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<th>Full Form</th>
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<tr>
<td>AfDB</td>
<td>African Development Bank</td>
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<tr>
<td>CDAP</td>
<td>Community Development Action Plan</td>
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<tr>
<td>ESAI</td>
<td>Environmental and Social Impact Assessment</td>
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<tr>
<td>ESMP</td>
<td>Environmental and Social Management Plan</td>
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<tr>
<td>FAO</td>
<td>Food and Agriculture Organization of the United Nations</td>
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<tr>
<td>FDS</td>
<td>Full Development Scheme</td>
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<tr>
<td>IDS</td>
<td>Intermediate Development Scheme</td>
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<tr>
<td>IFC</td>
<td>International Finance Corporation</td>
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<tr>
<td>ISAR</td>
<td>Rwanda Agricultural Research Institute (<em>Institut des Sciences agronomiques du Rwanda</em>)</td>
</tr>
<tr>
<td>LADP</td>
<td>Local Area Development Plan</td>
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<tr>
<td>MLHSD</td>
<td>Ministry of Lands and Human Settlement Development (Tanzania)</td>
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<td>NBDF</td>
<td>Nile Basin Discourse Forum in Rwanda</td>
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<td>NBI</td>
<td>Nile Basin Initiative</td>
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<tr>
<td>NGO</td>
<td>Non Governmental Organization</td>
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<tr>
<td>NELSAP</td>
<td>Nile Equatorial Lakes Subsidiary Action Program</td>
</tr>
<tr>
<td>OP</td>
<td>Operational Policy (World Bank)</td>
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<tr>
<td>PAP</td>
<td>Project Affected People</td>
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<tr>
<td>PCDP</td>
<td>Public Consultation and Disclosure Plan</td>
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<td>RAP</td>
<td>Resettlement Action Plan</td>
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<td>RoR</td>
<td>Run of River</td>
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<tr>
<td>UNCDF</td>
<td>United Nations Capital Development Fund</td>
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<td>WB</td>
<td>World Bank</td>
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1. INTRODUCTION

1.1. BACKGROUND

Artelia Eau & Environment (Artelia) has been contracted by the Nile Basin Initiative (NBI) / Nile Equatorial Lakes Subsidiary Action Program (NELSAP) to carry out the Environmental and Social Impact Assessment (ESIA), Resettlement Action Plan (RAP) and develop a Local Area Development Plan (LADP) of the Run of River (RoR) Development Scheme of the Rusumo Falls Hydroelectric Project.

This document outlines the Public Consultation and Disclosure Plan (PCDP) for the Environment and Social Impact Assessment (ESIA), Resettlement Action Plan (RAP) and Local Area Development Plan (LADP) of the RoR Development Scheme of the Rusumo Falls Hydroelectric Project. It should be considered both as the continuation of the previous consultation activities and a standalone engagement framework developed in the specific context of the RoR Development Scheme.

1.2. RATIONALE AND OBJECTIVES OF CONSULTATION, DISCLOSURE AND PARTICIPATORY APPROACH

This PCDP is a tool for managing two-way communication between the Rusumo Falls Hydroelectric Project sponsors and the public. The general objective is to improve decision-making and build understanding by actively involving individuals, groups and organizations with a stake in the Project. This involvement will increase the Project’s long-term viability and enhance its benefit to locally affected people and other stakeholders.

More precisely, the different mechanisms and approaches described in this PCDP provide valuable opportunities to:

- Update stakeholder information and stakeholder engagement plan, taking into account the RoR Project design;
- Provide an outline for consultation, information disclosure and grievance mechanisms;
- Strengthen existing channels of communication and ensure that there are adequate mechanisms for stakeholder feedback, information sharing and discussions concerning measures proposed;
- Ensure issues raised by stakeholders are addressed in the ESIA, RAP and LADP of the RoR Development Scheme;
- Reinforce community members’ sense of ownership over the engagement process;
- For the communities, identify their own representatives (or confirm their legitimacy), preventing illegitimate representatives from claiming that they speak for communities.
- Generate ideas and alternate solutions that benefit both stakeholders and the Project.

This document reflects information gained through a series of public consultations undertaken in three phases i.e between 2007, April 2012 (by SNC-Lavalin) for the ESIA, RAP and LADP of the Full Development Scheme (FDS) and the Intermediate Development Scheme (IDS) alternatives. The third part of this document captures consultations under the Run of River Development Scheme (RoR) till December 2012 where a new RAP, ESIA and LADP under review for the RoR. The consultations under the RoR scheme will be elaborated in Chapter 6 of this document. Chapter 6 also shows the evolution of the stakeholders from FDS to IDS, reemphasizing the importance of PCDP as a living document. The document will therefore first give the background to the previous studies and consultations undertaken during the different studies: FDS, IDS and the more recent studies of the RoR scheme. Given the changes in the Project design and the subsequent potential for changes in stakeholder identification, issues and concerns, the information from...
past consultations will be used with some caution. It is expected that the severity and extent of impacts should be lowered, and that the number of affected people should be reduced.

This PCDP should be seen as a **living document** which will be regularly updated and revised over time to reflect the Project status and information gained during the consultation process.

2. **PROJECT DESCRIPTION**

2.1. **OVERVIEW OF THE RUSUMO FALLS HYDROELECTRIC PROJECT**

2.1.1. Overall Objective of the Project

The overall objective of the Project is to develop hydroelectric power at Rusumo and regional transmission connecting Burundi, Rwanda and Northwest Tanzania, and support local area development and benefit sharing activities in the area of the project and transmission lines.

2.1.2. Project Location/Description

The dam and power station would be situated at the Rusumo Falls where the Kagera River forms the boundary between Tanzania and Rwanda, and about 2 kilometres downstream of the river’s confluence with the Ruvubu River.

It should be noted that the dam will function as a Run-of-River Scheme and will therefore not create a water storage reservoir upstream of the dam. However, because there will be a 40 to 80centimetre increase in the average water level at the dam compared to the natural situation to maintain the water level at 1,320 metres above sea level, an area of seasonally flooded marshland will become permanently flooded. The flooded area will extend up the Kagara valley upstream from the dam for a distance of 5 kilometres, of which the last 5 kilometres is a transition zone and comprises a patchwork of flooded and non-flooded marshland. This consequence of the dam’s presence is discussed in more detail in the overview of impacts and mitigation measures.

2.1.3. Project Components

The Project comprises four components, as summarized as follows:

- **Component 1**: Hydroelectric Power Generation. This component includes a hydropower facility with power production to be shared between Rwanda, Tanzania and Burundi.

- **Component 2**: Power Transmission, Regional Integration of Networks and Distribution. Three transmission lines from Rusumo to (i) Gitega, Burundi (161 km); (ii) Kigali, Rwanda (109 km); and (iii) Nyakanazi, Tanzania (98 km) will connect the power station to the national grids of Rwanda and Burundi, and Tanzania. In Tanzania electricity will be supplied to the western mining provinces which are currently not connected to the country’s national grid. The transmission lines will be designed to support provision of low-cost electrification to selected rural growth poles, as well as support the growth of ICT systems in rural centres along the transmission corridor.

- **Component 3**: Environmental and Social Mitigations and Multipurpose Local Area Development of (i) the dam site, and (ii) along the transmission corridor. The sub-component will provide funds for the implementation of the Environmental and Social Management Plan (ESMP), Resettlement Action Plan (RAP) and Local Area Development Plan (LADP). The sub-components are expected to support rural water supply and sanitation, small-scale irrigation/livestock/fishing, watershed management, prevention of waterborne diseases, etc.
Component 4: Institutional Capacity Enhancement. Preliminary studies by NELSAP into possible institutional arrangements between the three countries are ongoing. Preliminary analysis suggests that a Rusumo Power Company could be jointly established by the three governments and possibly enter into partnership with the private sector for co-management during the operation phase. For broader technical oversight, the possibility of establishing a joint entity with a monitoring, advisory, and approval role as well as a water resources management and development function is under discussion. Such an entity could set operating rules, address water use issues, and resolve any regional issues that may arise during project operation.

2.2. AREAS OF INFLUENCE

Artelia (the consulting firm hired by NELSAP) has already issued (as of December 2012) preliminary hydraulic modeling maps that establish the extent of project impacts to Project Affected Persons (PAPs) and the marshlands. For current situation of the results of the modeling, refer to section 2.1.2 above.

3. APPLICABLE LAWS, REGULATIONS AND POLICIES GOVERNING STAKEHOLDER ENGAGEMENT

Public consultation activities identified in this PCDP will conform to the Rwandan and Tanzanian legislations, and the standards and guidelines established by international organizations, specifically the World Bank Group.

3.1. RWANDA LEGISLATION

The Expropriation Law includes detailed public notification and consultation provisions, as follows:

- Article 12 provides that after the competent Land Commission has confirmed that the Project was in the public interest, it is to request the authorities of the interested District(s) to organize a public meeting with the population of the area interested by the expropriation application at least 30 days after the expropriation application has been received in the Land Commission. The Land Commission then has another 15 days after the public hearing to make a decision.

