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MINISTRY OF WORKS, TRANSPORT AND COMMUNICATIONS (MoWTC)



*Good roads for national development*

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**THE PROVISION OF CONSULTANCY SERVICES FOR FEASIBILITY STUDIES AND  
DETAILED ENGINEERING DESIGN OF THE NYAKANAZI-KASULU-  
MANYOVU/RUTUNGA-RUMONGE-BUJUMBURA ROAD**

**Contract No. P&1/2/2/20/01**

**RESETTLEMENT ACTION PLAN (RAP) FOR KASULU-  
MANYOVU ROAD SECTION PROJECT**

**FIRST DRAFT**

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## TABLE OF CONTENTS

<b>LIST OF FIGURES.....</b>	<b>VI</b>
<b>LISTS OF PLATES .....</b>	<b>VI</b>
<b>LISTS OF TABLES.....</b>	<b>VII</b>
<b>ABBREVIATION AND ACRONYMS .....</b>	<b>VIII</b>
<b>ACKNOWLEDGEMENT .....</b>	<b>IX</b>
<b>CHAPTER ONE: .....</b>	<b>1</b>
1.0 PROJECT DESCRIPTION .....	1
1.1 PROJECT BACKGROUND .....	1
1.2 OBJECTIVE OF THE PROJECT FOR THE KASULU-MANYOVU ROAD SECTION .....	2
1.3 PROJECT RATIONALE .....	3
1.4 OBJECTIVE OF RESETTLEMENT ACTION PLAN .....	3
1.5 SCOPE OF DEVELOPMENT OF RESETTLEMENT ACTION PLAN .....	3
1.6 METHODOLOGY USED FOR RAP PREPARATION .....	4
1.7 RESETTLEMENT ACTION PLAN REPORT STRUCTURE .....	10
<b>CHAPTER TWO.....</b>	<b>11</b>
2.0 PROJECT DESCRIPTION .....	11
<b>CHAPTER THREE.....</b>	<b>13</b>
3.0 POTENTIAL IMPACTS.....	13
3.1 INTRODUCTION .....	13
3.2 SOCIO-ECONOMIC IMPACTS .....	13
3.2.1 Positives impacts.....	13
3.2.2 Negative Impacts .....	14
3.3 SOCIO-ECONOMIC IMPACTS IN THE PROJECT AFFECTED AREA.....	15
3.4 IMPACTED PROPERTIES .....	16
3.5 LOSS OF LIVELIHOOD .....	16
<b>CHAPTER FOUR.....</b>	<b>18</b>
4.0 ORGANIZATION AND RESPONSIBILITY .....	18
4.1 RAP IMPLEMENTATION ORGANIZATIONS AND INSTITUTIONS.....	18
4.2 INTER-AGENCY COORDINATION .....	21
<b>CHAPTER FIVE .....</b>	<b>23</b>
5.0 COMMUNITY PARTICIPATION .....	23
5.1 CONSULTATION AND COMMUNITY PARTICIPATION.....	23
5.2 OBJECTIVES OF PUBLIC PARTICIPATION AND CONSULTATION .....	24
5.3 IDENTIFICATION OF STAKEHOLDERS FOR CONSULTATION .....	25
5.4 PUBLIC CONSULTATIVE AND PARTICIPATORY MEETINGS .....	26
5.4.1 Methods of stakeholder participation.....	26

5.4.2 Notification to stakeholders.....	27
5.4.3 Interviews with Household Heads.....	27
5.4.4 Official meetings with Ward/Mtaa leaders .....	27
5.4.4 Meetings with Local Government officials.....	27
<b>CHAPTER SIX .....</b>	<b>31</b>
<b>6.0 SOCIO-ECONOMIC BASELINE INFORMATION.....</b>	<b>31</b>
6.1 INTRODUCTION .....	31
6.2 SOCIAL SERVICES IN THE PROJECT AREA .....	31
6.3 OBJECTIVE OF CENSUS AND SOCIO-ECONOMIC SURVEY .....	32
6.4 METHODOLOGY FOR UNDERTAKING PAP CENSUS AND SOCIO-ECONOMIC PROFILE.....	32
6.5 SOCIO-ECONOMIC SITUATION FOR THE PAPs.....	32
6.6 LOCATION OF RESIDENCE OF THE PAPs IN THE SURVEYED HOUSEHOLDS .....	34
6.7 USES OF PROJECT AFFECTED HOUSES.....	34
6.8 BUILDINGS MATERIALS OF AFFECTED HOUSES .....	35
6.9 LAND OWNERSHIP AND MEANS OF LAND ACQUISITION.....	35
6.10 GENDER ISSUES IN RELATION TO LAND AND PROPERTY OWNERSHIP .....	36
<b>CHAPTER SEVEN.....</b>	<b>37</b>
7.0 POLICY AND LEGAL FRAMEWORK.....	37
7.1 INTRODUCTION .....	37
7.2 POLICY .....	38
7.2.1 The National Land Policy (1995) .....	38
7.2.2 National Human Settlements Development Policy (2000).....	39
7.2.3 The AfDB Involuntary Resettlement Policy (2003 approved in 1990) .....	39
7.3 LEGISLATION .....	41
7.3.1 Land Act [1999].....	41
7.3.2 Land Acquisition Act Number 47 of 1967.....	42
7.3.3 Compensation Disputes Section 13 (1).....	43
7.3.3 Urban Planning Act of 2007.....	44
7.3.4 Land Use Planning Act of 2007 .....	44
7.3.5 The Road Act of 2007.....	45
7.3.6 Road Sector Compensation and Resettlement Guidelines .....	45
7.4 GAP ANALYSIS OF NATIONAL LAWS VIS-À-VIS AfDB RESETTLEMENT POLICY .....	45
<b>CHAPTER EIGHT .....</b>	<b>56</b>
<b>8.0 INSTITUTIONAL FRAMEWORK.....</b>	<b>56</b>
<b>CHAPTER NINE .....</b>	<b>59</b>
9.0 MECHANISMS FOR CONFLICT RESOLUTIONS AND APPEALS .....	59
9.1 GRIEVANCES PROCEDURES.....	59
9.2 PROPOSED GRIEVANCE MANAGEMENT AND REDRESS MECHANISM .....	60
9.3 GRIEVANCE REDRESS COMMITTEES.....	60
<b>CHAPTER TEN.....</b>	<b>63</b>
10.0 ELIGIBILITY .....	63
10.1 DEFINITION.....	63
10.2 IDENTIFICATION OF PROJECT AFFECTED GROUPS/INDIVIDUALS .....	64

10.3 CATEGORIES OF AFFECTED PEOPLE .....	64
10.3 ENTITLEMENT MATRIX.....	65
10.4 ORGANIZATIONAL PROCEDURES FOR DELIVERY OF ENTITLEMENTS.....	71
<b>CHAPTER ELEVEN.....</b>	<b>73</b>
11.0 VALUATION AND COMPENSATION FOR LOSSES .....	73
11.1 PROPERTIES SURVEY .....	73
11.2 BASIS FOR VALUATION .....	74
11.2.1 Land Acquisition and Compensation in Tanzania .....	74
11.2.2 Assessment of Compensation .....	75
11.2.3 Computation of Various Allowances .....	76
<b>CHAPTER TWELVE .....</b>	<b>78</b>
12.0 IMPLEMENTATION SCHEDULE .....	78
<b>CHAPTER THIRTEEN .....</b>	<b>82</b>
<b>13.0 COST AND BUDGETING .....</b>	<b>82</b>
<b>CHAPTER FOURTEEN .....</b>	<b>84</b>
<b>14. 0 MONITORING AND EVALUATION .....</b>	<b>84</b>
14.1 GENERAL OBJECTIVES OF MONITORING AND EVALUATION.....	84
14.2 INTERNAL MONITORING .....	84
14.3 EXTERNAL MONITORING .....	86
14.4 EVALUATION.....	87
14.5 REPORTING REQUIREMENTS.....	88
<b>CHAPTER FIFTEEN .....</b>	<b>89</b>
15.0 CONCLUSION AND RECOMMENDATIONS .....	89
<b>REFERENCES.....</b>	<b>91</b>
<b>APPENDICES .....</b>	<b>92</b>

**LIST OF FIGURES**

Figure 1. 1: Map indicating the Project Site (Kasulu-Manyovu road)..... 12

Figure 9. 1: Grievances Redress Mechanism ..... 62

**LISTS OF PLATES**

Plate 5. 1: Consultative meeting with PAPs ..... 28

Plate 5. 2: Consultative meeting with local people ..... 28

## LISTS OF TABLES

Table1. 1: Public consultation and community participation .....	7
Table 3. 1: Impact on affected properties .....	15
Table 4. 1. Institutional roles and responsibilities in RAP Implementation.....	20
Table 4. 2: Committees and Responsibilities for RAP Implementation .....	22
Table 5. 1: Views and concerns of PAPs aired during consultative meetings .....	29
Table 6. 1: Education Level of Heads of Households in the Project Area .....	33
Table 6. 2: Uses of project affected houses .....	34
Table 6. 3: Building Materials for the PAPs Houses .....	35
Table 6. 4: PAPs who own land and means used to acquire it.....	36
Table 7. 1: Comparison of Tanzania and Word Bank policies on Resettlement and compensation .....	47
Table 10. 1 Entitlement Matrix.....	66
Table 10. 2: Institutions Responsible for Preparation and Implementation of RAP .....	71
Table 12. 1: RAP Implementation schedule .....	79
Table 13. 1: Resettlement Budget.....	82
Table 14. 1: Indicator for Monitoring and Evaluation of RAP Implementation .....	85

## **ABBREVIATION AND ACRONYMS**

AfDB	African Development Bank
CBO	Community Based Organization
DGRC	District Grievance Redress Committee
EAC	East Africa Community
GoT	Government of the United Republic of Tanzania
MEO	Mtaa Executive Officer
MGRC	Mtaa Grievances Redress Committee
MoW	Ministry of Works, Transport and Communications
PAP	Project Affected Person
PE	Project Engineer
RAP	Resettlement Action Plan
RAS	Regional Administrative Secretary
RM	Regional Manager
RoW	Right of Way
TANROADS	Tanzania National Roads Agency
ToR	Terms of Reference
WEO	Ward Executive Officer
VEO	Village Executive Officer



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## **CHAPTER ONE:**

### **1.0 PROJECT DESCRIPTION**

#### **1.1 Project background**

Currently, the East African Community (EAC) comprises of six member states including Tanzania, Kenya and Uganda (first members), while new members are Rwanda, Burundi and South Sudan. The central aim of forming EAC was to foster regional integration thereby create free movement of community members within the Region, foster free transportation of goods as well as services and many other aspects. However, to attain the dream of free transportation of goods, acceleration of trade/businesses within the Region's member countries, there have been noticeable challenges and one of them is poor means of transports between member countries. One part of the region, which has been earmarked by the EAC members, is the area between Tanzania and Burundi connected by road, which traverses from Nyakanazi-Kasulu-Manyovu/Rutunga-Rumonge-Bujumbura road.

Due to vibrant economic undertakings, dense settlements and a high agricultural potential, vehicular traffics between Tanzania and Burundi, both being EAC members, the EAC received funds from African Development Bank (AfDB) with the view to improve the said Road section between the two countries so as to accelerate economic programs, economic co-operation and regional integration within the EAC. Currently, the area is experiencing heavy traffic as well as high rate of accidents particularly against pedestrians. Also long time is spent for goods transit from Kigoma to Burundi and vice versa. The project covers three districts in Tanzania, namely, Kasulu Rural, Kasulu Urban, and Buhigwe, while it covers three provinces in Burundi, namely, Rutunga, Rumonge and Bujumbura.

The Nyakanazi-Kasulu-Manyovu section on Tanzanian side is part of the multinational project making up the international trunk and hence, it is required that the road has to be homogeneous to that of Rumonge-Rutunga-Bujumbura (Burundi side).

Following receipt of the fund, the EAC (client) hired EGIS International (the consultant) to undertake consultancy services for feasibility studies and the Detailed Engineering Design of the Nyakanazi-Kasulu-Manyovu/Rutunga-Rumonge-Bujumbura road section encompassing preparation of Environmental and Social Impact Assessment (ESIA) and Resettlement Action Plan (RAP) reports for the project area. Two ring roads (Eastern and Western bypasses) have been added in the final design and have been incorporated in this RAP report.

## **1.2 Objective of the project for the Kasulu-Manyovu Road section**

According to TOR, objectives of the desired work include the following:

- To provide feasibility, environmental and social impact assessment studies;
- Also in the feasibility, environmental and social impact assessment, to examine all upgrading options and come up with the most economically viable option for updating the existing gravel road, which will harmonize with other road sections of Nyakanazi-Kasulu to Bitumen Standards roads to conform to the East Africa agreed design standards; and
- To maintain a regular liaison with the Client (EAC) Secretariat, TANROADS in Tanzania and ODR in Burundi.

The overall project objective is to implement feasibility studies and detailed design for the regional trunk road joining the Republic of Burundi to the East African Regional Trunk Road Network Corridor Number EA5 in United Republic of Tanzania, namely, Nyakanazi-Kasulu-Manyovu/Rumonge-Rutunga-Bujumbura road.

### **1.3 Project Rationale**

Kasulu–Manyovu road section is one of the EAC roads that joins both Tanzania and Burundi countries and due to the vibrant economic pattern, dense settlements and a high agricultural potential, currently, the road experiences high vehicular traffic, which, in turn, leads to high rate of accidents along the road. Thus, if this project will be implemented, it will help reduce traffic and possibly lower the road accident cases and also ease transportation of goods among East African State members, specifically between Tanzania and Burundi.

### **1.4 Objective of Resettlement Action Plan**

Considering space required for construction of Kasulu–Manyovu road section (66.89 kilometres), properties and several utilities located within the road section proximity will be moved out to pave way for road construction. The main objective of this RAP is to develop a plan for addressing resettlement issues resulting from project implementation.

### **1.5 Scope of Development of Resettlement Action Plan**

This Resettlement Action Plan (RAP) was prepared within the policy framework of the United Republic of Tanzania and AfDB. It entailed the following activities:

- (i) Undertook a preliminary social assessment in the project affected area by addressing possible loss of land, assets or structures to be displaced by the project and therefore, propose appropriate resettlement plans based on Tanzania and AfDB policies on resettlement, land and compensation matters. Prepared a socio-economic baseline so as to provide socio-economic situation of PAPs in the project area, number of affected PAPs and so forth.
- (ii) Identified categories of impacts and eligibility of affected people for compensation packages and prepared entitlements matrix featuring compensation including other assistance forms for all types of impacts to fully replace lost assets, income, and livelihood. Assessed whether or not compensation standards for all types of assets would be based on replacement cost, taking into consideration the market value and discussed in detail valuation methodology used.

- (iii) Analyzed all likely socio-economic impacts to the affected persons in the project area, identified disadvantaged groups and set-up an inclusive plan for all identified groups in the resettlement plan.
- (iv) Ensured that compensation standards are based on replacement value, taking into account the market value.
- (v) Prepared income restoration plans, including the detailed implementation mechanism to restore incomes of Project Affected Persons (PAPs).
- (vi) Assisted Government officials to initiate and expand consultation with all stakeholders, including PAPs and prepared a consultation plan as well as a format for documenting consultation with affected people.
- (vii) Established mechanisms for addressing PAPs' Grievances in an easily accessible and timely manner.

### **1.6 Methodology used for RAP Preparation**

The Resettlement Action Plan (RAP) covers relocation and replacement assets affected, compensation as well as resettlement assistance required taking into account fairness and inclusion of all affected persons. The methods used in preparing this RAP were based on data obtained from socio-economic survey, consultation and observation. Also data from valuation report were used in preparation of cost and budget section.

The following were methods and activities employed in the whole process of developing the RAP:

#### **(i) Field Visits**

Field visiting is the common data collection method. In this RAP, field visits aimed at visualizing the project site as well as capture biophysical environments and socio-economic conditions in the project area through interviews. Field visits were done in April, 2018. In the field, among others, project information was collected from various sources including TANROADS' Kigoma Regional Office and affected communities. The field visits

were conducted to identify properties to be affected by the project. During the field visits, the following tasks were performed:-

- Observation of social and physical settings of the area;
- Identification of structures that will fall within the RoW for Kasulu-Manyovu and their distance from the proposed project centerline;
- Held interviews as well as discussions with officials from the project area and local government including Mtaa and Ward officials;
- Held interviews with the affected people and other community members in the project area;
- Identified livelihood activities of those affected; and
- Observed people's activities and learnt their perception on the proposed project.

## **(ii) Literature Review**

Literature Review related to National and International Resettlement Policies and framework is always a key process in RAP preparation. In preparation of this RAP, the following key documents were used: Tanzania Land Act (1999), African Development Bank Resettlement Policy (2003), Tanzanian Constitution, Road Act (2007) and Local Government Act (1984).

