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TANZANIA RURAL AND URBAN ROADS AGENCY



TANZANIA TRANSFORMING INFRASTRUCTURE AND COMPETITIVENESS -
(P171189)

RESETTLEMENT POLICY FRAMEWORK



EXECUTIVE SUMMARY

Over the past ten years, PO-RALG has successfully implemented the Dar es Salaam Metropolitan Development Project (DMDP), the Tanzania Strategic Cities Project (TSCP), and Urban Local Government Support Program (ULGSP). Together, these projects aim to improve management, planning and service delivery in 29 Urban Local Government Authorities (ULGAs). Given that two of the three projects are set to close by 2020 (TSCP by November 26, 2020, and ULGSP by December 30, 2020), technical discussions with World Bank started in early 2018 to shape the future urban program in Tanzania moving forward. It was proposed to consolidate the closing projects into a single operation to better leverage synergies in activities aimed at strengthening urban management functions. Implementation challenges were thoroughly reviewed during the project mid-term reviews for TSCP (May 2017) and ULGSP (May 2016) and the proposed TACTIC will introduce measures to address these challenges and build on the following lessons learned:

1. *Defining the right incentives is critical.* Urban management functions will not be strengthened without the right incentives to improve performance.
2. *The selection of priority investments should be informed by urban plans and master plans by ensuring consistency between economic plans, urban plans and sector plans, and use additional selection criteria for priority investments.* These will include: (i) population size and density; (ii) vulnerability to disasters; (iii) income levels; and (iv) lack of access to basic infrastructure and services.
3. *Urban performance grants will incentivize the implementation of environmental and social safeguards instruments.* Under DMDP, TSCP, and ULGSP the necessary safeguards instruments were developed.

The GoT intends to request a credit amounting to US\$ 500 million for implementation of the project in the period of six (6) years.

Potential impacts

Positive impacts: The socio-economic impacts of the above listed activities will be mainly positive and related to the improvement of the quality and standard of living of the urban population in the project areas through upgraded infrastructure. During construction it is expected that huge numbers of people will access employment and business opportunities thus increase of their earnings.

Negative Impacts: However, civil works implementation could result in various adverse social impacts. On the social front, the key impact relates to the fact that some activities will require 'lands uptake', which could lead to temporary/permanent physical and economic displacement as well as restrictions on access. Other impacts are environmental including: (a) increased pollution with waste, noise, dust, exhaust gases from fuel combustion products; (b) health and safety hazards and other problems resulting from construction activities; (c) increased contamination of groundwater and surface water; (c) threats to human health as a result of improper handling of heavy machinery during construction activities.

Land Acquisition Processes:

Where land acquisition is required, the Project needs to draw a strategy and implementation action plan to secure land. Two broad methods of securing land envisaged under the Project are: (i) voluntary donations; and (ii) involuntary acquisitions. The former is traditionally a well-accepted practice in community led initiatives as the communities decide on the activities to be taken up under the Project. Yet, the Project lays out a series of "Dos and Don'ts" to ensure that donations are indeed 'voluntary'

and that the land donor is not affected adversely as a result of the land donation. Involuntary land acquisitions, however, requires much more focused and planned attention as it could result in economic and/or physical displacement and consequently several adverse impacts. However, impacts and risks are expected to be much lower as subprojects are selected based on the less demand on land acquisition and they will not require permanent physical displacement. The RPF therefore defines the procedures for: (i) acquiring land (voluntary and involuntary after all technical alternatives have been exhausted), (ii) dealing with any residual impacts from land acquisition [i.e identifying, establishing the valuation of, and compensating people that suffer economic losses or loss of private property] (iii) defining entitlements and eligibilities; temporary relocation framework, (iii) monitoring and verification that policies and procedures are followed, and (iv) grievance redress mechanisms (v) funding arrangements,

Need for the RPF

Towards the above, preparation of resettlement action plan (RAP) for implementation, is imperative. However, preparing RAPs at appraisal is not possible as the subprojects will become known only during the implementation phase. While the broad category of activities and impacts is foreseen, exact magnitudes can become known only after detailed subproject designs are made. Hence, towards preparing a RAP, Project preparation included the development of a Resettlement Policy Framework (RPF). The key objective of the RPF is to provide a framework through which to appropriately identify, address and mitigate adverse socioeconomic impacts that may occur due to the implementation of subprojects that involve the involuntary acquisition of land and the subsequent resettlement of affected families.

The RPF also serves the following specific purposes:

- Reviews the existing national legal framework, compares it with the World Bank Environmental and Social Framework (ESF) for gaps, if any, and indicates gap-filling measures;
- Describes the approach to securing private land, assets and other common property resources;
- Specifies the scope of the project with a well-defined exclusion list;
- Defines the valuation process of impacted assets;
- Defines the process for preparation of RAPs and their review;
- Defines the cutoff date for Title and Non-Title holders;
- Identifies the consultation mechanisms/approaches to be adopted while preparing and implementing RAPs including public disclosures;
- Defines the monitoring and evaluation arrangements including Grievance Redress Mechanisms (GRM); and
- Defines the institutional and implementation arrangements --roles/responsibilities of different stakeholders.

Subproject-specific RAPs will be prepared in accordance with the RPF. The corresponding safeguards document for other social and economic impacts not associated with land acquisition and restrictions is the Environmental and Social Management Framework (ESMF) and Stakeholders Engagement Framework (SEF).

Guiding Legal Frameworks

This RPF is based on relevant National laws and Decrees as well as the World Bank ESS5. The guidelines of the RPF apply to all TACTIC investments. The RPF applies to all economically and/or physically displaced persons regardless of the total number affected by the severity of impact and whether or not they have legal title to the land. Particular attention will be paid to the needs of such

vulnerable groups like women-headed households, low-income households, households headed by the elderly with no support, and households headed by physically challenged people. RPF preparation has been participatory, based upon consultations with a variety of stakeholders and the draft framework will be disclosed on stakeholders through disclosure workshop.

There are some differences between the World Bank policies and Tanzania's legislation in the sphere of involuntary resettlement. The main discrepancies include: (i) providing detailed explanations of entitlements to project affected households, (ii) provision of compensation based on market value instead of full replacement cost, (iii) defining the cut-off date, and (iv) carrying out socioeconomic surveys. The RPF has been prepared by harmonizing to the extent possible the two policies. However, The World Bank ESS5 will prevail in cases of differences in substance and/ or in the interpretation between WB and Tanzanian legislation.

Valuation of the Assets

Valuation methods for affected land and assets will be done at replacement¹ cost as per WB-ESS5, that states, when land acquisition or restrictions on land use (whether permanent or temporary) cannot be avoided, the Borrower will offer affected persons compensation at replacement cost, and other assistance as may be necessary to help them improve or at least restore their standards of living or livelihoods. Meaning that a RAP needs to be developed for all involuntary resettlement – physical displacement, in-situ and permanent., the Borrower will develop a plan that covers, at a minimum, the applicable requirements in ESS 5 regardless of the number of people affected.

Replacement cost: Replacement cost is the principle to be complied with in compensating for lost assets as per Table 6(4). Thus, the valuator should conduct analysis of the valuations calculated under Tanzanian laws and establish variation factors to bridge the gaps. It has been noted in most cases that GoT rates are rarely tallying with the requirements of the replacement cost.

Entitlement Matrix (EM)

Each subproject needs to be screened for social impacts based on the given designs for the proposed improvements to determine if there are any impacts that require the preparation of the RAP that entitles the Project Affected Persons (PAP) to resettlement assistance. Based on the harmonization efforts and the impacts likely to occur, an Entitlement Matrix (EM) has been developed, that summarizes the types of losses and the corresponding nature and scope of entitlements. Compensation and rehabilitation assistance for various categories of losses based on the tenure and magnitude of impact has been provided. Additional assistance to vulnerable, reimbursement of transaction costs in relation to those who receive land for land compensation are some of the provisions contained in the EM.

Defining Cut Off date

In order to ensure that ineligible persons do not take the opportunity to claim eligibility, a cut-off date will be established. The cut-off date will be the date of commencement of the census. It is a date after which people who are not included in the list of Projects affected persons (PAPs) as defined by the census will not be considered eligible for compensation. The replacement value of houses, buildings and other immovable properties will be determined on the basis of market value as on date without depreciation. Compensation for fruit bearing trees are meant to include loss of income while they mature to the size that they were at expropriation. compensation for the loss of crops, fruit-bearing trees will be decided by the Agricultural Department at respective districts. Prior to taking possession

¹ Government procedure for valuation is for market value, as discussed in the

of the land or properties, the compensation will be fully paid and PAPs will have the opportunity to harvest crops/trees within 30 days from the date of payment of compensation.

Community Engagement The involvement of PAPs in planning prior to the move is critical. The PIU, with the support of LGAs, will be responsible for workshops and sensitization meetings with relevant Stakeholders to each subproject prior to completion of the site-specific RAP. Consultations with PAPs will be conducted through meetings facilitated by both PIU and RAP developing Consultant. Any legitimate issue raised through the public consultation should be included in the RAP. The concerns of PAPs will be taken into account and reflected in subproject implementation. The stakeholder's engagement and consultations will be guided by ESS10.

Grievance Redress Mechanism

The project will establish a Grievance Redress Mechanism (GRM) which would function at four-levels to receive, evaluate and facilitate the resolution of displaced person's concerns, complaints and grievances. GRM has been developed based on the existing complaint handling mechanism which specifies in detail the resettlement management including implementation arrangement and the review processes.

Funding sources and arrangements

In order to implement the Resettlement related measures, budgetary provisions will be made available, in terms of each subproject. Budgetary estimation for subproject in resettlement implementation is necessary, this includes resettlement management. Accordingly, land acquisition and resettlement expenses for consultation and participation, grievance redress, the cost of relocation, income restoration, transitional allowance, livelihood program, monitoring and evaluation, administration, contingencies etc. will be included as cost estimates for social management. LGAs will provide an adequate budget for all land acquisition compensation. The budget estimates and its sources will be reflected in RAPs. The World Bank loan will not be available for land acquisition compensation paid in cash or for the purchase of resettlement sites/replacement land, if this is an option. . The loan will be available, if required, for rehabilitation and livelihood restoration activities entailing costs such as works, purchase of goods and services.

Monitoring and evaluation

PIU will be responsible for concurrent Monitoring and Evaluation (M&E) of RAP implementation. The M&E will include monitoring and verification of processes and activities in RAP implementation and will prepare and submit to the Ministry quarterly reports. if any, identified mid-course corrections, as appropriate, will be made by M&E Consultant.

This Resettlement Policy Framework will be updated when changes or amendments to the applicable laws and policies are made and based on implementation experience and lessons learned.

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ABBREVIATIONS

CBO's	-	Community Based Organizations
CC	-	City Council
CSOs	-	Civil society Organizations
DMDP	-	Dar es Salaam Metropolitan Development Project
DP	-	Displaced Person
EM	-	Entitlement Matrix
ESMF	-	Environmental and Social Management Framework
ESMP	-	Environmental and Social monitoring Plan
ESS	-	Environmental and Social Safeguard Standards
FGD	-	Focus Groups Discussion
FP	-	Facilitating Partners
GBV	-	Gender Based violence
GCRC	-	Gross Current Replacement Costs
GDP	-	Gross domestic product
GEM	-	Global Environmental Management Support
GIS	-	Geo spatial Information
GoT	-	Government of Tanzania
GRC	-	Grievances Redress Committee
HIV/AIDS	-	Human Immune Deficiency/Acquired Immune Deficiency Syndrome
LGA	-	Local Government Authority
M&E	-	Monitoring and Evaluation
NGO	-	Nongovernmental organization
NLUPC	-	National Land use planning commission
PAP	-	Project Affected People
PAPs	-	Project Affected Person
PCP	-	Participation and Consultation Plan
RAP	-	Resettlement action plan
RFP	-	Resettlement Policy Framework
RIU	-	Resettlement Implementing Unit
SPCU	-	Sub- Project Coordinating Units
SSS	-	Social Safeguard Specialist
TC	-	Town Council
TSCP	-	Tanzania Strategic Cities Project
TSh	-	Tanzanian Shilling
ULGSP	-	Urban Local Government Support Program
VDL	-	Voluntary Donations Land
WB	-	World Bank
WBCU	-	World Bank coordinating Unit

GLOSSARY OF TERMS

Agricultural laborer: a person doing off-own-farm work on a casual basis that usually covering a period of days or weeks

Agriculture: The practice of growing crops and raising of animals on land for human use

Agricultural land: Any land under cultivation of crops and raising/rearing of animals

Building or Structure: refers to a dwelling unit/house or anything constructed for habitation or housing of a business enterprise or kitchen, toilet, kraal, etc.

Business Owner: An individual or group that owns the assets of a firm and profits from them. A business owner is someone who owns, runs or operates a business, whether big or small. Usually, if they operate from their own premises they are called “owners of structure and business” and if from someone’s premise they become “tenant’s/renter business owners”.

Corridor of impact (COI) or Way leave: Refers to the minimum land width required for Overhead transmission and distribution lines and roads

Cut-off Date: Refers to the day after which any person who occupies land required for subproject use will not be eligible for compensation.

Developer: The developer is the subproject owner or sponsor (private or commercialized public). In the case of TACTIC developer is the Government of Tanzania through its LGAs.

Dwelling unit: It may be defined as any structure – permanent, semi-permanent or traditional where people live. This is irrespective of the size of the household and building size. A household may contain one or several dwelling units.

- *Permanent structure:* Dwelling units built with durable materials
- *Semi-permanent structure:* Dwelling units lacking materials of a permanent structure for wall or roof.
- *Traditional structure:* Dwelling units built with both thatched roof and mud walls

Dwelling (or Structure) owner: The owner of a dwelling unit/house or anything constructed for habitation or housing of a business enterprise

Encroacher: A person who has extended their building, agricultural lands, business premises or work places into public/government land without authority;

Entitlement Matrix: this is a major integrated part of any resettlement plan document. It provides the bases of calculations of costs of impacted properties and sources of earnings lost to people affected by the project in the process of planning for any infrastructure development. It also puts forward the premises of formalizing eligibilities of affected persons in receiving compensation for the loss of their properties and earnings and also other resettlement and rehabilitation assistances being packaged for the beneficiaries through the project provisions.

Entitled person (EP): A person who is adversely impacted by the project and is eligible for assistance as per the project entitlement framework;

Environmental and Social Management Framework (ESMF): The ESMF is a safeguard instrument (document) that establishes a mechanism to determine and assess future potential environmental and social impacts of productive investments of developers that have successfully qualified under TACTIC, and then sets out mitigation, monitoring, and institutional measures to be implemented during the project cycle to eliminate adverse environmental and social impacts, or offset or reduce them to acceptable levels.

Fruit trees: Any tree which is planted for fruit purposes are referred to as Fruit Trees; these include all types of fruits, guava, oranges, tamarind, tangerine, lime, mangoes, lemon jack fruit etc.

Graveyard: Any area designated and being used as a burial site in the community.

Income: Income of the PAP shall mean the amount prior to the cut-off date from all occupations/sources taken together calculated by an objective assessment;

Kiosk: A kiosk is a booth/stall/cabin/cubicle made of wood or iron or any other building material which could be shifted to another location as a single unit without much damage and is used for carrying out petty business/ commercial activities and has been in operation/existence prior to cut-off date;

Land: means the material of the earth, whatever may be the ingredients of which it is composed, whether soil, rock or other substance, and includes the surface covered with water, all things growing on that surface, buildings, other things permanently affixed to land and free or occupied space for an indefinite distance upwards as well as downwards, subject to limitations upon the airspace imposed, and rights in the use of airspace granted, by international law.

- Customary Land: Land held in trust by the Chief for the people
- Private Land: All land which is owned, held or occupied under a freehold title, or a leasehold title and is registered as such under the Registered Land Act;”
- Freehold land: Land held absolutely privately in perpetuity on which no ground rent is paid.
- Leasehold land: land held privately for a term of years
- Public land: land held in trust for the government of Tanzania and managed by government and includes any land held by the government or local authority and, land gazetted for national parks, forest reserves, and recreation areas, historic or cultural sites.

Land Holder: Means holder of a parcel of land or a proprietor of land, who is responsible for the payment of land revenue;

Market rate: Commercial terms according to Tanzanian law for sale of land.

Permanent/perennial crop: Any crops which is planted that live for more than two years for commercial or food stuff purposes are referred to as permanent or perennial crop: these include coco nuts, cashew nuts, brad fruit, sugar cane, banana, coffee, cloves, etc.

