowledging receipt of the compensation.

## **7.9. Community Compensation**

Community compensation will be in-kind only for a community as a whole in the form of reconstruction of the affected structure to at least the same standard as or better standard than the affected structure.

In regard to the proposed Karazi Multipurpose project, there are water sources being used by the community for both domestic purposes and watering of animals. Water sources better in standard and quality shall be replaced by the project.

## **7.10. Public Information and Disclosure of Compensation Payments**

Public disclosure of compensation will be carried out by the compensation committee responsible for implementing the RAP to enable the dissemination of the results of the land and property compensation assessment process.

There will be several stages that will be followed and these include the following

- *Consultation and Sensitization Meetings at Local Government Level*

Meetings will be held with the district officials and village officials to explain the compensation process and the principles used.

- *Consultation and Sensitization Meetings of the Project Affected Persons and Households*

Meetings will be organized and held with the affected households and details of the compensation process and principles used will be explained. These will be conducted by the district, ward and village officials and the implementing team. A list of names of affected persons will be disclosed and the PAPs will be expected to crosscheck whether the names were spelt correctly and all affected persons were included on the list. This list will not disclose compensation amounts.

- *Agreement on Compensation and Preparation of Contracts*

Individual meetings will then be held with the Project Affected Persons. All types of compensation will clearly be explained to the individual or household. The implementing agency will draw up a contract, listing all property and land being surrendered, and the types of compensation (cash and/or in kind) selected. The compensation contract will be read to the PAP in the presence of a representative of the implementing agency, District representatives (Land, Valuation) and Village representatives. A spouse and children shall be present during this meeting so as to act as witnesses to the process. If the PAP is in

agreement with the compensation package then he/she will consent by appending his/her signature to the contract/claim.

- *Compensation Payments*

All handing over of property such as land and compensation payments will be made in the presence of the affected party and the Village/Ward officials. It is recommended that for PAPs with big cash compensation packages, payments should be made through the banks.

## **8.0 LIVELIHOOD AND INCOME RESTORATION STRATEGY**

### **8.1. Introduction**

WB OP4.12 Para (6c) states that displaced persons should be offered support after displacement, for a transition period, based on a reasonable estimate of the time likely to be needed to restore their livelihood and standards of living; and provided with development assistance in addition to compensation measures. Such as land preparation, credit facilities, training, or job opportunities.

In addition, WB OP4.12 Para (2c) requires that displaced persons should be assisted in their efforts to improve their livelihoods and standards of living or at least to restore them, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.

### **8.2. Income Restoration/Rehabilitation Measures**

The following shall be considered by the project to restore the people's incomes and livelihoods.

#### **8.2.1 Provision of alternative land**

Under the Land Acquisition Act, 1967 (Act No 47/1967), the government may in addition to compensation and with agreement of the person entitled to compensation pay compensation as well as give alternative land. Alternative land can be given in lieu or in addition to compensation. The Act emphasizes that the land granted must be of the same value and held under the same terms as the land acquired, and must be in the same local government authority area unless the person whose land is being acquired consents to be given land elsewhere. Since majority of the people rely on land based income, provision of alternative land to PAPs is one way of ensuring that their livelihoods will be restored.

#### **8.2.2 Provision of high yielding seedlings**

The seedlings should include crops such as bananas, cassava and coffee High yielding seedlings will ensure that livelihoods are restored in a short time.

#### **8.2.3 Provision of credit facilities**

Provision of credit facilities to PAPs can assist in livelihood and income restoration through starting income generating activities like small and medium scale trade which may include food vending, retail shops etc. Consultations with stakeholders in the area indicated that currently there is limited access to credit facilities especially for the women who lack access to resources like land that could be used as collateral. However, thorough training and

capacity building of PAPs and vulnerable people in business skills should first be undertaken to ensure that the credit extended is gainfully used.

This shall be implemented in line with the Agriculture and Livestock Policy 1997 of which one of its objectives is to promote specifically the access of women and youth to land, credit, education and information. According to this Policy, the Ministry of Agriculture and Cooperatives will endeavor to target its extension, research, training and advocate credit services to rural women in order to enable them to contribute effectively to agricultural production.

#### **8.2.4 Training**

The PAPs may be provided with training and technical advice for agricultural methods and technology to increase production on the non-affected land. This will also be in line with the government policy of Agriculture and Livestock 1997. According to this policy, agricultural extension services will be extended to farmers, livestock keepers and other stakeholders.

In addition households may be offered training on the basic income generating activities, management of farms and financial management. A Needs Assessment of the training needs for income generation programs shall be undertaken so as to provide training in relevant programs that will help to restore the PAPs incomes in a short period. Furthermore, training of PAPs before actual compensation in the proper use of their compensation money shall be undertaken.

#### **8.2.5 Employment Offers**

Able bodied members of the affected communities will be given special consideration during the construction phase for unskilled, semi-skilled and skilled jobs. It is expected that through employing them, they will be able to accumulate income that will facilitate their survival during the transition stage.

#### **8.2.6 Assistance to Vulnerable Groups**

Vulnerable households in this case include households with low incomes prior to the construction of the project, elderly (widowed/separated/divorced), child and women heads of families, disabled heads of households and households solely depending on the affected piece of land.

Support to vulnerable households may include additional financial assistance and other support which will be provided to households with the greatest needs. According to the Land (Assessment of the Value of land for compensation) Regulations, 2001, disturbance transport and accommodation allowances shall be paid to affected people. The vulnerable groups will be some of the beneficiaries of these allowances to ensure that they are not in a worse situation than before the project.



Other support may include assistance with the bank process to ensure that they are not cheated, improvement of participation in decision making through support to women's groups and provision of equal employment opportunities to vulnerable groups. Members of vulnerable households will also benefit from the proposed training programs and, if able-bodied, will be given priority in gaining project-related employment.

**Note:** The income restoration action programmes will be described in greater detail in the next stage of the preparation of the Resettlement Action Plan. It is important that programs are prepared in close consultation with the affected people.

## 9 GRIEVANCE MECHANISMS

### 9.1. Introduction

During the implementation of the project activities it is likely that disputes/disagreements between the project implementers and the affected persons will occur and may related to the following.