The main purpose of the review was to:-

- Include all available resettlement/compensation requirements for both Tanzania and AfDB policies; and
- Harmonize differences in resettlement as well as compensation guidelines between the Government of Tanzania (GoT) policy and the AfDB policies and find out the gap between the said policies;

## **(iii) Socio-economic Survey**

Socio-economic survey in project affected area was conducted by administering structured questionnaire to affected household heads. Due to larger number of affected households, Sloven formula was used to calculate the number of households to be used in this study. The formula was  $n = N / (1 + N * e^2)$  where N is the population of affected households, e is the marginal error for a 94.3 percent confidence interval and n is the

required sample size. It was during the questionnaire survey whereby various socio-economic issues were identified including PAPs' education levels, gender, their economic income, existing social services and the like, all of which were analyzed and compiled in the RAP under the socio-economic survey section.

The RAP was developed after conducting socio-economic survey, census and interviews in all settlements within the RoW for the proposed Kasulu-Manyovu road segment. In addition, it was developed so as to get affected people's views and design mitigation based on their views as well as demands. One of the most important reasons for doing socio-economic survey was to get affected people's views on what to do to mitigate the adverse impact including changing the design to reduce impacts. Furthermore, a comprehensive census was carried out to identify affected people.

The socio-economic survey focused on identification of stakeholders (demographic data), socio-economic data such as livelihood, education as well as social arrangements and the participation process. Also the survey involved identification of affected people and their property including their production systems, institutional setting and systems for monitoring as well as evaluation of resettlement issues.

#### **(iv) Public Consultations**

Public consultation and participation are key elements of a good and successful Resettlement Action Plan Implementation because they enable PAPs the opportunity to air their views and concerns to the project improvements and help to avoid conflicts that could rise due to lack of awareness. Public consultative process involved identification of relevant stakeholders, notification and involvement. This section provides description of stakeholder involvement process conducted for the RAP for the proposed Kasulu-Manyovu road segment project.

Public consultation was a major drive of this social safeguard assignment. Public consultation was used, among other things, to identify the population affected by the

project. It also served the purpose of creating an enabling environment for PAPs and stakeholder participation together with inclusion in project implementation. As part of the preparation of this RAP, the principal outcomes of the public consultation process included the following:

- Communication of the planned project and its objectives to the concerned communities, PAPs as well as stakeholders;
- Identification of the likelihood and nature of impacts;
- Identification of land ownership in the project area;
- Perception of the community regarding the planned intervention;
- Expression of concerns of the affected community;
- Community commitment and responsibilities towards project successful implementation; and
- Identification of indicators for measuring performance of the RAP.

Consultation with affected households and other stakeholders is ongoing and will continue throughout the entire duration of the resettlement program implementation. Table 1.1 shows conducted public and community consultations indicating dates, places, people consulted and the number of people consulted.

**Table1. 1: Public consultation and community participation**

Date	Place	Who was consulted	Number of People
<b>Kasulu District Council</b>			
10/04/2018	Kasulu Township Council	Kasulu Town Council Director, Kasulu Town Council Planning Officer.	2
	Kimobwa Ward Offices	Ward Officials (WEO), Councilor and Chairman for Muruvum Mtaa	3



11/04/2018	Murubona ward	Ag.WEO, Chairman for UMOJA and Kigombani Mitaa.	2
10/04/2018	Kumsenga ward	Ward Officials (WEO), Chairmen for Kumsenga, Omari and Soko Kuu Mitaa,	2
12/04/2018	Heru Juu ward	Ward Officials (WEO, Councilors), MEOs, VEOs, Village Chairmen, Religious leaders, Representative of businessmen and businesswomen, Representative from institutions	30
<b>Buhigwe District Council</b>			
18/04/2018	Buhigwe District Council	Kasulu District Executive Director and Council official	2
	Songambebe Village	Village Executive Officer (VEO) and Village Chairman	2
18/04/2018	Kavomo ward office	VEO and Village Chairman.	2
19/04/2018	Munanila Ward Office	Ward Executive Officer (WEO) and Village Chairman	2
	Mkatanga Ward Office	Ward Executive Officer (WEO), Village Chairman and VEO for Musagara village	3
<b>Kigoma Regional office</b>			
05.04.2018	TANROADS Regional Office	Regional Manager (RM) and Project Engineer (PE),	2
06.04.2018	TANROADS Regional Office	Regional Manager (RM), Project Engineer (PE), TANROADS-KG-Ag.HPL, RS. and Ag. RAS-RS Kigoma,	5

9.04.2018	<b>Kasulu District Council</b>	RMA,DED,TD and TPLV	4
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Public consultations and community participation were conducted between April and May, 2018 whereby eight (8) meetings were held. Refer to **Table 1.1** for further details. The main purpose was to inform the public and stakeholders about the project including anticipated impacts both positive and negative likely to occur as well as the manner to mitigate impacts. Consultations involved visiting and meeting Municipal Officials, Ward Officials and Mtaa Leaders. Moreover, consultations involved visiting the project area and Affected Persons at Kasulu-Manyovu road site whereby the consultant held two guided consultative meetings.

This Resettlement Action Plan report is an outcome of public consultation meetings including various integrated formal and informal interviews with project Affected Persons, Community Leaders, Councilor and Local government departmental heads. In total, apart from 8 consultative meetings presented in Table 1.1 and several others with Local Leaders of District councils, Ward and Mtaa, a total of 116 household interviews were conducted. The specific objectives of consultations included the following:

- ❖ To create awareness of the proposed project;
- ❖ To consult local residents, especially and affected parties about problems they anticipate with the project and the manner they can be mitigated;
- ❖ To consult and gather recommendations from local administration (Kasulu and Buhigwe District Councils, Ward Officials and Mtaa Leaders); and
- ❖ To provide an opportunity to community in the project area to raise issues and concerns pertaining to project impacts as well as allow identification of alternatives and recommendations.

PAPs' views and concerns raised during consultative meetings are presented in **Chapter 5** and **Table 5.1**.

## **1.7 Resettlement Action Plan Report Structure**

This RAP is prepared and presented into the following fifteen sections:

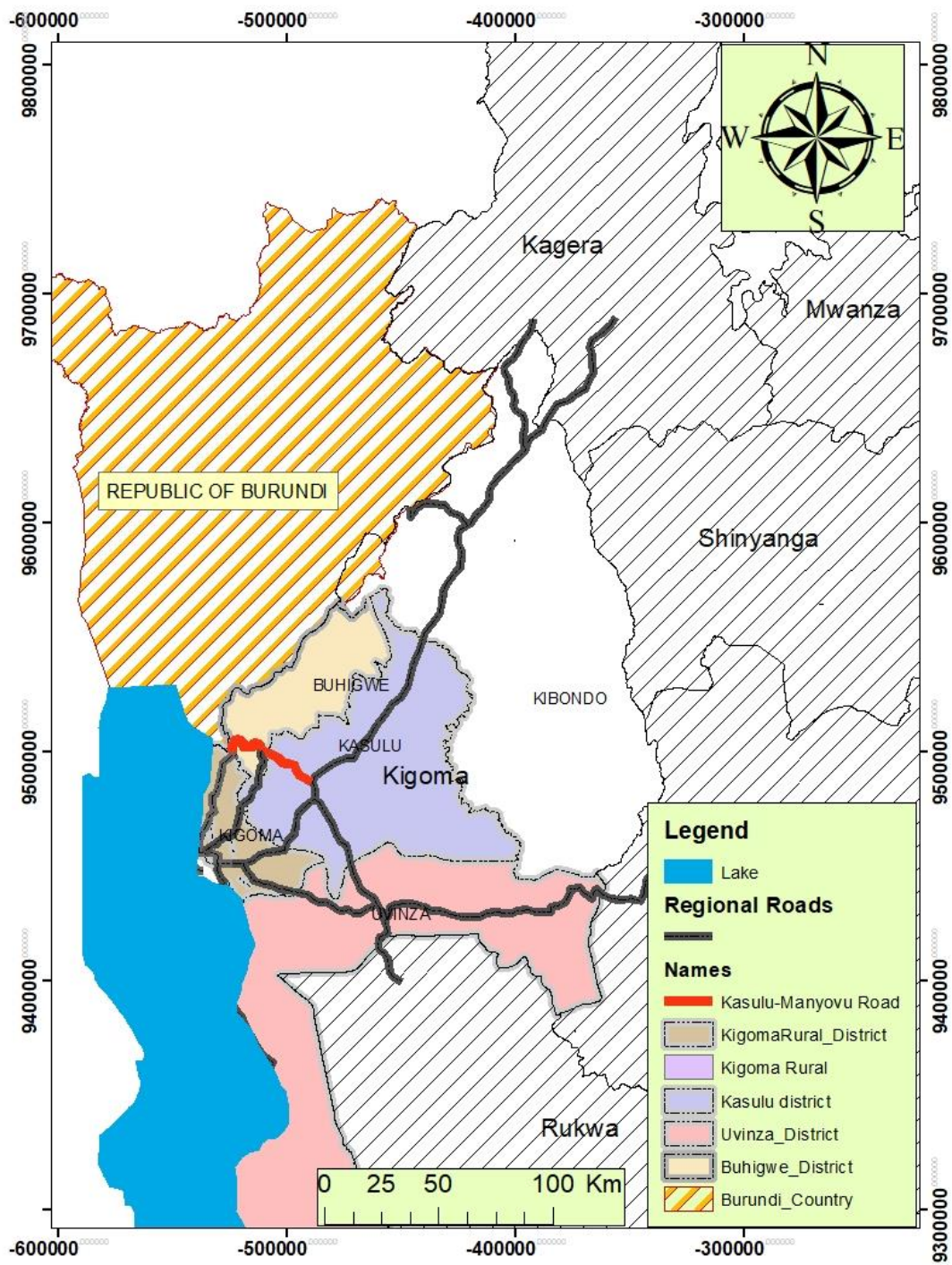
1. Introduction
2. Project Description
3. Potential Impacts
4. Organizational Responsibility
5. Community Participation
6. Socio-economic Studies
7. Policy and Legal Framework
8. Mechanisms for Conflict Resolutions and Appeals
9. Institutional Frameworks
10. Eligibility
11. Valuation and Compensation for Losses
12. Implementation Schedules
13. Costs and Budgets
14. Monitoring and Evaluation
15. Conclusion and Recommendations

## **CHAPTER TWO**

### **2.0 PROJECT DESCRIPTION**

The proposed project is located in Kigoma region and covers three Districts, namely, Kasulu Urban, Kasulu Rural and Buhigwe on Tanzania side. The Kasulu to Nyakanazi Road section, which is focus of this study has a length of about 66.89 kilometres (km) and it is part of the multinational road project with the aim of connecting two countries, Tanzania and Burundi. The purpose of this project is to upgrade the Kasulu-Manyovu road including the Ring Roads (Western bypasses) to bitumen standard.

In Kasulu District, the road passes through two wards, namely, Kimobwa and Heru Juu, while in Buhingwe district, it covers six wards, which are Kavumo, Songambebe, Buhigwe, Kibigwa, Manyovu (Munanila) and Mkalanga thereby making Nyakanazi-Kasulu-Manyovu section in Tanzania. The detailed map showing traverses of the road is presented in Figure 2.1.



**Figure 1.1:** Map indicating the Project Site (Kasulu-Manyovu road)

## **CHAPTER THREE**

### **3.0 POTENTIAL IMPACTS**

#### **3.1 Introduction**

Any development is bound to impacts that may either be social, environmental or economic. Both new road construction and road upgrading projects are not different from other developmental projects. They are associated with positive and/or negative impacts to society; depending on the manner they affect human socio-economic activities, their welfare and existing environments as well as biodiversity. The central aim of this RAP was to analyse socio-economic impacts that are likely to occur due to the implementation of this project - the Kasulu-Manyovu Road section.

#### **3.2 Socio-economic Impacts**

Socio-economic impacts refer to all impacts directly or indirectly affect the welfare of given society - their economies, education, families, incomes and many others. The projects, particularly road projects are associated with displacements, intruders during project constructions, loss of biodiversity and demolitions, all of which affect people negatively. However, employments opportunities, improvement of transport services and elevate economic prosperities are among positive impacts as a result of project implementation. In the prevailing discussion, the socio-economic impacts are grouped into either negative or positive impacts as discussed the subsequent sub-sections.

##### **3.2.1 Positives impacts**

Construction of the project will have the following positive impacts on people along the constructed road section:

- i. Creating employment opportunities: society along the road section will benefit from temporary jobs including food vendors (Mama Ntilie) and so forth.
- ii. Rise in local incomes during construction phase: There will contractors, consultants and other new people engaged in the project such that their presence will contribute to elevate the economy of local people.
- iii. Improvement of transport as well as reduction in traffic problems related to poor condition of the existing road.

### 3.2.2 Negative Impacts

The following are anticipated negative impacts to affected people in the project area:

- i. Loss of properties; There will be loss of land parcels, residential houses, some commercial/business structures, crops etc.
- ii. Displacement of persons from their previous settlements.
- iii. There may occur sexually transmitted disease (including HIV) in the project area due to presence of new people from different areas seeking for temporary jobs at the construction sites.
- iv. Likelihood of family separations. Experience shows that many family heads tend to go to project area seeking for jobs thereby running away from their families, but also the same occurs to children.

However, out of these negative impacts, only impacts (a) and (b), which are potential and need to be well addressed prior to start of the project, while social education and consultation are needed to provide education to society against other negative impacts.

- v. School dropout: experience from other areas shows that children opt to leave school seeking for temporary jobs, especially those who are found nearby the project.

Some temporary employment will be created during construction period. The contractor will be advised to engage local skilled and unskilled labourers based on gender balance, for it is recommended that the workforce at site should be at least 30 percent women. Many people will be involved in provision of different services at the site, for example, food vending, specifically women, which will, in turn, raise their incomes.

Furthermore, the impacts can be categorized in different styles as follows:

- **Lifestyle impacts** – on the way people behave and relate to family, friends and cohorts on day-to-day basis.
- **Cultural impacts** – on shared customs, obligations, values, language, religious beliefs and other elements, which make a social or ethnic group distinct.

- **Economic impacts** –on land, properties and assets
- **Community impacts** – on infrastructure, services, voluntary organizations, activity networks and cohesion
- **Quality of life impacts** – on sense of place, aesthetics, heritage, perception of belonging, security as well as livability and aspirations for the future
- **Health impacts** – on mental, physical and social wellbeing, although these aspects are also the subject of health impact assessment
- **Livelihood impacts** –on activities related to income generation

### 3.3 Socio-economic impacts in the Project Affected Area

Social dislocation and displacement will occur due to land to be occupied by the project as well as loss of assets and/or properties. Approximately 365 households with a total number of 1632 people will be affected, in one way or another. The number of households was surveyed using Rapid Social Assessment (RSA) method.

**Table 3.1:** Impact on affected properties

<b>Affected Property</b>	<b>Number and category of affected property</b>	<b>Number of PAPs &amp; properties</b>
Land and structures	365 Residential structures	365
	Land and crops	352
	78 commercial structures	78
	Land only	237
Crops/trees only		578
Institution structures	4 churches, 4 Gov. offices (3 Mitaa and 1 CCM office), 1 primary school <b>8 Institutions Unidentified</b>	17
Graves	4	4
Fence	1	1
<b>Total PAPs</b>		<b>1632</b>



In the project area, there are 365 affected households out of which some will lose land only, while others will lose land and houses or land, houses and crops. Other PAPs are commercial buildings, institutions' building/assets as well as trees/crops. Among institutions to be affected, there are public institutions, primary schools, local government offices (Mitaa Offices) and religious buildings (churches).

### **3.4 Impacted properties**

#### **Loss of Assets**

Impacted properties are defined in this report, particularly in this chapter, as any property owned by the government, a community, privately or occupied by encroachers/squatters, such as piece of land, infrastructure facilities, access, front walls of houses or business place, trees and any other natural or human made features that would alter, rearrange or demolish to get required width for the proposed project.

Most affected private properties are land, residential/business houses, crops and trees. Moreover, there are properties owned by different public and religious institutions. They include four (4) churches and eight (8) institutions distributed as follows: one Primary School, four (4) local government offices and one **Ruling Part local office**. The institutions will lose structures, land or their utilities upon project implementation as it will be indicated in the final valuer report for compensation.

### **3.5 Loss of Livelihood**

According to African Development Bank **Involuntary Resettlement Policy (2003)**, when people must be displaced, they are treated equitably and that they share in project benefits. The objective of this policy is to ensure that disruption of people's livelihood in the project area is minimized and ensure that displaced people receive resettlement assistance to improve their living standards.

Livelihood is defined by Chambers and Conway (1991) as follows:

“Comprises the capabilities, assets (including both materials and social resources) and activities required for a means of living. A livelihood is sustainable when it can cope with and recover from stress and shocks and maintain or enhance its capabilities and assets both now and in future, while not undermining the natural resource base.”