Person: Includes an individual, a firm, a Company or an association or a body of individuals whether incorporated or not;

Project: Refers to Tanzania Cities Transforming Infrastructure and Competitiveness Project (TACTIC)

Project Affected Area: Refers to the area of a locality under a project for which land will be acquired or for which land belonging to the Government/Project Proponent will be cleared of encumbrances;

Project Affected People (PAP): Any tenure holder, tenant, Government lessee or owner of other property, or non-titleholder (unauthorized occupant) who on account of the project has been affected from such land or other property in the affected area will be considered as PAP. These people are affected because they may lose shelter or be denied or restricted access to economic assets, income sources, or means of livelihood.

Project Affected Household (PAH): A social unit consisting of a family and/or non-family members living together, and is affected by the project negatively and/or positively;

Project Displaced Person (PDP): Any tenure holder, tenant, Government lessee or owner of other property, or non-titleholder who on account of the project has been involuntarily displaced from such land including plot or other property will be considered as PDP. A displaced person will always be a PAP, but all PAP may not be PDP;

Rent: payment made in respect of use of someone' property

Renter: A person who has made payment in respect of use of someone' property

Replacement House Structure: House structure of different designs offered as in-kind compensation to PAPs in lieu of compensation in cash for those losing main dwelling or residential structure.

Resettlement/Compensation Action Plan (RAP): Document prepared by the developer when subproject activities require land appropriation that leads to physical displacement of persons, and/or loss of shelter, and/or loss of livelihoods, and/or loss, denial, or restriction of access to economic resources. A RAP contains specific and legally binding actions to be taken by the developer to resettle and compensate the affected people (PAPs) before subproject construction.

Resettlement Policy Framework (RPF): Management instrument prepared by the borrower (for this case the Government of Tanzania – PO-RALG to be implemented by developers to comply with the resettlement or compensation management required by the subproject under the TACTIC.

Shop: Means and premises where any trade or business is carried on and where services are rendered to customers;

Seasonal / Annual crops: Maize, ground nuts, soya beans, cotton, pigeon peas

Squatter: A person who has settled on unplanned land.

Tenant: A person who holds/occupies land-/structure of another person and (but for a special contract) would be liable to pay rent for that land/structure.

Temporary Impact: Impact expected during implementation of the project in the form of earth spoil, tremors and vibrations, etc. affecting land and structure or loss of access;

Tenant: A person who holds/occupies land-/structure of another person and (but for a special contract) would be liable to pay rent for that land/structure. This arrangement includes the predecessor and

successor-in-interest of the tenant but does not include mortgage of the rights of a landowner or a person to whom holding has been transferred; or an estate/holding has been let in farm for the recovery of an arrear of land revenue; or of a sum recoverable as such an arrear or a person who takes from Government a lease of unoccupied land for the purpose of subletting it;

Trees: natural trees and exotic trees as contained in the Forestry Gazette, Government of Tanzania.

Unauthorized Occupant: Person occupying public land for livelihood purposes, cultivation, shop but not living there and not having any adjacent land to the affected parcel of land.

Vulnerable person/ Households: It includes:

Ultra-poor / poor households with comparative low expenditure/consumption with high dependency ratio i.e. 1 fit or able-bodied person with more than three dependents including: more than three members who are elderly (above 65 years of age); more than three members between 0-18 years; members with physical disability, chronic illness (HIV/AIDS, diabetes, paralysis); Members with mental impairment.

Wage Earner: Wage earners are those whose livelihood would be affected due to the displacement of the employer. The person must be in continuous employment for at least six months prior to the cut-off date with the said employer and must have reliable documentary evidence to prove his/her employment; in absence of formal agreement, identification through premises owner or neighbor communities would be undertaken

1 PROJECT GENERAL CONTEXT

1.1 Introduction

Over the past ten years, PO-RALG has successfully implemented the Dar es Salaam Metropolitan Development Project (DMDP), the Tanzania Strategic Cities Project (TSCP), and Urban Local Government Support Program (ULGSP). Together, these projects aim to improve management, planning and service delivery in 29 Urban Local Government Authorities (ULGAs). Given that two of the three projects are set to close by 2020 (TSCP by November 26, 2020, and ULGSP by December 30, 2020), technical discussions with World Bank started in early 2018 to shape the future urban program in Tanzania moving forward. It was proposed to consolidate the closing projects into a single operation to better leverage synergies in activities aimed at strengthening urban management functions. Implementation challenges were thoroughly reviewed during the project mid-term reviews for TSCP (May 2017) and ULGSP (May 2016) and the proposed TACTIC will introduce measures to address these challenges and build on the following lessons learned:

- Defining the right incentives is critical. Urban management functions will not be strengthened without the right incentives to improve performance.
- The selection of priority investments should be informed by urban plans and master plans by ensuring consistency between economic plans, urban plans and sector plans, and use additional selection criteria for priority investments. These will include: (i) population size and density; (ii) vulnerability to disasters; (iii) income levels; and (iv) lack of access to basic infrastructure and services.
- Urban performance grants will incentivize the implementation of environmental and social safeguards instruments. Under DMDP, TSCP, and ULGSP the necessary safeguards instruments were developed.

The GoT intends to request a credit amounting to US\$ 500 million for implementation of the project in the period of six (6) years.

1.2 TACTIC Project Description

The proposed Project Development Objective (PDO) is to “improve urban management, service delivery, and business and investment environment in participating Urban Councils.” Key results include:

- Improved capacity in Urban Management
- Improved infrastructure and services
- Improved business and investment environment

1.3 Project Components

In order to achieve the mentioned PDO above, the following project components were proposed:

Component 1: Strengthening Urban Management (Technical Assistance and Performance Grants). This component is further subdivided into three subcomponents namely: (a) ICT for Urban Management (b) PPPs for Urban Service Delivery and (c) Mainstreaming Urban Resilience.

Component 2: Urban Infrastructure and Services

This component supports construction of strategic infrastructure investments identified under existing urban management plans. These investments intend to strengthen rural-urban connectivity through, link to existing urban plans and will focus on servicing existing economic activity clusters (e.g. markets, agro-processing centers, warehouses, etc) and responding to urban adaptation and resilience needs

(e.g. storm-water drainage investments in flood prone areas, rehabilitation/retrofitting of critical infrastructure in seismically active areas, coastal protection investments in response to sea level rise for cities, river restoration, sediment management, erosion control, etc).

Technical Scoping mission, on project pre appraisal noted that LGAs have already proposed their priority lists of investments which include roads, markets, main and mini bus stands, controlled dumpsites, slaughter houses, storm water drainages, lorry parking, footbridges and various economic clusters projects. Details of investments are attached as Annex 1.

Component 3: Project Management

This component supports project implementation at PO-RALG and participating LGAs in areas of Project Coordination, Monitoring and Evaluation, Safeguards, Financial Management and Procurement. The existing Project Coordination Unit at PO-RALG under TARURA will remain while implementation arrangements at LGAs level will be in collaboration with TARURA Council Managers.

Performance Grants

The performance assessment will be carried out on Year 3 to give councils enough time, the grants will measure performance in the following aspects:

- Implementation and enforcement of urban plans and by-laws
- Operations and maintenance of infrastructure financed under TSCP and ULGSP
- Management of performance-based contracts and PPPs for solid waste management, markets, bus stands, and abattoirs
- Implementation of Environmental and Social Safeguards (quality of completed ESIA, site specific ESMPs, RAPs, Grievance Redress Mechanisms, Occupational Health and Safety Issues)
- Own source revenue improvement (existence of revenue enhancement strategies and plans, use of LGRCIS and POS machines, etc).

1.4 Geographical Coverage of The TACTIC Project

The RPF is geared to guide all 45 LGAs under TACTIC project. According to the TACTIC project brief 2020), TACTIC projects are categorized in three (3) tiers. The LGAs and respective tiers as shown in table below;

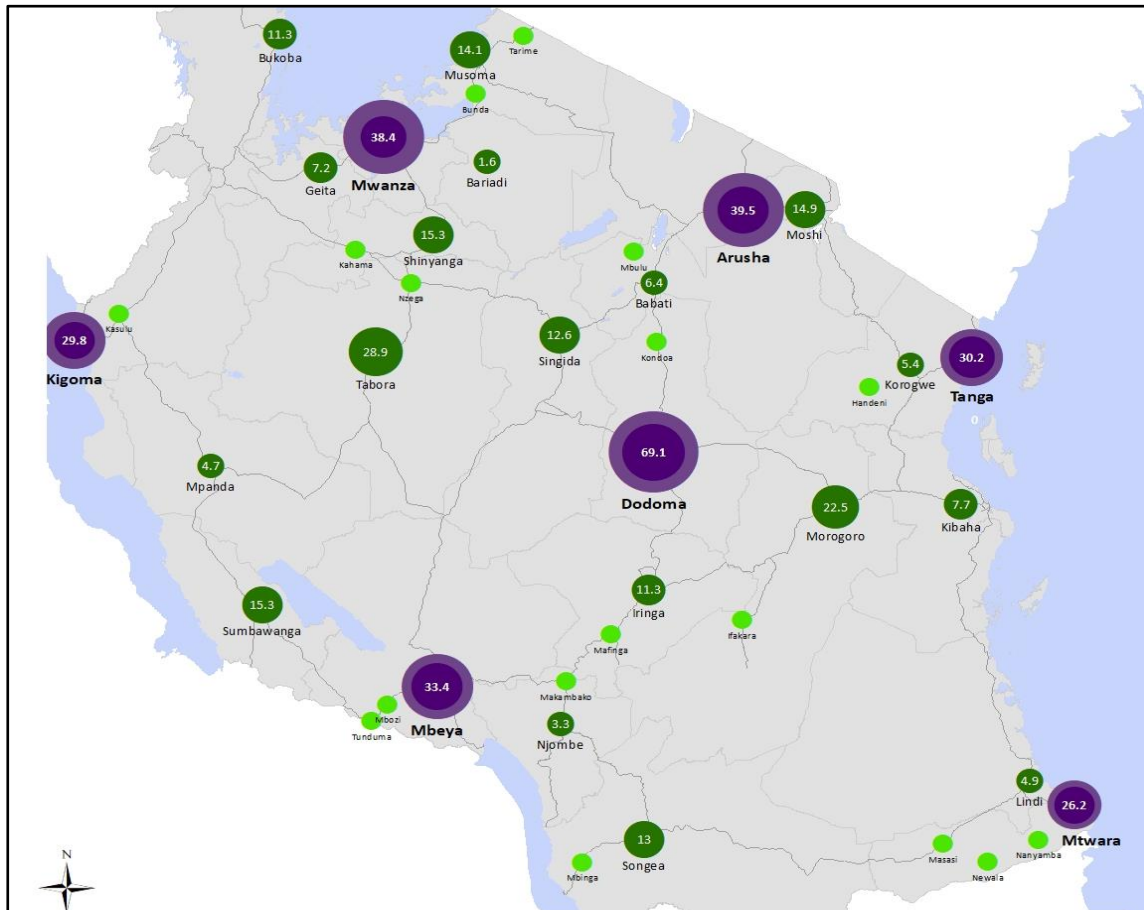
TABLE 1: LGAs LISTED UNDER EACH TIER

S/N	Levels	Respective LGAs
1	Tier 1	Arusha, Dodoma, Ilemela, Kigoma, Mbeya, Mwanza, Geita, Morogoro, Songea, Sumbawanga, Tabora and Kahama;
2	Tier 2:	Mtwara, Tanga, Babati, Bariadi, Bukoba, Iringa, Kibaha, Korogwe, Lindi, Moshi, Mpanda, Musoma, Njombe, Singida, and Shinyanga
3	Tier 3:	Bagamoyo, Chato, Bunda, Handeni, Ifakara, Kasulu, Kondo, Mafinga, Makambako, Masasi, Mbinga, Mbulu, Nanyamba, Newala, Nzega, Tarime, Tunduma, and Vvawa

Details on activities related to different potential sub projects are listed in Annex1.

Locations of proposed TACTIC 45 LGAs are presented in a map below:

MAP 1: MAP SHOWING TACTIC PROJECT GEOGRAPHICAL LOCATION



1.5 Potential Social Impacts Under Tactic Subprojects

Positive impacts: The socio-economic impacts of the above listed activities will be mainly positive and related to the improvement of the quality and standard of living of the urban population in the project areas through upgraded infrastructure. During construction it is expected that huge numbers of people will access employment and business opportunities thus increase of their earnings.

Negative Impacts: However, civil works implementation could result in various adverse social impacts. On the social front, the key impact relates to the fact that some activities will require 'lands uptake', which could lead to temporary/ permanent physical and economic displacement as well as restrictions on access. Other impacts are environmental including: (a) increased pollution with waste, noise, dust, exhaust gases from fuel combustion products; (b) health and safety hazards and other problems resulting from construction activities; (c) increased contamination of groundwater and surface water;

(c) threats to human health as a result of improper handling of heavy machinery during construction activities. (Details see matrix of impacts per sub projects in Annex2).

Magnitude of Resettlement Impact Under TACTIC

Generally, it is anticipated that the magnitude of impact will be minimal due to the following observations

1. Most Infrastructure projects will involve construction on the existing sites and hence the councils already own the land; these infrastructures include markets and bus terminals
2. All roads under TACTIC are being upgraded and therefore the RoW already exists- minimal impact will arise from minor change of alignment due to design or in areas that the roads are passing through unplanned settlements and the RoW might require increasing or has been encroached
3. For new projects LGAs already have land that has been acquired as this was a pre-condition for selection of sub-project

Therefore, the expected number of PAPs for all the sub-projects in the 45LGAs under TACTIC; for temporary PAPs is 15,000 (vendors from different markets that require temporary relocation; LGAs have already obtained alternative land for relocating them temporarily) RAPs should provide further details. Other type of PAPs include those who will be permanently relocation and will not exceed 200 (owners and or tenants); these will include those losing their structures or 100% land and will have to be relocated; these will mainly be from squatters where roads to be upgraded.

1.6 Need for The RPF (Rationale)

As the lands are required, the project needs to draw a strategy and implementation action plan to secure lands. The broad method of securing lands for the project is mainly envisaged to be through involuntary acquisitions.. Even though most LGAs already had land for implementation of the sub projects as part of their own initiatives for preparation of investments. However, TACTIC is a project covering 45 LGAs and numerous sub-projects with broad category of activities impacts viz preparing RAPs are expected and hence need a framework to guide issues associated with land take.

1.7 Objectives of the Resettlement Policy Framework

The key objective of the Resettlement Policy Framework is to provide a framework to appropriately identify, address and mitigate adverse socioeconomic impacts that may occur due to the implementation of subprojects that involve the involuntary acquisition of land and the subsequent resettlement of affected families. The RPF also serves the following specific purposes:

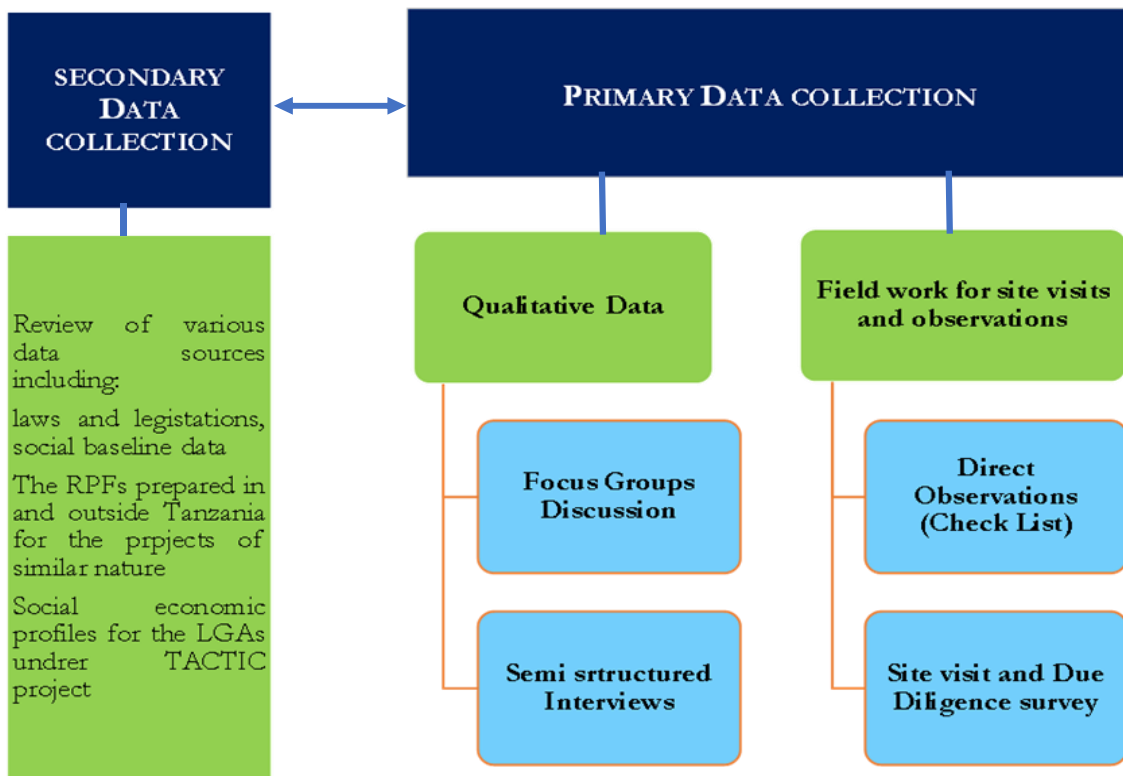
- Reviews the existing national legal framework, compares it with the World Bank Environmental and Social Standards (ESS 5) for gaps, if any, and indicates gap-filling measures;
- Describes the approach to the securing private land, assets and other common property resources;
- Specifies the scope of the project with a well-defined exclusion list;
- Defines the valuation process of impacted assets;
- Defines the process for preparation RAPs and their implementations;
- Defines the cutoff date for Title and Non-Title holders;
- Identifies the consultation mechanisms/approaches to be adopted while preparing and implementing RAPs including public disclosures;

- Defines the monitoring and evaluation arrangements including Grievance Redress Mechanisms (GRM); and
- Defines the institutional and implementation arrangements --roles/responsibilities of different stakeholders. Subproject-specific RAPs will be prepared in accordance with this RPF. The corresponding safeguards document for other social and economic impacts not associated with land acquisition and restrictions is an Environmental and Social Management Framework (ESMF).