- Another public meeting is to be held with the population once the Land Commission has made a final decision upon the expropriation (Article 13), whereby the local population should be informed of this decision.

- In addition, the decision should be:
  - posted in a place accessible to the public in the premises of the relevant territorial authorities;
  - published on national radio and “public media”, including the press “if necessary”, within 30 days after the expropriation decision was made.

- After the decision has been published, the competent Land Commission establishes a full list of affected owners and other rightful holders. This list should be posted in a publicly accessible place in the premises of the relevant territorial authorities (District, Sector, or Cell).

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1 This section is based on SNV Lavalin International (May 2011), Regional Rusumo Falls Hydroelectric and Multipurpose Project – Power Generation Plant Final Feasibility Study, Phase 1 RAP and LADP, pp A3-A5.
Grievance Management

Affected people, who are not satisfied with proposed compensation, can lodge a claim to the Land Commission of the interested area, supporting their claim with the outcome of a counter-expertise, which they are expected to pay for themselves. If the Land Commission of the interested area dismisses the claim, the aggrieved individual has a time period of 15 days to introduce an appeal at the Land Commission one administrative level higher. Where the aggrieved individual is not satisfied with the decision of this latter level, the case is brought to Justice at the competent level. If this is the case, the compensation determined by the appeal Land Commission would still be effected to the expropriated individual and the expropriating agency can enter the land while Justice proceeds.

3.2. TANZANIA LEGISLATION

The Land Act, 1999, includes a general obligation for the Land Commissioner to “where it is practical to do so, provide information and guidance of a general character either orally or in writing to members of the public in connection with land matters and the implementation of this Act”. The Land Acquisition Act, 1967, includes the following provisions in respect of public notification, information and consultation procedures applicable to expropriation in the public interest:

- Section 6 obliges the State to serve a notice of its intention to take land to potentially affected people: “If the President resolves that any land is required for a public purpose, the Minister shall give notice of intention to acquire the land to the persons interested or claiming to be interested in such land, or to the persons entitled to sell or convey the same or to such of them as shall after reasonable inquiry be known to him.”

- Notices of intention to take land are to be served in person or posted at a “conspicuous place” if the whereabouts of people to whom they should be delivered cannot be identified, and published in the Gazette.

- The date of publication in the Gazette of the notice of intention to take land is also the cut-off date after which no developments, upgrades or improvements can be taken into consideration in determining compensation value [Section 14 (a)].

Grievance Management

Section 13 of the Land Acquisition Act establishes provisions applicable to disputes or disagreements relating to compensation; the right to acquire the land; the identity of persons entitled to compensation, etc., as follows:

- It is understood that the parties should first seek amicable resolution of the dispute and have a time period of six weeks from the date of the publication of notice to reach such amicable agreement.

- If no such agreement is obtained, “the Minister or any person holding or claiming any interest in the land may institute a suit in the Court for the determination of the dispute.”

3.3. WORLD BANK GROUP’S STANDARDS

The World Bank (WB) requires that stakeholders, including project-affected groups and local nongovernmental organizations, be involved as early as possible in the Project (including resettlement planning and implementation process), and that their views and concerns are made known to decision makers and taken into account. Consultation must be a two way process whereby not only is information submitted to affected people but they have an opportunity to provide feedback and influence the planning, decision-making and implementation process.
More specifically, the WB’s operational policies 4.01 “Environmental Assessment” and 4.12 “Involuntary Resettlement” contain relevant provisions in respect of public consultation and information disclosure. Here below are some extracts that are relevant to this PCDP.

- **OP 4.01 “Environmental Assessment”** requires that project-affected groups and local Non Governmental Organizations (NGOs) be consulted during the impact assessment process about the Project’s potential environmental and social impacts. The purpose of this consultation is to take stakeholders’ views into account in designing the environmental and social management plans as well as in the Project design.

  **Public Consultation**

  For all Category A and B projects proposed for IBRD or IDA financing, during the EA process, the borrower consults project-affected groups and local nongovernmental organizations (NGOs) about the project’s environmental aspects and takes their views into account. The borrower initiates such consultations as early as possible.

  For Category A projects, the borrower consults these groups at least twice: (a) shortly after environmental screening and before the terms of reference for the EA are finalized; and (b) once a draft EA report is prepared. In addition, the borrower consults with such groups throughout project implementation as necessary to address EA-related issues that affect them.

  **Disclosure**

  For meaningful consultations between the borrower and project-affected groups and local NGOs on all Category A and B projects proposed for IBRD or IDA financing, the borrower provides relevant material in a timely manner prior to consultation and in a form and language that are understandable and accessible to the groups being consulted.

  For a Category A project, the borrower provides for the initial consultation a summary of the proposed project’s objectives, description, and potential impacts; for consultation after the draft EA report is prepared, the borrower provides a summary of the EA’s conclusions. In addition, for a Category A project, the borrower makes the draft EA report available at a public place accessible to project-affected groups and local NGOs.

- **Operational Policy (OP) 4.12 “Involuntary Resettlement”** covers direct economic and social impacts that result from the Project and are caused by 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.

  The [resettlement] procedure includes provisions for meaningful consultations with affected persons and communities, local authorities, and, as appropriate, nongovernmental organizations (NGOs), and its specific grievance mechanisms.

  The resettlement plan or resettlement policy framework includes measures to ensure that the displaced persons are:

  i. informed about their options and rights pertaining to resettlement;

  ii. consulted on, offered choices among, and provided with technically and economically resettlement alternatives; and

  iii. provided prompt and effective compensation at full replacement cost for losses attributable directly to the project.

  Displaced persons and their communities, and any host communities receiving them, are provided timely and relevant information, consulted on resettlement options, and offered opportunities to participate in planning, implementing, and monitoring resettlement. Appropriate and accessible grievance mechanisms are established for these groups.

  To achieve the objectives of this policy [OP 4.12], particular attention is paid to the needs of vulnerable groups among those displaced, especially those below the poverty line, the landless, the elderly, women and children, indigenous peoples, ethnic minorities, or other
Complementary manuals and sectoral guidance documents include examples of best practices and operational recommendations. Among those documents, there are:

*Doing Better Business Through Effective Public Consultation and Disclosure: A Good Practice Manual* (International Finance Corporation (IFC), 1998), which provides useful guidelines to design and implement an effective and meaningful consultation and disclosure process. The manual stresses the importance of managing expectations in order to avoid unrealistic demands and expectations from local communities and other interested parties. Benefits should not be overstated so as not to increase expectations. Throughout the project cycle, consultation provides an opportunity to clarify these key issues. With the RoR Project design, there should be a reduced number of affected people entitled to compensations. Given the sensitivity and complexity of these issues, managing expectations is of particular importance for the Project.

*Doing a Dam Better: The Lao People’s Democratic Republic and the Story of Nam Theun 2* (World Bank, 2012), which also illustrates useful good practices.

### 3.4. THE AFRICAN DEVELOPMENT BANK STANDARDS

The African Development Bank (AfDB) is not directly involved in the dam and hydro-electric power generation, but it is a partner in the second component of the Project, that is to say the power lines connecting the power plant to the electricity grids of Burundi, Tanzania and Rwanda. This PCDP takes into account AfDB guidance documents in terms of consultation and disclosure, as they gather relevant lessons learnt and best practices.

- The AfDB Group’s *Policy on the Environment* (2004) stresses the fact that ESIA process provides ample opportunities to involve local populations in decisions regarding project conception and design, and that all stakeholders have to be identified and regularly consulted on the progress of the assessment. Stakeholders must be kept informed of the results of the ESIs and ESMPs through formal channels, their reactions must be recorded, and the ESIA studies shall be released at some public place accessible to potential beneficiaries, affected groups and local organizations.

- Regarding meaningful consultation, the AfDB’s *Involuntary Resettlement Policy* (2003) provides similar recommendations as those of the World Bank: information must be made available to local people and national civil society organizations in a timely manner and in a form and manner that is appropriate and understandable to local people. Careful attention (e.g. in the organization of meetings and access to information) should be given to disadvantaged groups including displaced people, landless, the elderly, women and children, ethnic, religious and linguistic minorities, those without legal title to assets, female-headed households.

- The *Handbook on Stakeholder Consultation and Participation in AfDB Operations* (2001) provides complementary guidelines to implement a participatory approach in the project development.
4. STAKEHOLDER IDENTIFICATION AND ANALYSIS

4.1. DEFINITION AND IDENTIFICATION OF STAKEHOLDERS

Stakeholders are persons or groups who are directly or indirectly affected by a Project, as well as those who may have interests in a project and/or the ability to influence its outcome, either positively or negatively.

Following this definition, stakeholders may include project owners and sponsors, locally affected communities or individuals (Project Affected People – PAP) and their formal and informal representatives, local or national government authorities, politicians, public services, traditional authorities, religious leaders, civil society organizations including community-based organizations and NGOs, international organizations, the academic community, and other businesses.

More specifically, the main stakeholders within the two affected countries under the FDS and the IDS are the following: However, these have changed as the project evolved from the two studies of FDS to IDS and to more recent RoR scheme. An elaborate stakeholder matrix will be demonstrated in the last section where stakeholder consultations will be debated under the RoR scheme.