The positive and negative impacts on any given livelihood will, in turn, impact others. This is particularly an important consideration when planning livelihood assistance, which is the major goal of this RAP.

## **CHAPTER FOUR**

### **4.0 ORGANIZATION AND RESPONSIBILITY**

#### **4.1 RAP implementation Organizations and Institutions**

A number of organizations and institutions will be involved with development implementation process of RAP at different levels as discussed in the next sub-sections:

##### **(a) Tanzania National Roads Agency (TANROADS)**

As soon as the RAP is cleared and finalized, TANROADS will formally disclose it in the country and among affected people. For this purpose, TANROADS will organize sessions for the affected PAPs and community at large. The sessions will be chaired by the RAP specialist from TANROADS and attended by Representatives from Kasulu Township Council, Buhigwe District Council and Wards/Village Government representatives. Adequate display materials will be utilized. TANROADS will ensure that all PAPs affected by the project are consulted and properly compensated prior to project start.

##### **(b) Ministry of Finance through TANROADS**

The Ministry of Finance (MoF), through TANROADS, will disburse compensation funds to TANROADS Regional office (Kigoma) to pay the PAPs and public Institutions eligible for compensation as indicated in the final valuation report. After compensation, communities will be given at least three months for resettlement. TANROADS will then authorize the Contractor to start demolition works.

##### **(c) Ministry of Lands, Housing and Human Settlements and Urban Development**

The Ministry of Lands and Human Settlements is responsible for policy, regulation and coordination of matters pertaining to land in Tanzania. The Ministry administers various Land Acts: Land Acquisition Act, the Land Act and the Village Land Act. In addition, land use planning, management and land delivery activities are conducted by the Ministry. The Commissioner of Lands administers most issues dealing with land allocation, land acquisition, land registration and land management. All instances of land acquisition for

public purposes and the need for resettlement and/or compensation must be referred to the Commissioner with regard to this RAP. The Ministry of Lands and Human Settlements will be responsible in making sure that amount of money paid to PAPs is equivalent to value of affected properties and signing of valuation reports.

#### **(d) Kasulu Township Council and Buhigwe District Council**

The Local Government (both Kasulu Township Council and Buhigwe District Council) in collaboration with TANROADS will dispatch dislocation notices to the concerned Kasulu-Manyovu Road affected PAPs, whose land and properties will be affected by the project.

#### **(e) Ward and Village Levels**

The local government system in Tanzania is based on Decentralization Policy and is enshrined in the Local Government (District Authorities) Act Number 7 of 1982, the Local Government (Urban Authorities) Act Number 8 of 1982 and the Regional Administration Act (1997). Local Government at Ward and Village levels will be main focal points of the whole RAP implementation activities. They include identification of PAPs because they are familiar with them as well as familiar with actual loss of the PAPs. Leaders of these authorities are local government representatives at their respective levels. Any complaints from the Project Affected People will be presented to Mtaa office in Kasulu urban and Village office in Buhigwe district to be discussed in the Mtaa/Village Grievance Redress Committee (GRM). If not resolved, the MGRC will forward the complaint to the District Grievance Redress Committee for further action (further details about GRM are presented in Chapter Nine).

#### **(f) Independent local NGO**

A local independent Non-governmental Organisation (NGO) will be hired to assist in raising public awareness on resettlement and facilitate local community participation in RAP implementation. The NGO will be involved to witness fairness and appropriateness of the whole process. It will also be involved in monitoring the resettlement process as well as establish direct communication with the affected population and community

leaders. Moreover, the local NGO will be involved in support of affected community in Grievance Redress and Resettlement Committee, respectively.

**Table 4.1. Institutional roles and responsibilities in RAP Implementation**

Name of institution	Roles and responsibilities
TANROADS	<ul style="list-style-type: none"> <li>• Disclosing of RAP to community after its preparation.</li> <li>• Organize sessions for the affected PAPs and community at large</li> <li>• Authorize the Contractor to start demolition works.</li> <li>• Dispatch dislocation notices to concerned PAPs in the project area.</li> <li>• Liaise with different government institution in RAP implementation</li> </ul>
Ministry of Finance	<ul style="list-style-type: none"> <li>• To disburse compensation funds to TANROADS</li> <li>• Regional office to pay the PAPs and public Institutions eligible for compensation.</li> </ul>
Ministry of Lands	<ul style="list-style-type: none"> <li>• Responsible in making sure that the amount of money paid to the PAPs is equivalent to the value of affected properties</li> <li>• Signing of valuation reports</li> <li>• Administers various Land Acts</li> <li>• Deals with land allocation, land acquisition, land registration and land management</li> </ul>
Ward, Village and Mtaa Level	<ul style="list-style-type: none"> <li>• Administrators at local level</li> <li>• Identification of PAPs because they are familiar with them</li> <li>• Receive and file grievances from the grieved affected party (PAP).</li> </ul>

	<ul style="list-style-type: none"> <li>• Hear and rule grievances through Mtaa Grievance Redress Committee (MGR).</li> <li>• Forward unresolved grievances to District Grievance Redress Committee (DGRC) known as Social Service Committee (SSC).</li> </ul>
Kasulu Township Council & Buhigwe District Council	<ul style="list-style-type: none"> <li>• Dispatch dislocation notices to concerned affected PAPs.</li> <li>• To assist vendors to access new market areas for their businesses.</li> </ul>
(Kasulu & Buhigwe District) Grievance Redress Committee (DGRC)	<ul style="list-style-type: none"> <li>• Receive unresolved grievances from MGRC</li> <li>• Hear and rule unresolved grievances forwarded from Mtaa Grievance Redress Committee (MGRC).</li> <li>• Forward unresolved grievances to an appropriate court.</li> </ul>
Independent local NGO	<ul style="list-style-type: none"> <li>• To raise public awareness on resettlement process</li> <li>• To facilitate local community participation in RAP implementation.</li> <li>• Member of Grievance Redress Committee to help PAPs on technical issues and create awareness on various matters.</li> </ul>

#### **4.2 Inter-Agency Coordination**

The RAP activities and process require inter-agency coordination among and between different institutions, agencies and organizations. The Ministry of Infrastructure will oversee that Government Policies and regulations related to road development and its related acts are in place. TANROADS as a project owner has responsibility of coordinating project activities including monitoring and evaluation of project

implementation. The Agency will hire a local NGO to assist in raising public awareness on resettlement and facilitate local community participation in RAP implementation on its behalf. However, TANROADS has to monitor activities of the hired NGO. The Agency has to liaise with other Government Institutions at different levels during Project Implementation. They include the local governments, Ministry of Lands, Housing, Human Settlements and Urban Development as well as the Ward and Mtaa Government.

The following three sub-committees shall be formed in implementing RAP:

- Resettlement Committee,
- Compensation Committee and
- Grievances Redress Committee.

The Committees' composition and responsibilities are outlined in **Table 4.2**.

**Table 4. 2: Committees and Responsibilities for RAP Implementation**

UNIT	RESPONSIBILITIES	MEMBERS
Resettlement Committee	<ul style="list-style-type: none"> <li>-Oversight management and coordination of RAP implementation activities and teams</li> <li>-Liaison with municipalities, districts, government agencies and other stakeholders</li> <li>-Review of periodic progress report in accordance with RAP guidelines.</li> </ul>	<ul style="list-style-type: none"> <li>-District Director (Chair)</li> <li>-Representative of TANROADS</li> <li>-Representative of Lands, Housing and Urban Development.</li> <li>-Representative of a Local NGO</li> <li>-Representatives of PAPs (one from residential tenants, one from Government institutions, and another from religious groups)</li> <li>-Representative from Local community</li> <li>-Representative from wards</li> </ul>
Compensation Committee	<ul style="list-style-type: none"> <li>- Coordinates management of compensation process</li> </ul>	<ul style="list-style-type: none"> <li>- District Director (Chair)</li> <li>- Representative of TANROADS.</li> </ul>

	<ul style="list-style-type: none"> <li>- Ensures compensation is consistent with RAP guidelines</li> </ul>	<ul style="list-style-type: none"> <li>- Representative of Ministry of Lands, Housing, Human Settlements and Urban Development.</li> <li>- Valuer</li> <li>- Two representatives of PAPs (One from individual PAPs and One from institutions)</li> </ul>
Grievance Redress Committee	<ul style="list-style-type: none"> <li>- Addresses entitlement issues, other disputes and concerns among PAPs and other stakeholders</li> <li>- Advices PAPs and other stakeholders on redress mechanisms which cannot be resolved.</li> <li>- Liaises with other authorities and Resettlement Committee</li> </ul>	<ul style="list-style-type: none"> <li>- District Director (Chair)</li> <li>- Representative of TANROADS.</li> <li>- Representative of Ministry of Lands, Housing and Urban Development.</li> <li>- Valuer</li> <li>- Two representatives of PAPs (one from individual PAPs and one from institutions).</li> <li>- Representative of a Local NGO</li> </ul>

## CHAPTER FIVE

### 5.0 COMMUNITY PARTICIPATION

#### 5.1 Consultation and Community Participation

Effective resettlement planning requires regular consultation with wide range of project stakeholders. Broadly defined, stakeholders include any individual or group affected by the project, either positively or negatively including the host community.



The overall goal of the consultation process was to disseminate project information and to incorporate views of various stakeholders in the project design, implementation; mitigation measures, management plan and Resettlement Action Plan. To date, eight (8) consultative meetings have already been done with the affected communities on 10<sup>th</sup>, 17<sup>th</sup>, 14<sup>th</sup> and 23<sup>rd</sup> April, 2018. Also there were series of consultative meetings with local government officials in all wards to be affected by the project i- Kimobwa and Heru Juu wards in Kasulu District as well as Songambe, Kavomo, Buhigwe, Kibwigwa, Manyovu and Mkatanga wards in Buhigwe district. Refer to **Table 1.2** in **Chapter One** under **Public Consultation**. A total of 61 persons including local government leaders were consulted in those meetings. Socio-economic information about persons is discussed later in the next chapter.

Public consultation ensured that all views from individuals, PAPs and local government representatives were adequately taken into consideration to be used in the decision-making process. Consultation with all stakeholders aimed at positively conveying information about the planned project development, clear up misunderstandings, allow a better understanding of relevant issues including the manner they will be dealt with and identify as well as deal with areas that are controversial while the project is still in its design stage.

## **5.2 Objectives of Public Participation and Consultation**

The following were objectives of public participation and consultation:

- i. To ensure transparency in all activities related to resettlement including its potential impacts;
- ii. To share fully information about the proposed project, its components as well as its activities;
- iii. To obtain information about needs and priorities of various stakeholders as well as acquire information about their reactions;

- iv. To improve project design thereby minimize conflicts as well as delays in implementation in relation to resettlement;
- v. To involve public at large together with their responsible institutions together with organizations in project design as well as planning;
- vi. Information dissemination to people about the project as well as resettlement; and
- vii. Understanding local people's perceptions on the project.

### **5.3 Identification of Stakeholders for Consultation**

Preliminary site visits were carried out from 5<sup>th</sup> to 16<sup>th</sup> April 2018 in gathering adequate information at the site on issues related to the Resettlement Action Plan, identification of spatial boundaries and pre-identification of all stakeholders who will be affected by the project. The following stakeholders were identified and consulted:

**a) Institutional stakeholders:** The following were institutional stakeholders, whose decisions might affect the proposed development project:

#### **(i) Ministries**

- Prime Minister's Office, Regional Administration and Local Government (PMO-RALG)
- Lands, Housing, Human Settlement Development and Urban Development
- Water and Irrigation

#### **(ii) Local governments**

- Kasulu District Council (KDC) and Kasulu Township Council (KTC)
- Buhigwe District Council (BDC);
- Kimobwa and Heru Juu Wards in Kasulu district;
- Songambebe, Kavomo, Buhigwe, Kibwigwa, Manyovu and Mkatanga wards in Buhigwe District; and
- Mtaa and Village government officials in the project area.

### **(iii) Others**

- Tanzania National Roads Agency (TANROADS), Kigoma Regional Office
- Kasulu Water and Sewerage Authority (KUWASA)

#### **▪ Individual stakeholders:**

Individual stakeholders referred to those owning, living or working within the immediate impact area that will experience the highest level of impacts resulting from project implementation. They include the following:

- 365 affected households within the project area,
- 17 affected institutions and
- 78 affected commercial properties.

## **5.4 Public Consultative and Participatory Meetings**

### **5.4.1 Methods of stakeholder participation**

Interviews with stakeholders and consultations were the main methods followed during the process of this Resettlement Action Plan. The team involved key identified stakeholders in order to gather issues of concern in relation to project implementation.

In respect of the intended project activities, stakeholders that were consulted raised concerns on several issues that need attention. Raised concerns vary from one type of stakeholders to another (from Ministerial and Municipal officials to Wards/Sub-wards concerns). Some of the raised issues included the following:

- Land acquisition;
- Loss of livelihoods;
- Land and property compensation;
- Employment;
- Time of project implementation;
- Cost and space for relocation of utilities;
- Space for relocation of utilities; and
- Institutional properties' compensation

#### **5.4.2 Notification to stakeholders**

Stakeholders were notified prior meeting with them. Notifications were through letters, telephone communication and physical visits.

#### **5.4.3 Interviews with Household Heads**

The socio-economic survey in this RAP covered a total of 116 PAPs (household heads). The interviews did not cover affected institutions and commercial properties. The socio-economic survey was conducted using a structured questionnaire. The questionnaire contained information ranging from demographic data, family size, employment status, and other aspects related to affected households.

#### **5.4.4 Official meetings with Ward/Mtaa leaders**

Mtaa public meetings were conducted using a checklist. Mtaa officials including Chairpersons, Mtaa Executive Officers (MEOs) as well as committee members were invited and they participated effectively.

#### **5.4.4 Meetings with Local Government officials**

Kasulu Town and District Council Directors were notified and consulted. A checklist and open discussions were applied during meeting with them.



**Plate 5.1:** Consultative meeting with PAPs at Kumsenga Mtaa, Kasulu Town



**Plate 5.2:** One of the consultative meetings with local people at Heru Juu Area

**Table 5.1: PAPs' views and concerns aired during consultative meetings**

<b>S/N</b>	<b>Concerns/comments</b>	<b>Remarks</b>
01	Compensation should be done in time after valuation of persons' properties. Majority of PAPS preferred cash compensation instead of in-kind compensation.	Compensation will be implemented as soon as possible.
02	Some people wanted to know the fate of houses previously marked with different signs such as red X and white words. The question was related those who wanted to develop their land and houses.	No one is allowed to start any developmental activity at the moment until they are informed by TANROADS what to do.
03	Some PAPs wanted to know about procedures to be adhered to in compensation of affected households in case there is no household head due to death or other reasons.	There will be a formal procedure outlined in the laws such that one household representative will be chosen from household members to receive compensation packages on behalf of the family.
04	Some PAPs feared that their houses will be partly demolished during implementation of the Kasulu-Manyovu Road project. In case that happens, how will such houses be compensated?	According to the RAP, all affected houses will be demolished in full. Therefore, cash compensation will be paid to the house owners in full.

05	Some PAPs wanted to be assured if they will be treated fairly in compensation - will they be compensated fairly according to their lost properties?	They were assured that fairness will prevail during the compensation process and they will be paid on time.
06	Since most houses in the project area were built some years ago when the cost of construction was low, will valuation process consider them in current prices?	It is obvious that valuation process will be done based on current prices.
07	It was feared that the project will start soon. Many people recommended that PAPs should be given an ample time after compensation to find suitable places where they can build other houses before the affected houses are demolished.	After compensation process, all PAPs will be saved notice of not more than three months to find suitable places.
9	Some people wanted to know about procedures to be adopted in compensation in case the affected property is owned by an institution.	Payments will be paid to the representative from the respective institution.
10	Some PAPs wanted to know how inherited land or house, which has been affected by the project will be compensated and to whom	According to Tanzanian laws, compensation will be done to one of the family members who will be appointed from the particular family and approved by the Court.

## **CHAPTER SIX**

### **6.0 SOCIO-ECONOMIC BASELINE INFORMATION**

#### **6.1 Introduction**

Socio-economic baseline conditions were prepared using household surveys, focus group discussions as well as key-informant interviews. Interviews were conducted in all affected wards of the two districts to be affected by the project. The wards included Kimobwa and Heru Juu (Kasulu district) as well as Kavomo, Songambebe, Buhigwe, Kibigwa, Manyovu and Mkatanga (Buhigwe district). The interviews were conducted to household heads, while focus group discussions were conducted with RAP expert and PAPs' representatives, while key-informants methods were applied to get opinions, instructions, views and concerns from leaders of local governments and/ institutions concerned.