1.8 Methodology of Preparation of the RPF

The preparation of the RPF is also based on previous experience in other similar projects. The discussion with the concerned bodies included information about the Tanzania Laws, views on the application methods and timing of execution. Moreover, the desktop review of various data sources was also used. This RPF will be updated when changes or amendments to the applicable laws and policies are made and based on implementation experience and lessons learned.

FIGURE 1: DATA SCHEME OF THE RESETTLEMENT POLICY FRAMEWORK (RPF)



1.8.1 Desk work and review of documents

A desk review of relevant literature was conducted including: TACTC project brief (2020); laws and legislation governing various sub sector projects and in relation to land acquisition and resettlement; World Bank ESS 1-10; Districts Social economic profiles of the LGAs under TACTIC. Additional data were also gathered from the completed studies of the similar

nature RPF for the TSCP and DMDP projects as well as other reports on resettlement around the existing facilities in Tanzania and along the sub-Saharan region, journals.

1.8.2 Site visits for Reconnaissance

The proposed TACTIC project is clustered into three tiers (see section 1.4), from which the sample was drawn for site visits for the purpose of preparation of this RPF. All LGAs were made aware of the exercise, however a sample of 15 LGAs equivalent to 33% of the LGAs under TACTIC was drawn. Site selection criteria included the following:

1. LGA to be visited should be among the 45 LGAs under TACTIC
2. Should have new subprojects eg, fish landing sites, ocean bank protection, international markets, newly promoted areas (newly recognized municipals).
3. LGAs planning to upgrade more than 3 existing markets, thus drawing attention on RAP issues.
4. Areas were identified also based on the uniqueness of the new projects.

The sample size was drawn in a stratified method to ensure representation of all types of project. Each tier had equal chances of representation. Figure below presents number of LGAs per each tier and respective sample size of the selected areas for site visits.

FIGURE 2: NUMBER OF LGAS UNDER TACTIC AND RESPECTIVE SAMPLED LGAS BASED ON THE THREE TIERS

Sub projects CLUSTERS			
LGA Types	TIER 01	TIER 02	TIER 03
CITY	04	01	00
MUNICIPAL	06	09	02
TOWN COUNCIL	02	05	16
TOTAL	12	15	18
SAMPLE	05	05	05

Beside the physical visits of the site to the 15 (33%) of LGAS the RPF preparation team also communicated online with all the 45 LGAs (100%). The online discussions involved informing them

about the ongoing exercise (RPF preparation) so as to keep them on track. During the disclosure workshop for the RPF all LGAs were notified /invited attend the workshop.

1.8.3 Consultations with stakeholders

RPF has been prepared following extensive consultations with a variety of stakeholders in the LGAs. This included the local communities, Markets Committee Members, LGAs and relevant Government parastatals as well as NGOs/CBOs. Feedback obtained from the consultations have been incorporated into designing the project’s institutional and implementation arrangements. ESMF and RPF preparation has been highly participatory. The stakeholders’ expectations and the related issues/ concerns have been taken due note of while preparing these instruments. Subsequent to the production of the final version disclosure meeting(s) will be held; responses evinced will be ploughed into finalizing the reports. ESMF and RPF documents will be published on the PO-RALG website and will be further published on the external WB website.

Based on the proposed sub-project lists and tiers, a number of stakeholders were identified for consultation. The purpose was to ascertain their relevance and roles during RAP preparation and subsequently implementation. Interactions with Municipalities and stakeholders’ consultations. The project meeting and other preliminary interactions with these key stakeholders will be enabled to gain a broad understanding of the project features and subsequently define the scope of RPF.

TABLE 2: TYPOLOGY OF STAKEHOLDERS CONSULTED

Stakeholder type	Importance in the Project /RAP	How they were involved
Project Affected People (PAPs <i>(Mainly were traders in the markets, dala dala drivers, boda boda and taxi drivers, operators of sailing boats across the rivers, workers porters and vendors in the markets)</i>)	These are people that are directly involved as they would have to be involuntarily resettled the land they own/use. To avoid complaints and grievances in future about the level and nature of compensation, these had to be consulted. During the focus group discussions, efforts were made to pick the information from the PAPs (both males and females).	<ul style="list-style-type: none"> ▪ Meetings, ▪ FGD
Communities along the proposed roads (Commercial sector) including transport operators and vendors:	These are communities that may not be directly affected but form part of the community. They need to know about and appreciate the green corridor plan. Also, during construction stage these persons might experience impact on their parcels that are outside the wayleave. Communities that live near or within the ROWs are worthwhile stakeholders because the planned intervention may affect motorized traffic access for customers, workers and goods. Therefore, the	<ul style="list-style-type: none"> ▪ Meetings,

Stakeholder type	Importance in the Project /RAP	How they were involved
	participation of the commercial sector and other economic agents is very important.	
Government agencies (Utility services providers)	Government agencies are a key group of stakeholders, fundamental for the feasibility of the project and the efficiency of its development. The complexity of the project plan affects different areas, requires acknowledgement and coordinated implication of several departments of the administrative corpus.	<ul style="list-style-type: none"> ▪ Meetings,
CBOs: (Drivers Associations, markets associations,)	NGO/CBO leaders, have a lot of experience as such they for a group of collaborating agencies /strategic alliances to gain support, advice or prepare/schedule engagement activities with other stakeholders.	<ul style="list-style-type: none"> ▪ Meetings, ▪ FGD
Municipal Council	These are the “major beneficiary” of the Project as it is whose assets that are being upgraded and expanded. Communities across the project area relate all project benefits as being done by councils. It is also a major stakeholder because eventually will be dealing with collecting revenues from the newly constructed and effectively operating infrastructure. Councils demonstrated a lot of experience in resettlement and they were consulted to understand what they thought were important issues to consider in the RAP. It became very clear that councils have database of the vendors around the markets, transport operators who are legally operating and eligible for income restoration. Councils will spearhead the communication with PAPs on all stages of RAP development	<ul style="list-style-type: none"> ▪ Meetings, ▪ Interviews, ▪ Online through emails and telephone, ▪ checklists

1.8.5 Meetings with Stakeholders

A number of formal public meetings were held in each of the visited LGA. Minutes of meeting were recorded and documented accordingly following accepted best practices.

TABLE 3: NUMBER OF MEETING PARTICIPANTS SEGREGATED BY GENDER

S/N	Meeting	Venue	Date	Number Of Participants		
				Male	Female	Total
1	Sumbawanga M C	Sumbawanga Municipal Conference Hall	01/07/2020	30	25	55
2	Tunduma TC	Tunduma Council Conference Hall	29/07/2020	27	35	62
3	Kondoa TC	Kondoa Town Council Conference Hall	02/07/2020	20	21	41
4	Dodoma City Council	Dodoma City Conference Hall	03/07/2020	25	30	55
5	Tanga City Council	Tanga Town Council Conference Room	06/07/2020	30	25	55
6	Kasulu Town Council	Kasulu Conference Hall	01/07/2020	45	11	66
7	Kigoma Ujiji Municipal Council	Mc Conference Hall	01/07/2020	59	15	74
		Luiche River Site		19	14	33
8		Kaitaba Football Ground	03/07/2020	39	16	55

S/N	Meeting	Venue	Date	Number Of Participants		
				Male	Female	Total
	Bukoba Municipal Council	Kashai Market		22	54	76
9	Chato Town Council	Chato Council Hall	01/07/2020	40	7	47
		Kasenda Fish Market		28	4	32
10	Musoma Municipal Council	Musoma Council Hall	02/07/2020	34	19	53
		Mwalo Makoko Fish Market		16	95	111
11	Tarime Town Council	Tarime Town Council Hall	02/07/2020	17	1	18
12	Singida Municipal Council	Singida Municipal Hall	03/07/2020	42	13	55
		International Onion Market		68	15	83
13	Kahama Town Council	Kahama Town Council Hall	30/06/2020	53	19	72
		Sangu Market		78	23	101
		Zongomela Bus Stand		83	34	117
		Kahama TC Bus Stand		137	43	180
14	Mwanza City Council	Mwanza City Council Hall	29/06/2020	49	18	67
		Mkuyuni Fish Market (Mswahili Shore)		75	129	204
		Lake Victoria Basin Office		1	0	1
15	Lindi Municipal Council	Lindi Municipal Council Hall	06/07/2020	42	26	68
		Mangrove fish market		37	62	99
TOTAL				1116	754	1880

1.8.6 Recognizance of the Project Areas

Subsequent to secondary data collection the team carried out site reconnaissance survey along the selected project sites. The site visits were guided by check lists geared to collect information through discussions with LGAs teams, various groups especially the vendors in the operating markets, discussions with key informants and knowledgeable persons of the areas. The inputs from the reconnaissance and preliminary data collection exercise increased the understanding on the scale of the potential impacts involved in the project and sub - projects; communities' perceptions and expectations and information gaps; settlement patterns within demarcated land (areas) and various economic activities that will likely be affected by the construction works; the cultural and restricted areas in the communities en – route; various use of the earmarked land plots for construction of the sub projects infrastructure; existing features within the right of way including trees/crops, structures both private and community.

1.9 Structure of the RPF

The structure of the report is presented in **Table** below:

TABLE 4: STRUCTURE OF THE RPF

Chapters	Brief Description of Contents
1	General Context: Project Development Objectives; Project Description; Geographical Coverage of the TACTIC Project; Project Potential Environmental and Social Impacts; Objectives of the Resettlement Policy Framework; methodology of preparation of the RPF; viz, structure of the RPF
2	Legal Frameworks: Introduction; Applicable National Laws and Policies; The World Bank ESS Standard 5 on Land Acquisition, Restrictions on Land Use and Involuntary Resettlement; Ess10 Stakeholder Engagement and Information Disclosure; Principles of Resettlement Policy Framework; Comparison of National Legislation and WB ESS5;

Chapters	Brief Description of Contents
3	Guidelines for RAP Preparation: RAP Preparation in the Project Cycle; Screening process, Methodology for RAP Development; Method to Determine Cut-off Dates; Methods for Database Design; Stakeholder Engagement and community consultations; Methodology for Asset Inventory (Land Acquisition); Census, And Socio-Economic Survey; Framework for Valuation; Videography/Drone footage
4	Eligibility and Entitlement Frameworks; Defining Affected Population (affected Persons); Entitlement Matrix; Eligibility for Community Compensation; Disclosure and signing of Compensation Agreement; Updating Database post-Disclosure Draft RAP preparation.
5	Organizational Arrangements and Procedures For Delivery: Organizational Arrangements – Role and responsibility; Organizational structure
6	Grievance redress Mechanism: Types of likely grievances and the need for a grievance's redressal mechanism and grievance mechanism - processes and procedures in resolution and roles and responsibilities; Monitoring Response to grievances
7	Funding Arrangements, budget template
8	Monitoring and Evaluation: activities, inputs, outputs and outcomes
Annexure	This contains other relevant information: Annex 1: List of the subprojects; Annex 2: issues raised in consultation meetings 3: Roles and responsibility of RAP team; Annex 4: screening forms /checklist; Annex 5 RAP outlines

2 LEGAL FRAMEWORK

2.1 Introduction

Tanzania has a good policy, legal and institutional framework for management of land and property acquisition and compensation enshrined in the National Constitution, the Land Policy and Land Acts as well as supporting local laws and by-laws. TACTIC project will comply to both National Land Policy and the World Bank Environment and Social Framework (ESF).

This section will cover national legislative and institution framework and World Bank Standards governing Land, resettlement and compensation relevant to the TACTICs project. The ESS5 requires that subprojects under TACTIC to be implemented in a manner that does not compromise land, resettlement and compensation.

2.2 Applicable National Laws and Policies

The following policy and legal instruments provide guidance for acquisition of land and associated properties and compensation and resettlement procedures in Tanzania.

Constitution of the United Republic of Tanzania (1977 - as amended): The Constitution provides for the protection of the rights and interest of citizens in matters concerning their property and acquisition. Under article 24 (1), every person is entitled to own property, and has a right to the protection of his property held in accordance with the law. Sub- article (2) prescribes that it is unlawful for any person to be deprived of property for any purposes without the authority of law, which makes provision for fair and adequate compensation.

National Land Policy (1997): The overall aim of the National Land Policy among other things is to promote and ensure a secure land tenure system in Tanzania that protects the rights in land for all its citizens. The policy provides that a dual system of tenure, which recognizes both customary and statutory rights of occupancy as being equal in law be established. The Land Policy directs that land be graded as a Constitutional category and that the following basic land policy tenants be entrenched in the Constitution to ensure continuity:

- i. All land in Tanzania is public land vested in the President as trustee on behalf of all citizen
- ii. Land has value
- iii. The rights and interest of citizens in land shall not be taken without due process of law.
- iv. Full, fair and prompt compensation shall be paid when land is acquired.

The compensation should be paid to any person whose right of occupancy or recognized long standing occupation or customary use of land is revoked or otherwise interfered with to their detriment by the state and the Acts or is acquired under the Land Acquisition Act Cap 118. In principle the Minister responsible for land matters is the sole authority in land issues. The Act stipulates involvement of the public and private institutions whose functions are associated with land i.e. local authorities, communities, non-governmental organizations and community-based development organizations-to participate and cooperate with the Minister at different levels during the implementation of the policy and utilization of land. According to the policy, land in towns is governed by the City, Municipal or Town Councils.

The Land Disputes Court Act, 2002 (Act No.2/2002): This act provides the respective courts and their functions. Before implementation of sub projects, any land conflicts existing in the areas shall be resolved through the appropriate land courts to ensure that harmony prevails in the intended undertaking. Project beneficiaries will therefore be bounded by these Acts.

Land (Assessment of the Value of Land for Compensation) Regulations of 2001: A qualified and authorized valuer must conduct the valuation of the affected properties. Section 34 of the Act states that 'where a right of occupancy includes land which is occupied by persons under customary law, and those persons are to be moved or relocated, they must be compensated for loss of interest in the land and for other losses. They also have the right to reap crops that are sown before any notice for vacating that land is given.

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

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

Other legislation guiding this RPF include:

- Land Acquisition Act No. 47 of 1967
- The Land Act, 1999 (Act No 4/1999)
- Land (Assessment of the Value of Land for Compensation) Regulations, 2001:
- The Land (Compensation Claims) Regulations, 2001:
- The Land (Schemes of Regularization) Regulation, 2001:
- The Land Use Planning Act, 2007 (Act No.6/2007):
- The Urban Planning Act, 2007 (Act No. 8/2007):
- The National Human Settlements Development Policy (2000):
- Women and Gender Development Policy, 2000:
- National Land Use Planning Commission Act No 3 of 1984:
- The Land (Disposition of Right of Occupancy) Regulations, 2001
- The Roads Act No. 13 of 2007 and its Regulation of 2009

2.3 The World Bank Environmental and Social Framework (ESS5)

The standards and guidelines of WB published in the World Bank Environmental and Social Framework handbook (2017) will be used as basic knowledge and references to develop the RPF methodology and detailed preparation of RAP related to the actual situation along the lines

2.3.1 ESS Standard 5: Land Acquisition, Restrictions on land Use and Involuntary Resettlement

ESS5 recognizes that projects often necessitate land acquisition, expropriation and/or restrictions on land use, resulting in the temporary or permanent resettlement of people from their original places of residence or their economic activities or subsistence practices. When affected persons and communities do not have the choice to refuse such displacement, this process is known as involuntary resettlement.