Identification of more stakeholders and project impacts to communities is an ongoing process: additional stakeholders will be included as the project advances to various stages. As such the list of stakeholders may not be conclusive or exhaustive at the start of the project.

Tabl. 1 - Project Stakeholders under FDS and IDS

<table>
<thead>
<tr>
<th>Type of stakeholder</th>
<th>Stakeholder</th>
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</thead>
<tbody>
<tr>
<td>Project owners, funders, reviewers and partners</td>
<td>NELSAP, NELSAP Partners, NBI, World Bank, African Development Bank, Consultants</td>
</tr>
<tr>
<td>National Administration (3 countries)</td>
<td>MINISTERE Burundi</td>
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<td></td>
<td>MINISTERE Rwanda</td>
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<td></td>
<td>Ministry of Lands and Human Settlement Development (MLHSD) - Tanzania</td>
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<td></td>
<td>Ministries of Infrastructure or Energy</td>
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<td></td>
<td>Ministries of Agriculture and Livestock</td>
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<td></td>
<td>Ministries of Environment</td>
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<td></td>
<td>Ministries of Community Development or Social Affairs</td>
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<td></td>
<td>Ministries of Interior or Local Governance</td>
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<tr>
<td>Meso and local administration (3 countries)</td>
<td>• Provinces and Communes (Burundi):</td>
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<tr>
<td></td>
<td>• Kirundo Province: Communities of Busoni and Bwambarangwe (upstream of the power plant)</td>
</tr>
<tr>
<td></td>
<td>• Muyinga Province: Community of Giteranyi (upstream of the power plant).</td>
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<tr>
<td></td>
<td>• District, Cells and Sectors (Rwanda):</td>
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<tr>
<td></td>
<td>• East Province:</td>
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<tr>
<td></td>
<td>o Districts of Kirehe and Ngoma (upstream of the power plant)</td>
</tr>
<tr>
<td></td>
<td>• District and Wards (Tanzania):</td>
</tr>
<tr>
<td></td>
<td>• Kagera Province:</td>
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<tr>
<td></td>
<td>o District of Ngara (upstream of the power plant)</td>
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</tbody>
</table>
NGOs and International Organizations

<table>
<thead>
<tr>
<th>NGOs and International Organizations</th>
<th>Fonds d’Equipement des Nations Unies (FENU) – Burundi, Rwanda, Tanzania</th>
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<tbody>
<tr>
<td>World Vision – Burundi, Rwanda, Tanzania</td>
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<tr>
<td>Care International – Burundi, Rwanda, Tanzania</td>
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<tr>
<td>KWAMP/IFAD</td>
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<tr>
<td>Rwanda Agricultural Research Institute (ISAR)</td>
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<tr>
<td>FAO – Burundi, Rwanda, Tanzania</td>
<td></td>
</tr>
<tr>
<td>NBDF-Nile Basin Discourse Forum which was considered active in the region.</td>
<td></td>
</tr>
</tbody>
</table>

Local public services: Agricultural extension, social education and health care services

Traditional Authorities and locally elected leaders

Sectorial organizations: farmers, fishermen, merchants associations and cooperatives

Other community-based associations: women, youth, elders, church

People Affected by the Project: households, individuals

4.2. EXTENT OF IMPACTS IN BURUNDI AND OTHER PARTS

The hydraulic modeling so far completed by Artelia the consulting firm hired by NEL SAP to complete the ESIA and RAP, indicate that the district of Giteranyi in Burundi which was previously identified as an area that will be affected by the project under IDS, will no longer be affected. This also applies to the district of Ngoma in Rwanda and the upstream parts of Ngara in Tanzania and Kirehe in Rwanda. However, final models are yet to be concluded to confirm the preliminary results done as of December 2012 (refer to section 2.1.2 above for preliminary findings).

4.3. VULNERABLE POTENTIALLY AFFECTED STAKEHOLDERS

What vulnerability means in the Project context: groups that are likely to be more affected by the Project.

- **Female headed household:** During the RAP consultations, it was noted that a sizeable number of households were female headed. The Resettlement Action Plan (RAP) provides detailed mechanism to address such issues.

- **Landless people** (no compensation for loss of income), informal, casual workers: Consultations with the public have also indicated that there are a few individuals who are landless (live in camps-Imidugudu). This is specifically a case in Rwanda where genocide survivors are provided with shelter at the district of birth but the family supported through a local administration support fund.

- **Internally displaced persons:** During consultation with local communities, no such particularity was established except in Giteranyi commune in Burundi of refugee returnees from Tanzania. However, these refugee returnees were resettled by the Government of Burundi and may not be at present classified as internally displaced persons.

- **Orphans/elderly** (difficulties to obtain relevant information and stand for their rights): This category exists in various communities but mainly falls under the various categories identified above.

The above categories have been identified under RAP as potentially vulnerable groups and all consultations and messages will be particularly designed to ensure it reaches to these groups as well.
5. STAKEHOLDER ENGAGEMENT SINCE THE START OF THE PROJECT PREPARATION

Stakeholder engagement refers to a broad, inclusive and continuous process between the Project and those potentially impacted, encompassing a range of activities and approaches throughout the Project life cycle. This interaction involves the disclosure of information, consultation with the affected communities, their participation in the planning and implementation of the Project, and the establishment of a grievance mechanism.

5.1. PREVIOUS PUBLIC AND AGENCY CONSULTATIONS SINCE THE START OF PROJECT PREPARATION

Extensive government stakeholder engagement programs have been launched since February 2011, particularly concerning resettlement impacts and appropriate restoration strategies. Given it is a government-led project, an effective participation from government stakeholders is crucial for the ownership and success of the Rusumo Falls Project.

In addition, because the RRFP’s most significant impacts are felt on land, special taskforces were set-up to technically advise the consultants and the government authorities with regard to challenges, potential livelihood restoration strategies at the household level and broader development measures at the village and higher administrative levels. These taskforces were composed mostly of agronomists, environment officers, land officers, social affair officers, economic planners, legal officers and security officers. National stakeholder taskforces were formed in the three countries, and district-level taskforces were formed for Kirehe in Rwanda and for Ngara in Tanzania.

The level of consultation was decided by stakeholders themselves and relevant local governments are invited to participate when topics are more specific to a sector, a commune or a ward. The main criteria was the capacity to plan, budget and deploy resources to ensure all mitigation measures will be successfully implemented as planned.

The terms of references of these taskforces can be summarized as follows:

- Provide up to date information to key decision-makers about the Rusumo Falls Project, its progress, opportunities and challenges as the project unfolds from planning into implementation.
- Review and comment on documents and key findings from SLI and NELSAP during and after significant phases in the RAP and LADP are completed.
- Address resettlement and local area development issues during the planning process.
- Respond and tackle significant issues raised, that local and regional governments are not empowered to handle, during the field exercise.
- Inform and support SLI with regard to large scale projects in the Regions/Provinces/Districts that could form synergies with, could affect or be affected by the Rusumo Falls Project.
- Review and secure decision on the “entitlement matrix” to assess if it fully complies with national regulatory frameworks, compare with the World Bank OP4.12 Operational Procedures on Involuntary Resettlement and assess how harmonization between Tanzania, Rwanda and Burundi could be considered.
- Assess and secure decision that the 100 year flood line (the expropriation shoreline) is adequate to fulfill the objectives of the buffer zone.
- Support the communication strategies (including the public consultation and disclosure plan) and address media issues in close collaboration with NELSAP and the SLI.
• Liaise with other relevant national- or local-level government and non-government stakeholders.

5.2. COMMUNITY ENGAGEMENT ACTIVITIES UNDERTAKEN SINCE THE START OF PROJECT PREPARATION PARTICULARLY UNDER IDS

From 2007 to 2011, a large number of private and public consultation activities were conducted with different stakeholders for the Rusumo Falls project. A key guiding principle to the PCDP process is that it has involved free, prior and informed consultations with potentially affected communities to enable informed participation.

- **2007-2008**: hundreds of interviews and focus groups in Burundi (Gatare and Nyagisozi in the Commune of Busoni and Ruzo in the commune of Giteranyi), Rwanda (Rweru cell in the district of Bugesera, Jarama in the district of Ngoma, and Kigarama and Nyamugari in the district of Kirehe) and Tanzania (Nyamiaga, Kasharazi, Rusuzo and Nyakiziba in Ngara District), with representatives from local governments, cooperatives and associations, public services and infrastructure, women, youth and health organizations, the church, professional associations and independents.