- Inventory mistakes made during census survey as well as inadequate valuation of properties.
- Mistakes related to identification and disagreements on boundaries between affected individual(s) and specifying their land parcels and associated development.
- Divorces, successor and the family issues resulting into ownership dispute or dispute share between in heirs or family.
- Disputed ownership of a given asset (two or more affected individual(s) claiming ownership).
- Etc.

It will therefore be necessary to establish channels through which aggrieved people could file their complaints so as to ensure successful project development and implementation.

WB OP4.12 Para 13 (a) requires that appropriate and accessible grievance mechanisms are established to sort out any issues arising.

The grievance mechanisms should

- Provide an effective avenue for expressing concerns and achieving remedies for communities
- Promote a mutually constructive relationship between the project and the community or PAPs.
- Prevent and address community concerns

### 9.2. Grievance Redress Mechanisms

The project will respect the existing customary laws and procedures of solving grievances in the area. This will simplify the process of grievance resolution as it is what the people are used to and understand. The grievance procedure will thus be simple, administered as far as possible at the local levels to facilitate access, flexible and open to various proofs taking into cognizance the fact most people are illiterate requiring a speedy, just and fair resolution of their grievances. Below are the levels of grievance resolution that will be followed during the implementation of the project.

- i. The Village Council

Grievances will first be reported to the village council which will verify the complaint and inform the aggrieved party of the decision in the shortest time possible. The composition of

the village council includes Village Chairperson, Village Executive Officer, Chairpersons of the respective sub villages and Extension Officers who will provide technical advice. The Village Council will take all measures necessary to resolve the problem at this level. However, if it fails or if the PAP is not satisfied with the outcome, then the complaint will be referred to Ward Development Committee.

ii. The Ward Development Committee

At the Ward level, the Ward Development Committee will be responsible for solving any grievances forwarded by the Village Council or the PAP. The Ward Development Committee comprises of the Councilor who is the Chairperson of the committee, the Ward Executive Officer, The Chairpersons of the concerned villages, Extension Officers and Ward Heads of Department. The Head of Department in which the complaint falls will be the one required to attend the mediation. Again all measures shall be undertaken to solve the grievance at this stage. If unresolved the grievance will be forwarded to the Council Management Team.

iii. The District Council Management Team

The District Council Management Team will try to solve the problem at the district level. Members of this council will include the District Council Chairperson, the District Executive Director, respective Heads of Departments, Division officers the Ward Executive Directors and Councilors from the affected Wards. All measures will be taken to ensure that the case does not go beyond this level and PAPs will be advised accordingly.

iv. The District Land and Housing Tribunal;

If the PAP is not satisfied with the decision of the District Council Management Team, then he/ she will resort to the District Land and Housing Tribunal which will make investigations of the case and inform the PAP of its decisions in writing. The Tribunal will make all efforts to solve the grievance at this stage. However, if unresolved the case will then be forwarded to the High Court and the Court of Appeal of Tanzania

v. High Court and the Court of Appeal of Tanzania

The constitution allows a right of access to courts of law (The High Court and the Court of Appeal of Tanzania) by any person who has an interest or right over property. Therefore the PAP as a last resort may submit the case to courts of law. However, this will be after all channels have failed. The Court of Appeals of Tanzania will be the highest appellate “judge” and its decision would be final.

### 9.3. Grievance Resolution Process

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

will be filled in a Grievance Resolution Form and handed to the Village Council (Sample attached as Appendix II.). A copy of the complaint will also be given to the project implementation team.

After registration of the complaint, an investigation will be carried out by the committee members to verify its authenticity thereafter a resolution approach will be selected based on the findings. The decisions of the action to be taken or taken will be communicated to all involved parties mainly in written form. All measures will be undertaken to ensure that the grievance is solved amicably between the concerned parties and the courts will be the last resort. Efficiency in solving of the grievances will be of paramount importance. Grievances shall be resolved within a maximum of period of 60 days after the date of registration.

#### **9.4. Monitoring Complaints**

In addition to the Grievance Resolution Form, a Grievance Log will be kept by the project implementers indicating the date the complaint was lodged, actions to be taken and personnel or team responsible for the complaint. A Project Liaison Officer or RAP Specialist will monitor and document the progress of all complaints through weekly or monthly grievance resolution reports.

## 10 IMPLEMENTATION SCHEDULE

This section outlines the different activities that will be undertaken to ensure a successful implementation of the project and their expected timeframes. It should be noted that all construction activities for the different sub-projects will commence after compensation has been paid to the PAPs and all resettlement activities carried out.

### 10.1. Time Schedule for Implementation of the RAP

The Compensation payments should occur in the pre-construction phase to avoid both delays in the project construction and stress to the PAPs. In general, all affected persons should be given not less than six months to relocate. **Table 10-1** shows the different compensation and resettlement activities, and the responsible bodies and persons while **Figure 10-1** shows the implementation schedule.

**Table 10-1: Compensation Payments Implementation Schedule**

Activity	Responsibility
<p><b>Preparation of the RAP</b></p> <p>This will include consultation and sensitization of PAPs and all stakeholders including host communities about the process of RAP, surveying, taking an inventory of all affected properties, carrying out a census of all PAPs and undertaking a social economic profile for each PAP, identification of relocation sites. A RAP Report will be prepared and submitted to the relevant authorities for approval.</p>	<p>Consultant, Ministry of Lands, Housing and Human Settlement, District Land Department, Land Tribunals (Village, Ward, District), Village, Ward and District Councils, Chief Government Valuer</p>
<p><b>Implementation of the RAP</b></p>	
<p><u>Consultations and Sensitization at local government level</u></p> <p>This will be a continuous process throughout the project cycle.</p>	<p>Consultant, Ministry of Lands, Housing and Human Settlement</p>
<p><u>Sensitization of PAPs and Mobilization for Disclosure of entitlements</u></p> <p>This will be done through meetings, media announcements, posters in strategic places, use of local leaders.</p> <p>Information sharing and consultation with PAPs will continue throughout the planning and implementation phase of the program, including the relocation and the restoration of livelihoods.</p>	<p>Consultant, Ministry of Water, Local government at District, Ward and Village levels</p>