Section In The ESS5	Summary Description
General	This ESS applies to permanent or temporary physical and economic displacement resulting from the following types of land acquisition or restrictions on land use undertaken or imposed in connection with project implementation.
Defining Eligibility (PAPs Classification):	According to the ESS5, affected persons may be classified as persons: (a)Who have formal legal rights to land or assets; (b)Who do not have formal legal rights to land or assets, but have a claim to land or assets that is recognized or recognizable under national law; or (c)Who have no recognizable legal right or claim to the land /assets they occupy /use. The census must be conducted to establish the status of the affected persons.
Screening and Appraisal (Project Design):	The applicability of ESS5 to the borrower will be determined during the WB's environmental and social screening process. The Borrower will demonstrate that involuntary land acquisition or restrictions on land use are limited to direct project requirements for clearly specified project purposes within a clearly specified period of time.
Community Engagement:	The Borrower will engage with affected communities, including host communities, through the process of stakeholder engagement described in ESS10. Decision-making processes related to resettlement and livelihood restoration will include options and alternatives from which affected persons may choose. Disclosure of relevant information and meaningful participation of affected communities and persons will take place during the consideration of alternative project designs, and thereafter throughout the planning, implementation, monitoring, and evaluation of the compensation process, livelihood restoration activities, and relocation process. Additional provisions apply to consultations with displaced Indigenous Peoples, in accordance with ESS7.
Grievance mechanism:	The Borrower will ensure that a grievance mechanism for the project is in place, in accordance with ESS10 as early as possible in project development to address specific concerns about compensation, relocation or livelihood restoration measures raised by displaced persons (or others) in a timely fashion. Where possible, such grievance mechanisms will utilize existing formal or informal grievance mechanisms suitable for project purposes, supplemented as needed with project-specific arrangements designed to resolve disputes in an impartial manner.
Planning and implementation:	Where land acquisition or restrictions on land use are unavoidable, the Borrower will, as part of the environmental and social assessment, conduct a census to identify the persons who will be affected by the project, to establish an inventory of land and assets to be affected, to determine who will be eligible for compensation and assistance, and to discourage ineligible persons, such as opportunistic settlers, from claiming benefits.
Institutional arrangement:	The Borrower's plan will establish the roles and responsibilities relating to financing and implementation, and include arrangements for contingency financing to meet unanticipated costs, as well as arrangements for timely and

Section In The ESS5	Summary Description
	coordinated response to unforeseen circumstances impeding progress toward desired outcomes.
Implementation and Monitoring:	Borrower will establish procedures to monitor and evaluate the implementation of the plan and will take corrective action as necessary during implementation to achieve the objectives of this ESS.
Collaboration with other responsible agencies or subnational jurisdictions:	The Borrower will establish means of collaboration between the agency or entity responsible for project implementation and any other governmental agencies, subnational jurisdictions or entities that are responsible for any aspects of land acquisition, resettlement planning, or provision of necessary assistance. In addition, where the capacity of other responsible agencies is limited, the Borrower will actively support resettlement planning, implementation, and monitoring
Technical and Financial Assistance:	The Borrower may request technical assistance from the Bank to strengthen Borrower capacity, or the capacity of other responsible agencies, for resettlement planning, implementation and monitoring. Such forms of assistance may include staff training, assistance in formulating new regulations or policies relating to land acquisition or other aspects of resettlement, financing for assessments or other investment costs associated with physical or economic displacement, or other purposes.

2.3.2 Stakeholder Engagement and Information Disclosure

Borrowers will engage with stakeholders throughout the project life cycle, commencing such engagement as early as possible in the project development process and in a time frame that enables meaningful consultations with stakeholders on project design. The nature, scope, and frequency of stakeholder engagement will be proportionate to the nature and scale of the project and its potential risks and impacts.

The Borrower will identify those project-affected parties (individuals or groups) who, because of their particular circumstances, may be disadvantaged or vulnerable. Based on this identification, the Borrower will further identify individuals or groups who may have different concerns and priorities about project impacts, mitigation mechanisms, and benefits, and who may require different, or separate, forms of engagement. An adequate level of detail will be included in the stakeholder identification and analysis so as to determine the level of communication that is appropriate for the project.

The information will be disclosed in relevant local languages and in a manner that is accessible and culturally appropriate, taking into account any specific needs of groups that may be differentially or disproportionately affected by the project or groups of the population with specific information needs (such as, disability, literacy, gender, mobility, differences in language or accessibility).

The Borrower will respond to concerns and grievances of project-affected parties related to the environmental and social performance of the project in a timely manner. For this purpose, the Borrower

will propose and implement a grievance mechanism to receive and facilitate resolution of such concerns and grievances.

Handling of grievances will be done in a culturally appropriate manner and be discreet, objective, sensitive, and responsive to the needs and concerns of the project-affected parties. The mechanism will also allow for anonymous complaints to be raised and addressed.

2.5 COMPARISON OF NATIONAL LEGISLATION AND WB ESS5

Analysis of previous resettlement documentation including resettlement plans, frameworks shows that there are some divergences between World Bank ESS5 and Tanzanian legislation in the sphere of compensation for involuntary resettlement in the investment projects. The main discrepancies are in: public consultation before resettlement activities, detail explanation of entitlements to project affected population, and provision of just compensation instead of full replacement cost, carry out socioeconomic surveys among PAPs.

Tanzanian Laws only provide compensation for land that is legally owned by PAPs and no compensation to encroachers for the same. The World Bank ESS5 provides for compensation for land to both legal owners and encroachers before the cut off dates.

It is important to note that because of State ownership of lands in Tanzania, land use is only possible with the permission of local authorities (as given attorney by the President) on the basis of a lease or on other terms. Accordingly, land use issues are fully covered by land legislation and are governed by provisions of customary law/traditional practices and lease. According to Tanzania laws, those who use or occupy land outside the two lines of official permission will not be entitled to legal compensation. The State will have the right to seize the land from those “illegal land users”. Persons who take up their residence on the area after the cut-off date are not entitled to compensation or any other form of resettlement assistance.

The World Bank in its ESS 5 highlights that particular attention should be paid to the needs of the most vulnerable groups among those displaced, especially those below the poverty line, the landless, the elderly, women and children, indigenous peoples, ethnic minorities, and also other categories of displaced persons whose interests may not be protected by national legislation with regard to the compensations for the land plots subject to withdrawal.

The Bank ESF will prevail in cases of discrepancies between WB and Tanzanian legislation, not just simply in relation to compensation issues but to all issues.

A further comparison between the Tanzania Legislations and the World Bank and harmonization measures (i.e. gap filling measures) are contained in Table below.

Resettlement Aspect	World Bank (ESS5)	National Regulations	Gaps	Measures To Fill The Gaps
(i) ESF: ESS5 on Land Acquisition, Restrictions on Land Use and Involuntary Resettlement	Requires Borrowers to: (i) Avoid or minimize involuntary resettlement by exploring project design alternatives (ii) Avoid forced eviction (iii) Mitigate unavoidable adverse impacts from land acquisition or restrictions on land use through timely compensation for loss of assets at replacement cost and assisting displaced persons in their efforts to improve, or at least restore, livelihoods.	Land Acquisition Act No. 47 (1967) Provides for the following: <ul style="list-style-type: none"> ▪ Minister responsible for land to authorize any person to enter upon the land and survey the land to determine its suitability for a public purpose. ▪ The Government of Tanzania is supposed to pay compensation to any person who suffers damage as a result of any action. 	Currently there is no specific-resettlement policy in Tanzania. However, Tanzania has a good policy, legal and institutional framework for management issues related to land and property acquisition	ESS5 will prevail. Where necessary RAPs will be developed for each subproject.
(ii) Compensation entitlements	Affected persons may be classified as persons: (a) Who have formal legal rights to land or assets; (b) Who do not have formal legal rights to land or assets, but have a claim to land or assets that is recognized or recognizable under national law; ¹⁴	Compensation Regulations, 2001, as well as the Village Land Regulations, 2001, assets for compensation paid on loss of land and shall include the value of unexhausted improvements, disturbance allowance, transport allowance, accommodation allowance, and loss of profits.	There is no gap between Tanzania law and WB as far as those with (a) formal legal rights and those (b) without formal legal rights, but have a claim to such land under customary practices, eligible for compensation	Under TACTIC Project, all eligible owners of land will be subject for compensations. Under TACTIC Project, all eligible owners of land will be subject for compensations. PAPs occupying land in violation of applicable laws are not eligible for compensation for that land, but are eligible compensation for all development made over that land as well as livelihoods restoration / resettlement assistance.
(iii) Loss of Profits	ESS5 provides under economic displacement: In cases where land acquisition or restrictions on land use affect commercial enterprises, (this includes shops, restaurants, services, manufacturing facilities and other enterprises), regardless of size and whether licensed or unlicensed.	According to the Land Assessment of the value of Land for Compensation) Regulations, 2001, as well as the Village Land Regulations, 2001, compensation for loss of any interest land shall include loss of profits.	Tanzanian regulations provide for income restoration allowances where the PAPs incurred losses of business income. However, it has not been in practice	Compensation on the lost income and profit will be Compensation on the lost income and profit will be made as per ESS5. Temporary relocation plan will be developed to ensure that provision is made on alternative business spaces prior temporary

				relocation to mitigate loss of income.
(iv) Valuation approaches	ESS5 assets that when land acquisition or restrictions on land use (whether permanent or temporary) cannot be avoided, the Borrower will offer affected persons compensation at replacement cost , and other assistance as may be necessary to help them improve or at least restore their standards of living or livelihoods.	Tanzania law provides for the calculation of compensation on the basis of the market value of the lost land and unexhausted improvements, plus a disturbance and accommodation allowance and loss of profits where applicable.	A gap lies in the disparity between the two approaches Market Value vs replacement cost Under the Market value approach, the amount paid in most cases does not amount to that required to replace the lost assets.	Under TACTIC Project, eligible PAPs will be entitled for compensation that will be calculated under replacement cost approach to ensure that all impacted assets are compensated/replaced.
(v) Restoration of Affected Incomes and Livelihoods	ESS has made a provision that where applicable livelihood restoration and improvement programs will commence in a timely fashion in order to ensure that affected persons are sufficiently prepared to take advantage of alternative livelihood opportunities as the need to do so arises.	-	In Tanzanian regulations no provision for restoration of the affected livelihoods, neither as standalone programs nor included in the compensations	ESS5 principle regarding income restoration will be considered under TACTIC project. RAP developers/LGAs will identify and formulate livelihood restoration programs in consultations with the affected groups.
(vi) Assistance to vulnerable and severely affected PAP	ESS5; resettlement plan provides for transitional relocation assistance to people who are physically displaced. Such assistance may include transportation, food, shelter, and social services that are provided to affected persons during the relocation to their new site;	Tanzanian law does not make provisions requiring the government to pay special attention to vulnerable groups in the administration of compensation.	Moreover, there are no provisions that require the government to pay special attention to vulnerable groups or indigenous peoples	These PAPs are to be identified and special assistance will be provided to safeguard them from being left worse off by the project.
(vii) Public Land Users	World Bank's ESS 5 on Land Acquisition, Restriction on Land Use and Involuntary Resettlement, includes users or displaced persons who have no recognizable legal	Tanzania law on compulsory acquisition and compensation is limited to those who can prove <i>de jure</i> or <i>de facto</i> land ownership.	Tanzania law does not recognize the Seasonal land/resource users as eligible for compensation	Under the TACTIC Project Seasonal land/resource users will be compensated for the loss on income or livelihoods associated

(those in Public markets)	rights or claim to the land or assets they occupy or use.		for assets and provision with resettlement and livelihood assistance.	to the restrictions from using the assets (permanently or temporarily).
(viii) Grievance Handling Procedures	ESS5 requires that grievance mechanism for the project is in place as early as possible in project development to address specific concerns about compensation, relocation or livelihood restoration measures raised by the displaced persons (or others) in a timely manner.	Under s. 13 of the <i>Land Acquisition Act, 1967</i> , if dispute of disagreement regarding any of the matter listed below is not settled by the parties concerned within six weeks from the date of publication of notice that land is required for a public purpose the Minister or person holding claim in the land may institute a suit in the high court of Tanzania for the determination of the dispute.	The law in Tanzania does not provide for the establishment of grievance resolution mechanisms specific to particular resettlement cases. Tanzania has a well-established and accessible local grievance redress mechanism through existing systems and structures.	GRMs will be set for this Project in line with the WB-ESS5 guidelines.
(ix) Stakeholder engagement and information disclosure	ESS5 provide for need for consultation with PAPs, host communities and local government. In the event of dealing with vulnerable persons additional provisions apply to consultations with displaced vulnerable groups in accordance with ESS7.	The Land Act of 1999 and its Regulation of 2001 and the Valuers and Valuation Registration Act of 2016 provide for stakeholder's engagement and information disclosure on valuation exercise and process prior to execution of the projects.	The provisions in ESS5 have no equivalence in implementation of Stakeholder engagement and information disclosure processes in Tanzanian practice.	<ul style="list-style-type: none"> ✓ TACTIC project will have continuous consultations with the PAPs and their local leaders during preparation of the RAP report, their disclosure and implementation. ✓ Consultations will ensure equitable gender representation as stipulated in ESS5.

TABLE 5: COMPARISON OF TANZANIA LAWS AND WORLD BANK ESS5 REGARDING COMPENSATION AND RESETTLEMENT

2.4 Principles of Resettlement

The analysis on legal frameworks (national and World Bank's) provided the following resettlement principles:

- Screen the project early to identify past, present, and future involuntary resettlement impacts and risks.
- Determine the scope of resettlement planning through a census and socio-economic survey of displaced persons, including a gender analysis, specifically related to resettlement impacts and risks.
- Establish measures to avoid and minimize involuntary resettlement impacts include; (a) explore alternative alignments which are less impacting, (b) ensure the appropriate technology is used to reduce land requirements, (c) modify the designs, cross sections, and geometrics of components to ease out and ensure involuntary resettlement is avoided or minimized.
- Prepare a Resettlement Action Plan² (RAP) elaborating on the entitlements of displaced persons, the income and livelihood restoration strategy, institutional arrangements, monitoring and reporting framework, budget, and time-bound implementation schedule.
- Carry out meaningful consultations with displaced persons and concerned government organizations. Inform all displaced persons of their entitlements and resettlement options. Ensure their participation in planning, implementation, and monitoring and evaluation of resettlement programs. Pay particular attention to the needs of vulnerable groups, especially those below the poverty line, the landless, the elderly, women and children, and indigenous peoples, and those without legal title to land, and ensure their participation in consultations
- Disclose a draft resettlement plan, including documentation of the consultation process in a timely manner, in an accessible place and a form and language(s) understandable to displaced persons and other stakeholders. Disclose the final resettlement plan and its updates to displaced persons and other stakeholders.
- Pay compensation and provide all resettlement entitlements before physical or economic displacement and before commencement of civil works in that stretch of the road-project. Implement the resettlement plan under close supervision throughout project implementation.
- Establish a grievance redress mechanism to receive and facilitate resolution of the concerns of displaced persons.
- Monitor and assess resettlement outcomes, their impacts on the standard of living of displaced persons, and whether the objectives of the resettlement plan have been achieved by taking into account the baseline conditions and the results of resettlement monitoring. Disclose monitoring reports.

² Where necessary a separate Social Impact Assessment (SIA) will be prepared prior to the RAP

3. RAP PREPARATION, REVIEW AND APPROVAL

3.1 About Resettlement Action Plan

The ESS5 recognizes that project-related land acquisition and restrictions on land use can have adverse impacts on communities and persons. Project-related land acquisition or restrictions on land use may cause physical displacement (relocation, loss of residential land or loss of shelter), economic displacement (loss of land, assets or access to assets, leading to loss of income sources or other means of livelihood), or in worst cases land acquisition can have both. However, in the case of the sub-projects where the status of land ownership has not been confirmed preliminary study to determine land acquisition will be conducted during feasibility study.

The sub projects identified so far under TACTIC will involve up-grading of already existing land (example markets and roads) and in new sub-projects identified areas, LGAs will use the open spaces previously demarcated during town(s) planning for such development (example slaughter houses, dumping sites, bus terminals etc). However, this is not the case for some of the sub-projects where the status of land ownership has not been confirmed.