The methods used were:

- 198 Semi-structured interviews and focus groups with key stakeholders and communities’ representatives;
- Small-scale quantitative survey (70 households);
- Preliminary socio-economic household survey (164 households: 2 villages in Burundi and 5 in Rwanda; 52 households in Tanzania)
- Health survey (national and regional administrators)
- Resettlement Stakeholder Opinion Survey, with representatives of the public authorities in the relevant districts and communes in Burundi, Rwanda and Tanzania
- Fish survey (fishermen and fishing associations)
- Inventory Survey of Household Assets with a representative sample of households potentially affected

- **2011**: comprehensive government stakeholder consultation process, comprising information sessions and workshops with:
  - **District authorities** (Feb. 2011) of Ngara (Tanzania); Kirehe, Ngoma, Bugesera (Rwanda); Muyinga and Kirundo (Burundi). Participants included Governors, Mayors & Vice-Mayors, Executive Secretaries, Economic Planners, Social Affair Officers, Land Officers and Security Officers.
  - **National authorities** (May-June 2011): Ministries of interior or Local Governance; Ministry of infrastructure or Energy; Ministry of Agriculture, Livestock; Ministry of Environment, Water and Natural Resources; Ministry of Social Affairs or Community Development.
  - **National and district** (Rwanda and Tanzania) / **province** (Burundi) taskforces to present community consultation outcomes (August 2011).

Besides that, more community and household consultations and investigations have been undertaken in 2011:

- **263 village-level consultation and investigations**: In each village, community meetings with information and self impact assessment, associated with radio broadcast messages and the distribution of illustrative posters and project notices were carried out (148 villages in Rwanda, 80 in Burundi and 35 in Tanzania), as well as an agriculture survey.
- **July 2011 – Feb. 2012**: Consultation of 9,000 PAPs with participatory and individual questions at the end of each survey to know their views and expectations.
July 2011 – Feb 2012: setting up of village-level resettlement committees

Sept. 2011 in Kirehe and Ngoma: Workshop with district officials to elaborate the Local Development Plan


Given the complexity and diversity of the past consultation process, the results are quite numerous. Summaries and extracts of the entire past process (according to the reservoir level and subsequent impacts defined during the ESIA period) are provided below.

Local government stakeholders:

- Within the three countries they all highlight the great need of energy;
- In Burundi they were quite concerned about the shortage of public land in order to provide resettlement and livelihood alternatives to the PAPs, especially given the high number of PAPs. Giteranyi was the most affected commune (5,500 households just in one administration entity) and was to require significant support;
- In Rwanda they were also concerned with land scarcity but the three districts were confident they would find alternative land and diversify livelihood strategies, especially in Kirehe and Bugesera where large-scale agricultural projects are supported by donors. Ngoma is weaker and much more isolated.
- In Tanzania, they believed losses were manageable and there were sufficient arable land to relocate or compensate affected households. They were concerned by social in-migration at Rusumo village. There was no major development project to assist livelihood restoration strategies.
- Expressed interest in developing the lowlands for resettlement purposes as this would allow modernized farming.
- Expressed interest in reforestation and erosion control measures for long term land development.

Village leaders:

- Were mostly concerned with land losses and the scarcity of available lands for resettlement and livelihood restoration, which may lead to increased poverty and food shortages.
- Burundians were significantly more pessimistic about the outcome of the projects in believing that the Project will increase poverty and hunger. This corroborates however with their extreme poverty levels and their low levels of support by internationally-funded projects.
- Welcome electrification, employment opportunities at the dam site, economic development.
- Prefer land-for-land compensation than cash expect in Tanzania, the latter leading to impoverishment in a highly agrarian context. Moreover, Rwandans are attached to their ancestral land and will most likely stay in their village despite losing land. This is an indicator that agricultural intensification at the village level is the most appropriate solution in conditions of scarcity of land. In Burundi, irrigation projects are seen as a potential livelihood restoration alternative.

PAPs:

- Are concerned about the loss of farmland in the dry season, which cannot be replaced unless a major irrigation effort is deployed;
- Are worried about the access to house construction material (papyrus, clay) because of the loss of land;
Fear the government will not do much to help them;  
Fear the increased presence of crocodiles and hippopotamus because of papyrus removal;  
At minimum expect replacement lands and electricity;  
Are highly interested in fishing opportunities.

**Civil society stakeholders:**
- Are concerned about water pollution due to agricultural intensification activities undertaken as part of the livelihood restoration measures;  
- Are worried about soil erosion and sedimentation as impacts of the dam.  
- Fear the disruption of water flow and irrigation potential downstream.

In short, the main concerns of stakeholders are related to landownership and livelihood restoration/improvement issues. Given that the land of the Project-affected area is intensively used for agriculture, that PAPs are numerous and new lands available are scarce, replacing existing lands with new ones of the same quality would probably be very difficult if not impossible. This is associated with severe impoverishment risks. Consequently, major political will and support for irrigation schemes and other livelihood restoration activities (fisheries, husbandry, etc.) will be needed.

**5.3. SUMMARY OF KEY ISSUES**

5.3.1. **THE ENVIRONMENT AND SOCIAL IMPACT ASSESSMENT (ESIA)**

The Environmental and Social Impact Assessment Report (ESIA) assesses the impacts of the Run-of River (RoR) development scheme and has been prepared by Artelia Eau & Environnement, a French consulting firm specialized in conducting ESIA. However, prior to the selection of the RoR scheme, the Canadian consulting firm, SNC-Lavalin International (SLII) was contracted by NELSAP to carry out ESIA studies for FDS and IDS alternatives. The Project involves construction of a power dam and the major components include a power plant, power house, substation and transmission lines. The transmission lines to Rwanda, Burundi and Tanzania from Rusumo are treated as an associated facility to the power dam and the ESIA and RAP was carried out by Fichtner Consulting firm.

The major impact producing factor is the construction of dam structure and associated facilities at the Rusumo Falls site (Rusumo and Rusumo East villages), and creation of borrow areas. This will lead to change in land use from residential and agricultural land to that of a dam complex, causing the need for resettlement/compensation of households, reduction of agricultural land (compensation), soil erosion, changes in river hydrology of 300 metre stretch of river, affect the river ecology in terms of fishing spawning, aquatic vegetation, visual impact from change in landscape.

Other significant negative impacts / issues include:
- Risk of accidental pollution of soils groundwater and from accidental spills and leaks of hazardous materials  
- Noise emissions (vehicles and construction work)  
- Air quality issues (dust and exhaust emissions)
• Community health and safety issues (communicable diseases, road safety, etc)
• Social issues (influx of workers, boom town effect, impact on housing prices, social tension)

The proposed mitigation measures include:

An Erosion and Sediment Control Plan will be developed to control soil erosion and the risk of sedimentation

An Emissions and Dust Control Plan will be implemented with the use of water sprays to reduce particulate matter emissions from dust generating activities (from unpaved roads when construction equipment is active, in areas of major earth excavation, and any other areas, which produces dust) A Noise Control Plan will be developed to control noise through:

a) Fitting and maintaining effective silencing equipment.
b) Silenced equipment will be used including enclosures, mufflers and other noise reducing features.
c) Operating fixed equipment within enclosed structures, to the extent practicable.
d) Operating machinery within the designed parameters for efficiency.
e) All construction workers shall be provided with adequate hearing protection to be used in the areas. Workers will be trained and instructed accordingly.

Waste Management generated during construction will be managed according to related Rwandan and Tanzanian Legislation. Solid wastes to be generated during construction can be classified as sanitary (domestic) wastes, construction rubble and waste excavated material, and hazardous waste. To handle these wastes properly during construction, solid waste and spoil, and hazardous management plans will be prepared.

In order to avoid any unnecessary disturbance of biological environment during construction, the movement of machinery and workers will be limited to the designated construction sites and camp facilities. The construction sites will be secured by temporary fencing, which will also prevent the entrance of fauna elements into these areas. In addition, potential impacts of construction activities on vegetation and habitats will also be mitigated through the measures taken for other components of environment. Some examples of these are; proper disposal of solid wastes and establishing wastewater treatment facilities, which will minimize the potential adverse impacts on aquatic and terrestrial habitats during construction.

5.3.2. THE RESETTLEMENT ACTION PLAN (RAP)

The same organisation - Artelia Eau & Environnement conducting the ESIA for Rusumo Project is the same preparing the Resettlement Action Plan. Just as mentioned above for the ESIA, prior to the selection of the RoR scheme, the Canadian consulting firm, SNC-Lavalin International (SLII) was contracted by NELSAP to carry out ESIA studies and develop the RAP for FDS and IDS alternatives.

The RAP has been developed as one consolidated document, covering the affected communities in both countries, Rwanda and Tanzania. However, some of the relevant topics will be to dealt with under consideration of the respective country specific aspects. The key principles of the RAP are the following:

- Compensation and resettlement of project affected people will be carried out in compliance with Rwandan and Tanzanian legislation, WB OP 4.12 and IFC’s Performance Standard 5
- Where Rwandan and Tanzanian legislation is less favorable to PAPs than WB OP 4.12 and PS5 requirements or does not apply at all, these latter shall apply;
- All physically displaced people will be offered an option between either a full resettlement package, including the provision of replacement residential land and a house, or cash compensation

The Project aims to turn PAP to Project beneficiaries; targeted livelihood restoration programs will be implemented as part of this RAP in order to achieve this goal.

5.3.3. THE LOCAL AREA DEVELOPMENT PLAN (LADP)

In addition to the RAP, a Local Area Development Plan (LADP) will be designed and implemented, aiming to support the overall sustainable social and economic development of the wider Project area; the LADP will complement the mitigation measures proposed in the ESMP and the livelihood restoration measures of the RAP.

