10. Resettlement Action Plan (Summary)

The RAP compensation framework specifies all forms of asset ownership or use rights among the population affected by the project and the project’s strategy for compensating them for the partial or complete loss of those assets.

Principles and Objectives
The objective of this RAP is to set the policies, principles, organisational arrangements, and design criteria to be applied in order to avoid or resolve displacement impacts on people and property caused by the acquisition of land related to the construction of the HV transmission lines.

The project has significant environmental and social benefits. During the construction phase, some properties would be lost. This loss has been minimized, as far as practicable, through the change of alignment. This Resettlement Action Plan conforms to the OP 4.12 rule of the World Bank and the AfDB’s Involuntary Resettlement Policy. The populations were fully involved during the elaboration of this plan.

As summarized, an estimated up to 1,279 individual households would be affected by the construction of the three HV t-lines. In quite a few cases dwellings would have to be shifted away from the High-Voltage transmission line (t-line) corridor and rebuilt a few meters aside on the same plot of land. There would also be some cases where the expropriated owners would need a new piece of land to rebuild their homes. All this requires both adequate expropriation and compensation measures.

In sparsely populated rural areas, a linear project such as an electric transmission line may have minimal impact on any single landholder. Compensation is characterized by a large number of small payments for the temporary loss of assets such as standing crops. The guiding principles of compensation will allow a full restitution of the pre-project situation. In addition, it is recommended that generous support should be provided for any reconstitution and reconstruction work, including in a few cases resettlement requirements.

Compensation will be paid before the relocation of houses and other non-mobile goods. For crop damages, compensation will be paid before or on the very day of the damage. Compensation will be controlled by committees which comprise all stakeholders, including representatives of the target group of the expropriation and compensation. Displaced persons (DPs) will be informed about their options and rights pertaining to displacement, compensation and resettlement and about grievance mechanisms available to them.
Legal Framework
The analysis between national legislative frameworks of Burundi, Rwanda and Tanzania and the applicable World Bank standards OP 4.12 reveals that most of the differences concern mainly the need to avoid or minimize resettlement, the definition of who is entitled to compensation and what is comprised in the assets for compensation.

The participation of affected parties in resettlement planning and implementation is also not required by national standards.

Key differences to the OP 4.12 also emerge concerning the need to fully compensate and relocate affected parties prior to project implementation, the provision of assistance to displaced persons during relocation, the special need of vulnerable groups for additional assistance and the systematic monitoring and evaluation of the resettlement activities and impacts.

Implementation
It is proposed to establish a Country Planning and Implementation Committee (CPIC) for the implementation of the project under the umbrella of the implementing agency in each of the three countries. This commission will be, amongst other things concerned with the identification of the specific needs for replacement of houses and other immobile constructions according to the respective national legislation and procedures and with consideration of earlier practice.

It is further proposed to establish in every cluster (at commune level in Burundi, at sector/cell level in Rwanda and at ward level in Tanzania) a Resettlement and Compensation Committee (RCC) of approximately 10-12 people which could be composed by about four representatives of CBOs, e.g. mainly farmer groups, two to three representatives from the business sector and about four representatives from civil society organizations such as women’s cooperatives, etc. The representatives of these groups should preferably at the same time be project affected people. They will plan for, coordinate and monitor resettlement, compensation and relocation activities, as well as supervise compensation payments to the recipient project affected parties (PAPs). A large part of their responsibility will be consultation with potential PAPs.

Eligibility for Resettlement Measures
Under the WB policy, displaced persons in the following two groups are entitled to compensation for loss of land or other assets, such as dwellings and crops taken for project purposes, and to resettlement assistance:

- Those who have formal legal rights to land or other affected assets (including customary and traditional rights to the use of land or other assets); and
- Those who do not have formal legal rights to land or other assets at the time of the census, but who have claim to such legal rights by virtue of occupation or use of those assets.
The entitlement cut-off date to be fixed refers to the time when the assessment of persons and their property in the identified project areas is carried out, i.e. the time when the project has identified the land sites it would need and when the socio-economic census is taking place. Thereafter, no new cases of affected people will be considered.

An important aspect of preparing an RAP is to establish appropriate data to identify the persons who will be displaced by the project, people eligible for compensation and assistance, to discourage inflow of people who are ineligible for these benefits and to record the physical amount of losses of land and assets. Therefore an in-depth census survey will be carried out prior to the start of the project implementation.

The identification of property which could fall under the necessity of expropriation and compensation depends on the norms linked to the construction of a new HV transmission line. How far a house should be from the electrical wires and whether public buildings such as schools, health facilities, or markets should be subjected to the same norms are essential questions. As norms do not exist in all three countries, in this study we adopt the width for the line corridor as it is currently practised by the national electricity suppliers.

Information resulting from own observations and those provided by the topographical survey and satellite images have been used to estimate the number of affected houses per district in each of the three countries.

A total of 83 houses needing to be displaced can be expected for the line segment in Burundi. The number of affected farm plots is presumed to be 474, which is on average 4.4 plots per line km.

The number of farm plots affected by the transmission line in Rwanda is presumed to be 530, which is on average 4.8 plots per km of the power line.

A total of 79 houses requiring a displacement can be expected for the two lines in Tanzania. The number of affected farm plots is presumed to be 275, which is on average 1.8 plots per km of the power line.

These figures are based on samples. The definitive number of affected houses and farm plots depends on the final technical layout for the t-line.