The RAP/LRP is the most important resettlement instrument that should be undertaken. RAP/LRP should assess the number of PAPs, propose alternative locations for the sub-projects, identify the eligibility criteria, include provisions for compensation and assistance, and address the means by which the project monitoring and evaluation will take place to ensure that the PAPs receive their compensation and that their grievances are heard and addressed. The mitigation measures and compensation policies proposed in the RAP shall be disclosed to the PAPs for feedback and comments. Once the LGAs started to determine the dates of the civil works and the coordinates of the demarcated/delineated sub project areas/sites. The LGAs will start the preparations of the RAP(s). For the purpose of this RPF, the subsequent sections will present the main steps for the preparation of the sub project RAP/LRP.

Given the varying nature of the subprojects it is recommend that on the project onset the RAP consultant should consult the engineers and PIUs so that together they will make a very clear and well-defined plan on how and when to execute activities related to RAP preparation according to the TORs related to each study.

3.2 Preparation of RAP

For all projects that will require the preparation of the RAP/LRP, their preparation should start at the very beginning of the project design (at the pre-feasibility stage) and continue through subsequent phases (feasibility study, preliminary design, detailed design). Hence, once the drawings are ready and information on the finally decided site location and land-use requirements is available, the consultative and participatory process with local communities must be carried out to sensitize the potentially affected population through their administrative leaders. It is at this meeting with the community that the Cut-off Date is determined and subsequently communicated to all potential PAPs and the commencement of data collection from the affected areas.

In RAP preparation the following dimensions will be taken into consideration:

RAP categorization: Regardless the number of affected Population (PAPs) the³ LGAs should undertake a Resettlement Action Plan (RAP). In whichever case, the developer will retain a technical expert to carry out the required technical work, including a comprehensive land survey in the areas where the work is being planned so that engineering drawings can be prepared to provide precise and comprehensive information for planning, costing, and designing. According to ESS5 the Resettlement plans are of two dimensions:

- Resettlement plans: these are plans that include measures to address physical and/or economic displacement, depending on the nature of the impacts expected from a project.
- livelihood plan/livelihoods restoration plan: these are basically alternative nomenclature plans, used by a project where a project involves only economic displacement or where restrictions on access to legally designated parks and protected areas are involved.

Detailed outline of the RAP is presented in Annex 5.

Due Diligence Report (DDR) to determine RAP: If the land is acquired prior to the project design by the LGAs the RAP preparation team will undertake a due diligence exercise that:

- i) helps ascertain gaps in compliance between previously followed standards and current adopted standards (of the WB- ESF) as the case may be and practices followed as per national laws;
- ii) enables the consultant and PIU to understand the prevailing situation and identify existing social impacts, grievances etc.
- iii) guides the consultant to propose suitable measures for bridging gaps and shortcomings /provide recommendations in terms of actions to be undertaken to ensure compliance to the ESS5 and
- iv) proposes measures for mitigating the existing social impacts and well as grievances

In undertaking the survey RAP Consultant will prepare a checklist relevant to capture information encircling the status of land acquisition of the particular subproject or site and if the resettlement has adhered to the WB ESS5 or any international standards. In the due course the developer should collect all supporting documents e.g., Title deeds, lease, transfer, agreement, details of the initial use of the land e.g., number of PAP) s (owners, squatters, encroachers and types of crops).

3.2.1 Institutional Arrangements for preparation and Implementation of the RAP

In the Table below respective institutional arrangement is presented. The table describes in detail the steps of a Resettlement Action Plan (if any) to be implemented.

TABLE 6 : INSTITUTIONAL ARRANGEMENTS FOR IMPLEMENTATION OF THE RESETTLEMENT

Institutions	Description of responsibilities	Remarks
WBCU Safeguards Unit	Identification of PAPs, public information, calculation of RAP value	Information on project effects needs on RAP, evaluation, and verification of PAPs

³ According to the applicable requirements in ESS5 the Borrower will develop a plan, regardless of the number of people affected.

Institutions	Description of responsibilities	Remarks
WBCU Safeguards Unit (or PIU -SS) on behalf of WBCU Safeguards Unit)	PAP Consultation	Explanation on assets to be affected, identification of the best way for compensation, explanation of time of compensation, main actors on the implementation process, procedures to be undertaken and the rights for Grievances
WBCU Safeguards Unit (or PIU -SS) on behalf of WBCU Safeguards Unit)	Preparation of final RAP report	Preparation of RAP Report considering comments of WB and WBCU
WBCU Safeguards Unit. WB,	Submit RAPs to WB Task Team for review and no objection before implementing. Approval of the final report	No objection from World Bank experts for the RAP. Formalizing the RAP report and including at project implementation ToR
WBCU Safeguards Unit (or PIU -SS) on behalf of WBCU Safeguards Unit)	Grievance Committee Creation	The Grievance Committee needs to be formalized and specific contacts need to be given to the PAPs.
WBCU Safeguards Unit	Request for expropriation for public interest	Fulfil of criteria provided by law, especially the necessary documents that prove the expropriation needs
Local Authority/ PIU /PAPs	Compile the agreement considering pretends of any parts and legislation	Give solution and incite agreements supporting PAPs requests upon legislation
Ministry of Finance	Approve and disburse to LGAs the requested compensation funds	The MoF is the highest government structure to approve for utilization of the public funds. Thus, it has a lead role in decision making
Local Government Authorities	Agreement with PAP's about expropriation.	Important: the fair evaluation of the properties
	Publication of the notice for the expropriation – Declamation	The procedure must be followed carefully and respecting the right of the third persons to prevent the complaint to the Court
	Examine the suggestions and the complaints of persons affected by the process	The expropriation will be done for the persons who will accept to be compensated with the conditions published
PIU Safeguards Unit (or Consultant on behalf of PIU Safeguards Unit) /Grievance Committee	Assistance on the relationship between PAPs and Local and/ Governmental authorities, verifications, and supervision of RAP implementation	Verification of compatibility of the agreement between interested parties.

Institutions	Description of responsibilities	Remarks
PIU Safeguards Unit (or Consultant on behalf of SPCU/WBCU Safeguards Unit) /Grievance Committee	If needed, the assistance of PAPs on grievance procedures for administrative bodies, RAP procedures, compensation values etc and support PAPs grievances on the Court	If PAPs have grievances
PAPs	Opening a Bank Account and reporting it at the SPCU.	Institutional support of the compensation process
LGAs	Pay the compensation to persons affected by the expropriation before the civil works begin	Ensure that compensation is done with respect (amount and time) of agreements signed by interested parties and before starting the project implementation
PIU/WBCU Safeguards Unit (or Consultant on behalf of SPCU Safeguards Unit)	Ensure that the process implementation has considered all pretend by both interested parties	Ensure that compensation is done in respect (amount and time) of agreements signed by interested parties
PIU/WBCU Safeguards Unit	Prepare the final report on RAP implementation	Considering that compensations will be finished before starting the project implementation.
Design consultants and LGA engineers	Providing designs to the RAP development team including explanations of the critical section that may require additional PAPs	coordinating with the RAP team to make sure the two processes are well aligned to(i) ensure that resettlement impacts are minimized at an early stage, (ii) ensure that designs reflect the findings of the RAP and stakeholder inputs.

3.3 Methodology for RAP Development

Get stated for RAP developers starts at team identification and mobilization. the recruitment of the Team members will be conducted according to the specific RAP requirement. The LGAs /WBCU /PIUs will prepare Terms of Reference as needed for consultants and services needed to carry out RAPs. Mobilization of the team will take standard procurement procedure here necessary. In additional the RAP team will be given provision to include in their proposal's physical goods (e.g. office equipment, field equipment, IT equipment, etc) needed. LGAs will set aside funds covering the budget for RAP development. RAP team will include the following (key roles and responsibility of the team members see annex 3:

TABLE 7: RAP TEAM- DESIGNATION

S/N	Position
1	<i>Key Personnel</i>
2	Team Leader
3	Resettlement Database Manager
4	Asset Valuation Expert
5	Mid-level Resettlement Specialist

S/N	Position
6	Senior Gender Specialist
7	Communication and Public Outreach Specialist
8	Livelihood Specialists
9	GIS Expert
10	Land Surveyor
	<i>Non-Key Experts</i>
1	Legal Expert – Resettlement
2	Project Manager
3	Project Secretary
4	Accountant
5	Driver
	<i>Casual</i>
5	Data collection assistants

3.3.1 Capacity Building for Resettlement Planning and Implementation

Relevant elements of the procedures for land acquisition defined in the RPF are new in some of the LGAs (corresponding to international safeguards). Although previous projects financed by the World Bank have required adherence to O.P. 4.12, the RPF contains specific approaches under ESS5. For instance, approaches to valuation of assets and to compensation for easements and registration of easement agreements that are new in the LGAs. It is therefore important to build in an understanding of the requirements and approach for this TACTIC Project at all levels during the Project's resettlement planning and implementation. The training of a small group of local trainers in the principles and objectives of WB ESS5 and the specifics of this RPF will be the first step in creating the required capacity. This training can be affected by PIU staff or by consultants, and will be done before official publication of individual projects begins.

Capacity-building workshops will be held at the Municipal/LGA level before or immediately after official publication of projects in a specific district or group of adjoining LGAs. The PIU will issue invitations for a series of workshops for staff of District Commissioners and wards, including local leaders of affected localities. RAP preparers, external facilitators and valuation specialists, staff of the PIU, and WBCU staff would also attend for monitoring and enhancing the capacity building process. The workshops will address requirements for asset census and asset valuation, grievance mechanism with emphasis on differences between typical LGA/Tanzania practice and requirements for the World Bank (TACTIC) funded projects.

Costs for the capacity building workshops and trainings will be included in the budget for RAP development.

3.3.2 Methods to determine Cut Off Date

The cut-off⁴ date will be on the date of commencement of assets inventory. Hence, only assets which will be in existence as of the first date to commencement of assets inventory will be eligible for compensation. Those assets that will be developed or created after that date will not be compensated. Any person who undertakes any development activity in the newly demarcated project area after the cut-off date will not be eligible for compensation. The cut-off dates will be disseminated publicly communicated through the village administration, notice provision in public places in a language

⁴ Valuation and Valuers Registration Act, 2016 & Valuation and Valuers (General) Regulations, 2018

understandable to PAPs and through PAP representatives. All PAPs will be informed on the cut off dates during consultation meetings. The area will be demarcated and signs posted to ensure continued awareness of the cut-off date.

The establishment of a cut-off date is required to prevent opportunistic invasions/rush migration into the chosen land areas thereby posing a risk. Therefore, establishment of a cut-off date is of critical importance. This RPF has applied a cut-off- date procedure in line with World Bank ESS 5, which is defined as the date of commencement of census and asset inventory of PAPs who will be affected by TACTIC projects activities. Once the project has been legally approved and a permit provided, a RAP will be prepared (if required) that may result in involuntary resettlement. As part of the RAP, a census will be undertaken to identify cut-off-date for eligibility for resettlement and compensation. The site-specific RAP development team/consultant for the projects under TACTIC is required to document the cut-off- date used.

It is a responsibility of the RAP preparation Consultant and LGAs to ensure that:

- this date is fully communicated to all potential PAPs in the affected project area with sufficient time for these people to ensure their availability for the Census.
- The potential PAPs will be informed through both formal notifications in writing and by verbal notification delivered in the presence of the community leaders or their representatives.
- The PAPs will be informed that no payment of compensation with respect to any construction or improvement to building, any crops sown, perennial crops planted or any improvement on land where such activity is done after PAP's census and inventory of their assets. This shall be discussed during consultation meetings and minutes of meetings shall be prepared and signed.
-

As indicated in WB ESS5 that the LGA is not required to compensate or assist opportunistic settlers who encroach on the project area after the cut-off date for eligibility. The LGA should nevertheless accommodate individuals or groups who are not present at the time of registration but who have a legitimate claim to membership of the Affected Community. Such groups might include absent family members engaged in migrant wage labor or nomadic pastoralists who use local resources on a seasonal basis.

3.3.3 Methods for Database Design

RAP Consultant will develop a management information system for project affected people, in order to track all PAPs, before, during and after the RAPs are carried out. Within the new RFP all RAP developers are encouraged on the use of mobile data capturing technology in RAP preparation and implementation to improve data management and accuracy, including use of tablets in the valuation exercise, and GIS⁵ to map all affected properties. The design of the database is much related to the form design that will be agreed by the entire team for data collection, technically the consultant should prepare two forms i.e., PROPERTY FORM⁶ and CENSUS FORM. The two forms will be filled in by respective staff. When forms are uploaded to the ODK aggregate, they will create the schema that will govern the architecture and the design of the database.

⁵ Consultants are responsible for identifying and mapping/georeferencing potential PAPs including vulnerable/special groups – note that a final RAP that does not include maps will not be accepted, Consultants will create a georeferenced database of affected houses, facilities, PAPs, etc

⁶ In most cases RAP developers use property forms approved by the government valuer. While census forms are prepared by the RAP consultant and approved by the Client/LGA

Although the consultants will collect baseline information about PAPs (as their primary responsibility in RAP development), the LGA community development officers should also be accompanying this process, as they will be the ones that will be supervising contractors during the construction phase.

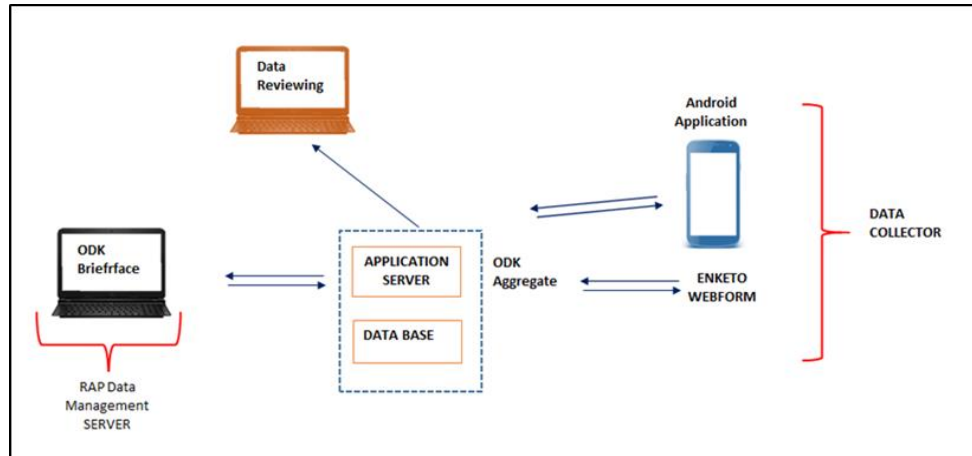


FIGURE 3: COMPONENTS OF EXPERT SYSTEM

Photographic Records: The Data manager will maintain good photographic records of the project. All photographs shall be saved, at least, to the Project Workspace or server and the naming of electronic photograph records will be clear and allow for all photographs to be identified at some future time. All project incidents such as surveys, consultations, will be photographed.

Spatial and Aspatial Database: Accurate and current information is vital for maintaining and improving the quality of data. Through the computerized environment, a GIS can keep information accurate and current. The collected data could then be imported to the GIS software for map creation or intersecting the data to the cadastral data/polygon that was obtained from surveying. Non-spatial data will be exported to the desired format to be used in analysis software packed.

The polygon data will be used as a link between the two forms, as each polygon data for each individual polygon will be assigned a unique number. This number will be available or needs to be filled in both forms so that a one-on-one relationship between the two forms could be established.

PAP Unique FILES: A file is a collection of documents including PAPS records. The Project Secretary or a liaison officer shall create/maintain a file register and arrange for the opening, registering and maintaining of project files. Separate files may be opened for each discrete component of the project. The file number shall be unique, shall be numerical and have a format wherein the first set of numbers is the project number with all other number groups being selected to suit the project. The community liaison officers⁷ will provide the administration staff with training in management of project files. The register shall include the number, description of the file and location where the file is stored. A proposed template is shown below.

⁷ These personnel are recommended by this RPF – the roles and responsibility see section 7

3.3.4 Stakeholder Engagement and Community Consultations

This section presents a summary of consultations held in accordance with the Provision of World Bank's Environmental and Social Standards (ESS5) that all displaced persons and host communities should be meaningfully consulted early in the planning process and encouraged to participate in the planning and implementation of the resettlement program. The ESS5 further asserts that the feasibility of holding separate women's meetings and fair representation of female heads of households, in addition to mixed meetings should be explored. Also, the way in which information is disseminated should be cautiously planned as levels of literacy and networking may differ along gender lines. In that context the RAP monitoring will undertake community and stakeholders' consultations at each phase of program implementation. Subsequent sections describe, consultations objectives, types of stakeholders (stakeholders' analysis), and methods applied.