6. STAKEHOLDER ENGAGEMENT FOR RUN OF RIVER DEVELOPMENT SCHEME

This section provides information on consultations undertaken under the Run of River (RoR) Development Scheme. Previous chapters provided elaborate information on consultations under the Full Development Scheme (FDS) and the Intermediate Development Scheme (IDS).

Each study and its consultations with stakeholders thereof, informed decision for the subsequent studies. While this document may not have gone into the details and the findings of each phase study (FDS to IDS to RoR), it however should be noted that stakeholder consultations with NELSAP, project financiers and the three governments informed decisions taken at different stages.

The FDS studies showed that Rusumo falls if exploited to full capacity, would generate up to 90MW at 1325m asl. While the highly needed power generation at the time took precedence, the project impacts on social and environmental aspects were high. Consultations with stakeholders enforced the review of the studies in order to minimize the highlighted social and environmental impacts.

The studies under IDS were not much different in terms of the social and environmental impacts although the dam would be built at 1322m asl. The motivation for high power generation and economic gains from electricity remained high compared to the social and environmental impacts from the project.

Consultations with stakeholders remained important and such consultations influenced the reversal of decisions to look for alternative studies that would optimally produce electricity at the Rusumo falls but also reduce the social and environmental impacts that were evident under the FDS and IDS. As such the option for Run of River (RoR) scheme was adopted. The RoR scheme provided a better and preferred alternative with significantly reduced social and environmental impacts well as the electricity generation remained sufficient up to 80MW at 1320m asl.

This section begins by updating the stakeholder matrix different from the stakeholders identified under the FDS and the IDS in previous chapters. The stakeholder matrix quite reflects the evolution of the project and the various needs of the project under RoR scheme.
NELSAP staff and the contracted consultant - Artelia undertook to speak to various sections of the stakeholders depending on the information that needed to be communicated or the required feedback from the stakeholders.

Under the RoR scheme, the consultant indicated reduced social and environmental impacts. This implied that less communities (PAPs) would be affected both at reduced loss of property, uphill land and cultivatable arable marshlands. The total affected area reduced significantly under the RoR scheme. The districts which were earlier (under FDS and IDS) spotted to be affected changed. The districts of Giteranyi in Burundi and Ngoma in Rwanda were not to be affected. The upstream areas (10-15km from the dam site) of Kirehe in Rwanda and Ngara in Tanzania would not be affected.

While this sounded good news for the three governments that were concerned with communities who were to be resettled under FDS and IDS, there were mixed reactions from PAPs. Expectations for some PAPs were high; expecting compensations for the potential loss of arable marshlands. For some PAPs, it was great relief that their marshlands would not be affected by seasonal flooding.

First, it was important to communicate to Ex-PAPs in the districts of Giteranyi and Ngoma about the changes in project studies from IDS to RoR scheme and that no impacts were expected in their districts. The same message was communicated to communities upstream 10-15km in the districts of Kirehe and Ngara. The main objective of such interaction and communication was to manage expectations. During the same consultations with the Ex-PAPs, it was also important to establish the activities that would be considered under Local Area Development Plan (LADP).

The tables below provide the various consultations conducted with various stakeholders and the feedback and lessons learnt to inform decisions as the project moves from studies to implementation phase.

<table>
<thead>
<tr>
<th>Sn</th>
<th>Stakeholder</th>
<th>Nature/Stakeholder Categorization</th>
<th>Key issues for consideration during consultation</th>
</tr>
</thead>
</table>
| 1  | **Ministries of Energy** (Rwanda, Tanzania & Burundi) | Office Meetings/ Urban Based | • Establish ongoing projects around Project site.  
• Establish implementation plans of the above projects to align with Power Project.  
• Establish the compensation policies for the resettled people near the Project site  
• Share Project Fact sheet for their inputs  
• Share FAQs for inputs & improvements |
| 2  | **Utility Bodies** in Rwanda- EWASA, Tanzania- TENESCO, Burundi- REGIDESO | Office meetings/ Urban & District Based | • What they wish to be included in the Communication strategy  
• Any other concerns to address under the RoR  
• Progress on the PPA  
• Share the Project Fact sheet for inputs  
• Share FAQs for inputs and improvement |
| 3  | **Environmental Agencies** | Office Meetings/ Urban Based | • What they wish to be included in the Communication strategy  
• Share Project Fact sheet & FAQs for inputs & improvements  
• Any other concerns to address under the RoR |
| 4  | **Project Affected Persons** (PAPs) | Village Meetings/ Rural based | • Inform PAPs of change from IDS to RoR  
• Inform PAPs of reduced impacts under RoR  
• Update and Validate PAPs lists under the RoR scheme  
• Validate lists of PAPs cultivating the marshlands  
• Establish the size of marshlands cultivated  
• Inform them of new cut-off-date  
• Provide communication materials including Project Fact sheet & FAQs |
<table>
<thead>
<tr>
<th></th>
<th>Group</th>
<th>Meetings &amp; Events</th>
<th>Actions</th>
</tr>
</thead>
<tbody>
<tr>
<td>5</td>
<td>Ex-PAPs</td>
<td>Village Meetings/Rural based</td>
<td>- Establish perceptions over less impacts under RoR scheme&lt;br&gt;- Manage expectations&lt;br&gt;- Inform them of other project benefits during livelihood restoration + LADP&lt;br&gt;- Establish their expectations of the project under RoR&lt;br&gt;- Provide communication materials including Project Fact sheet &amp; FAQs&lt;br&gt;- Register other concerns to form part of livelihood restoration &amp; LADP</td>
</tr>
<tr>
<td>6</td>
<td>NGOs &amp; CSOs</td>
<td>Office Meetings/Urban &amp; Rural Based</td>
<td>- Inform them of change from IDS to RoR scheme&lt;br&gt;- Create first rapport with them&lt;br&gt;- Establish their role in mobilizing communities to support the project&lt;br&gt;- Provide communication materials including Project Fact sheet &amp; FAQs&lt;br&gt;- Discuss possibility of witness NGO</td>
</tr>
<tr>
<td>7</td>
<td>District Authorities/ Sector &amp; Cell Leaders</td>
<td>Office Meetings/Rural based</td>
<td>- Inform district authorities of change from IDS to RoR&lt;br&gt;- Inform them of less impacts under RoR&lt;br&gt;- Inform them of new cut-off-date&lt;br&gt;- Establish perceptions over less impacts under RoR scheme&lt;br&gt;- Manage expectations&lt;br&gt;- Provide communication materials including Project Fact sheet &amp; FAQs</td>
</tr>
<tr>
<td>8</td>
<td>Local Communities</td>
<td>Rural based/Village Meetings</td>
<td>- Inform Local communities of project benefits&lt;br&gt;- Inform them of change from IDS to RoR&lt;br&gt;- Inform them of less impacts under RoR&lt;br&gt;- Provide communication materials with comprehensive Project information&lt;br&gt;- Establish perceptions over less impacts under RoR scheme&lt;br&gt;- Provide communication materials including Project Fact sheet &amp; FAQs&lt;br&gt;- Rally project support from local communities</td>
</tr>
<tr>
<td>9</td>
<td>Development Partners</td>
<td>Office Meetings/Workshops</td>
<td>- What they wish to be included in the Communication strategy&lt;br&gt;- Share with them Project Fact sheet &amp; FAQs for inputs and improvement&lt;br&gt;- Any other concerns to address under the RoR&lt;br&gt;- Discuss the disclosure Workshop schedule</td>
</tr>
<tr>
<td>10</td>
<td>Investment Agencies (Rwanda, Tanzania, Burundi)</td>
<td>Office Meetings/Workshops</td>
<td>- What they wish to be included in the Communication strategy&lt;br&gt;- Any other concerns to address under the RoR&lt;br&gt;- Provide communication materials including Project Fact sheet &amp; FAQs</td>
</tr>
<tr>
<td>11</td>
<td>Media</td>
<td>Workshops</td>
<td>Disclosure</td>
</tr>
<tr>
<td>12</td>
<td>General Public</td>
<td>Workshops</td>
<td>Disclosure</td>
</tr>
<tr>
<td>13</td>
<td>Internal Audiences</td>
<td>Internal Communications channels</td>
<td>Disclosure organization</td>
</tr>
</tbody>
</table>
6.1. GOVERNMENT AND ADMINISTRATIVE STAKEHOLDERS FOR THE ROR SCHEME

Government and various Administrative structures/committees starting from local to district authorities and ministries have been consulted in order to rally support for the project as well as update them of project progress. NELSAQ team approached each stakeholder category upon thorough assessment of the stakeholder needs and the key messages to be delivered. Each meeting with a specific stakeholder had specific objectives and the feedback from the meetings was useful to update the project data and other documents being finalized including the ESIA, RAP and LADP.

Below is a summary of the completed consultations with some stakeholders and key issues noted as feedback.