#### **6.2 Social Services in the Project Area**

In Kasulu Township Council, there are two wards to be affected by the project, which are Kimobwa and Heru Juu, while in Buhigwe district, there are about six (6) wards to be affected by the project, namely, Kavomo, Songambebe, Buhigwe, Kibigwa, Manyovu and Mkatanga. In Kasulu urban, there are sub-wards or mitaa administratively led by MEO, while in Kasulu rural and Buhigwe districts, there are villages administratively led by VEOs. Both MEO and VEO offices are the nearest local government offices to solve persons' problems in their respective areas and this RAP ensured that they were consulted during the RAP process.



### **6.3 Objective of Census and Socio-economic Survey**

The census and socio-economic survey for PAPs are important for planning of resettlement. The census and survey assist in depicting social structures of the population and their distribution to inform resettlement planning. The main objectives of conducting census and socio-economic studies included the following:

- To collect census data to identify PAPs at individual and household levels;
- To collect census data to identify vulnerable as well as severely affected PAPs;
- To identify stakeholders, identify impacts of the proposed project area especially on the livelihood of the PAPs (properties, structures, income and the like);
- To identify any PAPs' concerns; and
- To identify resettlement PAPs' preferences.

### **6.4 Methodology for Undertaking PAP Census and Socio-Economic Profile**

The socio-economic survey was undertaken using a questionnaire for households in carrying out the census. Questionnaires were administered to get specific information so as to define and characterize the affected persons' assets. The information aimed to be gathered by the questionnaire included family demographic data, economic data, employment status, their assets and the like. The socio-economic survey covered 116 households out of 365 (equivalent to 31.78%).

### **6.5 Socio-economic situation for the PAPs**

This section describes socio-economic characteristics of the PAPs (116) that will be affected by the proposed construction of Kasulu-Manyovu Road section in Kigoma Region. The purpose was to obtain data on baseline socio-economic conditions, namely, demographic data, vulnerability, social- cultural characteristic, economic activities and social services that will enable doing resettlement planning. The study also enabled the consultant to get PAPs' categories, preferences and their livelihoods.

The Socio-economic survey of PAPs at Kasulu-Manyovu road section was conducted in April, 2018 using 116 household questionnaires for PAPs along the project area. During analysis, all 116 household questionnaires, almost 31.78 percent of the total population of the sample were involved. The analysis was also based on specific issues such as gender and vulnerable groups (elderly persons, disabled, widows, orphans and long time sick people). Other pieces of information sought by the study involved PAPs' education levels, their livelihoods, incomes to find out compensation preferences and locations where PAPs would prefer to settle after relocation process.

Majority of PAPs who own houses are peasants and their economy depends mainly on agriculture. The survey revealed that the higher percent of PAPs (46.6%) have their income ranging from 50,001 to 100,000/=Tanzanian Shillings, while only 7.8 percent have incomes above 1000,001 Tanzanian shillings.

There are 365 houses used for residential purpose that will be affected in the project area. Apart from such residential houses, there are seventy eight (78) commercial properties including structures and a total of seventeen (17) institutions. Among institutions they include one primary school, four churches and three Mtaa/village governments' offices. Compensation for 365 residential houses will cover structures plus allowances for accommodation, disturbance and transport, while compensation for any commercial structure will cover structures plus allowances such as loss of profit, disturbance and transport allowance.

### **PAPs' Education Levels**

Majority of household heads in the project area have primary education (64.7%), 2.6 percent have secondary education, 3.4 percent have diploma education and the remaining 29.3 percent are not educated at all. None of interviewed PAPs had degree education (Table 6.1).

**Table 6.1: Household Heads' Education Levels in the Project Area**

Education level	No. PAPs	Percent
Diploma level	4	3.4%
Secondary education	3	2.6%
Primary school	75	64.7%
Illiterate	34	29.3%
<b>Total</b>	<b>116</b>	<b>100%</b>

**Source: Socio-economic Household Survey April 2018**

### **6.6 Location of residence of the PAPs in the surveyed households**

All the PAPs (100%) were found to live within the project area and none were reported to be living outside the project area.

### **Compensation preferences**

According to socio-economic survey conducted in the project area, 115 out of 116 interviewed PAPs preferred cash compensation and only one PAP preferred in-kind compensation.

### **6.7 Uses of project affected houses**

From the survey, it was found that out of 116 PAPs involved in a study, 113 (97.4%) PAPs own residential houses (Table 6.2). The remaining 3 (2.6%) PAPs own combined residential and business buildings (Table 6.2). There are also four religious buildings, which will be affected.

**Table 6.2: Uses of project affected houses**

Uses of Affected Houses	Number	Percent
Residential	113	97.4
Residential and Business	3	2.6
<b>Total</b>	<b>116</b>	<b>100.0</b>

### 6.8 Buildings materials of affected houses

According to the survey results, it was revealed that materials for buildings to be affected (116) are made from the following: materials used for floors mainly mud floor (80.2%), for roofing materials they include 101 (87.1%) houses corrugated iron sheets and 15 (12.9%) are thatched with grasses (Table 6.3). For walling materials, 58 (50%) houses are of mud bricks and the remaining (50%) are of burnt bricks (Table 6.3).

**Table 6.3: Building Materials for PAPs' Houses**

<b>(a) Floor</b>	No of Houses	Percent
Tiles floor	1	0.9
Cement floor	22	19.0
Mud floor	93	80.2
Total	116	100.0
<b>(b) Walling</b>		
Mud bricks	58	50.0
Burnt bricks	58	50.0
Total	116	100.0
<b>(c) Roofing</b>		
Iron sheet	101	87.1
Grasses	15	12.9
Total	116	100.0

**Source: Socio-economic Survey (April, 2018)**

### 6.9 Land Ownership and means of Land Acquisition

According to the valuer's report, about 188 PAPs own whereby 113 own both land and crops; 33 PAPs own only land; 39 PAPs own land, residential houses as well as crops; and 3 own land, graves and crops. Other land issues are associated with the residential and commercial and institution structures. It was also revealed that most of individual PAPs who own land to be affected acquired it through buying (53.4%), while 35 (30.2%)

inherited from parents or relatives and the remaining (16.4%) were allocated through Village Leadership (Table 6.4).

**Table 6.4: PAPs who own land and means used to acquire land**

<b>Means of Acquiring land by PAPs</b>	<b>No. of PAPs who own land</b>	<b>Percent (%)</b>
Buying	62	53.4
Inherited from parents/relatives	35	30.2
Allocated through Village leadership.	19	16.4
Total	116	100.0

**Source: Socio-economic survey, April, 2018**

### **6.10 Gender Issues in Relation to Land and Property Ownership**

Land is one of the gender sensitive issues in Tanzania. Many ethnic groups tend to exclude women in owning land. It is because of this prevailing habit, the Government of Tanzania and many financial institutions include gender consideration among other conditions to be adhered to during resettlement implementation, particularly in land taking developments. Land is considered as one of the most fundamental resources to women's living conditions, economic empowerment and, to some extent, their struggle for equity as well as equality. However, despite the fact that their right to own properties like land is already established by the constitution, such rights are denied due to cultural factors and their decisions on land matters are relatively weaker than that of men. Some gender experts have narrated that inadequate analysis of the gender aspect in changing of the land tenure system also contribute to the problem.

Women have been caught between cultural and traditional restrictions, which deny them independent land ownership rights. Like all other Tanzanian citizens, women have the legal right to own land under the 1999 Land Act. However, due to lack of independent financial resources and traditional gender roles, women rarely buy land either independently or jointly with their husbands. Household land is commonly titled only in

the name of the male household head. Women living in households that own land often access to land but rarely have legal ownership to land.

According to the socio-economic survey results, out of the 116 PAPs surveyed, about 72 (62.1%) were male headed households, while 44 (37.9%) of PAPs were female headed households. Moreover, low education level, lack of property ownership, limited decision-making powers in the households and pre-occupation with household chores are among indicators of women's low socio-economic status in the households and families.

In order to make sure that women are not left out behind, especially illiterate ones under the RAP, such women will be assisted by their literate relatives. In addition, an NGO will be hired to take the responsibility of conducting seminars and sensitizing the PAPs on good ways of using compensation money by involving their spouses. Also since, according to the socio-economic study done for the RAP, control over earning and property ownership in most families is still a problem to women. TANROADS will make sure that the NGO to be hired will assist women in interpretation of the payment schedule and opening up of bank accounts. Moreover, future consultation meetings of this RAP will include one of the agendas to be discussed that will involve women's participation and representation in the implementation process.

## **CHAPTER SEVEN**

### **7.0 POLICY AND LEGAL FRAMEWORK**

#### **7.1 Introduction**

This chapter outlines the policy framework governing resettlement of project displaced persons, their relocation and compensation. It surveys and hence, summarizes both national policies (Tanzania) as well as the project financing institution (AfDB). Currently, there is no specific Resettlement Policy in Tanzania and instead, all resettlement issues

have been guided by National Policies and Laws related to land issues. Also the government of Tanzania has been implementing resettlement policies of project financing agencies, depending on their applicability in our country. The Ministry of Works prepared the Road Sector Compensation and Resettlement Guidelines, which are adhered to during implementation of road projects. Prior to enactment of a legal framework to govern land issues in Tanzania, there existed various statutes that dealt with land matters. With such multiplicity of statutes, responsibility for enforcing them were spread over a number of sectoral institutions, ranging from national to local authority levels. In 1995, the government of Tanzania developed the National Land Policy to streamline the system of land administration.

For projects funded by development partners, resettlements are also implemented in accordance with requirements of respective Development Partner.

## **7.2 Policy**

### **7.2.1 The National Land Policy (1995)**

The National Land Policy (1995) provided that a dual system of tenure, which recognizes both customary and statutory rights of occupancy as being equal in law be established. The policy further establishes that land has value and that land rights including interests of citizens owning land shall not be taken without due process of law and with full, fair and prompt compensation once land is acquired. In principle, the Minister responsible for land matters is the sole authority on land issues. But the policy involves the public and private institutions, whose functions are associated with land, namely, local authorities, communities, Non-governmental organizations (NGOs) and community-based development organizations (CBO) to participate as well as co-operate with the minister at different levels during policy implementation and utilization of land.

The land policy stipulates that all land is public land, vested in the president as a trustee and that this should be entrenched in the constitution. According to the policy, administration of village land is vested in the village councils. Village councils have to consent before any alienation of village land is affected. In case of land allocations, village

councils shall report to respective village assemblies. To address the problem of multiple land allocation and its resultant disputes, the Commissioner for Lands is the delegated sole authority for administration of land. He may appoint officers to administer on behalf.

### **7.2.2 National Human Settlements Development Policy (2000)**

The overall goal of the policy is to promote development of sustainable human settlements and to facilitate provision of adequate affordable shelter to all people, including the poor. The policy outlines a number of objectives including environmental protection within human settlements and protect natural ecosystem against pollution, degradation as well as destruction with the aim of attaining sustainable development.

The policy recognizes provision and improvement of service delivery infrastructures like roads for improvement of livelihoods and human settlements. Inadequacy of shelter delivery system to cater for urban population has led to an extensive development of squatters and unplanned settlements.

### **7.2.3 The AfDB Involuntary Resettlement Policy (2003 approved in 1990)**

The primary goal of the AfDB Involuntary Resettlement Policy is to ensure that when people must be displaced by the AfDB financed projects, they are treated equitably and that they share in benefits of the projects that involve resettlements. In general, the Resettlement Policy is applicable where displacement of people is unavoidable and all other alternatives, which can minimize the impacts, are unavailable.

The following are the guiding principles of the Resettlement Policy:

- (a) The borrower should develop a Resettlement Plan where physical displacement and loss of economic assets are unavoidable. The plan should ensure that displacements are minimized and that displaced persons are provided with assistance prior to, during and following physical relocation.



(b) Compensation at full replacement cost for loss of lands and other assets should be paid prior to project implementation with the view to improve the former living standards, income earning capacity and production levels of the affected population. The improvement of living standards should also apply to host communities. In addition, needs of disadvantaged groups (landless, female headed households, children, elderly, minority ethnic groups, religious groups linguistic groups and so forth) must be at the centre of the development approach.

(c) Economic and social benefits should be taken into account in determining requirements for compensation. Under the Policy, only displaced populations having formal legal rights to lands, assets or those who can, under the country customary laws are considered and will be fully compensated for loss of land or assets.

(d) Displaced persons and host communities should be meaningfully consulted early in the planning process and encouraged to participate in the planning and implementation of Resettlement Program. Displaced persons should be informed on their options and rights pertaining to resettlement. They should be given genuine choices among technically and economically feasible resettlement alternatives.

(e) Re-settlers should be integrated socially and economically into host communities so that adverse impacts on host communities are minimized.

(f) Particular attention should be paid to needs of disadvantaged groups among those displaced, especially those below the poverty lines, the landless, the elderly, women, children as well as ethnic, religious and linguistic minorities including those without legal title to assets and female headed households. Appropriate assistance should be provided to help these groups to cope with dislocation and improve their status. Provision of health care services particularly to pregnant women and infants may be important during and after relocation to prevent the increase in morbidity and mortality due to malnutrition, the psychological stress of being uprooted and the increase in risk of diseases.

(g) Displaced persons should be compensated for their losses at full replacement costs prior to their actual move or before taking of land related assets or commencements of project activities, whichever occurs first.

(h) The total cost of the project as a result should include the full cost of all resettlement activities factoring in loss of livelihoods and earning potential among the affected persons. Such attempt to calculate the total economic cost should also factor social, health, environmental and psychological impacts of the projects and displacements, which may disrupt productivity as well as social integration.

### **7.3 Legislation**

#### **7.3.1 Land Act [1999]**

Essentially, the Land Act Number 4 of 1999 regulates urban land. For Mainland Tanzania, the Land Act (1999), Land Regulations of 2001 and government Standing Order on expropriation for public utilities prescribe that holders of occupancy rights on land pre-empted for public works must be compensated and assisted in relocating their assets to the nearest suitable place. Most expropriation disputes, on similar public works, are due to disagreement on value at which an estate and its improvements are to be compensated. Compulsory resettlement of buildings, farms and business premises must ensure at least equal compensation values. Accordingly, the expropriated owner must be compensated with a price equal to value that the “un exhausted improvement” (buildings, infrastructure, plantations and so on) would fetch if sold on the open market. That value is defined as the cost of acquiring a similar estate and putting up such improvement as those existing when evaluated. Allowance is made for age, state of repair and economic obsolescence. According to Tanzanian law, compensation should cover the following:

#### **(a) Real Property (Buildings)**

The compensation of real property like building will include:

- (i) Market value of the real property (value of un-exhausted improvement and land);

- (ii) Accommodation allowance (market rent of the affected building per month multiplied by 36 months);
- (iii) Loss of profit allowance, which is assessed by establishing net profit per months evidenced by audit accounts multiplied by 36 months;
- (iv) Disturbance allowance, which is calculated by value of land by average percentage rate of interests offered by commercial banks on 12 months fixed deposits at the time of loss of interests in land; and
- (v) Transport allowance as actual cost of transporting 12 tons of luggage, rail or road (whichever is cheaper), within 20 kilometers from the point of displacement.

#### **(b) Real Estate Compensation Rule**

According to the current applicable legislation in Tanzania, land has value. Land owners with either a title deed or customary ownership must be compensated in cash for losing land for other development purposes. The government will simply provide the resettled owner with alternative plots of the same size in the nearest suitable location for both residential and business purposes. The resettled individuals have to buy the alternative plot for resettlement.

#### **(c) Farmland Compensation Rule**

Since the project area is located in the urban area, no farmland will be affected. In due regard, farmland compensation rule would not be applicable.

### **7.3.2 Land Acquisition Act Number 47 of 1967**

Land Acquisition Act of 1967 stipulates power and procedures for acquiring land and the required degree of compensation. Sections 3 and 4 of the Act provide that the president may acquire any land for any estate or term provided such land is required for public purposes such as for exclusive government use, general public use, any government scheme, development of social services or commercial development of any kind including declamation. According to Section 5, if the President considers land in a certain locality

to be appropriate, it should be examined for possible acquisition by any persons authorized by the Minister, who may do the following:

- Enter upon and survey any land in such locality;
- Dig or drill under the subsoil; and
- Clearly set and mark boundaries of land proposed to be required.

The law forbids entrance into any buildings or closed garden attached to dwelling house without first giving three days' notice. Any damage that results from activities of the authorized person must be compensated. In case of a dispute on the amount of compensation, the Regional Commissioner will make a decision.

Section 6 requires the Minister to give notice to all interested persons or those claiming to be interested in such land. Sections 7 and 8 of the same Act provides for publication of a notice in the gazette to interested persons requiring them to yield up possession of such land. Section 9 forbids a party from being compelled to sell or convey part of a house if he is willing to yield the whole house or building in the process of acquisition.