Stakeholders Consultations Key Principles: The consultations with stakeholders are essentially a continuous process that will be conducted throughout the project implementation period in line with the ESS10. The Objectives of consultations to various stakeholder include:

- (i) To identify and document views, concerns and expectations of the stakeholders relating to the project construction activities
- (ii) To establish linkages and identify role demarcation in effort to avoid role overlaps
- (iii) To collect project documents relevant to the experts' assignment
- (iv) To get further acquainted with the progress of works on site so far
- (v) To prevent conflicts through increased transparency in the processes during implementation
- (vi) To reduce the risks and performance challenges in the construction works through timely relocation of private owned assets and utilities from the construction corridor.
- (vii) To environmental assessment
- (viii) To appreciate the project road, material sites and camp site's compliance with environment and social.
- (ix) To assess resettlement issues particularly sensitive areas near the project sites.
- (x) Consultations need to be meaningful and inclusive of all stakeholders and communities particularly PAPs, with emphasis on gender, ethnicity, income groups, minorities, vulnerable persons etc.
- (xi) Consultations need to be a two-way dialogue with provision of project related information and obtaining feedback from participants and the feedback will need be used to improve project design and mitigation plans.
- (xii) All consultations need to be documented in the RAP/LRP with list of participants, issues raised, and response provided to those issues and how feedback incorporated in the design.

Stakeholders Identification: RAP developer will define criteria for identifying and prioritizing stakeholders, select an engagement mechanism with focus on short- and long-term goals, determine logistics for the engagement, frameworks for implementation ensuring equitable stakeholder contribution and mitigating tension while remaining focused on the issues. Figure below presents the summary of key steps for stakeholder engagement process.

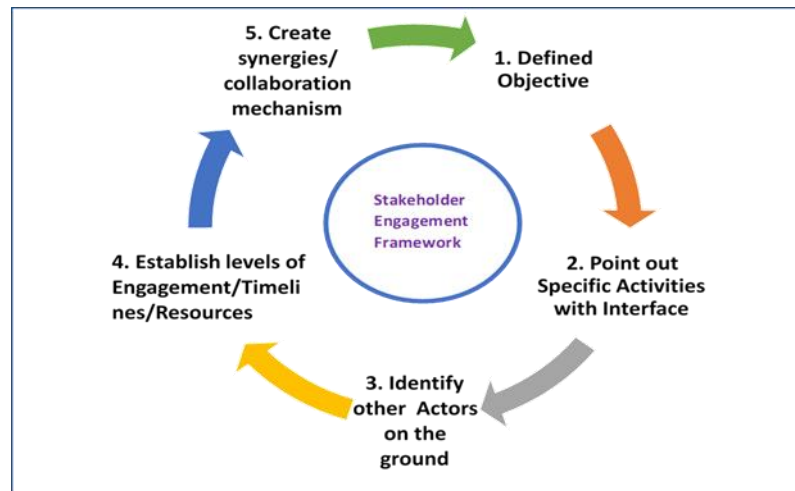


FIGURE 4: STAKEHOLDER IDENTIFICATION PROCESS

Stakeholders Mapping: Identification of stakeholder: A broad stakeholder engagement process requires a full stakeholder mapping. To start with a list of engagement objectives was developed hence the list of stakeholders that included everyone who has potential interests in project objectives. The areas of engagement were determined based on the activities stipulated in the scope of work that require engagement of core business actors on the ground. Additional considerations were made to the stakeholders who were engaged during preparation of ESIA and RAP.

Categorization of stakeholders: This is an opportunity to reach out and mix the old with the new, including individuals from each of the following stakeholder categories: influencers, collaborators, advocators, and implementation partners. Consideration will also be made to add silent members to especially the marginalized groups of women, youth, elderly among others because they may have a hidden wealth of expertise/native/indigenous knowledge.

Analyzing: From the established list of the identified stakeholders, analysis was conducted to better understand relevancies and the perspective of which the stakeholders will offer in relation to the objectives of the assignment. Consultant developed a list of criteria to help in the analysis of each identified stakeholder:

- **Contribution:** Does the stakeholder have information, counsel, or expertise that could be helpful in undertaking the assignment?
- **Legitimacy:** How legitimate is the stakeholder's claim for engagement?
- **Willingness to engage:** How willing is the stakeholder to engage?
- **Influence:** How much influence does the stakeholder have?
- **Necessity of involvement:** Is this someone who could derail or delegitimize the process if they were not included in the engagement?

Defining Engagement Framework: Consultant is on the process to establish the frameworks for different stakeholder's engagement depending on the scope of engagement strategy, multiple tactics such as engage, communicate and inform will be used simultaneously to address different stakeholder groups. Engage describes stakeholders with whom engagement is necessary. Communicate describes stakeholders with a high willingness to engage or a high level of expertise but who have not yet participated in dialogue with your company. Communicating more with these stakeholders will help

them -value engagement. Inform describes stakeholders who seek information only instead of a conversation. Figure below presents the tactics quadrants for stakeholder engagement:

Creating A Synergies with other project components: Based on the engagement notes, a consideration will be made on a landscape of issues that came up during engagement analysis with expected output(s), track for a successful engagement with the selected stakeholders. Key steps to be followed include: (i) Document the engagement, (ii) Facilitation of a stakeholder’s workshop for each party to understand the expectations of the stakeholders’ engagements (iii) define logistics (iv) to agree on the working frameworks (mode operand).

Documenting the Engagement: In order to measure success and build on efforts for future activities, consultant has identified areas that requires stakeholder’s engagement the methods used. Based on the TORs and consultant’s past experience the following groups will form part of stakeholders to be engaged during the execution of the assignment. Each of the stakeholders has different needs for engagement on the Project. Therefore, their participation should take into consideration their interests and level influence, and a consideration on how best to reach them.

The purpose is to ascertain their relevance and role in the project during resettlement and Social Monitoring as stipulated in TORs. Spotting on a recommendation from the project SEP (if any) document consultant will ensure that each level informs the other and there is a feedback mechanism that emphasizes the need to share information in offices that have the requisite mandates and convening power.

Collaboration with other community outreach activities will be solicited so as to club the consultation activities together. The aim will always be to minimize the occurrence of actions that would be interpreted as community fatigue to the PAPs.

Consultations during the RAP development and implementation: RAP developer should be guided by the TACTIC Project SEP (communication strategy) to lay out various communication needs and outreach tools and explain the responsibility of RAP developers to convey the awareness of the project impacts and its benefits to various stakeholders. The objectives are:

- To create project awareness among affected population.
- To provide information to PAP about the adverse impacts on private properties, economic resources and livelihoods and mitigation measures considered in the RAP/LRP.
- To take cognizance of PAP’s views, grievance redress, etc. to act on the desired lines of minimizing impacts creating a congenial environment for the implementation of the project.

The project affected people need to be taken into confidence through a sort of dialogue and that can be best done through adopting a planned communication strategy. Public / community consultation focus group discussion, usage of TV, radio and other electronic communication means are required to be taken up for this wider appreciation of the project. This is necessary for smooth implementation of the project.

3.3.5 Methodology for Asset Inventory (Land Acquisition)

TACTIC project interventions will require land uptake for construction of infrastructure with exception of some sub-projects that LGAs already have land or no encroachment has occurred on the linear projects. For sub projects that will require land that is privately owned, land acquisition through cash or in-kind (land for land) compensation will be applied. Where necessary voluntary

donation of land as (an optional means of land acquisition) will be sought by extensive consultation and agreement /consent from most (98% -100%) of the PAPs.

- **Involuntary Land Acquisition**

In order to prepare an inventory of assets for a sub-project, a household survey team would visit the affected area to carry out an asset valuation survey. The team would be led by an appropriate project representative, Municipal Council representative, Local leader, a representative of the PAPs, a representative of the Department of Lands and *Mtaa* representative (collectively referred to as the Compensation Committee)

During the survey, each asset will be enumerated and inscribed on an inventory and a valuation of the asset carried out using the approach described above. The values of each asset will then be recorded in a register and shown to the affected person for agreement. The register will be signed, and a copy given on the spot to the affected person. The document will say when the affected person will be notified, and that the inventory will not be official until a second signed copy, verified by project supervisory staff, is returned to the affected person. At this time, a copy of the grievance procedure will also be given to the affected person as stated in the grievance redress mechanism.

The land surveying methodology will base on the adjudication methods. Where the adjacent PAPs will jointly identifying the size, area and locations of their common neighbor. Each PAP will need to be recognized by his/her surrounding neighbors to claim the ownerships of his/her property unit.

The coordinates of the edges /corners of an adjudicated parcel will be taken by using handheld GPS. In this case the surveyor will record the coordinates of each parcel and sketch its geometrical figure. Hence, each parcel will need a unique identifier so that data concerning that parcel can be given an exclusive reference in the database. Therefore, every parcel will be numbered by using the Unique Parcel Reference Number UPRN.

Parcel Numbering: As for the large-scale adjuration of region; the UPRN is started by identifying the Region-District-Locality-Parcel.

Note: a PAP unique is assigned to the land not to the owner.

Property Identifier: In addition, as it was decided in the national/regional adjudication, that an additional Property Identifier would be required to differentiate between property types and the identifying letter (as shown below) would be shown at the start of the UPRN as follows:

Property Identifiers

- (i) A, B C etc. – to identify any additional plot of the same owner in the same location
- (ii) Bu - Building
- (iii) L – Lease
- (iv) CA- Communal asset (water bore hole etc.)
- (v) G- Graveyard
- (vi) Ch- Church
- (vii) Mq- Mosque
- (viii) Sch- School
- (ix) Ho- Hospital

Therefore, the property unit identification number attributes should be divided as shown below with no constraints on the number of digits used.

<Property Identifier><District Code> <Locality Code> <Parcel/Plot Number>

The land will be valued, and the PAP be informed on the associated compensation. In a disclosure each PAP will be required to sign a compensation agreement form. That will indicate the consent to release his/her land in exchange with the cash (in case of Cash option) or another land of the similar nature (in the event that PAP opts for in-kind compensation).

3.3.6 Census and Socio-Economic Survey

The process of gathering Social Economic Baseline information for the RAP development is acquired from primary and secondary sources of data. While the primary data are captured from the field (i.e. through interviews guided by questionnaires, focus group discussions, consultations and key informant interviews, the secondary data are obtained through Literature Review (policies and projects' documents). This process needs to be done during the pre-feasibility study stage, so that the RAP consultant can understand the impacts of the designs that will be done by the engineering team as well as guiding the RAP team to determine the approaches to be adopted during RAP preparation.

Census: The Census will be carried out to enumerate all PAPs (100%). The aim is to capture information regarding the PAPs including; household demographic characteristics [age, gender, marital status, education, physical conditions (handicap by birth/chronic sickness)]; occupation, assets (structures both affected and non-affected), land tenure and use, income and expenditure, compensation choices and preference of compensation mode of payments, social networks, coverage under government or NGO development schemes, level of indebtedness.

Socio Economic Survey (SES): The survey will cover a sample of PAPs between 15% and 30% of the total PAPs. The purpose of the baseline socioeconomic survey of impacted households is to establish monitoring and evaluation parameters. Information obtained from SES will be used as a benchmark for monitoring the socio-economic status of displaced persons. The survey shall cover all major impacted areas. The survey shall also collect gender-disaggregated data to address gender issues in resettlement. The socio-economic survey shall be carried out using a structured questionnaire, that would capture details of standard of living, inventory of assets, sources of income, level of indebtedness, profile of household members, health and sanitation, access to services and facilities, perceived benefits and impacts of the project and resettlement preferences of all major impacted households likely to be displaced. This information along with the census survey data would facilitate the preparation of a resettlement plan to mitigate adverse impact.

As part of socio-economic survey, wide range of consultations with different impacted groups as well as other stakeholders will be conducted to ascertain their views and preferences. Based on the outcome of these consultations the designs changes, if required, and mitigation measures will be incorporated. Consultations will include women and their concerns and reactions to the project will be addressed through appropriate mitigation plan.

3.3.7 Valuation Methods

Valuation methods for affected land and assets be done at replacement⁸ cost as per WB-ESS5, that state, when land acquisition or restrictions on land use (whether permanent or temporary) cannot be avoided, the Borrower will offer affected persons compensation at replacement cost, and other assistance as may be necessary to help them improve or at least restore their standards of living or livelihoods. Meaning that in the case of physical displacement, the Borrower will develop a plan that covers, at a minimum, the applicable requirements in ESS 5 regardless of the number of people affected.

Replacement cost: Replacement cost is the principle to be complied with in compensating for lost assets as per Table 6(4). Thus, the valuator should conduct analysis of the valuations calculated under Tanzanian laws and establish variation factors to bridge the gaps. It has been noted in most cases that GoT rates are rarely tallying with the requirements of the replacement cost.

- Land Valuation:

For purposes of measuring land, the unit of measurement would be that which is used and understood by the affected owners. However, that unit should be among of the international Standards Unit (SI units). The unit that is being used must be explained to the affected owners/users and must somehow be related to easily recognizable land features that the communities are familiar with, such as using location of trees, stumps, etc. as immovable pegs.

Valuator shall obtain land values from the reliable sources including Ministry of land, chief valuator and from the results of his own market search. The highest rates shall be applied, consistent with World Bank approach (ESS5) of replacement cost.

- Valuation of trees and Crops Compensation

Trees and permanent crops will be valued based on the market rates for various species as provided in the schedule for the Zone by the Ministry of Forestry /ministry of Agriculture. The value depends on age/maturity of the tree or crop, potential use and the number of trees; economic use, production rate /yield and profits accrued. The main type of species found are permanent crops or trees.

The laws of Tanzania require full, fair and prompt payments of compensation within 6 months from time the Valuation Report is approved. The timing / schedule of RAP implementation revolves around the date when valuation was done and PAPs where required not to undertake any further development on the land and properties that have been inventoried and valued.

Given their significance to the local subsistence economy, which this project intends to positively impact, fruit trees will be compensated on a combined replacement/market value. Fruit trees used for commercial purposes will be compensated at market value based on historical production records. The compensation rate will be based on information obtained from the socio-economic information and the market price search. Based on the information, a compensation at replacement cost can be computed. Other domestic fruit and shade trees: These trees have recognized local market values, depending upon the species and age. Individual compensation for wild trees “owned” by individuals, who are located in lands as defined in this policy, will be paid. No compensation will be paid for minor pruning of trees. Due to the localized nature of projects, it would therefore be unwise to deploy an individual valuation expert in each case

- Compensation for Sacred Sites and graveyards:

Subprojects will avoid impacts on sacred sites, which include but not restricted only to altars, initiation centers, ritual sites, tombs and cemeteries. It includes other such sites or places/features that are

⁸ Government procedure for valuation is for market value, as discussed in the

accepted by local laws (including customary), practice, tradition and culture as sacred. To avoid any possible conflicts between individuals /or communities and local government the use of sacred sites for any project activity is not permitted under this project.

- Compensation for vegetable gardens

Gardens are planted with vegetable and ingredients for daily use. Until a replacement garden starts to bear, the family displaced (economically or physically) because of the project land needs will have to purchase these items in the market. The replacement costs therefore, will be calculated based on the average amount that an average town dweller spends on buying these items for one year per adult from the local market.

- **Determine other entitlements and Topping up allowance**

Disturbance allowance This is calculated by applying value of real property by average percentage rate of interest offered by commercial banks on deposits for 12months. The current average rate of the interest obtained on fixed deposits is 8%. Therefore, the total compensation value, then obtain the 8% of the value and add to the previous total. All PAPs that are illegible for any kind of compensation shall receive a disturbance allowance.

Transport Allowance Section 179 subsection 11 of the aforesaid Land Act (1999) directs how this allowance is to be assessed: "Transport Allowance shall be the actual costs of transporting twelve tons of luggage by rail or road (whichever is cheaper) within twenty Kilometres from the point of displacement (i.e. Transport allowance = 12 tons x Actual Cost/ton/km x 20km)". Transport allowance is computed on the basis of prevailing market rates within an area and is paid only to PAPs with occupied residential/commercial structure.

Loss of accommodation Section 179 sub-sections 8 of the Land Act (1999) stipulates how accommodation allowance is to be arrived at: The market rent for the building shall be assessed and multiplied by 36 months in order to arrive at accommodation allowance payable. (I.e. Accommodation allowance = Rent/p.m. x 36 months). Accommodation allowance shall be paid only to PAPs losing occupied residential structures.

Loss of Profit: This is provided under Section 179 subsection 9 of the Land Act (1999) inter alia: The net monthly profit of the business carried out shall be assessed, evidenced by audited accounts where necessary and applicable and multiplied by 36 months in order to arrive at the loss of profits payable. (i.e. Loss Profit = Net profit/p.m. x 36 months).

Note: Valuator shall review all government rates on the topping up allowance to ensure that they are up to date hence in line with replacement value /cost requirement.