**Valuation of Assets**

The implementation of the project would affect private and public property permanently or only for a limited period of time.

In a certain number of cases non-mobile goods would be affected and an expropriation could become inevitable.
The type of compensation will be the individual’s choice. Compensation in cash may be preferred by most of the PAPs, as the consultation of the affected population has shown, while compensation in kind may be preferred by vulnerable households.

Compensation will be paid at the level of the purchasing value of goods and not at the current or residual value. Lack of legal rights to land and assets occupied or used will not preclude a DP from entitlement to resettlement and compensation measures. Specific and additional assistance will be provided for particularly vulnerable people, i.e. widows, orphans, HIV/AIDS victims, elderly people and handicapped people.

**Land**

Losses will also include the small pieces of land for the pylons (between 25 and 50 m²) and in very few cases approx. 40,000 m² for sub-stations. It has to be decided by project donors whether maintenance and surveillance corridors would be required. If so, permanent land loss would come about both for the corridors and at least some access roads.

The value of land to be acquired by the project in Burundi amounts to 3,203,400,000 FBU (2,562,720 US$) if all the land within the ROW is to be expropriated and compensated, and at 24,275,000 FBU (19,420 US$) for the land required for houses and construction of pylons. If we assume that land not actually occupied will not be compensated, the value of the cultivated land within the ROW (40.3% of total land) amounts to 1,285,000,000 FBU or 1,028,000 US$.

The value of land to be acquired by the project in Rwanda amounts to 252,906,000 FRW (445,115 US$) if all the land within the ROW is to be expropriated and compensated, and at 3,355,000 FRW (5,905 US$) for the land required for houses and construction of pylons. If we assume that land not actually occupied will not be compensated, the value of the cultivated land within the ROW (43.0% of total land) amounts to 114,760,000 FRW or 201,978 US$.

The equivalent value of land to be acquired for the 10 m line corridor in Tanzania amounts to 336,512,000 TSh or 255,749 US$.

**Buildings and Structures**

Permanent expropriation would be applicable to buildings within a short distance of the high-voltage wires. For the time being, all private houses and public buildings directly under the wires and / or within a distance of 15 m to the wires have to be replaced.

The estimated total value for the compensation of expropriated structures within the affected area amounts for Burundi to 254,670,000 FBU (or to 203,736 US$) and for Rwanda to 227,830,900 FRW (or to 400,982 US$). The estimated total value for the compensation of expropriated structures within the affected area in Tanzania amounts to 267,810,000 TSh (or to 203,536 US$).
**Cultivated crops**
Temporary damages would also affect crops on land which will be used for getting access to the construction sites of the pylons and while stretching the HV wires. In some cases, fruit trees, bananas, and other shrubs such as coffee or tea might be concerned.

The total value of damaged crops within the 30 m corridor of the projected transmission line in Burundi is estimated to be 121,869,000 FBU (or 97,495 US$). The total value of damaged crops within the 24 m corridor of the projected transmission line in Rwanda is estimated to be 70,118,360 FRW (or 123,408 US$). For Tanzania the estimated total value of damaged crops within the 10 m corridor of the projected transmission line segments amounts to 42,612,100 TSh (or 32,385 US$).

**Total Costs**
Concerning Burundi, the total compensation costs are estimated at 3,580,693,000 FBU or 2,864,554 US$ if the total land within the ROW were to be expropriated, and it amounts to 401,568,000 FBU or 321,255 US$ if only land needed for pylons and new houses were to be expropriated. The total compensation costs for Rwanda amount to 550,961,000 FRW or 969,691 US$ if the total land within the ROW were to be expropriated, and it amounts to 301,410,000 FRW or 530,482 US$ if only land needed for pylons and new houses were to be expropriated. For the two line segments in Tanzania, the value of total compensations is estimated to be 647,091,000 TSh or 491,789 US$.

![Figure 10-1: Aggregation of compensation costs for Burundi in 1.000 FBU](image-url)
**Grievance redress mechanism**

The project will make every effort to resolve grievances at the community level as far as possible and will take care to respect the fact that many of the claimants are poor and illiterate. Recourse to the legal system should be avoided except as a last resort. Grievances will be filed by the person affected by the project with the Resettlement and Compensation Committee (RCC) at cluster level. If no understanding or amicable solution can be reached, or if the affected person does not receive a response from the RCC within 15 days of the registry of the complaint, he/she can appeal to the Country Planning and Implementation Committee.

**Consultation of population**

Summarizing the entire consultative process including numerous discussions with local authorities, entrepreneurs, community-based organisations and representatives of a wide range of organisations (see also ESIA and ESMP of this feasibility study), a predominantly smooth expropriation and compensation process can be expected in all of the three countries if PAPs are incorporated in the planning and implementation of the procedures, if compensation is paid promptly before start of the construction work, and if payments correspond to real replacement costs.

**Monitoring**

The census survey will provide the project with the quantitative baseline data that makes it possible to budget resources and services, to track the delivery of those resources and services to the affected population, and to correct problems in the delivery of resources and services throughout implementation of the RAP.
Internal monitoring and supervision will ensure that all resettlement measures are implemented as approved, and will verify that funds for implementing resettlement activities are provided in a timely manner, that they are sufficient for their purposes, and that they are spent in accordance with the provisions of the Policy Framework.

The organisational bodies of the project being concerned with the monitoring of the resettlement measures will be the Country Planning and Implementation Committees (CPIC) at national level and the Resettlement and Compensation Committees (RCC) at local level.