Section 11 (1) provides for compensation by the government to the person, whose land is acquired. The president, with consent of the person entitled to compensation, may grant public land not exceeding in value of land acquired, for an estate not exceeding the state acquired and upon the same terms and conditions of land acquired instead of or in addition to any compensation.

### **7.3.3 Compensation Disputes Section 13 (1)**

This deals with issues where any land is acquired and dispute over compensation arises in any of the following matters:

- The amount of compensation;
- The right to acquire land;
- The identity of person/persons entitled to compensation;
- Application of Section 12 to the Act;

- Any right, privilege or liability conferred or imposed by this Act; and
- Appointment of compensation between the person entitled to the same and such dispute or parties concerned do not settle a disagreement within six weeks from publication of notice that land is required for public purposes.

According to the section, the Minister or any person claiming interest in land may institute a suit in the court for determination of dispute.

### **7.3.3 Urban Planning Act of 2007**

The Urban Planning Act of 2007 repealed the Town and Country Planning Act Cap 378. Under Section 67, the Urban Planning Act of 2007 states that compensation shall be paid as provided under Land Act Cap 113 and Village Land Act Cap 114.

Section 63 of the Act provides that value of any land within a planning area for the purpose of determining the amount of compensation payable should be calculated in accordance with provisions of the Land Act, Cap 113. It includes temporary development of any land within the planning area unless planning authority gives planning consent on condition that the value of such temporary development shall not be taken into account for purposes of assessing any compensation payable to the landholder of such land.

### **7.3.4 Land Use Planning Act of 2007**

Provisions on compensation in this Act are, to a large extent, similar to those of the Urban Planning Act of 2007. Section 39 of the Act provides that compensation to required land will be determined and paid according to the Land Act, Cap 113 and Village Land Act, Cap 114.

### **7.3.5 The Road Act of 2007**

Part III, Section 16 of the Act addresses the issue of compensation for acquired land for road development. The Section emphasizes that where it becomes necessary for the road authority to acquire land owned by any person for the purpose of this Act, owners of such land shall be entitled to compensation for any development on such land in accordance with the Land Acquisition Act (1967), Land Act of 1999, Village Land Act of 1999 and any other written law.

### **7.3.6 Road Sector Compensation and Resettlement Guidelines**

Road construction projects often necessitate land acquisition for the purpose of the road corridor and road reserve. That may result into encroachment of land and property, damage to sites of cultural or personal importance, disruption of sources of incomes and in displacement of people. In most cases, disruption occurs against wishes of those affected or without their informed consent, despite their status as project beneficiaries.

The purpose of the guidelines is to provide a consistent approach in the development and implementation of compensation as well as Resettlement Plan in the road project implementation. Use of the guidelines is one of the strategies to integrate compensation and resettlement process from the planning phase of the road projects.

## **7.4 Gap Analysis of National Laws vis-à-vis AfDB Resettlement Policy**

The Consultant reviewed implications of legal rights to property and/or title to implementation of any possible involuntary resettlement, including compensation packages and eligibility criteria. Tanzania's policies and legislation vis-à-vis AfDB Policy on involuntary resettlement were reviewed.

Any Resettlement Action Plan has to be consistent with Tanzanian laws and AfDB Policy, whichever is highly stringent. A gap analysis was undertaken in order to measure difference between Tanzanian laws and the AfDB Policy requirements. Table 7.1 provides a summary comparison of legal and international requirements including variations with Tanzanian legislation. Where there is a difference between the two, the higher standard will prevail:

**Table 7.1: Comparison of Tanzania and World Bank policies on Resettlement and compensation**

<b>Content</b>	<b>Tanzanian Legislation</b>	<b>AfDB Policy</b>	<b>Gaps/Measures</b>
<b>Land Owners</b>	The Land Acquisition Act of 1967, the Land Act of 1999 and the Village Land Act of 1999 have it clearly stipulated that land owners, with or without formal legal rights are entitled to full, fair and prompt compensation. They also get disturbance allowance, transport and loss of profit if they were in actual occupation of the acquired property. Loss of assets is limited to “unexhausted improvements,” that is, developments on the land. The law does not cover economic and social impacts of relocation.	PAPs are classified into 03 groups: (a) those who have formal legal rights including customary and traditional rights; (b) those who do not have formal legal rights to land but have claims to such land or assets provided that such claims are recognized under the law of the country; and (c) those who have no legal rights to land they are occupying. Land owners of (a) and (b) above are among PAPs who are entitled to full, fair and prompt compensation as well as other forms of relocation assistance. Socio-economic impacts to PAPs are taken into consideration in preparing the RAP.	There is no gap between Tanzania laws and AfDB Policy as far as those with formal legal rights and those without formal legal rights are concerned. However, the lost assets in Tanzania are restricted to land and developments on land, and where relevant, loss of profits. The lost assets under AfDB are much wider than land and include loss of access to livelihoods and living standards. It seeks to improve them or at least to restore them to pre-displacement levels.



<b>Content</b>	<b>Tanzanian Legislation</b>	<b>AfDB Policy</b>	<b>Gaps/Measures</b>
<b>Land Users</b>	Tanzanian law on compulsory acquisition and compensation is limited to those who can prove <i>de jure</i> or <i>de facto</i> land ownership and those who have land use rights or customary rights. Illegal users are not covered under Tanzanian laws	AfDB Policy includes displaced persons who have no recognizable legal right or claim to land they are occupying.	All affected persons should be entitled to some form of compensation whether or not they have legal title.
<b>Encroachers</b>	Persons who encroach on the area are not entitled to compensation or any form of resettlement assistance. Encroachers have to demolish their assets without any compensation and if they refuse, the authority concerned will demolish at their costs. It is strictly prohibited to especially build houses or to plant permanent crops within unauthorized areas.	Persons who encroach on the area after the cut-off date are not entitled to compensation or any form of resettlement assistance.	Those who encroach the area after cut-off date are not compensated. Those who have been in the land before the cutoff date have the same fate.

<b>Content</b>	<b>Tanzanian Legislation</b>	<b>AfDB Policy</b>	<b>Gaps/Measures</b>
<b>Timing of Compensation Payment</b>	Tanzanian law requires that compensation be full, fair and prompt. Prompt means it should be paid within 06 months after valuation, failure to do which attracts an interest rate equivalent to the average rate offered by commercial banks on fixed deposits. Legally, compensation for the acquired land does not have to be paid before possession can be taken, but in current practices, it is usually paid before existing occupiers are displaced. In practice, compensation is not paid promptly for most of time, and delays are not rectified in paying the interest rate as required by the law.	A displaced person is provided prompt and effective at the full replacement cost for losses of assets directly attributable to the project.	In terms of timing, both Tanzanian laws and AfDB require that compensation should be paid promptly and before any activities are started in the affected land. However, it rarely happens in practice as can be testified from projects that have involved large scale land acquisition.

<b>Content</b>	<b>Tanzanian Legislation</b>	<b>AfDB Policy</b>	<b>Gaps/Measures</b>
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<b>Calculation of Compensation and Valuation</b>	<p>According to land Assessment of the value of Land for Compensation Regulations of 2001 as well as the Village Land Regulations of 2001, compensation for loss of any interest in land shall include value of unexhausted improvements, disturbance allowance, transport allowance, accommodation allowance, and loss of profits. The basis for assessment any land unexhausted improvement for purpose of compensation is the market value of such land. The market value is arrived at by use of a comparative method evidenced by actual recent sales of similar properties or by use of income approach or replacement cost method, where the property is of special nature and not saleable. In practice, with land, an attempt is made to establish market value from recent sales, but these are</p>	<p>AfDB Policy requires that displaced persons should be provided with prompt and effective compensation at full replacement cost for losses of assets attributable direct to the project. Replacement cost is the method of valuation of assets that helps to determine the amount sufficient to replace lost assets and cover transaction costs.</p> <p>Depreciation is not to be taken into account when applying this method. For losses that cannot easily be valued or compensated in monetary terms (e.g., access to public services, customers and suppliers or to fishing, grazing or forest areas), attempts are made to</p>	<p>Tanzanian law provides for calculation of compensation on the basis of the market value of lost land and unexhausted improvements, plus disturbance, accommodation allowance, and loss of profits where applicable. Since depreciation is applied, the amount paid does not, in most cases, amount to that required to replace the lost assets. Besides, other types of assets (besides land) are not taken into consideration. Tanzanian laws are restricted to land and developments on land and loss of profits, whereas AfDB Resettlement Policy</p>
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	usually not transparent. As for unexhausted improvement in terms of buildings and other civil infrastructure, the depreciated replacement cost approach is used.	establish access to equivalent and culturally acceptable resources and earning opportunities.	considers all types of losses and provision of alternative compensation measures.
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<b>Content</b>	<b>Tanzanian Legislation</b>	<b>AfDB Policy</b>	<b>Gaps/Measures</b>
<b>Relocation and resettlement</b>	Tanzanian laws do not provide for relocation and resettlement. However, there are few cases where the government has provided both compensation and alternative land, but this has been done at its discretion. In general, however, the government feels that it has discharged its duty once compensation is paid and it is up to the displaced persons to resettle and re-establish themselves elsewhere.	AfDB stipulates that where project impacts include physical relocation, measures should be taken to ensure that the PAPs are: (i) provided with assistance during relocation, and (ii) provided with residential housing or housing sites or as required, agriculture sites for which a combination of productive potential, location advantages	Tanzanian law provides for transport allowance for 12 tons of luggage for up to 12 km from the acquired land, provided the displaced person was living on that land. <i>In lieu</i> of housing, accommodation allowance is made in form of rent for 36 months. Occasionally, in a discretionary manner, alternative land is awarded.

		and other factors is at least equivalent to advantages lost.	
<b>Completion of resettlement and compensation</b>	The government can, under the law, take possession of acquired land at the end of the notice to acquire period, before paying compensation. Current practice, however, is such that possession is usually after payment of compensation whereby displaced persons are given time to vacate the land, which is usually as soon as possible.	It is necessary to ensure that displacement or restriction to access does not take place before necessary measures for resettlement are in place. In particular, taking of land and related assets may take place only after compensation has been paid, where applicable, resettlement sites and moving allowance have been provided to displaced persons.	The Land Acquisition Act of 1967 allows the government to take possession of the acquired land before paying compensation. Current practice endeavours to pay compensation before taking possession of land.

<b>Content</b>	<b>Tanzanian Legislation</b>	<b>AfDB Policy</b>	<b>Gaps/Measures</b>
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<b>Livelihood restoration and assistance</b>	There are no legal provisions requiring the government to restore livelihood or to provide assistance towards restoration of such livelihoods. Indeed, compensation is not payable in case of restrictions to access to areas of livelihood opportunities. Moreover, there are no provisions that require the government to pay special attention to vulnerable groups or indigenous peoples.	Resettlement plan or policy includes measures to ensure that the displaced persons are: (i) offered support after displacement for transitional period, based on a reasonable estimate of time likely to be needed to restore their livelihoods and living standards; and (ii) provided with development assistance in addition to compensation measures, such as land preparation, credit facilities, training or job opportunities.	There are no transitional measures provided for under Tanzanian law and practice, nor are there provisions for compensation as a result of restriction to access livelihoods. The Tanzanian law does not make provisions requiring the government to pay special attention to vulnerable groups in administration of compensation.
<b>Consultation and disclosure</b>	There are scanty provisions related to consultation and disclosure in Tanzanian law. The notice, under the Land Acquisition Act, informs land owners about the President's need to acquire their land, and their right to	AfDB Policy requires consultation of PAPs, the host communities and local NGOs, as appropriate. Provide them opportunities to participate in planning, implementation and	The provisions in AfDB Policy requiring consultation and disclosure have no equivalence in Tanzanian law and practice.

	give objections. The Land Act allows displaced persons to fill in forms requiring that their land be valued and giving their own opinions as to what their assets are worth. Since resettlement is not provided legally, there are no provisions about informing displaced persons about their options and rights, nor are they offered choice among feasible resettlement alternatives.	monitoring of the resettlement program, especially in the process of developing and implementing procedures for determining eligibility for compensation benefits and development assistance (as documented in a resettlement plan) and for establishing appropriate as well as accessible grievance mechanisms.	
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<b>Content</b>	<b>Tanzanian Legislation</b>	<b>AfDB Policy</b>	<b>Gaps/Measures</b>
<b>Grievance mechanism and dispute resolution</b>	Under Land Acquisition Act, where there is a dispute or disagreement relating to: (a) the amount of compensation; (b) the right to acquire the land; (c) the identity of persons entitled to compensation; (d) the application of Section 12 to the Land Act; (e) any right privilege or liability conferred or imposed by this Act; (f) the	AfDB provides that displaced persons and their communities, and any host communities receiving them are provided with timely as well as relevant information, consulted on resettlement options and offered opportunities to participate in	The Tanzanian Law does not provide for establishment of grievance resolution mechanisms specific to particular resettlement cases.

	<p>apportionment of compensation between persons entitled to the same and such dispute or disagreement is not settled by the parties concerned within six weeks from the date of the publication of notice that the land is required for a public purpose, the Minister or any person holding or claiming any interest in the land may institute a suit in the High Court of Tanzania for determination of the dispute. In practice, the Government tries to resolve grievances through public meetings of affected persons.</p>	<p>planning, implementing and monitoring resettlement. Appropriate and accessible grievance mechanisms must be established for these groups.</p>	
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## **CHAPTER EIGHT**

### **8.0 INSTITUTIONAL FRAMEWORK**

Several organizations and institutions will be involved with RAP implementation processes at different levels and times.

This chapter provides a list of all agencies and institutions involved in each step of the resettlement process (preparation, appeals, implementation and monitoring). Experience from majority of actors involved seems adequate to tasks to be carried out and therefore, no particular capacity building measures are required. As soon as the RAP is cleared and finalized, TANROADS will formally disclose it to affected people. For this purpose, TANROADS will organize several sessions to PAPs. The sessions will be chaired by the RAP specialist of TANROADS and attended by representatives of the higher territorial hierarchies (Districts and Ward/Mtaa). An adequate display of materials will be utilized. TANROADS will prepare the list of occupants dispossessed by the project, specifying their rights of occupancy and assessed values.

TANROADS, in collaboration with the Local Government (District Councils), will dispatch dislocation notices to the concerned PAPs. The Ministry of Finance, through TANROADS, will disburse compensation funds to TANROADS Regional office to pay communities eligible for compensation. After implementation of compensation and resettlement, the communities will be given at least six months for resettlement. TANROADS will then authorize the Contractor to start demolition works.

The NGO will assist in raising public awareness on resettlement and facilitate local community participation in RAP implementation. At many times, the communities preferred cash compensation since they felt that it will be some sort of improvement in their social welfare. That was through acquired experience whereby compensation measures have been implemented in Tanzania. The overall coordination of RAP activities will be under TANROADS and other institutions as well as organizations that have legal

obligations to carry out functions related to resettlement and/or compensation including various local authorities.

- TANROADS will support sensitization of stakeholders on RAP, preparation and monitoring of RAP;
- Local Government Authorities will sensitize communities on RAP, provide technical support in preparation of RAP, screen and appraise as well as monitor implementation of RAP;
- Communities, from mitaa, Wards, affected groups as the final owner of land, landed properties and assets to be acquired or affected will be participants in the process;
- Independent NGOs/CBOs and other stakeholders will be engaged to witness fairness and appropriateness of the whole process and NGOs will be involved in monitoring of the resettlement process, establish direct communication with the affected population, community leaders as well as TANROADS to facilitate the completion of RAP; and
- External Audits shall include evaluation of implementation of resettlement action plans in routine annual audits. Without undue restrictions, the audits may include assessment of the following aspects:
  - Resettlement conditions where relevant;
  - Consultation on compensation options, process as well as procedures;
  - Adequacy of compensation; and
  - Adequacy of specific measures targeting vulnerable people.

TANROADS shall set up Resettlement Committee comprising representatives of key Ministries and a local NGO involved in similar projects. The following committees shall be established at district levels with representation from PAPs/Wards:

- Resettlement Committee
  - Chair – Directors, Kasulu Township Council as well as Kasulu District Council

- Member – TANROADS, Kigoma Regional Office
  - Member – TANROADS, Headquarters
  - Member – Ministry of Lands
  - Member – Member – Consultant
  - Member – Representative of a Local NGO
  - Member – Representative of PAPs
- Compensation Committee
    - Chair – TANROADS, Kigoma Regional Office
    - Member - Ministry of Lands
    - Member - Consultant
    - Member - Two representatives of PAP (one to represent households and one to represent business tenants)
    - Member - Valuer
- Dispute Resolution Committee
    - Chair – District Commissioner
    - Member – TANROADS, Kigoma Regional
    - Member – TANROADS, Headquarter
    - Member – Ministry (Department) of Lands
    - Member – Valuer
    - Member – Representative of a Local NGO
    - Member – Two representatives of PAPs (one to represent households and one to represent business tenants)

## **CHAPTER NINE**

### **9.0 MECHANISMS FOR CONFLICT RESOLUTIONS AND APPEALS**

#### **9.1 Grievances Procedures**

The RAP will be made available to the public and appeal structures at various levels, specifying the responsible parties and their response time. Before starting with the grievance sequence and where appropriate (in case of complaints of minor entity), aggrieved parties will take their complaints to community or traditional meetings for dispute resolution. The local NGOs will be involved to facilitate the process for grieved persons and attempts will be taken to resolve the complaint before they enter the legal and administrative appeals hierarchy.