Activity	Responsibility
<p><u>Verification of PAPs and Disclosure of entitlements</u></p> <p>A verification committee will be set up to ensure that the claimants are the rightful owners of the property. After verification then the entitlements will be disclosed to the rightful owners.</p>	<p>Consultant, Local government at District, Ward and Village levels</p>
<p><u>Agreement of entitlements</u></p> <p>If the PAPs agree with the package, they will then sign forms showing consent and any other necessary forms.</p>	<p>Consultant, Local government at District, Ward and Village levels, PAPs</p>
<p><u>Compensation Payments</u></p> <p>All PAPs who will have agreed to the entitlements will be paid based on the agreed form of payment. Civil works should not begin before compensation payments are done.</p>	<p>Consultant, Ministry of Water, Ministry of Finance and Economic Affairs</p>
<p><u>Grievance Resolution</u></p> <p>PAPs with complaints will lodge them in writing and submit to the relevant authorities for handling. The implementing team will ensure that all channels are utilized to solve the grievances amicably. The courts of law will be considered as last resort.</p>	<p>Consultant, Village Council, Ward Development Committee, District Council Management Team, High Court</p>
<p><u>Land Acquisition Process /Processing of Project title</u></p> <p>Taking of land and related assets may take place only after compensation has been paid and where applicable, resettlement sites and moving allowances have been provided to displaced persons.</p>	<p>Consultant, Director of Surveys and Mapping Division at national level, District</p>
<p><u>Livelihood Restoration Programs</u></p> <p>These will be put in place in close collaboration and consultation with the PAPs. NGOs or independent consultants may be brought on board to ensure success of the process.</p>	<p>Independent Consultants, Ministry of Water, Ministry of Agriculture and Food Security, NGOs,</p>
<p><u>Notification of demolition of demolition of structures</u></p> <p>PAPs will be given ample time to salvage any useful materials from the site before demolition is done.</p>	<p>Contractor, Ministry of Lands, Housing and Human Settlement, Local Government Authorities</p>
<p><u>Physical project mobilization and site clearing</u></p> <p>This will be done after completion of compensation payments.</p>	<p>Contractor, District Council, Village Council, NEMC</p>
<p><u>Construction</u></p> <p>All construction activities will commence after the affected communities have been paid and resettled</p>	<p>Contractor, District Council, Village Council, NEMC</p>
<p><u>Final Report</u></p> <p>After the implementation process, the Consultant will write an End Project Report and submit to the implementing agency and to the World Bank.</p>	<p>Consultant</p>

Tasks	Month																					
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
Preparation of the RAP	■	■	■	■	■	■	■	■	■													
Approval of RAP									■													
RAP Implementation										■	■	■	■	■	■	■	■	■	■			
Consultation and sensitization at local government level										■												
Sensitization of PAPs and Mobilization for Disclosure										■												
Verification of PAPs and Disclosure of entitlements											■											
Agreement of Entitlements												■	■									
Payment of Compensation to PAPs														■	■	■	■					
Grievance Resolution													■	■	■	■	■					
Relocation process										■	■	■	■	■	■	■	■					
Land Acquisition Process /Processing of Project title														■	■	■	■	■				
Livelihood Restoration Programs														■	■	■	■	■	■			
Notification of demolition of structures																■						
Physical project mobilization and site clearing																				■	■	
Monitoring and Evaluation of Impacts										■	■					■	■				■	
Construction										■	■	■	■	■	■							■

Figure 10-1: Implementation Schedule

Key:  
 Resettlement activities ■ Construction activities ■

Consultation will be an ongoing activity throughout all the phases of the project. Comprehensive time frames shall be given in the comprehensive work plans of the procured Consultants.

## **10.2. Implementation Schedule, Linking Resettlement Implementation to Civil Works**

For each sub-project, the resettlement schedules will be coordinated with construction schedules. Before any project civil works activity is implemented, PAPs will have to be compensated in accordance with the Tanzanian and World Bank resettlement laws, regulations and guidelines. In other words, no individual or affected household should be displaced due to civil works activity before compensation is paid and resettlement sites with adequate facilities are prepared and provided for to the individual or homestead affected.

The land acquisition (both construction and relocation) and demolition of houses should be completed within the preparatory stage of the engineering construction and before the beginning of relevant engineering works.

Land will have to be evacuated prior to beginning of construction works. The PAPs are expected to be given ample time of at least 6 months to vacate the land after compensation.

The proposed schedule is thus expected to ensure that all PAPs, prior to their physical relocation will;

- have been adequately consulted about the project, its impacts and compensation entitlements;
- have received compensation entitlements in a timely manner;
- have been provided with means of establishing livelihoods.

## **10.3. RAP Implementation Responsibilities**

The major stakeholders with statutory and administrative roles and functions in compensation and resettlement endeavors are Ministry of Water (lead agency), Ministry of Lands and Human Settlement, Division of Mapping and Surveys, and Local Government at District, Ward and Village levels.

### *10.3.1. Ministry of Water*

The overall responsibility for implementation of the RAP lies with Ministry of Water and Environment directly and through the Consultant's Team.

### *10.3.2. Ministry of Lands, Housing and Human Settlement Development*

The Ministry of Lands, Housing and Human Settlement Development is responsible for policy, regulation and coordination of matters pertaining to Land. The Commissioner of Lands will administer the issues to do with land allocation, acquisition, registration and land management in general. All instances of acquisition of land for public purposes and the need for resettlement and/or compensation will be referred to the Commissioner.



### *10.3.3. Survey and Mapping Division*

The Surveys and Mapping Division will provide land survey services to the project. Any information regarding geodetic survey control networks, cadastral and topographic maps for the area shall be obtained from this division. 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.

### *10.3.4. National Environment Management Council (NEMC) and Division of Environment (DoE)*

NEMC will have the responsibility of assessment and monitoring of compliance of the Resettlement Action Plan to the Environmental and Social Safeguards. This could be done through Karagwe District Local Government – Department of Environment.

### *10.3.5. Local Government Authorities*

These are three levels that is, District, Ward and Village. The District and Village Councils will be responsible for overseeing and monitoring of the implementation of the RAP. Their roles will be carried out through District Land Departments (surveying and valuation units), Environmental Management offices, District and Ward Tribunals, District Land Use Management Teams/Committees (for handling and resolving land related disputes and grievances) and Village Councils, Village Land Use Management Committees. The local government authorities will also be responsible for mobilization and sensitization of the PAPs in issues related to compensation and valuation. In addition, they will participate in grievance resolution.