**Table 3: Completed Consultations under RoR scheme**

<table>
<thead>
<tr>
<th>#</th>
<th>Date of Consultation</th>
<th>Audience consulted</th>
<th>Nature/ Type of Consultation</th>
<th>Objectives of the consultation</th>
<th>Key issues noted/Feedback</th>
</tr>
</thead>
</table>
| 1  | 19.10.2012           | Ministry of Energy-Rwanda | Office meeting               | • Establish ongoing projects around RusumoProject site.  
• Establish implementation plans of the above projects & how they might impact on Rusumo Projects  
• Establish the compensation policies for the resettled people near the Project site | • MININFRA had started expropriating people for the one stop border post, the diversion road.  
• Construction works had started for the above. |
| 2  | 22.10.2012           | Rwanda Transport and Development Agency (RTDA) | Office Meeting               | • Establish ongoing projects around Project site (One stop Border Post, New Road, New Bridge & Rural electrification T-line)  
• Establish implementation plans/schedule of the above projects  
• Establish the compensation policies for the resettled people near the Project site  
• Find lists of resettled people to avoid double compensation | • Construction works for the one stop border post had started.  
• Got information on one stop border post, the new road, and the bridge |
| 3  | 1-3 Nov 2012         | Local Authorities (Sector & Cell) Kigarama, Musaza in Rwanda & Nyakiziba, Ntobeye in Tanzania | Office meeting               | • Inform Local authorities of change from IDS to RoR  
• Inform them of reduced impacts under RoR  
• Establish the size of marshlands cultivated | Happy with communication materials (Fact sheet, FAQs & Posters) with information on project benefits, impacts and livelihood restoration plans |
| 4  | 15th Nov 2012        | District Officials (Ngara & Kirehe) | Office meeting               | • Inform district authorities of change from IDS to RoR  
• Inform them of reduced impacts under RoR  
• Inform them of new cut-off- | Happy with communication materials (Fact sheet, FAQs & Posters) with information on project benefits, impacts and livelihood restoration plans |
<table>
<thead>
<tr>
<th>Date</th>
<th>Location/Gitoranyi/Muyinga District (Burundi)</th>
<th>Type</th>
<th>Meetings</th>
<th>Discussions</th>
</tr>
</thead>
<tbody>
<tr>
<td>2012-11-26</td>
<td>TAC, PIC, COM</td>
<td>Workshop</td>
<td>Provide Project progress to TAC, PIC &amp; COM &amp; completed PMU recruitment process</td>
<td>Happy to note that there will be reduced impacts under RoR. Happy to note that there seems to be substantial progress &amp; project was moving towards implementation. Wanted updates on SNC Lavalin contract suspension &amp; the prospects of uncompleted studies. Enquired about project financiers &amp; update on their commitments. Enquired about the financing gap &amp; what NELSAP is doing to bridge the gap.</td>
</tr>
<tr>
<td>2012-12-10</td>
<td>Giteranyi/ Muyinga District</td>
<td>Office meting</td>
<td>Inform district authorities of change from IDS to RoR</td>
<td>Happy with communication materials with info on project benefits, impacts and livelihood restoration plans (Factsheet, FAQs &amp; Posters). Happy to receive information directly from NELSAP staff and not from a secondary source.</td>
</tr>
<tr>
<td>2012-12-18</td>
<td>Kirehe District Taskforce</td>
<td>Workshop</td>
<td>Inform District Taskforce of change in project design from IDS to RoR and its reduced impacts on communities.</td>
<td>Happy with the reduced project impacts to local communities. Enquired about their participation in LADP development. Were happy with</td>
</tr>
</tbody>
</table>
| 8 | 20th Dec 2012 | Ngara District Taskforce | Workshop | • Update them of the ESIA project studies and progress on the registration process in Rwanda and Tanzania  
• Gather information on ongoing projects from other development to be aware of.  
• Requested to be facilitated to hold workshop with counterpart taskforce in Tanzania to exchange ideas  
• Happy with the reduced project impacts to local communities  
• Enquired about their participation in LADP development  
• Were happy with establishment of grievance mechanisms  
• Requested to be facilitated to hold workshop with counterpart taskforce in Rwanda to exchange ideas  
• Requested to involve the district authorities at every stage of project development  
• Cautioned about managing expectations of PAPs given the significant reduction of project impacts from IDS to RoR scheme |

| 6.2. | COMMUNITY ENGAGEMENT ACTIVITIES IN THE ROR SCHEME |

In order to keep the stakeholders informed and updated especially the Project Affected Persons (PAPs) and the previously Project Affected Persons (Ex-PAPs), NELSAP staff undertook to validate the PAPs lists during the month of November, 1 - 23, 2012 in the districts of Kirehe and Ngara. The self-validation exercise of cultivated marshlands and sizes was established to update the SNC Lavalin data that were considered unreliable by the new consultant - Artelia.

Thirty villages of PAPs were validated and lists updated in the district of Kirehe in Rwanda while nine sub-villages were validated and updated in Ngara district in Tanzania. A total of 2,585 PAPs were registered in
Kirehe by NELSAP team as opposed to 887 PAPs registered by SNC Lavalin. Six hundred and seven PAPs were registered in Ngara district by NELSAP staff during the self-validation exercise.

NELSAP also undertook to inform the Ex-PAPs in the districts of Giteranyi in Burundi, Ngoma in Rwanda and the upstream part of Ntobeye (Ngara) of no project impacts to their area.

In all cases (PAPs/Ex-PAPs), NELSAP staff worked with district and local authorities to mobilize local communities for village meetings in which clear messages were communicated. The village meetings were interactive where communities asked questions which were responded to by NELSAP staff.

During the consultation when NELSAP staff were conducting the self-validation exercise with PAPs, the consultant - Artelia conducted consultations with resettlement committees to establish and assess how they manage village/sector grievances and how RAP could exploit the existing grievance management mechanisms for the benefit of the project.

Artelia, the consulting firm also consulted with the PAPs at the dam site who were likely to be directly affected by the project by both their businesses and residential being fully or partially submerged requiring resettlement or marshlands permanently flooded. The exercise and consultations provided useful information on how to manage expectations and anxieties but it also provided opportunity to explain the extent of project impacts to communities especially to those who would be affected - permanently and those that would experience temporal disturbance resulting from seasonal variation of water levels in their marshlands.

During the open village meetings, local/international NGOs and other development partners working within the area were invited to attend. They also contributed towards explaining key issues to local communities in the language they best understood.

NELSAP staff used the same forum of village meetings to hold informal discussions and interviews with opinion leaders, local NGOs and representatives of development partners operating in the area in order to get more feedback on (i) what the communities feel about the project, (ii) what could be included in the LADP, (iii) the specific challenges of the area to consider during LADP, (iv) the negative perceptions about the project from communities that NELSAP needs to be aware of, among others.

Below is a summary of the completed Community engagement activities with especially the PAPs and Ex-PAPs and the keys issues noted as feedback.

**Records:** A detailed field Report has been filled accounting for all the activities and consultations done. Images/photos of the village and district committee meetings have also been documented for reference.

### 6.3 AWARENESS CAMPAIGNS

Awareness campaigns will be organized targeting specifically the Project Affected Persons (PAPs) on areas of Financial Management. Financial Management training will provide hands-on-skills on saving mechanisms, investing wisely, business management and entrepreneurship. The trainings will target both the husband and wife to ensure they are at equal understanding of financial management. The training will be provided free of charge and will be voluntary.

Communication to Ex-PAPs has been undertaken to inform them (that is communities beyond 5km after (Ruhuha in Rwanda and Kabuye in Tanzania) upstream of no project impacts to their communities. However, the Ex-PAPs were also informed that they would be considered under LADP activities; this was done in order to manage expectations.

**Information to Districts and Local Authorities:** Letters were written to districts copied to Sector authorities informing them of reduced or no impacts in their districts. This was intended to strengthen and synchronize communication to the Ex-PAPs as consistent information is communicated from the Project PIU, the district and sector authorities.