Land Acquisition Act details procedures for dispute resolution with respect to compensation. Local authorities could handle disputes and grievances in the first place. In summary, those seeking redress will have to notify local government and ward offices. If that fails, disputes can be referred to district level. Resolution of disputes should be speedy, just as well as fair and local NGOs that are conversant with these issues could be engaged by the project. If all failed, the PAP with a complaint will be informed about his or her right to start a court case in accordance to Tanzanian laws.

The first stop, the Mtaa/Village Grievance Redress Committee (MGRC/VGRC), has one week to resolve the dispute. If a given dispute is not resolved in one week, it will be taken to the District Grievance Redress Committee (DGRC), which has two weeks to resolve the dispute. Unresolved disputes can be referred to appropriate levels of land courts established by law. If local courts are unable to resolve the disputes, an application can be made to the Court of Appeal of Tanzania. It is the highest appellate judge in the system and its decision will be final.

Potential grievances and disputes that arise during the course of implementation of the resettlement and compensation programme are often related to the following issues:

- Inventory mistakes made during census survey as well as inadequate valuation of properties;
- Mistakes related to identification and disagreements on boundaries between affected individual(s) and specifying their land parcels including associated development;
- Disagreements on plot/asset valuation (e.g., inadequate compensation);
- Seizure of assets without compensation;
- Divorces, successor and family issues resulting into ownership dispute or dispute share between heirs or family;
- Disputed ownership of given assets [two or more affected individual(s) claim on the same];
- Where affected individual(s) opt for a resettlement based option, disagreement on the resettlement package (unsuitable location of the resettlement site); and
- Problems related to time and manner of compensation payment.
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## **9.2 Proposed Grievance Management and Redress Mechanism**

Mechanisms for grievance management and redress mechanisms are to be “affordable and accessible” and third parties independent of implementers should be available at an appropriate point in the process. The grievance procedure will be simple, administered in the first instance at the local level to facilitate access, flexibility and open to various proofs taking into account the need for speedy, just and fair resolution of their grievances. The process suggested for resolving individual grievances is presented in **Figure 9.1**.

## **9.3 Grievance Redress Committees**

There are two committees, which will be involved in redressing grievances arising from PAPs in the project area. They include the following:

- ❖ Mtaa/Village Grievance Redress Committee (MGRC/VGRC) and
- ❖ District Grievance Redress Committee (DGRC) known as Social Service Committee (SSC)

**Composition of MGRC/VGRC**

- Mtaa/Village Chairperson,
- Mtaa/Village Executive Officer (MEO/VEO),
- Representative from PAPs,
- Community Development Officer from the Ward and
- Representative from NGO to be identified

**Composition of DGRC**

- District Commissioner – Chairperson
- District Land Office- Member,
- District Valuer
- RAP Implementing Agency – Member
- PAP representative/local NGO - Member
- Representative from TANROADS - Member

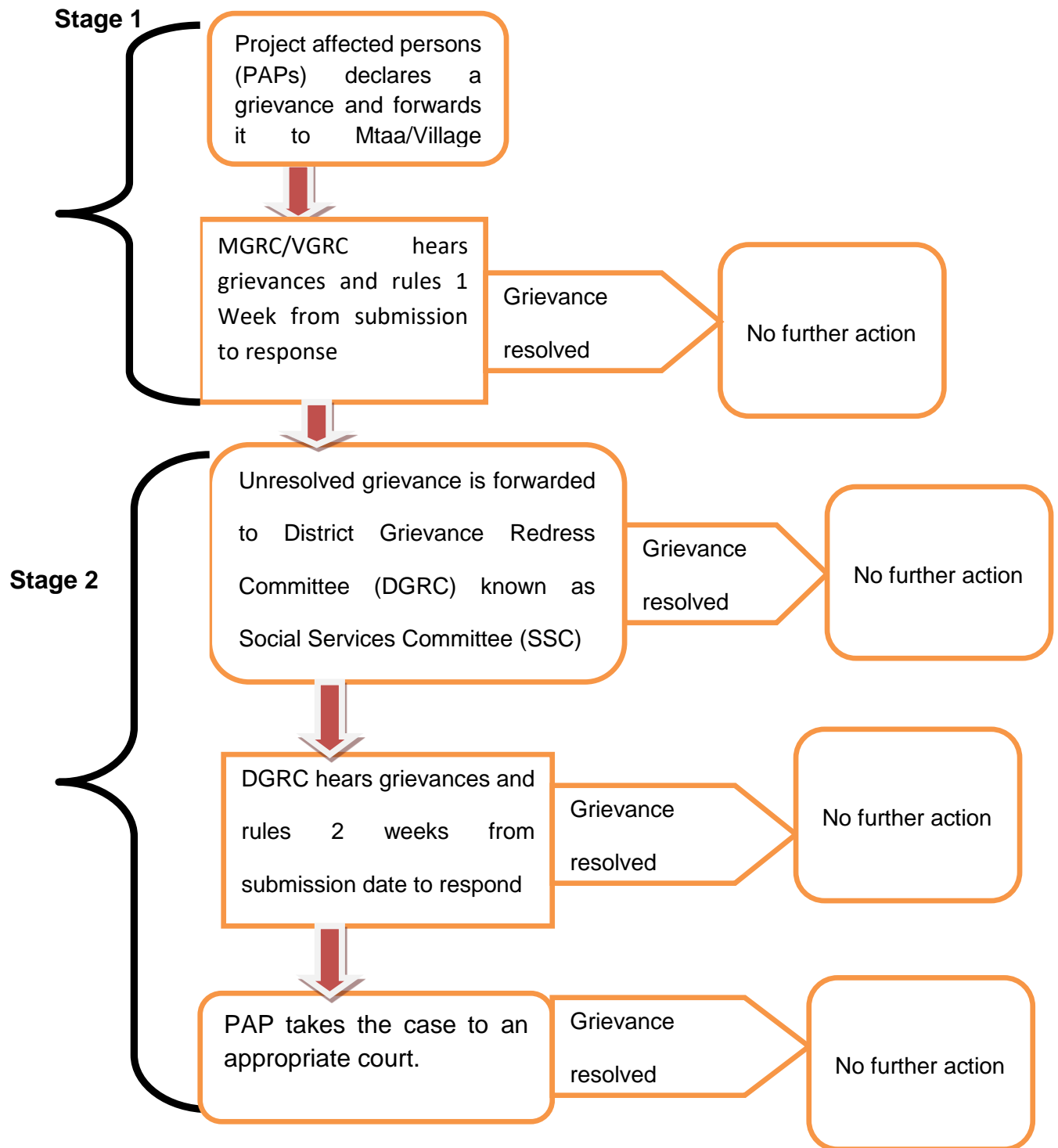


Figure 9.1: Grievances Redress Mechanism

## **CHAPTER TEN**

### **10.0 ELIGIBILITY**

#### **10.1 Definition**

Eligible individual(s) are those who are directly affected socially and economically through the road project caused by the following aspects:

- a) Compulsory taking of land and other assets resulting in the following:
  - i) Relocation or loss of shelter;
  - ii) Loss of assets or access to assets; and
  - iii) Loss of income sources or means of livelihood whether or not the affected persons must move to another location.
- b) Forceful denial to access legally designated socio-economic services with adverse impacts on livelihoods of displaced individuals

In this RAP, all the affected categories were identified and their associated entitlement as follows: 365 residential houses, 78 commercial buildings and 17 institutions' buildings.

The PAPs were considered, irrespective of their tenure status, with regard to land they own, occupy or use provided that they own, occupy or use affected land prior to cut-off-date. Cut-off date for eligibility to resettlement entitlements for the project was when the survey and valuation of affected properties were completed.

Assets that are eligible for compensation are buildings, land and development made on land such as crops, trees, bore holes and so forth.

These categories are used to determine PAPs to be considered eligible for compensation and other forms of resettlement assistance in accordance with Tanzanian laws and AfDB Bank Resettlement Policy.



For purposes of compensation, cut-off date takes into account only for properties, which existed before enumeration of properties and assets in the project area.

## **10.2 Identification of Project Affected Groups/Individuals**

According to the presented laws and policies, the affected person(s) [group(s)/individual(s)] are those who lose assets or are denied access to legally designated socio-economic services as a result of proposed project activities, whatever the extent of loss, such that lost assets may be land, structures, trees and so forth. These categories of project affected individuals/groups were identified through socio-economic study and census.

## **10.3 Categories of Affected People**

In line with the Tanzanian Law, categories of affected people include property owners with either legally recognized documents such as certificate of right of occupancy or customary rights.

The AfDB categorizes affected group(s)/individual(s)/persons as:

- a) Those who have formal legal rights (including customary and traditional rights) recognized under laws of Government of Tanzania;
- b) Those who do not have formal legal rights to land at the time of conducting census, but have claims to such land or assets provided that such claims are recognized under laws of Government of Tanzania; and
- c) Those who have no recognized legal rights or claims to land they are occupying.

Persons who encroach into the project area after the cut-off date as stated are not entitled to compensation. People who consider themselves to be eligible and are not identified at the time of census will have the right to appeal to district authorities.

### **10.3 Entitlement Matrix**

The principle adopted from the Tanzanian Laws establishes eligibility and provisions for all types of losses (land, structures, businesses, loss of accommodation, disturbance, crops, transport costs resulting from displacement and trees). All affected persons will be compensated at full replacement costs and other allowances.

Following the apparent gap in Tanzanian laws on involuntary policy and the AfDB Policy, this RAP will be aligned with the AfDB Resettlement Policy, which indicates the best practices for rehabilitation of livelihoods of people affected by project implementation. The Bank's policy will be applicable because:

- (1) they are involved in funding of the project and,
- (2) Its policy the best fulfills pro-poor objectives of the projects, ensuring that conditions of PAPs are preferably improved or at least restored to pre-displacement levels as well as offers special considerations for vulnerable and landless PAPs.

**Table 10.1 : Entitlement Matrix**

Entitlement Matrix			
Land and Assets	Types of Impact	PAPs	Compensation
Agricultural land	Loss of land for agriculture	Owners (578)	✓ Cash compensation of lost land according to current market value
Commercial Land	<p>Loss of Assets used for business</p> <p>If partially affected, the remaining assets become insufficient for business purposes</p>	Title holder (60)	<p>✓ Cash compensation according to PAP's preference, based on replacement cost, taking into consideration the market value, including the value of business conducted in the land.</p> <p>✓ Relocation assistance (costs of shifting and allowance).</p> <p>✓ Opportunity cost compensation equivalent to 2 months net income based on tax records for previous year (or tax records from comparable business or estimates). If there is no tax record then the income of comparable business in the same area has to be calculated to reach the opportunity cost.</p>
Residential Land	Loss of Land and assets used for residence.	Title holder (365)	✓ Replacement value for house based on current market price.

			<ul style="list-style-type: none"> <li>✓ They receive cash compensation equivalent to 3 months of lease/rental fee.</li> <li>✓ Assistance in rental/lease of alternative land/property.</li> <li>✓ Relocation assistance (costs of shifting and allowance)</li> </ul>
Institutional land	Loss of Land and assets used by institutions.	Title holders - 13 institutions	<ul style="list-style-type: none"> <li>✓ Refund of any lease/rental fees paid for time/use after date of removal.</li> <li>✓ Cash compensation equivalent to 3 months of lease/rental fee.</li> <li>✓ Relocation assistance (costs of shifting and allowance)</li> </ul>
Religious land	Loss of Land and assets used for religious purposes.	Title holders (4)	<ul style="list-style-type: none"> <li>✓ Cash compensation for land and assets for replacement of mosques, taking into consideration the market value and value of land.</li> <li>✓ Cash compensation equivalent to 3 months of lease/rental fee till mosques can be replaced.</li> <li>✓ Assistance in rental/lease of alternative land/property.</li> </ul>

			✓ Relocation assistance (costs of shifting and allowance)
Residential structures	Loss of residential structure	Owner (365)	<ul style="list-style-type: none"> <li>✓ Cash compensation for entire structure and other fixed assets without depreciation and taking into account the market value or alternative structure of equal or better size and quality in an available location, which is acceptable to the PAP.</li> <li>✓ Right to salvage materials without deduction from compensation.</li> <li>✓ Relocation assistance [(costs of shifting and allowance) disturbance accommodation and loss of profit].</li> <li>✓ (Transport allowance) = <b>12 tons x actual cost/ton/Km x 20Km</b></li> <li>✓ Disturbance allowance = Land value x Average interest rate on land offered by Commercial Banks on 12 Months fixed deposits.</li> <li>✓ <b>Loss of rental profit = Net profit/p.m x 36 months</b></li> <li>✓ Accommodation allowance = <b>Rent/p.m x 36 Months</b></li> </ul>

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Entitlement Matrix cont...

Land and Assets	Types of Impact	PAP	Compensation
Land and Crops	Loss of Crops	Title holder: 113 PAPs	✓ Cash compensation based on type, age and productive value of affected trees plus <b>10%</b> premium. The amount to be compensated for will be determined by the valuer final report.

#### 10.4 Organizational Procedures for Delivery of Entitlements

Delivery of entitlement will involve several agencies. Key issues in entitlement delivery include the following:

- (i) Public Participation - PAPs are to be involved in this process from the beginning of the project;
- (ii) Notification of Land Resource Holders - they are notified formally and informally;
- (iii) Documentation of Holdings and Assets: Meetings with PAPs were arranged to discuss compensation and PAPs filled forms in presence of local leaders;
- (iv) Agreement on compensation and preparation for contract such that compensation is explained to individual PAPs, contract is prepared and read in presence of local leaders before signing; and
- (v) Compensation Payment: Handing over property shall be done in presence of local leaders and compensation through the bank.

Institutions responsible for various activities for preparation and implementation of RAP are listed in **Table 10.2**. Consultations, socio-economic surveys, valuation and levels of awards are to be suggested by the Consultants, while demolition of structures to be done by the civil works Contractor. The payment will be made by TANROADS with involvement of the district administrations and Consultants. Monitoring and evaluation of RAP implementation will be done with the help of NGOs and external agencies. Institutions responsible for development and implementation of RAP are as indicated in Table 10.2.

**Table 10.2: Institutions Responsible for Preparation and Implementation of RAP**



S/N	RAP Item/Activity	Responsible Institutions
<b>1</b>	Public Consultations	Consultant
<b>2</b>	Identification of Affected People and Properties	Consultant
<b>3</b>	Baseline Socio-economic Survey	Consultant
<b>4</b>	Inventory of Assets	Consultant
<b>5</b>	Valuation of Assets	Consultant
<b>6</b>	Determination of Eligibility and Levels of Awards	Consultant
<b>7</b>	Demolition	Contractor
<b>8</b>	Cash Payments for Compensation or Resettlement Assistance	TANROADS, District Administration, Consultant
<b>9</b>	Monitoring	NGO or External Agency
<b>10</b>	Evaluation	External Agency

## **CHAPTER ELEVEN**

### **11.0 VALUATION AND COMPENSATION FOR LOSSES**

#### **11.1 Properties Survey**

The Consultant of this RAP inspected affected properties and in liaison with the Valuer, provided values of properties to be affected under this Project. The objectives of valuation of properties were to determine market value for compensation purposes and actual costs associated with properties to be affected.

Local government authorities (Kasulu and Buhigwe district council, Kasulu Township council and respective wards) informed their communities about intended RAP activities and the possibility of relocating residents.

In carrying out field surveys, the Valuer was at all times accompanied by a local leader, Mtaa Executive Officer (MEO) in urban areas or Village Executive Officer (VEO) in rural areas and sometimes Mtaa/Village Chairperson who identified property owners, confirmed boundaries shown by the owner and certified on the field sheets of the count of property. In brief, the following were done:-

- Identification of assets affected by the project and their respective owners;
- Assignment of Reference Number to each of the identified individual;
- Survey team also compiled a detailed inventory of types, sizes and conditions of land including assets of each affected household, business or entity and determined the value of compensation to be paid to each household for affected land, assets as well as loss of income sources;
- Took measurements of land and inspected buildings with help of the land surveying team;
- Took notes, measurements and photographs of identified properties (buildings) and the owners of assets on a pre-prepared inspection sheet; and

- Ensured that all entries on inspection sheets were counter-checked and signed by local leaders as well as property owners in the respective location.