Valuation procedures

The Valuator shall carry out the valuation of affected assets and calculation of applicable allowances in accordance with defined entitlement matrix in draft RAP. It is necessary that, the baseline data on housing, house types, and construction materials will also be collected. Qualified and experienced experts (valuator) will undertake the valuation of acquired assets. In applying this method of valuation, depreciation of structures and assets should not be taken into account. The Valuator will act under the direct supervision of PIU's social specialists.

At the end of valuation exercise, the Valuator will provide a valuation report for prior review and approval by the LGAs and subsequent Chief Valuer. Valuation Report for each RAP will contain clear

separation of each asset/property and losses with final summary of the valuation (Rates) applied to compute compensations for:

- affected properties/assets (building, crops, trees and other improvements)
- business and affected employees
- Transportation costs for movable assets.
- Allowances defined by RAP (allowance for relocation, disturbance allowance, vulnerability etc.).

3.3.8 Videography/Drone footage

The videography/Drone footage exercise for the entire corridor / project foot print should be carried out by the experts who are familiar with the project areas. The drone images of the entire corridor and specifically those areas where structures are to be impacted must be well captured to back up the information recorded during the Asset Inventory exercise.

This should be coordinated with the surveyors and GIS experts to ensure that all PAPs within the delineated project foot print are captured.

4 ELIGIBILITY AND ENTITLEMENT FRAMEWORKS

The aim of determining an eligibility criterion in the RPF is to ensure that the PAPs who suffer a full or partial loss of lands, crops/trees, business/income and profit will be clearly defined and recognized as eligible for compensation on the loss encountered as legal owners or users of the affected asset (land, structure).

4.1 Defining Affected Population (Affected Persons)

Project-affected persons (*PAPs*) are defined in this policy framework according to WB ESS5 standards refers to all persons impacted by the involuntary resettlement, including all members of a household (women, men, girls, boys, incl. several generations in the case of extended households); the owner and employees of a business; members of an ethnic minority group; tenants; land owners and sharecroppers; informal settlers (i.e. lacking formal titles); holders of customary land-rights; informal business-operators and their employees/assistants.

The government will use the power of Eminent Domain to acquire land or other properties from private owners or community ownerships to create space for the developmental activities, especially in infrastructure development to create facilitation for compensation, resettlement assistance and the actual displaced persons:

- a) PAPs that have formal legal rights to land, including customary and traditional rights recognized under the laws of Tanzania: This class of people includes those holding leases, freehold land and land held within the family or passed through generations.
- b) PAPs who have no formal legal rights to land at the time the census begins but have a claim to such land or assets provided that such claims are recognized under the laws of Tanzania. This class of people includes those that come from outside and given land by the government or local leaders (in case of customary land) to settle.
- c) PAPs who have no legal right or claim to the land they are occupying. This class of people includes those that settle at a place on semi-permanent basis (renting), or those settling at a place without any formal grant or authority (encroachers).
- d) PAPS using the social facilities to earn their sources of livelihoods and/ or income.
- e) PAPs who are licensed/ employed in slaughter houses, garbage disposal points, river crossing etc. whose services will be replaced by the installation of machine or improvement of the infrastructure
- f) Displaced persons under paragraph (a) and (b) shall be provided compensation covering their affected land, building or fixed assets (crops/trees) on the land taken by the project in accordance with the provisions of this framework if they occupy the project area prior to the cut-off date. Displaced persons classified under paragraph (c) shall be eligible for compensation for the assets only but not land. Displaced persons who encroach on the project area after the cut-off date shall not be entitled to compensation, or any resettlement assistance or any other form of rehabilitation assistance. Displaced persons classified under paragraph (d) shall be eligible for compensation on the lost income/profit at the time of relocating and reestablishment of their business. Displaced persons classified under paragraph (e) shall be eligible for compensation on the affected employment/livelihoods from that social facility.

There are several categories of affected people depending of the nature of the projects that have been identified. The different categories of PAPs with their potential types of losses are summarized in Table below.

TABLE 8: DIFFERENT CATEGORIES OF PAPs WITH CORRESPONDING LOSSES

PAP Category	Types of Losses
Owners of plots without buildings/land for agriculture / horticulture/grazing in the way-leave;	<ul style="list-style-type: none"> • Loss of land, or Loss of land and crops and trees • Loss of intrinsic values e.g. location convenience
Owners of plots with land and houses and other buildings in the way-leave;	<ul style="list-style-type: none"> • Loss of land and dwelling houses • Loss of other buildings and structures, such as sheds for domesticated animals, food grain storehouses, etc. • Loss of productive crop land, • Loss of standing crops, both perennial and seasonal,
Owners of plots with commercial buildings in the way-leave;	<ul style="list-style-type: none"> • Loss of source of earning, income, • Loss of Land and buildings • Loss of intrinsic values e.g. location convenience, patronage of customers, connectivity to water or electricity etc
Business owners occupying business spaces/stalls in the markets and other facilities	<ul style="list-style-type: none"> • Loss of source of earning, income, • Loss of income and profit for market vendors
Loss of livelihood supporting activities	<ul style="list-style-type: none"> • Loss of livelihoods
Community assets: schools, market centres, religious institutions churches.	<ul style="list-style-type: none"> • Loss of Land • Loss of intrinsic values e.g. location convenience, connectivity to water or electricity etc

4.2 Entitlement Matrix

Each RAP should develop a resettlement matrix that identifies the expected negative impacts from the project, the eligible persons for compensation, taking in account the compensation policy that is to be applied. The entitlement to compensation and assistance of livelihood stabilization shall be defined according to the Tanzanian regulations in compliance with WB – ESS5 standards. Entitlement shall be categorized based on the proposed eligibility to the loss. The detailed subprojects under TACTIC project are diverse and the actual land acquisition and requirement has not yet been specifically identified. However, the rapid appraisal carried out during the preparation of the RPF, listed types of PAPs who are potentially facing losses arising from the expected projects (see Table 4). The identified categories of PAPs are eligible for compensation entitlements according to the Tanzanian laws and WB ESS5 standards. Accordingly, this RPF presents eligibility and entitlement matrix that will serve as a tool for establishing entitlement to the various categories of PAPs.

Table 9: Entitlement Matrix for Various Categories of PAP

Types of losses	Level of Impacts	Entitled Persons	Compensation Policy	Additional Notes
1. LOSS OF LAND				
Agricultural ⁹ : Private (freehold/ leasehold) or Customary,	Permanent (complete or partial) loss of arable and grazing land located in the sub-project site	Farmers/Individuals who have formal legal ownership rights to land	<ul style="list-style-type: none"> ▪ Provide cash compensation at replacement cost for the lost land, in addition to the cost of preparing the land to levels similar to those of the affected land, plus the cost of any registration and transfer taxes as well as value of labour invested in preparing agricultural land. ▪ In-Kind Compensation i.e. The PAPs be provided another land (land for land) with the same quality and attributes ▪ Provide cash compensation for loss of crops or trees at replacement cost (according to the approved values by the ministry of Agriculture and forestry departments). ▪ Disturbance allowance of 8¹⁰% of the value of land lost will be provided to those who do not get land for land, irrespective of the size of land. 	<p>The payment of replacement costs shall consider:</p> <ul style="list-style-type: none"> ▪ To arrive at a full replacement cost of land the value of labour invested in preparing agricultural land will be compensated for using wage for the same period of time. ▪ Crops and trees will also be determined by valuation criteria including level of maturity of the crop and productivity <p>The In Kind compensation should consider:</p> <ol style="list-style-type: none"> a) Prior consultations with the PAPs. There should be a willingness from the PAPs through signing of agreement form to confirm their desire for the in-kind compensation. b) In case of vulnerable PAPs (orphans, elderly, widow) the in-kind compensation may become compulsory.
		Farmers/Individuals who do not have any recognizable legal right or claim to the land (Encroachers)	<p>No compensation for land.</p> <ol style="list-style-type: none"> a) Provide cash compensation for loss of crops or trees at replacement cost (according to the approved values by the ministry of Agriculture and forestry departments). b) Provide cash compensation for labor during the land preparation at replacement cost. 	<p>For the transitional period, it is recommended that:</p> <ol style="list-style-type: none"> a) Transitional assistance should be provided at least six months are provided if not more for all PAPS. b) current market value of the crops should be considered which is

⁹ Majority of the areas are in the urban however this scenario is likely to happen in some town council with mixed economy

¹⁰ This is a government rate at the time of RAP preparation the rates should be reviewed to ensure consistence with the Replacement cost – guiding principle for this RPF

Types of losses	Level of Impacts	Entitled Persons	Compensation Policy	Additional Notes
			c) In case there are seasonal crops in the field, assessment to determine growth rate be made and the PAP will be given grace period up to the harvesting for the crops reached 80% of the full growth.	<p>calculated besides the transitional cycle of re-growing the same type of crop, plus cost involved.</p> <p>c) In case of additional land all crops found on the ground at construction stage with growth rate less than 80% shall be compensated</p>
		Descriptive users of the community land as business spaces (open markets),	<p>a) Provide (temporary or permanent) alternative land with facilities of same or improved standard (access and easy transport connection, security.</p> <p>b) Licensed/registered users (who pay levies/tariffs payers) provided tariffs holiday at the period of transition up to six months.</p>	<ul style="list-style-type: none"> ▪ Compensation for the standing crops/ damaged during the construction period shall be paid at market value ▪ Cost of clearing and preparing replacement agricultural land
		Farmers/Individuals who have recognizable claim to the land (renters)	<p>a) Compensation for trees and permanent crops shall be paid according to the values directed by the government gazette or as directed by the regulatory bodies.</p> <p>b) Compensation of any development exhausted over the land</p> <p>c) Rights to salvage the materials</p>	<ul style="list-style-type: none"> ▪ Compensation for the standing crops/ damaged during the construction period shall be paid at market value ▪ Cost of clearing and preparing replacement agricultural land

Types of losses	Level of Impacts	Entitled Persons	Compensation Policy	Additional Notes
Loss of urban residential or commercial non-arable land or access to it	Permanent (complete or partial) loss of urban residential non-arable land	Individuals who have formal legal ownership rights to land	<ul style="list-style-type: none"> ▪ Provide cash compensation at replacement cost of land. ▪ In - kind provision of alternative land of equal size and use, with similar or improved public infrastructure facilities and services and if possible the replacement land should be located in the same locality of with the affected land, plus the cost of any registration and transfer taxes. ▪ Provision of disturbance allowance Disturbance allowance of 8% of the value of land lost will be provided to those who do not get land for land, irrespective of the size of land. 	<ul style="list-style-type: none"> • Consultations and formal agreement with PAPs on type of compensation (cash or in-kind) • If available and requested by the PAPs and agreed to by the subproject and concerned authorities: provide equivalent land nearby, of similar size, value, and quality • In addition, the subproject will bear the cost of any registration and transfer taxes as well as value of labor invested in preparing of that land.
		Individuals who do not have ownership rights to land but have temporary or leasing rights (Tenants/ Renter)	<ul style="list-style-type: none"> ▪ Cash Compensation: <ol style="list-style-type: none"> a) In case there are developments on the land such as structures, provide cash compensation at replacement cost for the materials used to rebuild the structures or to partially repair an affected structure. b) Disturbance allowance 8% of the compensation c) Transition allowance covering the period of transition to reestablish in the new areas, (six months' rent recommended). d) Transport allowance to relocate the materials and equipment. 	
		Individuals who have no ownership rights to land but using the land (Squatters and encroachers)	<ol style="list-style-type: none"> a) Cash Compensation: e) In case there are developments on the land such as structures, provide cash compensation at replacement cost for the materials used to rebuild the structures or to partially repair an affected structure. f) Disturbance allowance 8% of the compensation sum 	

Types of losses	Level of Impacts	Entitled Persons	Compensation Policy	Additional Notes
	Permanent or Temporary loss of urban commercial (business space)	Individuals who do not have ownership rights to land but have legal USER rights to the land (licenced Trader in the markets).	a) Cash Compensation: <ul style="list-style-type: none"> ▪ for business structures shops, stalls and benches ▪ Social business facilities (e.g. water kiosks, workshop, garage, parking space etc..) on the land, provide cash compensation at replacement cost, ▪ Disturbance allowance 8% of the compensation sum associated to the impacted structure. ▪ Loss of profit for 36 months ▪ Transport allowance to relocate the materials and equipment. OR b) In – Kind Compensation: <ul style="list-style-type: none"> ▪ Authorities: provide (temporary or permanent) equivalent land nearby, of similar size, value, and quality ▪ Provision of development and resettlement assistance, including business areas (temporary shops), transport facilities and other supporting facilities. ▪ For the transitional period, it is recommended that: transitional assistance be provided at least six months for all registered PAPs 	The PAPs will have the right to salvage the building materials.
		Individuals who do not have ownership rights to land but have legal USER rights to the land (licenced/registered operators of the transport modes)	<u>Cash Compensation</u> <ul style="list-style-type: none"> ▪ Loss of profit for the specified time of transition (3-6 months as applicable) ▪ Disturbance allowance 8% of the compensation sum OR <u>In – Kind Compensation</u> Authorities: provide (temporary or permanent) equivalent land nearby, of similar size, value, and quality	
2. LOSS OF STRUCTURE				
Loss of structures or access to them	Permanent fully loss of Main Dwelling Houses	Individuals who have formal legal ownership rights to the structures	<u>Cash Compensation</u> a) Provide cash compensation at replacement cost	<ul style="list-style-type: none"> ▪ Consultations and formal agreement with PAPs on type of compensation (cash or in-kind, i.e relocation)

Types of losses	Level of Impacts	Entitled Persons	Compensation Policy	Additional Notes
			b) Disturbance allowance (8%) c) Accommodation allowance (36months) equivalent to the rental rates for the house of similar attributes. d) the cost of any registration and transfer taxes. OR <u><i>In – Kind Compensation</i></u> a) Authorities: provide a replacement house nearby, of similar size, value, and quality b) Disturbance allowance up to 8% of the value of the affected house. c) Transport allowance to relocate the materials and equipment. d) Right to salvage the materials	<ul style="list-style-type: none"> ▪ In-kind compensation will be payable for those losing main dwelling houses or parts of residential structure such as toilet, kitchen, shed and storage ▪ Fully loss of a house is computed when the one or the following happens: <ol style="list-style-type: none"> a) entire house is subjected to demolition b) the proportion of the impacted area is more 30% of its area; c) the main features of the house such as soak tank and toilet or kitchen subjected to be demolished.
		Individuals who have no formal legal ownership rights to the structures (squatter and Encroachers)	<ul style="list-style-type: none"> - Provide cash compensation at replacement cost - Transport cost for the PAPs shifting within a distance up to 20km - Accommodation allowance (36months) 	
		Tenant with proof of tenancy in a main dwelling house	a) Reimbursement for unexpired tenancy/ lease period and the amount of deposit or advance paid by the tenant to the landlord or the remaining amount at the time of expropriation. b) Disturbance Allowance 8% of the compensated tenancy sum c) Transport allowance to shift up to 20km distance	Proof of a formal rental agreement has to be provided. <i>Note: Amount will be deducted from the compensation of loss in profit that will be payable to land owners.</i>
	Permanent partial loss of Main Dwelling Houses	Individuals who have formal legal ownership rights to the structures	a) Cash Compensation e) Provide cash compensation at replacement cost f) Disturbance allowance g) Right to salvage the materials - In – Kind Compensation: e) Authorities: undertake construction of the impacted/demolished portion at the same standard quality	<ul style="list-style-type: none"> ▪ Consultations and formal agreement with PAPs on type of compensation (cash or in-kind, reconstruction of the structure) ▪ Partial loss of a house is computed when one or the following happens: ▪ Small part (less than 25%) of the house is subjected to demolition

Types of losses	Level of Impacts	Entitled Persons	Compensation Policy	Additional Notes
			f) Disturbance allowance up to 8% of the value of the affected house.	<ul style="list-style-type: none"> The main features of the house such as soak tank and toilet or kitchen are not subjected to demolition.
		Squatter and Encroachers	Provide cash compensation at replacement cost	Consultations and formal agreement with PAPs on type of compensation (cash or in-kind, i.e relocation)
		Tenant with proof of tenancy in a main dwelling house	<ul style="list-style-type: none"> Reimbursement for unexpired tenancy/ lease period and the amount of deposit or advance paid by the tenant to the landlord or the remaining amount at the time of expropriation. Disturbance Allowance 8% of the compensated tenancy sum Transport allowance to shift up to 20km distance 	<p>Proof of a formal rental agreement has to be provided.</p> <p><i>Note: Amount will be deducted from the compensation of loss in profit that will be payable to land owners.</i></p>
	Permanent or temporary loss of business or commercial structure	Individuals who have formal legal ownership rights to the structures	<p>b) Cash Compensation</p> <ul style="list-style-type: none"> Provide cash compensation at replacement cost Disturbance allowance cost of transporting building materials to the construction site, the cost of any registration and transfer taxes. Allowance for loss of profit per month (between 1-3 months by type of structure and nature of business, amounts should be quoted separately for each business category and computed in Tanzanian shillings) In <p>c) Kind Compensation:</p> <p>c) Authorities: provide a replacement house nearby, of similar size, value, and quality</p> <p>d) Disturbance allowance up to 8% of the value of the affected house.</p> <p>e) Transport allowance to relocate the materials and equipment.</p> <p>f) Right to salvage the materials</p>	<ul style="list-style-type: none"> Consultations and formal agreement with PAPs on type of compensation (cash or in-kind, i.e relocation) In-kind compensation will be payable for those losing business house/space Fully loss of a house is computed when the one or the following happens: <ul style="list-style-type: none"> entire house is subjected to demolition the proportion of the impacted area is more 30% of its area; the main features of the house such as soak tank and toilet or kitchen subjected to demolished. Given that the business profit margins vary according to the location and time; RAP developer will capture the proper information during RAP preparation. Proof of accrued monthly profits through tax and business licenses) must be provided