### *10.3.6. The Consultant*

A Consultant will be involved in all the stages of the RAP and will be procured by the Ministry of Water. Some of the Consultant's roles will include overall monitoring and supervision, quality control and ensuring compliance with the relevant laws, regulations and guidelines, community sensitization and consultation, survey and valuation of assets, identification of PAPs, and grievance resolution among others.

### *10.3.7. NGOs*

Independent NGOs will be procured to implement some of the activities of RAP such as design and implementation of livelihood programs, witnessing the compensation process among others.

### *10.3.8. NBI/NELSAP*

NBI/NELSAP will undertake the role of overall monitoring of the RAP process and will ensure that there is compliance to the necessary laws, regulations and the World Bank Safeguards.

## 11 COSTS AND BUDGET

Since the specific sub-projects are not yet determined, this Preliminary RAP refers only to an estimated number of PAPs. Because costs of resettlement and compensation are based on technical designs and results of scoping, it is not possible to produce a detailed budget for RAP implementation at this stage.

### 11.1. Compensation Rates

For this preliminary RAP, compensation rates for a period commencing on 01/01/2010 were used to determine the estimated values of crops and trees in the proposed area for the reservoir and these were availed to the Consultant by the District Agricultural Officer of Karagwe District. A copy of the rates is attached as Appendix III. During the subsequent RAP preparation stage, it is recommended that updated rates be used.

### 11.2. Land

The land rate used for the calculation of the indicative compensation costs for land reflects open market prices applied in the project area during the survey. Consultations with the local people in the area and village leaders revealed that at the time of the study the cost of land in the project area ranged between Tanzanian Shillings 300,000 – 500,000 per acre. A rate of 500,000 Tanzanian Shillings per acre was used to come up with the cost estimates for land required for the reservoir.

The land affected by the project is held under customary and Private/Government Tenure Systems. However, there are also instances of licensees in terms of grazing cows and cultivation. On average a total estimate of 236 Ha (583 acres) will be required for the reservoir area. Land required for other sub-projects will be determined at a later stage. It is estimated that about 198 Ha (489.2 acres) are owned by the government and about 38 Ha (94 acres) are individually owned.

### 11.3. Total Compensation Costs

The estimated budget cost for the RAP implementation for the Karazi dam project is **654,485,326** Tanzanian Shillings (**436,324USD**) **Table 11-1** below shows a breakdown of the estimates.

It should however be noted that the figures are just estimates. The detailed and accurate figures of affected property and costs will be calculated during the preparation of the RAP and after locations of all sub-projects are identified.

**Table 11-1: Estimated Compensation Costs**

Item	Amount (Number)	Cost (TZ Shs)	Cost (USD)	Assumptions
Compensation for individual owned Land	38 Ha (94 acres)	47,000,000	31,333	Based on project area market value rate at the time of the study
Cost for replacement of land	198 Ha (489.2 acres)	244,600,000	163,067	The government will provide alternative land to the pastoralists
<b>Subtotal</b>		<b>291,600,000</b>	<b>194,400</b>	
Disturbance Allowance (18.1% of value of land)		52,779,600	35,186	Disturbance allowance calculation based on 18.1% interest rate for commercial banks as of 31 <sup>st</sup> December 2011. Only land is considered
<b>Subtotal</b>		<b>344,379,600</b>	<b>229,586</b>	
Compensation for Buildings and Structures			-	
Compensation for Crops and trees		42,761,540	28,508	Based on compensation rates – 01/01/2010
-				
- Approx. 150 Sugar Cane				
- Approx. 50 Eucalyptus trees				
- Approx. 2500 Banana Stems				
- Approx. 79 Gluveria trees				
- Approx. 45 Avocado trees				
- Approx. 120 Enkukuru trees				
- Approx. 2 Ha of Sorghum				
- Approx. 13 mango trees				
- Approx. 14 Pawpaw trees				
- Approx. 4 Guava trees				
- Approx. 2.4 Ha of Beans				
- Approx. 300 Robusta Coffee				
- Approx. 10 Pine trees				
<b>Sub-Total</b>		<b>387,141,140</b>	<b>258,094</b>	
Inflation (17.4%)		67,362,558	44,908.37	Based on the inflation rate in the country as per the month

				of June 2012
<b>Sub Total</b>		<b>454,503,698</b>	<b>303,002</b>	
Implementation of the Resettlement Action Plan (10% of compensation)		45,450,370	30,300.25	
Income restoration (10% of the compensation)		45,450,370	30,300.25	Includes livelihood restoration programs, trainings and capacity building
<b>Total</b>		<b>545,404,438</b>	<b>363,602.96</b>	
Contingency (10%)		54,540,444	36,360.30	Includes any local changes in design or alignment and for any unforeseen circumstances during construction.
Administrative costs (5%)		27,270,222	18,180	Includes administrative costs for the respective local institutions (local authorities)
Monitoring budget (5%)		27,270,222	18,180	
<b>Total Budget</b>		<b>654,485,326</b>	<b>436,324</b>	

Rate for the dollar at the time of the study = TZ SHS 1,500

#### 11.4. Sources of Funding

The government of Tanzania under the Ministry of Water will be responsible for the funding of the Resettlement activities. It should ensure prompt and adequate provision plus efficient flow of funds for resettlement. It should further ensure that land acquisition and compensation are adequately funded and carried out in accordance with applicable laws, rules and guidelines.

## 12 MONITORING AND EVALUATION

This Section sets out requirements for the monitoring and evaluation of the implementation of the RAP in order to successfully complete the resettlement management as per the implementation schedule and compliance with the entitlement framework.

### 12.1. Purpose of Monitoring and Evaluation (M & E)

The RAP team will be expected to develop and implement a Monitoring and Evaluation Plan (MEP). The main indicators that the MEP will measure include: (i) impacts on affected individuals, households, and communities to be maintained at their pre-project standard of living, and better; (ii) improvement of communities affected by the project; and (iii) management of disputes or conflicts. In order to measure these impacts, the RAP identifies the specific indicators to be monitored; define how they will be measured on a regular basis; and identify key monitoring milestones (e.g. at mid-point of the RAP implementation process).

### 12.2. Arrangements for Monitoring by Implementing Agency

The WB's safeguard policy (OP 4.12) states that the project sponsor is responsible for adequate M&E of the activities set forth in the resettlement instrument. Monitoring will provide both a warning system for the project sponsor and a channel for the affected persons to make known their needs and their reactions to resettlement execution.