Results from survey and valuation exercise were presented to TANROADS in valuation report. Therefore, results provided important sources of information on number and location of affected properties, number and categories of affected households, nature and magnitudes of losses and displacement, methods used for valuing land, assets and loss of income, assessed compensation and the amount of compensation to be paid.

## **11.2 Basis for Valuation**

### **11.2.1 Land Acquisition and Compensation in Tanzania**

Land acquisition in Tanzania is governed by *Act Number 47, the Land Acquisition Act (1967)*. A provision related to land acquisition in the Town and Country Planning Ordinance Cap 378 is subservient to the provision in *Act Number 47*. The new *Land Act (1999)* has not amended any of the land acquisition provisions in *Act Number 47*.

*Act Number 47* is the main law used in Tanzania and is the 'mother Act' when it comes to land acquisition. However, the new *Land Act*, Part II, elaborates the provision on assessment. Section 3 (1) paragraph "g" of *the Land Act Number 4 (1999)* provides, "To pay full, fair prompt compensation to any person whose right of occupancy or recognized long standing occupation or customary use of land is revoked or otherwise interfered with to their detriment by the state under this Act or is acquired under *the Land Acquisition Act*." Also, *the Land Act (1999)* deals with mainly land tenure and land rights. It also addresses issues of compulsory acquisition, mortgages and regularization of unplanned areas.

Article 24 (1): states that, "Subject to provisions of the relevant laws of the land, every person is entitled to own property, and has a right to the protection of his property held in accordance with law." Moreover, Article 24 (2) provides that, "It shall be unlawful for any person to be deprived of property for the purposes of nationalization or any other

purposes without the authority of law which makes provision for fair and adequate compensation.”

The Consultant planned out the methodology for valuation of all losses and determined their replacement costs. Description of compensations and other resettlement measures to assist each category of eligible persons is also given. The measures are compatible with cultural preferences of the PAPs. Such measures were identified through consulting PAPs. The consultant described types and levels of compensation for each type of losses. Matrices will be used by the team in-charge of the implementation of the resettlement plan and all of them must be user-friendly in order to give clear and full answers to the following questions:-

- Which type of compensation is required for a given loss?
- What is the rate for that specific compensation?

Based on results from the census, valuation of all expected losses, total or partial, permanent or temporary and of their replacement costs was calculated. For the details, refer to the Valuer's report. The report will be available separately after approval of Chief Government Valuer.

### **11.2.2 Assessment of Compensation**

In carrying out field surveys, the Valuer was at all times accompanied by a local leader who identified the landowner, confirmed boundaries shown by the owner and certified on the field sheets of the cost of property. In brief, the following were done:-

- Identification of assets affected by the Project and their respective owners;
- Assigned reference number to each of the identified case and a pink card;
- Took notes of the identified properties (buildings) and other assets on a pre-prepared inspection sheet;
- Took measurements of land and inspected buildings with help of the land surveying team; and
- Ensured that all entries on the inspection sheets were counter-checked as well as signed by local leaders and property owners in the respective location.

### **11.2.3 Computation of Various Allowances**

#### **(i) Disturbance Allowance**

Disturbance allowance is payable as a percentage of real property value in compliance with provisions of *Land Act Number 4 (1999)*. The percentage is the average commercial bank rates offered on fixed deposits. Data obtained from various financial institutions in Tanzania show that the average rate on fixed deposits is 4 percent per annum.

#### **(ii) Transport Cost**

In accordance with section 11 of *the Regulations of Land Act Number 4 (1999)*, transport allowance is computed on the basis of obtaining average transport rates within the area. Thus, average cost of transporting 12 tons over a distance of 20 km.

#### **(iii) Loss of Profit**

In accordance with Section 9 of *2001 Regulations of Land Act Number 4 (1999)*, the net monthly profit obtained from the business associated with affected properties is assessed (for high incomes), evidenced by audited accounts where necessary and applicable and multiplied by 36 months in order to arrive at loss of profit payable. This calculation applies also for such businesses that are only temporarily affected during the Project's construction phase. However, for the purpose of this Project, since nobody managed to provide audited accounts, the Valuer established what is known as social market survey (SMS) to compensate loss of profit. The social market survey established based on village economic profile whereby one interviews several business people on their incomes per month and establishes average rate for each month multiplied by 36 months in order to arrive at loss of profit payable to affected people with business along the road project.

#### **(iv) Loss of Accommodation**

Laws of Tanzania require an accommodation allowance equal to the amount payable for a similar property of the same value (as the value of the damaged property) to be paid to claimants to support them in paying rent for an alternative accommodation during the period of construction of an alternative accommodation. In accordance with Section 8 of *2001 Regulations of Land Act Number 4 (1999)*, accommodation allowance is calculated on the basis of monthly rent of the acquired property per month over a 36 months period.

**(v) Partial Loss**

In case of partial loss, the consultant considered the extent of demolition of the property/asset affected and required compensation. It means that where PAPs are partially affected, the inventory and valuations were made on PAPs' entire asset holdings.

## CHAPTER TWELVE

### 12.0 IMPLEMENTATION SCHEDULE

Implementation schedule indicates time each activity will take during Implementation of RAP and it consists of several resettlement activities. Successful follow-up of RAP implementation schedule will avoid any delay in project start. Efficient implementation of RAP activities requires various measures to be considered before its start. Measures include setting up relevant committees at district level, hiring of NGO or consultant, taking care of all issues necessary as per guiding national laws and funding agency, in this case AfDB Resettlement Policy (2003) and so forth. Principally in any project, no civil works may commence until all PAPs entitled for compensation are compensated and all resettlement issues are settled. Therefore, land acquisition and assets may take place after compensation has been paid and other forms of assistance required for relocation prior to displacement. The time frame of 12 months on implementation schedule ensures that no PAP or affected household will be displaced due to civil works activity before compensation is paid and is undertaken when all necessary approvals have been obtained.

The following are key RAP implementation activities and are shown in **Table 12.1:**

- Surveys - PAPs identification and inventory of assets;
- Consultation with PAPs;
- Valuation of affected properties and establishment of cut-off date for eligibility;
- Bank account opening;
- Actual payment of compensation and delivery of other entitlements;
- Payment within 6 months of giving notices;
- Dispute/grievances resolution;
- Owners can remove all affected structures at fixed date (advised at the time of compensation payment) provided in writing; and
- Monitoring and evaluation

**Table 12. 1: RAP Implementation schedule**

Task	Months of Year 2018-19													
	April	May	June	July	Aug	Sep	Oct	Nov	Dec	Mar	Apr	May	Jun	July
Identification of affected land and other assets.														
Preparation and conducting household surveys of PAPs and Establishment of cut-off-date.														
Consultations with PAPs, communities and stakeholders														
Identification of categories of affected assets, ownership/use status.														
Finalization of draft RAP report														
Response to feedback to draft RAP and RAP finalization														
Submission of final RAP and budget														
Approval of budget for relocating utility														
RAP disclosure and circulation														



Grievance Redress mechanism in place at Mtaa and District levels.														
Revision and approvals of compensation schedules														
Mobilization of Compensation Money - Ministry of Finance														
Opening Bank Accounts with Bank														
Certified List of names with Bank Accounts sent to TANROADS by Bank														
Compensation to PAPs - payment through banks (for those getting or equal to 400,000 Tsh)														
PAPs informed by TANROADS/or consultant that funds have been deposited into their accounts														

TANROADS prepares open checks for PAPs getting less than Tshs 400,000														
TANROADS prepares record form for PAPs to sign upon receiving the check														
Preparing relocation - Local Government														
Land acquisition-Notice of COI clearance														
Commencement of Works														
Monitoring and Evaluation														

## CHAPTER THIRTEEN

### 13.0 COST AND BUDGETING

The actual budget for RAP implementation has not been prepared because it mainly requires inputs from the Valuer involved in this assignment. However, Table 13.1 indicates all eligible PAPs, their properties and all items to be involved in preparation of RAP budget. Once the Valuer finalizes, the costs will be included in this Report. The Resettlement budget covers Kasulu–Manyovu Road section including two Ring Roads (Western and Eastern bypasses).

**Table 13.1: Resettlement Budget**

No of PAPs	Category of affected property	Resettlement cost (Tsh)
<b>1632</b>	Building Structures	<b>7,167,784,300/=</b>
	Land	
	Trees and crops	
	Graves	
<b>Other costs</b>		
Cost for hiring NGO		-
Expenses for three committees (Sitting and Transport allowances)		-
<b>Sub total</b>		-
Contingency 10%		-
<b>Grand Total</b>		-

Actual costs and budgets for each item in the whole Resettlement Plan will be determined after the final Valuer Report and will be included in the RAP report as soon as they are available.

## **CHAPTER FOURTEEN**

### **14.0 MONITORING AND EVALUATION**

#### **14.1 General Objectives of Monitoring and Evaluation**

RAP implementation is one of the central components of this project. Its monitoring is critical to solve challenges or obstacles in areas of mobilization, compensation, relocation and the like.

Monitoring and evaluation procedures will include external and internal evaluations of compliance of actual implementation with objectives and methods as agreed and monitoring of specific situations.

#### **14.2 Internal Monitoring**

Project implementation unit and NGO will be responsible for internal monitoring while the Consultants may provide technical assistance in implementing RAP.

Monitoring will ensure the following:

- Verification of land acquisition, property valuation and economic rehabilitation whether or not they have been carried out as planned;
- Information dissemination has been carried out;
- Status of land acquisition and payments on land compensation;
- Value of entitlements received is equal to the original structure or land acquired;
- Use of entitlements and misuse;
- Compensation of affected structures and other assets;
- Relocation of PAPs if applicable;
- Payments for loss of incomes;
- Implementation of rehabilitation measures;
- Effective operation of grievances Committee;

- Funds for implementing land acquisition as well as economic rehabilitation activities are available in timely manner, sufficient for the purpose and spent according to Plan;
- The Consultants shall submit reports on monthly basis documenting the RAP progress implementation;
- Project Unit shall be responsible for monitoring day-to-day resettlement activities;
- Performance data sheet shall be developed to monitor at the field level; and
- The Consultants shall be responsible for overall project level monitoring.

The following verifiable indicators in Table 14.1 will be used to monitor and evaluate implementation of resettlement and compensation plans.

**Table 14.1: Indicators for Monitoring and Evaluation of RAP Implementation**

	<b>Issue/Impact</b>	<b>Monitoring Indicators</b>
1	Physical loss of properties, building, land, plot and crops	<ul style="list-style-type: none"> <li>- Number of PAPs to be compensated</li> <li>- Number of Bank Accounts to be opened</li> <li>- Number of Buildings to be demolished</li> <li>- Number of PAPs able to establish pre-displacement activities, land and crops</li> <li>- Number of community properties to be relocated</li> <li>- Number of crops to be cleared</li> </ul>

2	Financial loss of business	<ul style="list-style-type: none"> <li>- Number of PAPs compensated</li> <li>- Number of PAPs resuming business at pre-displacement level or better</li> </ul>
3	Loss of social services	<ul style="list-style-type: none"> <li>- Number of community properties relocated</li> </ul>
4	Psychological loss	<ul style="list-style-type: none"> <li>- Number of PAPs paid relevant allowances</li> </ul>
5	Sociological loss	<ul style="list-style-type: none"> <li>- Number of vulnerable individuals supported</li> </ul>
6	Grievances	<ul style="list-style-type: none"> <li>- Number of grievances received</li> <li>- Number of grievance resolved</li> </ul>
7	Consultation	<ul style="list-style-type: none"> <li>- Number of consultations held</li> </ul>

### 14.3 External Monitoring

External monitoring shall be engaged by TANROADS to carry out independent bi-annual reviews of RAP implementation and project evaluation. External monitoring and evaluation can be done by an independent researcher, consulting agency, university department or an NGO. External monitoring will focus on the following:

- Verifying whether or not objectives of enhancing or at least restoring the income levels and PAPs' living standard have been met;
- Suggest modification in land acquisition as well as economic rehabilitation where necessary to achieve objectives;
- Assess if all resettlement and land acquisition have been completed;

- Verification of internal monitoring;
- Demographic baseline and bi-annual household surveys to monitor progress from pre-project, pre-settlement benchmarks;
- Evaluation of delivery and impacts of entitlements to determine if they are as per approved RAP;
- Evaluation of consultation and grievances procedures, especially at the level of public awareness of grievances procedures including access by PAPs and households to information as well as rapid conflict resolution;
- Evaluation of actual operation of grievances committee in assisting PAPs as required and acting as observers; and
- Declaration of successful implementation of RAP.

#### **14.4 Evaluation**

The following are objectives of the evaluation:

- General assessment of compliance of implementation of the Resettlement Action Plan with general objectives and methods as set in this document;
- Assessment of compliance of implementation of the Resettlement Action Plan with laws, regulations as well as safeguard policies;
- Assessment of consultation procedures that took place at individual and community levels together with the Central Government and Local Government levels in Tanzania;
- Assessment of fair, adequate and prompt compensation as they have been implemented;
- Evaluation of the impact of compensation on incomes and living standards; and
- Identification of actions as part of on-going monitoring to improve positive impact of the programme and mitigate its possible negative impact, if any.



### **14.5 Reporting Requirements**

The following are suggested reporting requirements:

- The Consultants shall prepare monthly and quarterly reports on RAP progress implementation to TANROADS;
- The Consultants responsible for supervision and implementing RAP will prepare monthly progress report on resettlement progress activities; and
- TANROADS shall also monitor RAP implementation and submit quarterly reports to Ministry of Works.

External monitoring agency submits bi-annual reports directly to TANROADS and determines whether or not RAP goals have been achieved and livelihoods have been restored as well as suggest suitable recommendations for improvement

## **CHAPTER FIFTEEN**

### **15.0 CONCLUSION AND RECOMMENDATIONS**

The RAP will be implemented by compensating all affected parties (individual, institutions and commercial buildings) to be affected by the proposed Kasulu-Manyovu Road construction activities. This RAP will ensure that all national and AfDB resettlement policies are considered, for instance, taking care of disadvantaged groups like female headed households, elderly, children and so forth. It is planned that all Resettlement issues will be implemented before commencement of construction activities. Compensation for PAPs in the surveyed area of impact will be carried out by the Kasulu District Council and Buhigwe District Council after compensation packages have been prepared.

This RAP revealed that major resettlement activities in the project area will involve relocation of individuals from 365 residential houses. Their relocation will be accompanied by being compensated their lost lands, crops, structures and displaced properties. About 113 PAPs will only lose lands and crops, while 33 PAPs will lose only lands. In order to raise awareness on the RAP implementation, the Resettlement Plan must be widely disclosed to all affected Parties and all responsible stakeholders. Methods that can be used to disclose the document include, as suggested in this RAP, but not limited to:

- Distribution of copies as many as possible to all responsible stakeholders including local governments, hired NGO and at community levels for suggestions as well as comments where necessary;
- Distribution to Persons Affected by the Project (PAP);
- Distribution through Internet for internal and external disclosure of the plan;

- Distribution to individuals and representative persons like Members of Parliament (MPs), District Commissioners (DCs), District Executive Director (DED)/Municipal Director, Ward Councilor and Mtaa/Village officials; and
- Conduct meetings and workshops for discussion of the RAP implementation plan.

The meeting and workshops will be conducted at various places including the place where the resettlement will take place.

It should be noted that this RAP document must be disclosed before implementation of compensation.












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## APPENDICES


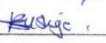





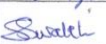
- i. Contact forms
- ii. Attendance List of Stakeholders' Meetings

CONSULTATION FORM FOR RESETTLEMENT ACTION PLAN (R.A.P) MANYOVU-KASULU JUNCTION  
INCLUDING TWO TOWN RINGS (66.89 KM)

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THE PROVISION OF CONSULTANCY SERVICES FOR FEASIBILITY STUDIES AND DETAILED ENGINEERING  
DESIGN OF THE NYAKANAZI-KASULU-MANYOVU/RUTUNGA-RUMONGE-BUJUMBURA ROAD.