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3 Refer to Appendix 1 for details.
<table>
<thead>
<tr>
<th>#</th>
<th>Date of Consultation</th>
<th>Audience consulted</th>
<th>Nature/ Type of Consultation</th>
<th>Objectives of the consultation</th>
<th>Key issues noted/Feedback</th>
</tr>
</thead>
</table>
| 1  | 5-18th Nov, 2012    | PAPs in Kirehe District | Village meetings          | • Inform PAPs of change in Project Design from IDS to RoR  
• Inform PAPs of less impacts under RoR  
• Update and Validate PAPs lists under the RoR scheme  
• Validate lists of PAPs cultivating the marshlands  
• Establish the size of marshlands cultivated  
• Inform them of new cut-off-date  
• Provide communication materials with comprehensive Project information  
• Establish perceptions over less impacts under RoR scheme  
• Manage expectations | • PAPs happy of less impacts on their uphill land under the RoR scheme  
• More PAPs cultivating marshlands than earlier reported by SNC Lavalin  
• Small size of marshlands cultivated  
• Wanted to know when they will be compensated |
| 2  | 19 – 23 Nov 2012   | PAPs Local Communities in Ngara district | Village meetings          | • Manage expectations under the RoR scheme  
• Inform Local communities of project benefits  
• Inform them of change from IDS to RoR  
• Inform them of less impacts under RoR  
• Provide communication materials with comprehensive Project information  
• Establish perceptions over less impacts under RoR scheme  
• Rally project support from local communities | • Happy with the project  
• Enquired if they will get electricity from the project  
• Enquired if they will get improved roads, schools or clinics |
| 3  | 12-14 Dec 2012     | Ex-PAPs Local Communities in Giteranyi district | Village meetings          | • Manage expectations under the RoR scheme  
• Inform Local communities of project benefits  
• Inform them of change from IDS to RoR  
• Inform them of no project impacts to their communities under RoR  
• Provide communication materials with comprehensive Project information  
• Establish perceptions over no project impacts under RoR scheme | • Extremely happy that the project will have no impacts to their marshlands,  
• Enquired if they will get electricity from the project  
• Enquired if they will get improved roads, schools or clinics |
<table>
<thead>
<tr>
<th></th>
<th>Date</th>
<th>Location</th>
<th>Type</th>
<th>Activities</th>
<th>Notes</th>
</tr>
</thead>
</table>
| 4 | 17 Dec 2012 | EX-PAPs Local Communities in Ngoma district   | Village meetings | • Establish activities to include in LADP  
• Rally project support from local communities                                                   | • Happy that the project will have no impacts on their marshlands,  
• Enquired if they will get electricity from the project  
• Enquired if they will get improved roads, schools or clinics |
| 5 | 19 Dec 2012 | Ex-PAPs Local Communities in Ntobeye          | Village meeting | • Manage expectations under the RoR scheme  
• Inform Local communities of project benefits  
• Inform them of change from IDS to RoR  
• Inform them of no impacts to their marshlands under RoR  
• Provide communication materials with comprehensive Project information  
• Establish perceptions over no impacts under RoR scheme  
• Establish areas to include under LADP  
• Rally project support from local communities                                                                | • Happy that the project will not affect their cultivatable marshlands,  
• Some not pleased with the less impacts under RoR since they were anxiously waiting for cash compensation,  
• Enquired if they will get electricity from the project  
• Enquired if they will get improved roads, schools or clinics  
• displeased with |
| 6 | 4-5 February 2013 | Regional Consultative Meeting with stakeholders on draft ESIA & RAP | Workshop        | Receive feedback and inputs from all levels of stakeholders on the draft ESIA and RAP before they are considered as final & publicly disclosed. | Local government officials, Environment officials at national & district, Ministries of Agriculture, utility agencies, Ministries of energy, civil society organizations, investment agencies, district authorities, media, other projects at Rusumo area, among others. |
### 7. FUTURE CONSULTATION AND DISCLOSURE EVENTS

#### Table 5: Planned Consultations

<table>
<thead>
<tr>
<th>Sn</th>
<th>Date of Consultation</th>
<th>Target Audience for Consultation</th>
<th>Nature/ Type of Consultation</th>
<th>Objective of the Consultation</th>
<th>Participants</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>March, 2013</td>
<td>TAC and PIC</td>
<td>Two-day Workshop</td>
<td>Discuss the Share Holders' Agreements (SHA), the Implementation Agreement (IA) and the Special Purpose Vehicle (SPV) of the Regional Rusumo Project.</td>
<td>Ministries of Energy, Minerals, Environment, Agriculture, Natural Resources, National Environmental Management Councils, Utility Agencies, Country Investment Agencies, among others</td>
</tr>
<tr>
<td>2</td>
<td>March 2013</td>
<td>African Development Bank (AfDB)</td>
<td>Office meeting</td>
<td>Discuss Communication strategy under T-line</td>
<td>AfDB Senior Officials</td>
</tr>
</tbody>
</table>
| 3  | March 2013           | Utility Agencies (EWASA-Rwanda, REGIDESO-Burundi TENESCO-Tanzania) | Office meetings, emails and letters | • What they wish to be included in the Communication strategy  
  • Provide communication materials including Project Fact sheet & FAQs for inputs & improvements  
  • Any other concerns to address under the RoR | Utility Agency Senior Officials |
| 4  | March 2013           | Environmental Agencies (REMA-Rwanda, NEMEC-Tanzania Min- Envt-Burundi) | Office meeting, emails and letters | • Informing them of the release of the ESIA and RAP Reports and seeking their feedback  
  • What they wish to be included in the Communication strategy  
  • Provide communication materials including Project Fact sheet & FAQs for inputs & improvements  
  • Any other concerns to address under the RoR | Environmental Agency Senior Officials |
| 5  | March 2013           | Country Investment Agencies (RDB-Rwanda NEMEC - Tanzania Min-Envt-Burundi) | Office meeting, emails and letters | • Informing them of the release of the ESIA and RAP Reports and seeking their feedback  
  • What they wish to be included in the Communication strategy  
  • Provide communication materials including Project Fact sheet & FAQs for inputs & improvements  
  • Any other concerns to address under the RoR | Investment Agency Senior Officials |
<p>| 6  | March 2013           | NGOs and CSO (Nile Basin Discourse Forum-Witness NGO) | Office meeting, emails and letters | • Informing them of the release of the ESIA and RAP Reports and seeking their feedback | NGOs + CSO Representatives Senior Officials |</p>
<table>
<thead>
<tr>
<th>No.</th>
<th>Date</th>
<th>Target Audience</th>
<th>Activity Type</th>
<th>Activity Details</th>
<th>Stakeholders</th>
</tr>
</thead>
<tbody>
<tr>
<td>7</td>
<td>March 2013</td>
<td>Media and General Public</td>
<td>Workshop, emails and letters</td>
<td>Informing them of the release of the ESIA and RAP Reports and seeking their feedback</td>
<td>All stakeholders</td>
</tr>
<tr>
<td>8</td>
<td>March 2013</td>
<td>Development Partners (WB, AfDB, KfW, EIB, Netherlands)</td>
<td>Development Partner’s Workshop</td>
<td>Disclosure Workshop</td>
<td>All stakeholders</td>
</tr>
<tr>
<td>9</td>
<td>March/April 2013</td>
<td>Project Affected Persons (PAPs)</td>
<td>Village meetings</td>
<td>PIU will visit the PAPs again to provide project updates. Issues of compensation will be resolved before construction.</td>
<td>All project affected persons (PAPs)</td>
</tr>
<tr>
<td>10</td>
<td>March/April 2013</td>
<td>Previously Project Affected Persons (Ex-PAPs)</td>
<td>Village meetings</td>
<td>PIU will revisit the Ex-PAPs in all project areas to inform them of changes in project design and to inform them that they are no longer going to be affected by the project. The purpose is to manage expectations.</td>
<td>All Ex-PAPs</td>
</tr>
<tr>
<td>11</td>
<td>March/April 2013</td>
<td>Business Operators</td>
<td>Office meeting, emails and letters</td>
<td>Consultations will continue with Tourism Business Owners especially at the Project site to explain mitigation measures and compensation plans in place (where applicable) to protect their businesses. Also to receive their concerns and feedback on ESIA and RAP.</td>
<td>All business operators</td>
</tr>
<tr>
<td>12</td>
<td>March/April 2013</td>
<td>Vulnerable Groups</td>
<td>Village meetings</td>
<td>Vulnerable groups' interests are represented through the Sector/District Grievance Mechanism Committees. Input on how their interests have been considered will be considered when meeting the district or local communities.</td>
<td>Vulnerable groups</td>
</tr>
<tr>
<td>13</td>
<td>March/April 2013</td>
<td>Tourists/Visitors</td>
<td>District offices and offices</td>
<td>The interests of tourists are being addressed through consultation with Tourism Business Association and at districts who will be kept updated of the project updates.</td>
<td>Tourism Associations, district authorities, etc</td>
</tr>
</tbody>
</table>
7.1. PHASE 4 – APPROVAL AND PUBLIC DISCLOSURE OF THE ESIA, RAP AND LADP

The Process for approval and disclosure of the ESIA, RAP and LADP are in advanced stages. Two drafts of the documents have been submitted by the Consultant - Artelia and discussed with stakeholders. The first drafts; under the RoR were presented to the Rusumo Technical Advisory Committee (TAC), the Project Implementation Committee (PIC) and the Council of Ministers (COM) in Bujumbura on 27-28 November, 2012. The representatives of the three countries who are members of the above committees submitted their comments for the improvement of the draft ESIA, RAP and LADP.

During the month of December, 2012, the draft ESIA, RAP and LADP were presented to District Task Forces in their respective countries. On 18th December, 2012, the drafts were presented to Kirehe Taskforce (Rwanda) and on 20th December, the reports were presented to Ngara Taskforce (Tanzania). In both cases, the taskforces commended the progress made in the draft ESIA and RAP and were pleased with reduced Environmental and Social Impacts.

On 4th and 5th of February, 2013, the second draft ESIA, RAP and LADP were discussed by representatives of various ministries from the three countries and the development partners. Participants from the three countries represented institutions namely: Ministries of Energy, Minerals, Environment, Agriculture, Natural Resources, National Environmental Management Councils, Utility Agencies, District Heads, Country Investment Agencies, Forest Reserve Management Heads, NGO representatives, and Development Partners.