The Project Implementing Unit (PIU) will establish a reporting system for the sub-project RAP that will:

- (i) Provide timely information to the project about all resettlement and compensation issues arising as a result of RAP related activities;
- (ii) Identify any grievances, especially those that have not yet been resolved at the local level and which may require resolution at the higher levels (e.g. by the PIU);
- (iii) Document completion of project resettlement and compensation that are still pending, including for all permanent and temporary losses;
- (iv) Evaluate whether all PAPs have been compensated in accordance with the requirements of this RAP and that PAPs have better living conditions and livelihoods; and
- (v) Identify mitigation measures, as necessity, when there are significant changes in the indicators that may require strategic interventions (e.g. vulnerable groups are not receiving sufficient support from the sub-project).

### 12.3. Internal and External Monitoring

There will be need to carry out both internal and external monitoring to ensure complete and objective information and to avoid biasness.

### 12.3.1. Internal Monitoring

For internal monitoring, the resettlement offices of the executing agency, in partnership with the paying consultant will take full responsibility for conducting regular internal monitoring of the implementation of the project. This will be done hand in hand with some of the district staff, the PAPs representatives and will be done after every six weeks. Post resettlement monitoring will be undertaken internally every three months.

The RAP team will maintain, together with local officials, basic information on all physical or economic displacement arising from the sub-project. This includes an update, for example on a quarterly basis, of the following:

- (i) Number of sub-projects requiring preparation of a RAP;
- (ii) Number of households and individuals physically or economically displaced by each sub-project;
- (iii) Length of time from sub-project identification to payment of compensation to PAPs;
- (iv) Timing of compensation in relation to commencement of physical works;
- (v) Amount of compensation paid to each PAP household (if in cash), or the nature of compensation (if in kind);
- (vi) Number of people raising grievances in relation to each sub-project;
- (vii) Number of unresolved grievances.

The PIU will review these statistics to determine whether the RAP implementation arrangements, as defined in the RAP, are effective in addressing RAP related issues. Financial records will be maintained by the sub-projects and the PIU, to determine the final cost of RAP implementation.

#### **Indicators**

The following indicators (in **Table 12-1**) can be used to monitor implementation of the RAP.

**Table 12-1: Indicators of RAP Impacts**

<b>Monitoring (of Issues)</b>	<b>Evaluation (of Impacts)</b>
Outstanding compensation not completed before next agricultural season.	Changes (+/-) in PAPs conditions during transition process
Number of sub-projects unable to settle compensation after two years	Changes (+/-) in PAPs income and livelihood conditions
Number of grievances filed	Nature of grievances or disputes resolved
Number of livelihood restoration programs completed	Changes (+/-) in affected households income levels
Pre project production versus present production levels ( crops for crops, land for	Equal or improved production per affected

Monitoring (of Issues)	Evaluation (of Impacts)
land)	household/homestead

### 12.3.2. External Monitoring

External monitoring will be undertaken by an independent agency or Consultant. These will have extensive experience in social surveys and resettlement monitoring. External monitoring will be done at least 2 years after completion of the construction phase. Journalists and Civil Society Organizations may be involved in this exercise.

External monitoring will include an independent impact evaluation that will determine:

- (i) If compensation payments have been completed in a satisfactory manner; and
- (ii) If there are improvements in livelihoods and well-being of PAPs.

#### **Indicators**

Several indicators will be used to measure these impacts. These will include, among others,

- A comparison of income levels before-and-after;
- Access to livelihoods and employment;
- Changes in standards of housing and living conditions;
- And improvements in level of participation in sub-project activities.

Specific indicators may include the following;

There are measures to verify these basic indicators (compared to pre-RAP levels) such as

- Yield / produce quantity/quality from farming
- Access/ distance/ quality of agricultural plots
- Quality of, and access to, water
- Source of income
- Number of tourists
- Number of households engaged in fish farming
- Number of households with access to electricity
- Number of children in-school
- Changes in health standards;
- Changes in access to markets or roads – all of which may reflect overall improvements in standards of living.
- Number of ‘vulnerable’ people
- Yield/ produce quantity/quality from livestock
- Number of PAPs employed by the project

- Number of people with agricultural plots
- General relations between the project and local communities

### **Methods for Measuring Impacts**

The following methods will be used for measuring impacts:

- (i) Questionnaires with data stored in a database for comparative analysis (before-after and with-without);
- (ii) Documentation and recording of PAPs situation, including subsequent uses of assets/improvements;
- (iii) Relocation/resettlement and Compensation Reports.
- (iv) Consultations

It is important to note that monitoring is continuous throughout the project while evaluation is at a given point.

#### **12.4. Annual Audit**

The annual audit of RAP implementation, and as applicable RAP implementation in sub-project(s), includes: (i) a summary of RAP performance of each sub-project; (ii) a compliance review of RAP implementation process; and (iii) a progress report on the quality of RAP implementation in terms of application of guidelines as provided in RAP.

The audit will verify results of monitoring of RAP implementation indicators, and assess whether the project achieved the resettlement objectives. A specific measure of whether livelihood and living standards have been restored or enhanced will be completed. The audit will also assess the efficiency, effectiveness, impact, and sustainability of RAP sub-project activities. The aim is to learn lessons for application to future sub-projects or other projects in the sector and in the country. Finally, the audit will ascertain whether the resettlement entitlements were appropriate. Annual audit reports will be submitted for scrutiny to the World Bank.

To be effective, the completion audit will take place after all RAP activities have been completed including development initiatives, but before the completion of financial commitments to the programme. This will allow for flexibility to undertake any corrective action that the auditors may recommend before the project is completed.

#### **12.5. Socio-Economic Assessment**

The purpose of socio-economic assessment, which is part of the evaluation process, is to ensure that PAPs livelihood and wellbeing have improved, and have not worsened as a result of the sub-project. An assessment will be undertaken on payment of compensation, restoration of income and livelihoods, and provision of sufficient community development activities. Monitoring of living standards will continue after resettlement. Additionally a reasonable period (usually two years) must be established for monitoring post-resettlement impacts. A number of indicators (discussed above) will be used for measuring status of affected people.



The socio-economic assessments will use surveys, focus group meetings, and participatory appraisal tools for measuring impacts. A separate assessment will be made for each sub-project. Additionally, since a baseline household survey will have been completed during RAP preparation, the end-RAP assessment will measure changes from this baseline.