RESETTLEMENT ACTION PLAN (R.A.P)

S/N	Date	Name	Institution/Designation	Phone No:	Email Address	Signature
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AFISA MTENDAKATA  
KATA YA KIMOBWA  
KASULU-MANYOVU

**CONSULTATION FORM FOR RESETTLEMENT ACTION PLAN (R.A.P)MANYOVU-KASULU JUNCTION  
INCLUDING TWO TOWN RINGS (66.89 KM)**

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1/ *Chibagye*  
AFISA MTENDAJI KATA  
MURUBUNA  
MJI WA KASULU

CONSULTATION FORM FOR RESETTLEMENT ACTION PLAN (R.A.P)  
MANYARA - KASUU JUNCTION INCLUDING TWO TOWN RINGS 66.89 K.M

S/N	Date	Name	Institution / Designation	Phone No.	(Signature)
1	12-4-2018	EDISONI.T. NGENJA	MKT. MTHAHITUU	0742501002	[Signature]
2	12/4/2018	SEPHU YASSIN	MKT ACT KATA	0766147848	[Signature]
3	12/4/2018	DAMASI N. NTHALIZWA	MKT FPCT-KARUNGA	0255293767	[Signature]
4	-11-	STIVINI M. ZENO	KATEKISTA HITUU	0765351274	[Signature]
5	12/4/2018	DAWSON C. EDWARD	M/KUU-S/M NTALE	0755796028	[Signature]
6	12/4/2018	FRANK D. SIMFUKWE	HERUTUU P/S	0788668817	[Signature]
7	12/04/2018	CLEOPHAE M. SEBASTIAN	KARUNGA S/M	0759482318	[Signature]
8	12/4/2018	BETHABI DAUBI RUTHER	HERUTUU S/D/A	0744319400	[Signature]
9	12/4/2018	JAFOH BOBWE	M/KUU KAFIACOM	0755573199	[Signature]
10	12/4/2018	Floris Kommyangili	Munguzi	0768315242	[Signature]
11	12/4/2018	SESO.S.K. RAGARE	M/KUU Nkemmasi	0713160213	[Signature]
12	12/4/2018	ALLY.S. SHENGLO	M/MKUU S/M-BUHA	0757623256	[Signature]
13	12/04/2018	DAUD P. LULUZUYE	M/MKUU S/M-TUHENI	0787-400207	[Signature]
14	12/04/2018	MILDA F. BAFI	M/KUU MTHAHITUU	0754813350	[Signature]
15	12/04/2018	KIMKIRE NEATANCE	M/KUU WAMAJI	0762202776	[Signature]
16	12/04/2018	ROLAND KIRABI	KEV DWI GHIN	0752448925	[Signature]



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96

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MKUTANO WA WATAKAOATHIRIKA NA MRADI WA BARABARA YA  
MANYOVU-KASULU JUNCTION INCLUDING TWO TOWN RINGS (66.89 KM)

MKOA: ..... KIGOMA .....  
WILAYA: ..... BUHIGWE .....  
KATA: ..... BUHIGWE + K .....  
MTAA/KIJIJI: ..... KAVOMO .....

S/N	JINA KAMILI	MAWASILIANO	SARIMI
1	SIJALI EDIMASI		Sijali
2	AROKI M. XTASATA	0658111972	AROKI
3	ROBATI Y. CHEMAGUE	0754412573	ROBATI
4	GADISONI MAFWAMBA NKWATE	0762453028	Nkwate
5	NIGORAMA RUBUBI NSWAZI	0752909762	Nswazi
6	TOKE RUBUBI MPAKA	0752181963	TOKE
7	JAPHEI LUTANA		
8	JUMANINE KAZIMOTO KIZOZO	0766974477	Jumanine
9	EZEKIELI K. SARIKI	075526895	Ezekiel
10	VALELIA BIDAS NTOTA	0758138804	VALELIA
11	SALA PASTORY DONGE	0711705073	SALA
12	SAMWELI AYUBU TAMBUKWA	0757333232	Ayubu
13	VERONIKA GABRIEL BISEKA	0764222482	VERONIKA
14	EFESO NAEMEYE MAHONDA	0762052886	EFESO
15	EVARISTI LAMECK GEREKELA	0718338103	EVARISTI
16	REVOCATUS HONOKA NTILIYO	0757343045	REVOCATUS
17	BOAZI PAULI NTIKABUZE	0765022068	BOAZI
18	WISANI K. SARIKI	0768086137	WISANI

Pratice B. Karamba  
HSA MTENDAJI KIJILI  
KAVOMO - PUNTO 18



# KAVOMO

17.	JUMA KITIBA NGUNZU	0752-858202	Juma
18.	ELWA NYAMBALO JOSEPHAT	0764 144905	Josephat
19.	FEDRICK HASSAN MBILIZI	0755951616	F. Hassan
20.	AMONI SADICK KAZIMOTO	071335892	Amo
21.	DBED MBULUGWA KABEDE	0657322120	DBED
22.	PASTORY DONGE KIVUMA	-	P. D. K
23.	FIFI SABAGI NDABANIWE	0765050630	F. Fifi
24.	GIBSON B. SABIBI	0762750195	Gibson
25.	FEDRICK MALINABU NDABA	07682 88514	F. Fredrick
26.	BAMASI ALFANI KANA	04561723	B. Alfan
27.	MESHACK MUTAGATA		M. Mutagata
28.	VERILANDA DONGE KIVUMA	0743599738	V. Donge
29.	YOUSIF KINYAMUGARA SABIBI		Y. Sabibi
30.	FESTO MVUGILWE	0768964581	F. Mvugilwe
31.	SAMSONI LUTATA KIMATA		S. Kimata
32.	ARODUKU EZEKIEL NTIRIYO	0765947411	A. Ntirio
33.	TONI KAZIMOTO	0659233764	T. Kazimoto
34.	SUZANA LUHAZA NONA		S. Luhaza
35.	AZARIA EDIBILI	0755520929	A. Edibili
36.	DELINA MALIYATIBU	-	D. M.
37.	MELESIANA KUBUBHILA	0755764721	M. K.
38.	SABARI EDIMAS	0465900640	S. Edimas
39.	NEHEMIA TOKE	0759838050	N. Toke
100.	BONIFASI BONIRA GUYANA		B. Guyana
101.	REBEKA RAMECK		R. Rameck
102.	MDESHA REBA		M. Reba
103.	JERIDA MPOGOZI		J. Mpoenzi

RAHUEL B. KASALO  
HISA MTENDAJI KISIJI  
KAVOMO - BUKIGIE

MKUTANO WA WATAKAOATHIRIKA NA MRADI WA BARABARA YA  
MANYOVU-KASULU JUNCTION INCLUDING TWO TOWN RINGS (66.89 KM)

MKOA: ..... KICOMA  
WILAYA: ..... KASULU  
KATA: ..... KIMOBWA  
MTAA/KIJIJI: ..... AFISA NTENDA JI KATA  
KATA YA KIMOBWA  
KA SULU-MJINI

S/N	JINA KAMILI	MAWASILIANO	SAHIHI
1	AMADHAN ISSA MANYANYA	0752984839	<i>Amadhan</i>
2	Paulo BUGEZATHA	0752908077	<i>Bugeza</i>
3	Bayaga Tumbu	0753441101	<i>Tumbu</i>
4	ADRIANO FESIO	0762017241	<i>Adriano</i>
5	KELENI MTUNGE RUGWANABHI	0769441003	<i>Kele</i>
6	AMADHAN A. SHABAN (KNYHM)	075246216	<i>Amadhan</i>
7	BUGERATHA SAMUEL	0767293509	<i>Bugeratha</i>
8	MERY NKAYAMBA	0754760415	<i>M. F</i>
9	GERALD GUNABIRI (WEST)	KATA YA KIMOBWA 0752361268	<i>Gerald</i>
10	DAVID MUSSA	0769034126	<i>David</i>
11	NEHEMIA CHARLES NDIKA	0769590796	<i>Ndika</i>
12	STEPHANO BATINGESO	0654913604	<i>Stephano</i>
13	SUMANKOKO SINDIYO	0763067117	<i>Sumankoko</i>
14	PETER MUSA KAHURANANGA	0758874564	<i>Kahurananga</i>
15	ZABLON NASHON	0755929054	<i>Zablun</i>

*AFISA NTENDA JI KATA*  
KATA YA KIMOBWA  
KA SULU-MJINI



# RIMOBULA

16	SAMBA S. MANGU (M/K/MAA)	0784896622	Sardel
17	THEODIAS J. MPOLENI (KILE) (M/K)	0703948668	Mpole
18	AMINA M. NTANGE (M/K/II)	0752309349	Ayung
19	GILBERT M. MASUDI (DIWANI)	0767807844	Masudi
20	PILI A. BUYOGERO (M/K/II)	0765800910	M/K/II
21	FATUMA RUGALI (M/K/II)	0752309349	M/K/II
22	FATUMA RUGALI YALAGWALA	0759-966465	M/K/II
22	MARIA KALEMBE	0752-572898	M-K
23	SAMSON A. BUSHASE (M/K/II)	0787-382574	Bushase
24	Diocese of Western Tanganyika	0622903090	Diocese

AFISA NTENDA KATA  
KATA YA KIMOBWA  
KA SULU-K. II

**MKUTANO WA WATAKAOATHIRIKA NA MRADI WA BARABARA YA  
MANYOVU-KASULU JUNCTION INCLUDING TWO TOWN RINGS (66.89 KM)**

MKOA: KIGOMA  
 WILAYA: KASULU  
 KATA: HERU JUU  
 MTAA/KIJIJI: HERU JUU

S/N	JINA KAMILI	MAWASILIANO	SAHIHI
1	CHANGANYA KOBO MAKARABO	0754403428	<i>[Signature]</i>
2	RICHARD BUYOYA BUKURU	0756726272	<i>[Signature]</i>
3	FREDERICK MPAMILIZA TANDURA	0765874171	<i>[Signature]</i>
4	WILISON CHARLES KENJANYA	0765348212	<i>[Signature]</i>
5	AZODI MSOKOLO MSAI SIZUMA	0759760598	<i>[Signature]</i>
6	MAGRETH LULIHOSI NZAMAGI	0762583920	<i>[Signature]</i>
7	BERNARD CHARLES NYAMITWE	0758734009	<i>[Signature]</i>
8	DEVIDI ALEX BOJI	0769646112	
9	DAMADHANI JUMA NDEBELI	0759760543	<i>[Signature]</i>
10	ERNEST MPAMILIZA TANDURA	0768206256	<i>[Signature]</i>
11	GREGORY ATHANAS NTYAKAMA	0767048242	<i>[Signature]</i>
12	SALIM AHAMANI FATTY	0755355270	<i>[Signature]</i>
13	LINUS FULGENCE MAZORWA	0765020299	<i>[Signature]</i>
14	VEDASILUS DAMAS KAHIZA	0756747449	<i>[Signature]</i>
15	BHIBAHU PASKA BHIBAHU	0769820897	<i>[Signature]</i>

AFISA MTENDAJI  
 KATA YA HERU JUU  
 H/MJI-KASULU  
*[Signature]*

HF Rep. J. Lee

16.	BURARONI KISANDA RUBUNAGIZA	0715725966	ABR
17.	NOBEI KICHUZI NIIRUHAVA	0744125744	M - Kichuzi
18.	RASHIDI SHABANI ANTURUNI	0759760523	RASHIDI
19.	MICHAEL DEBHA NIUNGURU		M.D. Mbarika
20	ISAKA NDOLICK MFUMYA	0957048773	I. Ndoriki
21	RAJABU AMANI BISHUHA	0755691487	Rajabu
22	MOSES BALIGEZE KIGAZA	0756298080	BU
23	SHISHWA CHOKELO RUFATWE	0758489701	SHISHWA
24	Joyce J Rumenzela	0759040682	J. Rumenzela
25	RUSIA JOHN NYAMUKHATAWA		R. J. NYAMUKHATAWA
26	AGATA MOSHI NGAPWA CHA		A. M. NGAPWA
27	KAMEKI MTEKO RUTAKUBA	0742217897	L. Mteko
28	PETER TANDURA MPABILIZA	0762475222	P.T. MPABILIZA
29	REONIA LUBAYE KAHEZA	0746186739	
30	VENILANDA		
31	DAFULOZA NKATURU KAYAGAMBIRE	0759450999	
32	ODILIA AYUBU MANA	0762861285	O.A-YUBU
33	VESTA CHALESI KENYANYA	0753822991	V. CHALES
34	DIANA SEVELINI JONASI	0769081224	D.S
35	CHRISTINA GERALD GWAMBIG	0769007183	Christina
36	DANIELI KICHUZI	076900763	Danieli

AFISA NYANDA!!  
KATA YA HERU JUU  
H/MJI - KASULU



HERU JULU

27	SADA BISHWAGA SHENGERO	0753055762	S. shengero
38	SIELA MUSA MAKARABO		SIELA MUSA
39	ELISIA ALFRED BHAJE	0769441861	E ALFRED
40	MAHAGORETH WILBROD MAMBOBO		
41	ELIZABETH HADRAMU MBOMIPA	0752164722	Elizabeta
42	EFRAIMU DIED BALINGELEJE	0744071967	E. Balingeleje
43	JAKOBO YASTUA MAKARABO	0752228286	J. Yastua
44	SALVATORY PORIKAYO VENAS		S. Porikayo
45	FRANZ CHARLES NULAMPA	0756613031	F. Nulampa
46	TAUS MASUDI LUBOGE	0769779596	T. M. Luboge
47	MEHEMIO HASSAN MAKARABO		M. Hassan
48	URBAN ZERA YABA	0763507179	U. Zera
49	SIKUJUA RAMADHANI KENYANA	0744234104	S. Kujua
50	VERONICA IBRAHIMU NYAMKEWA		
51	LEVANIA KASAYO MUMBO		
52	KANISOLATA YOKELA BOYI		
53	JULIETHA PAMILA KATHEZA		J. Pamila
54	ERNEST GWAMA KAJE	0768345713	
55	MARIHA KAMANGU NYAMCHALI	0768605016	M. K. Nyamchali
56	MAGAMBO VENAS BONGATE	0750764444	M. Magambo
57	WINIFRIDA ALEX-ZANDA SHAKIYE	0757627322	W. Shakiye

58	NABHIRA FULANSISI NIALINBANYA D		N. Fulansisi
59	HAILENI FUBUSA BUZUGUMU	0779385499	
60	KILIFULEDI UOMO CHOKILO	0765735369	
61	ZUBEDA HATARISE LILAMPISE	0765513047	
62	ZUBEDA LILAMPISE LUCHIBIGAGO	0765513047	
63	LEVOTA MPATILIZA TANBULA	0769077002	
64	HASANI RAMADHANI UKATULA	0755077609	

AFISA MUKUNDAJI  
KATA YA HERU JULU  
HIMJI-KASULO

65 MELINA PETRO KIKONDO 0744739511  
 66 IMELIDA CHITA SUNKILO 0758244470  
 67 VENASI JENGWE MAKALABO  
 68 LESINA KAYANBA KISOUU  
 69 YUSUFU WILIFULEDI CHOKELO  
 70 VESTA BALONGELEJE BANGUMWE 0756073335- *Balongoje*  
 71 SALVATORI GWAMBIGE KATOLE ~~07~~ 0676076192 *Salvator*  
 72 JUMA MKELI KASAMBAGANYA  
 73 JULIASI WILIFULEDI VOMO 0766397633 *JMKELI*  
 74 SESILIA MWABEYA KATOLE 0758882380 *S. mwadea*  
 75 DEUTA NROLANIWA KELEGWA 0766550074 *D.K*  
 76 BELITA NDAUCHAKO KAKIZE 0766550074  
 77 KELEMENSIA MPATILIZA IANDULA 0744739511 *K. mpatiliza*  
 074473

AFISA MTENDAJI  
 KATA YA HERU JOJO  
 H/MJI - KASULO  
*[Signature]*

MKUTANO WA WATAKAOATHIRIKA NA MRADI WA BARABARA YA  
MANYOVU-KASULU JUNCTION INCLUDING TWO TOWN RINGS (66.89 KM)

MKOA: RIGOMA  
WILAYA: KASULU  
KATA: HERU JUU  
MTAA/KIJIJI: KASANGE

S/N	JINA KAMILI	MAWASILIANO	SAHIHI
1	EDSA MUHIBA	0769976239	E. MUHIBA
2	SAMONI MENYEGWA	0766229197	Samupegwa
3	ERASTO R. TWILINDE	0756655479	E. TWILINDE
	FERSTIA NZIGO	0764817996	F. NZIGO
4	EVA U. SIGWA	0753673975	E. SIGWA
5	EFRAZIM ANODI	0768971147	E. ANODI
6	GIDEOK GASA <del>WAKAYANK</del>	0763560876	Gideok
7	ERASTO WALIHA KASAMBAGANYA	0755739183	Walaha
8	JAPHARI GERARDI KASHIMPI	0753125507	Japhari
9	RICHARD NT. YAKAMA	0713531297 <del>07642237</del>	Richard
10	SADI SHABANI	0754020881	SADI
11	AMNUEL BOAZ	0767725607	Amnuel
12	YACOBO FURA	0769-446053 <del>0756-912473</del>	Y.B
13	COSMAS NIIRBYHO <sup>STB</sup>	<del>0766148008</del>	Cosmas
14	KENEBY RUFOMOKA	0753973225	Keneby
15	ISSACK FWOBA	0769446053	ISSACK

AFISA MTENDAJI  
KATA YA HERU JUU  
H/MJI-KASULU