7.2. PHASE 5 – RAP IMPLEMENTATION CONSULTATION AND DISCLOSURE PROCESS

The project is divided into three phases. Phase 1, preconstruction period which includes the establishment of the PIU and start of RAP implementation (i.e compensation for assets affected by the construction, start of livelihood restoration measures for affected people).

In phase 2 (Construction period) this will be a continuation of the RAP implementation (i.e marshland monitoring, compensation for loss of marshland resulting from project operation, and the continuation of livelihood restoration measures for affected marshland users)

Phase 3 involve the Commissioning and start of the project operation and continuation of RAP implementation.

RAP consultation has been a major component part of the project development and so it shall continue to be until that time when the project is fully constructed and commissioned. Through these phases, consultation has been and will continue to be critical in establishing the real issues in project affected areas.

The RAP disclosure schedule is summarized below under section 8.2

7.3. PHASE 6 – ONGOING PROJECT COMMUNICATIONS AND USE OF MEDIA NETWORKS (NBI MEDIA NETWORK, NBDF)

When the project moves into construction phase it will be important to regularly communicate to the public on the progress of the project including Community Development Action Plan (CDAP) and other activities in the Action Plan. The use of other media networks particularly the Nile Basin Initiative media networks and the Nile Basin Discourse Forum (NBDF) (Useful contacts in Annex) are vital to increasing the dissemination of information to wider areas of the project coverage and beyond. The NBI media networks have been useful in the past to play the role of advocacy for NBI projects and also wide dissemination of updated project information to all stakeholders. The NBDF has also played key role for voicing the concerns of the project affected people and other stakeholders who have a stake in the project.
During this period, the Community Social Development Officer and the Communications Officer of the Rusumo PIU will:

- Coordinate the release of regular project information/updates with the Owners Engineer;
- Provide updates to the project website (now under construction);
- Work with the sector and district Resettlement Committees on the release of the project information and obtaining community feedback;
- Work with Grievance Management Committees in the ongoing Grievance response process;
- Receive and respond to questions from local communities;
- Communicate the responses of CDAP activities;
- Coordinate the release of Annual Reports which will among other things, report on CDAP activities, environmental management activities; and
- Work with local NGO or local community organization (yet to be identified) in regard to the development and release of AIDS and HIV education materials;

During the whole year of 2012 and early 2013, Communication concentrated on creating awareness about the project to the Project Affected Persons (PAPs), district authorities, country Technical Advisory Committees (TAC), project implementation Committees (PIC); Council of Ministers (COM); the Nile Basin Media networks, Local NGOs; among others.

8. DISCLOSURE PLAN

8.1. AGREED DISCLOSURE TIME LINE AND COVERAGE OF DISCLOSURE

In promoting transparency and accountability, NELSAP has and will continue to provide relevant materials in a timely manner prior to consultation and in a form and language that are understandable and accessible to the groups being consulted.

The ESIA and the RAP draft reports have extensively been discussed and comments from stakeholders incorporated by the Consultant - Artelia. The latest consultations and presentation on the two documents were in a Regional Workshop held on 4th and 5th February 2013 in Kigali. Participants exchanged views and provided their feedback on ESIA and RAP and urged the consultant to incorporate the comments and have the reports ready for disclosure by 28th February, 2013 latest.

As such the Executive summaries of ESIA and RAP will be disclosed in the regional and national newspapers (as minimum requirement) to allow the public and stakeholders to consult the documents for final feedback. Hard copies of the ESIA and RAP will be placed in public areas (Public Libraries, District offices, Ministries of Energy, Environmental Management offices) to allow for public consultation.

Contact details will be availed for whoever wishes to provide comments and all comments will be forwarded to the Consultant for incorporation before final documents of ESIA and RAP and published.
8.2. DOCUMENTATION REQUIRED FOR DISCLOSURE

The documents to be disclosed are the Environmental and Social Impact (ESIA) Report, the Resettlement Action Plan (RAP) with a component of the Local Area Development Plan (LADP). This PCDP will also be disclosed as Annex of the RAP. In addition, the ESIA and the RAP of the Transmission line reports will be disclosed. These will form the main documents for disclosure.

At a later stage, more documents will be disclosed including the Power Purchase Agreement (PPA), the Shareholder’s Agreement (SHA), the Implementation Agreement (IA) among others. Below is a summary of documents and schedule for disclosure.

<table>
<thead>
<tr>
<th>S</th>
<th>Date</th>
<th>Document to be disclosed</th>
<th>Procedure of Disclosure</th>
<th>Where/Place of Disclosure</th>
<th>How</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>28 February 2013</td>
<td>Resettlement Action Plan (RAP)</td>
<td>RAP Executive Summary published in the newspapers in the three countries (Burundi, Tanzania and Rwanda) and in three languages: English, Swahili and French.</td>
<td>Kigali, Dar es Salaam, Bujumbura newspapers and public libraries</td>
<td>Print media, hard copies in the public libraries</td>
</tr>
<tr>
<td>2</td>
<td>28 February 2013</td>
<td>Environmental and Social Impact Assessment ESIA</td>
<td>ESIA Executive Summary published in the newspapers in the three countries (Burundi, Tanzania and Rwanda) and in three languages: English, Swahili and French.</td>
<td>Kigali, Dar es Salaam, Bujumbura newspapers and public libraries</td>
<td>Print media, hard copies in the public libraries</td>
</tr>
<tr>
<td>3</td>
<td>28 February 2013</td>
<td>Local Area Development Plan (LADP)</td>
<td>LADP Executive Summary published in the newspapers in the three countries (Burundi, Tanzania and Rwanda) and in three languages: English, Swahili and French.</td>
<td>Kigali, Dar es Salaam, Bujumbura newspapers and public libraries</td>
<td>Print media, hard copies in the public libraries</td>
</tr>
<tr>
<td>4</td>
<td>March 2013</td>
<td>Share Holder’s Agreement (SHA)</td>
<td>Public Workshop</td>
<td>Kigali, Dar es Salaam, Bujumbura</td>
<td>Workshop</td>
</tr>
<tr>
<td>5</td>
<td>March 2013</td>
<td>Implementation Agreement (IA)</td>
<td>Public Workshop</td>
<td>Kigali, Dar es Salaam, Bujumbura</td>
<td>Workshop</td>
</tr>
<tr>
<td>6</td>
<td>March 2013</td>
<td>Power Purchase Agreement (PPA)</td>
<td>Public Workshop</td>
<td>Kigali, Dar es Salaam, Bujumbura</td>
<td>Workshop</td>
</tr>
<tr>
<td>7</td>
<td>March 2013</td>
<td>Project Appraisal (PAD)</td>
<td></td>
<td>Kigali</td>
<td></td>
</tr>
</tbody>
</table>

EASY TO READ SUMMARY

The Environment and Social Impact Assessment Report (ESIA) and the Resettlement Action Plan (RAP) Report will be issued with Non-Technical summaries. The Non-Technical summaries are supposed to be written in simple language to facilitate easy understanding of the documents by various stakeholders who are not that conversant with the technical language of the ESIA and the RAP.

COMPENSATION GUIDE

A detailed compensation guide and entitlements has been elaborated in the RAP. The RAP spells out types of potential impacts, list of activities that will be compensated, who is eligible for compensation and how much, etc. Consultations with local communities and PAPs in particular are however still ongoing to ensure
that all eligible project affected persons are registered and compensated in the right measure. This will also help to reduce claims of non compensation and grievance cases.

GRIEVANCE MECHANISMS

The Grievance Mechanism provides affected parties with a mechanism to express any issues and problems that they may have with the compensation and resettlement process for the project in a way which is free of cost and without retribution. Affected parties will also have ultimate recourse to the courts in accordance with the provisions of Rwandan and Tanzania laws.

Grievances which remain unresolved will be reported to PIU management and SPV management in order to facilitate a timely solution.

HOW TO ACCESS TO FULL DOCUMENTS AND INFORMATION

All written information on the Rusumo Project will be available for consultation either in hard copy or in soft as long as it is meant for public consumption. The process is underway to recruit a Knowledge Management consultant to advise PIU on how to professionally manage Rusumo Project information. Nevertheless, all important documents including the ESIA, RAP will be available in hard copies in all public libraries in the three countries, the Rusumo website (once completed and operation), partners' websites like World Bank, African Development Bank, among others.

LIAISON OFFICE

The PIU intends to extend services closer to project area during construction by establishing a Liaison Office to handle all grievances and coordination of activities on ground. The office will also keep important documents for consultation by researchers, students, districts, contractors and all stakeholders. The office will have a Helpdesk Assistant to register queries and offer some support to various issues raised by project affected people.

The liaison office will provide information to the disabled groups and the vulnerable by meeting them at their residential areas. Verbal communication will also be provided to those who cannot read or write, this will minimize chances of receiving distorted information from other sources.

The village and sector grievance mechanism committees will be empowered to support other groups in the communities that will not need to come to the liaison office.

oOo
Annex 1: PAPs List of villages validated in Kirehe and Ngara districts