#### **12.6. Storage of PAPs Details**

Details of each PAP including his/her socioeconomic status prior to the project, amount of compensation received per sub-project will be compiled. Compensation Certificates will bear each PAPs' photograph and in case of additional land acquisition, the respective PAP's reports or files will be updated. Copies of the reports will be kept by the Project Implementing Team, the PAP, the Ministry of Water and copies sent to NBI and World Bank.

## REFERENCES

Karagwe District Council Profile 2011

[http://www.indexmundi.com/tanzania/commercial\\_bank\\_prime\\_lending\\_rate.html](http://www.indexmundi.com/tanzania/commercial_bank_prime_lending_rate.html) (accessed 3rd August 2012)

The Constitution of Tanzania

The Republic of Tanzania Policies

URT: 2002 Population and Housing Census- General Report, January, 2003



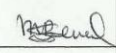




World Bank OP4.12

## APPENDICES







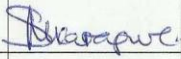
## APPENDIX I: List of Persons Contacted

### Signatures of stakeholders-Karazi Dam

**LIST OF STAKEHOLDERS CONSULTED**

S/N	Name/Jina	Position/Cheo	Institution/Taasisi	Address/Anuani	Signature/Sahihi
1.	KATHARINE ERNES MUNGA	AG. DED	KARAGWE DC	Box 20 KARAGWE Katharine.munga@yahoo.com	
2.	HENERIUS BINAMUNGU	AG. DPLO	KARAGWE DC	Box 20 KARAGWE henybinamungu@yahoo.com	
3.	MORIS B. MULILO	STATISTICIAN	KARAGWE DC	morismunga@yahoo.com	
4.	ADEOSTA AUGUSTINE	AG. CDC	KARAGWE DC	Box 20 Aragwa adeosta@yahoo.com	
5.	KUBILINA J. CHARLES	ACCOUNTANT	KARAGWE DC	Box 20, KARAGWE janida.charles@gmail.com	
6.	J. VALERIO	DVD	KDC	valeriodkaputa@yahoo.com	
7.	CLEOPHARE KANTARANGA	DAFO	KARAGWE DC	ckanyagile@yahoo.com	
8.	DESIDERI DUMITIAN	DSO (STATISTICS)	KARAGWE DC	desideri@yahoo.com	
9.					

LIST OF STAKEHOLDERS CONSULTED

S/N	Name/Jina	Position/Cheo	Institution/Taasisi	Address/Anuani	Signature/Sahihi
9	SAMUEL STAMBUKI	Distr. Logistics Officer	Karagwe Distr. Council	P.O. Box 20 KARAGWE	
10	GIDEON S. MWESIGA	District Primary Ed. off.	Karagwe D.C	Box 20 KARAGWE	
11	GRAFFORD I. I RANKWA	District Logistics/Supply Officer	Box D. Education	Box 79 Karagwe	
12	Dr. Kashangaki, R. M	Ag District Medical Officer	Karagwe D.C Box 145 Karagwe	Box 145 Karagwe	
12	Eng. Wolke Kiriti	District Water Eng.	Karagwe D.C	Box 20	
13	BENSON K. ASELA	District Land Officer	KARAGWE	Box 20	
14	SHIMA M. KAGUMA	DISTRICT EX-OFFICER	KARAGWE	BOX 20	

## APPENDIX II: Sample Grievance Resolution Form

Name (Filer of Complaint): \_\_\_\_\_

ID Number: \_\_\_\_\_ (PAPs ID number)

Contact Information : \_\_\_\_\_ (Village; mobile phone)

Nature of Grievance or Complaint:

<input type="checkbox"/>	Valuation	<input type="checkbox"/>	Survey
<input type="checkbox"/>	Payment	<input type="checkbox"/>	Others
<input type="checkbox"/>			Specify .....

\_\_\_\_\_

\_\_\_\_\_

<u>Date</u>	<u>Individuals Contacted</u>	<u>Summary of Discussion</u>
_____	_____	_____

Signature \_\_\_\_\_ Date: \_\_\_\_\_

Signed (Filer of Complaint): \_\_\_\_\_

Name of Person Filing Complaint : \_\_\_\_\_ ( if different from Filer)

Position or Relationship to Filer: \_\_\_\_\_

### Review/Resolution

Date of Conciliation Session: \_\_\_\_\_

Was Filer Present? : Yes No

Was field verification of complaint conducted? Yes No

Findings of field investigation:

\_\_\_\_\_

\_\_\_\_\_

### Summary of Conciliation Session Discussion:

\_\_\_\_\_

\_\_\_\_\_

Issues \_\_\_\_\_

Was agreement reached on the issues? Yes No

If agreement was reached, detail the agreement below:

If agreement was not reached, specify the points of disagreement below:

\_\_\_\_\_

\_\_\_\_\_

Signed (Conciliator): \_\_\_\_\_ Signed (Filer): \_\_\_\_\_

Signed: \_\_\_\_\_

Independent Observer

Date: \_\_\_\_\_

## APPENDIX III: Compensation Rates for the Period Commencing 01/01/2010

**CROP COMPENSATION RATES FOR A TANGAZANIA RATES  
PERIOD COMMENCING ON 01/01/2010**

TABLE NO.1 PERENNIAL CROPS

TYPE OF CROP	MARKET VALUE IN T.SHS.					
	Per Hectare		Per Stem or cluster			
	Plant Population per Hectare	Average Cared Matured Crop	Average Cared Matured Crop "A"	Crops Between Seedlings to First Harvest (Say 50% of "A")	Aged Crops (Say 25% of "A")	Seedlings (Say 10% of "A")
<b>CASH CROPS</b>						
Coconut (Mnazi)	125	7,150,000	57,200	28,600	14,300	5,720
Cashewnuts (M'korosho)	100	3,790,000	37,900	18,950	9,480	3,790
Sugar cane (M'wa)	12,500	26,000,000	2,080	1,040	520	208
Oil palm (Michikichi)	150	4,800,000	31,200	15,600	7,800	3,120
Cocoa (Mikarifu)	200	14,600,000	72,500	36,400	18,200	7,280
Mauli	200	2,600,000	13,000	6,500	3,250	1,300
Tobacco	13,000	10,400,000	800	400	200	80
Sisal	5,000	20,000,000	4,000	2,000	1,000	400
Cocoa	1,000	20,000,000	20,000	10,000	5,000	2,000
Cotton	40,000	32,000,000	800	400	200	80
Coffee	2,000	40,000,000	20,000	10,000	5,000	2,000
<b>FRUITS</b>						
1 Avocado (M'wachichi)	100	3,300,000	33,800	16,900	8,450	3,350
2 Avocado (improved)	150	9,000,000	60,000	30,000	15,000	6,000
3 Tangerine (Mohenza)	250	8,450,000	33,800	16,900	8,450	3,350
4 Oranges (Machungwa)	250	8,100,000	36,400	18,200	9,100	3,640
5 Lemon (Ndiru)	250	3,250,000	13,000	6,500	3,250	1,300
6 M'ima (Lemon improved)	250	3,250,000	13,000	6,500	3,250	1,300
7 Mango (mwembe)	75	3,120,000	41,800	20,800	10,400	4,180
8 Mango (Mwamba) Improved	150	12,480,000	83,200	41,600	20,800	8,320
9 Guava (Mpera)	150	2,340,000	15,900	7,900	3,900	1,580
10 Jackfruit (M'enzel)	75	2,340,000	31,200	15,600	7,800	3,120
1 Bananas (M'gomba 6)	750	21,450,000	28,500	14,300	7,150	2,860
2 Pineapples (M'inasai)	10,000	16,600,000	1,660	780	390	156
3 Pawpaw (M'papal)	600	8,000,000	10,000	5,000	2,500	1,000

Page 1  
Land is for Individuals

	...wome (Oyster nuts)	150	4,680,000	31,200	16,800	7,800	3,120
15	Kongamanga	250	1,300,000	9,200	2,800	1,300	520
16	Mistafeli (Custard apple)	350	2,640,000	10,400	5,200	2,600	1,040
17	Mitende (Date palm)	125	650,000	5,200	2,600	1,300	520
18	Passion fruits	1,111	4,444,000	4,000	2,000	1,000	400
19	Pears	158	6,439,500	4,600	20,800	10,400	4,160
20	Apples	156	5,489,800	41,600	20,800	10,400	4,160
21	Plums/Peaches	156	6,489,900	41,600	20,800	10,400	4,160
22	Mlozi (Almond)	150	3,120,000	20,800	10,400	5,200	2,080
23	Walnuts	150	5,694,000	37,950	19,950	9,490	3,796
24	Chestnuts	150	5,694,000	37,950	19,950	9,490	3,796
Note: For improved varieties like mango, citrus, guava etc. compensation will base on costs provided by the farmer upon approval by professional horticulturist							
<b>C SPICES</b>							
1	Cardamon (Ilik)	800	3,200,000	4,000	2,000	1,000	400
2	Cinnamon (Mdalasini)	1,500	6,240,000	4,160	2,080	1,040	416
3	Black pepper (Pilipili - Munga)	1,500	7,800,000	5,200	2,600	1,300	520
4	Tengawizi (Ginger)	5,000	19,000,000	3,800	1,900	950	380
5	Macadamia nuts	100	3,796,000	37,950	19,950	9,490	3,796
6	Vanilla	1,000	10,000,000	10,000	5,000	2,500	1,000
7	Flowers	2,500	10,000,000	4,000	2,000	1,000	400
8	Rossola	2,500	10,000,000	4,000	2,000	1,000	400
9	Awera	2,500	10,000,000	4,000	2,000	1,000	400
10	Liten (Shokishoki)	100	20,000,000	200,000	100,000	50,000	20,000
11	Masheisheli	100	20,000,000	200,000	100,000	50,000	20,000
<b>D MENGINEYO</b>							
1	Moh kichi (Palm)						
2	Mfanzi (Bambo)	100	20,000,000	200,000	100,000	50,000	20,000
3	Mzabibu (Grape)	2,857	11,428,000	4,000	2,000	1,000	400
4	Msuji (Kasok)	200	2,500,000	13,000	6,500	3,250	1,300
5	Mlozi (Indian Almond)	250	3,250,000	13,000	6,500	3,250	1,300
6	Mziluni	400	33,280,000	83,200	41,600	20,800	8,320
7	Mlungumanga (Nutmeg)	400	5,200,000	13,000	6,500	3,250	1,300

Page 2

CHIEF VALUER



TABLE NO. 2 VALUE OF SEASONAL CROPS PER HECTARE				
		Sowing to Knee 10%	Knee High to tussling 50%	Mature Crops
<b>A</b>	<b>CEREALS</b>			
1	Maize ( Mahindi Ukaranda wa enini) ---	28,900.00	143,000.00	286,000.00
2	Maize ( Mahindi Ukaranda wa Kati)	28,900.00	143,000.00	286,000.00
3	Maize ( Mahindi Ukaranda wa Juu)	28,800.00	143,000.00	286,000.00
4	Paday (N'punga) wa msabani	39,000.00	195,000.00	390,000.00
5	Paday (N'punga) wa Mwalimu	39,000.00	195,000.00	390,000.00
6	Sorghum (Mama)	20,800.00	104,000.00	208,000.00
7	Ulezi	62,400.00	312,000.00	624,000.00
8	Uwala	62,400.00	312,000.00	624,000.00
9	Ngano	114,400.00	572,000.00	1,144,000.00
<b>B</b>	<b>OIL SEEDS</b>			
1	Sunflower (Alzeji)	44,200.00	221,000.00	442,000.00
2	Ground Nuts (Karanga)	54,600.00	273,000.00	546,000.00
3	Ufuta (simlim)	80,800.00	404,155.00	808,306.00
4	Caster Nyonyo	13,000.00	65,000.00	130,000.00
5	Jatropher	2,000.00	10,000.00	20,000.00
6	Soybean	169,000.00	845,000.00	1,690,000.00
7	Mlonge	2,120.00	10,600.00	21,200.00
8	Kwemo	3,795.00	18,985.00	37,980.00
9	Walnuts	3,750.00	18,900.00	37,500.00
<b>C</b>	<b>BEANS</b>			
1	Chomko	-	-	-
2	Beans (Mharage)	22,620.00	113,100.00	226,200.00
3	Mbaazi	20,200.00	101,400.00	202,800.00
4	Kunze	22,620.00	113,100.00	226,200.00
5	Negere	139,300.00	696,500.00	1,393,000.00
6	Bambara nuts (Njugumawe)	159,300.00	796,500.00	1,593,000.00
7	Pipi nuts	159,300.00	796,500.00	1,593,000.00
8	Dengu	159,300.00	796,500.00	1,593,000.00
<b>D</b>	<b>MIZI</b>			
1	Cocoyams (Magimbi)	75,400.00	377,000.00	754,000.00
2	Cassava (Mihogo)	123,500.00	617,500.00	1,235,000.00
3	Sweet potatoes (Viazi vitamu)	54,600.00	273,000.00	546,000.00
4	Fish Potatoes (Viazi mviringo)	130,700.00	653,500.00	1,307,000.00
5	Viazi vikuu (yams)	75,400.00	377,000.00	754,000.00
<b>E</b>	<b>VEGETABLES</b>			
1	Bamia	49,400.00	247,000.00	494,000.00
2	Bisinganya	74,300.00	371,800.00	743,600.00
3	Kubichi	156,000.00	780,000.00	1,560,000.00
4	Karoti	254,800.00	1,274,000.00	2,548,000.00
5	Koliflawa	71,500.00	357,500.00	715,000.00
6	Maboge	78,000.00	390,000.00	780,000.00
7	Matango	35,000.00	175,000.00	350,000.00
8	Matikiti mali	152,100.00	760,500.00	1,521,000.00
9	Mchicha	57,200.00	286,000.00	572,000.00
10	Nyenya	23,800.00	119,000.00	238,000.00
11	Pilipili hoho	57,980.00	289,900.00	579,800.00

Page 1

CHIEF VALUER

12	Potiiki ka'	180,700.00	903,500.00	1,087,000.00
13	Salad/Lettuce/Chitese	79,300.00	398,500.00	782,000.00
14	Vitungu maji/Onion	305,100.00	1,540,500.00	3,081,000.00
15	Vitungu saumu/Garlic	332,500.00	1,664,500.00	3,328,000.00
16	M'natu	57,200.00	286,000.00	572,000.00
17	Matembela	57,200.00	286,000.00	572,000.00
18	Nyanya chungu	74,360.00	371,800.00	743,600.00
19	Spinachi	57,200.00	286,000.00	572,000.00
20	Mishili/shili	20,000.00	100,000.00	200,000.00
21	Bectrot	254,500.00	1,274,000.00	2,548,000.00
22	Radishes	254,500.00	1,274,000.00	2,548,000.00

Page 2

CHIEF VALUER

TABLE 3: VALUE OF MIXED CROPS PER STEM/CLUSTER		
S/N	TYPE OF CROP	MARKET VALUE PER STEM/CLUSTER
1	Shada trees	13,100.00
2	Kaleni	1,872.00
3	WY ya mao Ngumu i.e Mninga, Mbingo etc	66,000.00
4	Wolimbil	3,900.00
5	Nyanya chungu	1,300.00
6	Spirachi	1,300.00
7	Cassava (Tshs 817,500/- per acre)	780.00
8	Mianzi(bamboo)	15,600.00
9	Nyasi za Ng'ombe( Elephant grass)	1,040.00
10	Mkulabi	5,200.00
11	Mkungu	13,000.00
12	Mbuyu	39,000.00
13	Micoelape	10,400.00
14	Mzamozaru	13,000.00
15	Mkwaju	20,800.00
	Matikiti maji	6,500.00
17	Mikarufu	13,000.00
18	Muru	2,600.00
19	Maboga	5,200.00
20	Kunde	780.00
21	Mwerobaini	13,000.00
22	Ming'ong'o	26,000.00
23	Mlonge	26,000.00
24	Mpira(rubber)	13,000.00
25	Mgundi(Gum)	13,000.00
26	Molipili	2,080.00
27	Mkismasi	13,000.00
28	Machibu	10,400.00
29	Bamia	1,300.00
30	Lucina trees	13,000.00
31	Mitufaa(apple)	13,000.00
32	Ashok trees	13,000.00
33	Mhogo(shina)	780.00
34	Mjazzi(shina)	780.00
35	Mchongoma	650.00
36	Misonoberi	13,000.00
37	Gravola	13,000.00
38	Rosella	4,000.00
39	Flowers	40,000.00
40	Mashokishoki	200,000.00
41	Macademia nuts( karanga mli)	37,960.00
42	Peaches	41,800.00

CHIEF VALUER

## APPENDIX IV: Glossary of Terms

Census	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.
Compensation	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.
Cutoff Date	The cut-off date is the date of commencement of the census of PAPs or DPs within the EASP program area boundaries. This is the date on and beyond which any person whose land is occupied for EASP program, will not be eligible for compensation.
Directly Affected Persons	All those who reside or derive their living from areas where the project will have a direct impact, often referred to as the Direct Impact Zone (DIZ), consisting of all the project components.
Economic displacement	Loss of income streams or means of livelihood resulting from land acquisition or obstructed access to resources (land, water, or forest) resulting from the construction or operation of a project or its associated facilities.
Involuntary Resettlement	The unavoidable displacement of people arising from development projects that creates the need for rebuilding their livelihood, income and asset bases in another location. It includes impacts on people whose livelihood and assets may be affected without displacement.
Land	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.

Land Acquisition	Land acquisition means the possession of or alienation of land, buildings, or other assets thereon for purposes of the project.
Project Affected Persons (PAPs) or Displaced Persons (DPs)	Project affected persons (PAPs) or Displaced Persons (DPs) are persons affected by land and other assets loss as a result of project 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.
Project Impacts	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.
Physical displacement	Loss of shelter and assets resulting from the acquisition of land associated with a project that requires the affected person(s) to move to another location.
Rehabilitation Assistance	Rehabilitation assistance is the provision of development assistance in addition to compensation such as livelihood support, credit facilities, training, or job opportunities, needed to assist PAPs or DPs restore their livelihoods.
Replacement Cost	Replacement cost refers to the amount sufficient to cover full recovery of lost assets and related transaction costs.
Resettlement Action Plan (RAP)	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 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.

Resettlement Assistance	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.
Rights and Entitlements	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.
Stakeholders	Any individuals, groups, organizations and institutions interested in and potentially affected by a project or having the ability to influence the project.