Types of losses	Level of Impacts	Entitled Persons	Compensation Policy	Additional Notes
			g) Allowance for loss of profit per month (between 1-3 months by type of structure and nature of business, amounts should be quoted separately for each business category and computed in Tanzanian shillings)	
		Tenants with proof of tenancy in a main dwelling house	a) Reimbursement for unexpired tenancy/ lease period and the amount of deposit or advance paid by the tenant to the landlord or the remaining amount at the time of expropriation. b) Disturbance Allowance 8% of the compensated tenancy sum c) Transport allowance to shift up to 20km distance d) Allowance for loss of profit per month (between 1-3 months by type of structure and nature of business, amounts should be quoted separately for each business category and computed in Tanzanian shillings)	Proof of a formal rental agreement has to be provided. <i>Note: Amount will be deducted from the compensation of loss in profit that will be payable to land owners.</i> Note: PAP relocating beyond 20km will not be entitled to this amount. • However, the project would consider payment of the transport allowance not exceeding 5% of the compensation on the structure.
3. STANDING CROPS, TREES, AND PLANTS				
Loss of standing crops, trees, or plants or access to them	Permanent loss of standing crops, trees, or plants	Farmers or individuals who cultivate the land and who have formal legal ownership rights to the land on which the crops are planted	Provide cash compensation for loss of crops, trees, or plants at replacement cost a) Disturbance allowances 8% of the total value of the crops b) Right to collect the trees and crops products Reimbursement for unexpired rental period and the amount of deposit or advance paid by the renter to the landlord or the remaining amount at the time of expropriation.	<ul style="list-style-type: none"> ▪ A comparative list of the prices of agricultural products in local markets. ▪ The valuation of perennial crops will be based on the product of their average yield (kg/tree/year). ▪ Valuation will be based on the product of yield, period between planting and bearing of fruits and market price. ▪ The sub-project activities should take into consideration the cropping patterns and seasons in order to avoid partial or complete loss if possible.
		Farmers or individuals who do have formal legal USER rights to land on which the crops are planted but have temporary or leasing rights (renters)	c) Provide cash compensation for loss of crops, trees, or plants at replacement cost. d) Disturbance allowances 8% of the total value of the crops e) Right to collect the trees and crops products	

Types of losses	Level of Impacts	Entitled Persons	Compensation Policy	Additional Notes
			Reimbursement for unexpired rental period and the amount of deposit or advance paid by the renter to the landlord or the remaining amount at the time of expropriation.	
		Farmers or individuals who cultivate the land and who have no formal legal ownership rights to the land on which the crops are planted (encroachers)	<ul style="list-style-type: none"> a) Provide cash compensation for loss of crops, trees, or plants at replacement cost. b) Disturbance allowances 8% of the total value of the crops c) Right to collect the trees and crops product 	
4. INCOME OR ACCESS TO INCOME (COMMERCIAL, BUSINESS, AND INDUSTRIAL ACTIVITIES)				
Loss of source of Profit earned from Business	Permanent /Temporary loss of profit	Registered/licensed Traders (owners) /services providers of formal registered /licensed businesses	<p>Cash compensation:</p> <ul style="list-style-type: none"> • The net monthly profit of the business carried out shall be replaced for 36 months. To cater for transition period during relocation processes. • Transport/shifting allowance (calculated based on Tz Laws. <p>OR</p> <p>In-Kind compensation</p> <ul style="list-style-type: none"> • Provide tax and tenancy holidays for a specified period of time that will be equivalent to the calculated loss of profit. • Provide in kind provision of new business space (temporary or permanent) • Disturbance allowance 8% of the amount payable. • Be provided in kind transportation 	<p>Payable loss of profit will be calculated based on evidences obtained through audited accounts (i.e. Loss Profit = Net profit/p.m. x 36 months).</p> <p>Note: the transitional allowances shall be computed from the loss of profit of the employers.</p>
Loss of source of income or access to source of income	Permanent loss of income source or access to it	Workers in informal registered businesses	<ul style="list-style-type: none"> • Provide transitional cash compensation until new employment is secured based on minimum wage per month in the respective district (at least six months are provided if not more) 	
	Temporary loss of income source or access to it	Registered /licensed employees of business (in	<ul style="list-style-type: none"> • Provide cash compensation for the duration of business/income generation that is disrupted based on net income. 	

Types of losses	Level of Impacts	Entitled Persons	Compensation Policy	Additional Notes
		the markets/slaughter houses)	OR <ul style="list-style-type: none"> Provide Disturbance allowance of 8% of the profit for the period of six months Provide alternative temporary business space These PAPs shall have top priority in reallocation of business space in the new facilities 	
1. LOSS OF COMMON PROPERTY RESOURCES AND CULTURAL RESOURCES				
(Hand-pump, dug-wells, Structures, natural fish ponds, raffia, grazing fields, natural medicines, animal drinking places)	User of such resources (can be individual or communities) that use communal resources as an element of livelihood.	Affected area	<ul style="list-style-type: none"> Replacement or restoration of affected structures/facilities. Enhancement of community resources. 	Replacement / Restoration or augmentation of existing infrastructure based on identified need and to sustain pressure of Affected Facilities (AFs).
Destruction or damage to shrines and graveyards	Can be individual, family or community.	Evidence of ownership of the affected heritage resource.	<ul style="list-style-type: none"> Compensation for cost of repair if falling inside of the Project area, or relocation in accordance with Tanzanian law (Graves (Removal) Act of 1969) and traditional customs (including pacification and purification). Preservation, compensation and relocation activities will be done in consultation with affected individual / family or relevant Government institutions responsible for cultural heritage or National antiquities 	<ul style="list-style-type: none"> Identification of the new sites. Relocation of the graves/cultural item. Costs to cover the reburial ceremonies, buying of coffins and construction of tombstones for graves that had tombstones
Permanent loss of land and/or access to assets	Community owned public toilets, market places, transportation parking spaces, schools, and health centres	Communities (districts, towns, and Mitaas) owning the land or assets	<ul style="list-style-type: none"> Replacement or restoration of affected structures/facilities. Enhancement of community resources. 	Replacement / Restoration or augmentation of existing infrastructure based on identified need and to sustain pressure of Affected Facilities (AFs).
2. LOSS EMANATING FROM CONSTRUCTION ACTIVITIES				

Types of losses	Level of Impacts	Entitled Persons	Compensation Policy	Additional Notes
Loss of Access due to construction works	Temporary or permanent disruption of access	Regular users of the places close to construction sites livelihoods activates due to improved infrastructure (homes, business, schools, hospitals etc.)	<ul style="list-style-type: none"> ▪ Provision of alternate access. 	Provision of access path(s), wooden planks, etc. not exceeding 100 meters. at identified locations in consultations with community
Damage on houses and structures due to movement of machinery, Disrupted accesses due to deep cutting on the hills and/or high filling of the valleys	Cracks on the walls, collapse of walls and unstable structures	Structure owners and users	<ul style="list-style-type: none"> ▪ Supplementary RAP be conducted to determine the impacts and compensation be paid for in-kind OR cash at replacement cost. ▪ Cash payment for temporary accommodation of the severely impacted dwelling structures at a cost of renting same size of house within the vicinity for SIX months. ▪ To be undertaken on a case-by-case basis and repair the damage 	<p>PAP to report to Resettlement Grievance Management Committees to resolve issues.</p> <p>Cost shall be determined based on the requirement quantity of concrete for rebuilding the footpath.</p>

4.3 Disclosure and Compensation Signing and Draft RAP Preparation

Subsequent to field work for data capturing the RAP developing team shall embark on the compilation of all data collected and its analysis towards report preparation, as described below:
Disclosure and Compensation Agreement Forms Signing: A Disclosure datasheet (commonly known as compensation schedule) will be prepared using the existing database developed for RAP with valuation data incorporated. Specifically, it will comprise the following:

- i. Data with Asset valuation – Valuation of different Asset of PAPs must be included such as land size (sqm), house and structures (classified by type and Size) numbers; Trees, varieties of trees (Indigenous, Fruit, Exotic etc.) with sizes (small, medium and large/mature) by number and values, crop permanent crops by number and values according to the ministry of agriculture.
- ii. PAP identification, Unique number (number assigned to the affected plot); name of the PAP as per official and valid ID, age sex, social status, health status, economic status, Status of Ownership, area of affected plot that will be compensated, occupation, vulnerability status along with their signature are included in the database apart from the valuation data for asset.
- iii. Approved rates will be inserted against each of the recorded assets to help compute the compensation and assistances payable to each PAP.
- iv. Disclosure of the Final House designs to PAPs to ascertain the PAPs choices of the designs for the replacement of the impacted main dwelling structures (Replacement House) shall be undertaken during disclosure and compensation agreements to be signed. The features of house designs will be simplified for this purpose and thereby enable the PAPs to comprehend them easily. Adequate team members comprising community development GIS and architect should be deployed along with surveyors to approach PAPs to explain the house designs and capture their choices and convey the same to the RAP implementation teams to enable preparation of BOQ for the house construction contractor.

The details from these Disclosure Sheets will also be copied onto Compensation Agreement Form (available at the government valuer's office) approved by LGAs. The Compensation Agreement, translated into Kiswahili language, will be printed with all cells populated with payable amounts.

4.3.1 Updating Database Post-Disclosure

Subsequent to the disclosure exercise, any corrections to inventory of trees, types of trees, structures types in terms of materials and dimension, or name of PAPs will be updated in the database. The previously unknown or missing PAPs might be showing up during the disclosure and they will be identified and listed by names and checked in the project areas instantly by using GPS to know their real position on the wayleave. Valid PAPs will be enlisted in the PAP list and their asset and other Census and Socio-economic information in the database be updated. Those new PAPs will be attended later in another disclosure meeting and their signatures be obtained on the agreement form for their asset.

4.4 Relocation Plan for Temporary affected PAPs

This section presents an approach to manage the PAPs using the existing markets, roads and bus stands that will be upgraded. The aim is to address the fear showed by the PAPs of not sure to get business allotments in the new market. In order to ensure that all PAPs users of the existing market get the priority in the new market facility the following steps are recommended to be undertaken prior to the Commencement of construction works.

Step 1: Delineation of facility Area and Identification of Host (resettlement sites)

Assessment of the existing facilities: The Surveyors and GIS experts (in the RAP developing Team) in collaboration with LGAs will delineate the boundaries of the existing facilities. The Team will use GPs to pick coordinates that will enable them establish spatial location of the project site for ease processing of the maps. Also, will assess the area to identify all possible pulling factors (the aspects that attract) people to come to these areas for buying/selling of goods: such as access, security hygiene and sanitation etc.

Assessment of the candidate sites for relocation of the markets: The site survey team (Surveyors and GIS experts) shall visit all the candidate areas for relocation of the market facility. The aim is to ascertain adequacies in accommodating the market population of the vendors. Ideally, candidate sites for relocation of the market facilities should be large enough to accommodate the entire group of vendors that are to be displaced; affordable- the tariffs should be equal or less; easily accessible; readily serviceable (there should be toilet facilities); hazard free areas. Much more important the areas should be as close as possible to the original site to reduce secondary effects of relocation such as increased travel costs, loss of livelihoods. Options that involve resettlement over several sites may also be feasible and should not be immediately excluded. Land tenure issues and the possible views and needs of the current owners of the potential sites need also to be considered. An inventory of each site according to the selection criteria should be made. The site evaluation and selection process should be carried out in an open and transparent manner.

Step 2: Consultations, Enumeration of the PAPs and valuation

Consultations: LGAs will facilitate meetings with the market vendors to explain the intent of the government to upgrade the market facilities. From the onset, the vendors should be encouraged to choose for In-kind compensations. In this regard, the vendors be well informed on the procedures that will be applied to safeguard their statuses including: valuation methods, database management, disclosure and signing of compensation agreement, relocation to temporary sites and subsequently the procedures for allotment of the business spaces in the new structures.

All key stakeholders (vendors), the current owners and users of potential sites, should be engaged in the comparative evaluation of the potential sites. As long delays may arise as a result of resistance to the process both from the displaced and from the proposed locations' land owners, much attention should be given to the governance process of resettlement. In this regard, public land may be preferred above private land for resettlement where feasible.

Inventory of business spaces: Surveyors will work with market leaders to ensure that each immovable business space (bench, stall, shop, etc.) is assigned a unique identification number. If a vendor occupies more than one space scatted in the same facility, each individual space will be counted separately. The valuator will assess the business and assign a value to it.

Enumeration of PAPs: Baseline Survey shall be carried out to identify the PAPs owners of the business spaces within the market area. It is much important that Data are collected electronically though Open Data Kit technology (or any other acceptable and user friend software), subsequently a database for the PAPs be developed. The community development Specialists (CDS)/sociologist; valuator shall work closely with Market leaders to educate the market /facility users on the advantages of the project as well as the process to be followed in safeguarding their interests including all rights to be imparted to the founder members. The Census should further consider capturing PAPs biometric data as much as possible to ensure proper identification.

Valuation of Business and structure: A valuator shall capture the information relevant for valuation of the business space, and profit margins.

All PAPs (owners) of business spaces/benches/hawkers/shops shall be identified by the help of market leaders. The sociologist/CDO will carry out enumeration of the market vendors with a simple census form to capture basic information of the PAP. During census the detailed identification of each PAP will be taken: the name according to the ID (Voter ID, Passport, Driving License, etc, PAP photographs.

STEP 3: Data Compilation and Creation of Database

Upon completion of step one and two above, the RAP team teams will compile the information and prepare a database of the PAPs. For the RAP team to establish period for the rental and tariff holiday, it is necessary that RAP team work closely with other departments in the LGAs especially; revenue, markets and legal officers.

Each PAP will be assigned a unique number: the numbers will take initials form the facility, followed by the zone (in markets there are zones for each activity e.g vegetable selling, butchery, cereals etc. then followed by the number of the PAP according to the geographical positioning of the business space that the PAP is occupying in that specific market. Based on this information the Pap will be issued with IDs. These IDs will help the identification of the PAPs after the completion of the facility upgrading works.

Note: the baseline information will help the facility design team to understand the level of clientele, and the types of economic activities carried out in that particular market.

STEP 4: Disclosure of Information and Signing of Agreement Forms

Upon completion of database and valuation process the LGA and RAP team will go back and hold a meeting with the PAPs (market vendors) for second round consultations. During these meetings the PAPs will be informed on the outcomes from the data collection exercise. including: valuation processes, database management, disclosure and signing of compensation agreement.

RAP team will disclose the compensation entitled for each PAP. In order to meet a desirable level of confidentiality PAP's information the team will print separate page containing the for each PAP. The PAPs who have accepted the entitlement will sign the compensation agreement forms on the value cum tax and rental holiday period as well as consent for reediness to give out space once an alternative (temporary) business space is provided. The agreement form will be signed in the presence of LGA authority and market leaders.

STEP 5: Allotment of business spaces in the new markets

Upon completion of construction works and after the new facility is handled to the LGAs, the PIU, LGAs and facility (market) Committees will jointly visit the sites and place placards indicating the various sections. Guided by the database they will place numbers for each business place corresponding to the original PAPs to ensure that each PAP has a new business place. There after other processes will follow including consultation meetings on the dos and don'ts within the new facilities.

5 ORGANIZATIONAL ARRANGEMENTS FOR COMPENSATION DELIVERY

This section describes organizational arrangements, roles and responsibilities for various parties involved in RAP implementation. The section further spells out the actual process for delivering the entitlement including, processes for approvals.

5.1 Organizational Arrangements – Role and Responsibility

5.1.1 Project coordination

The PO-RALG -TARURA is holding a custodianship of TACTIC project. PO-RALG is responsible for control and approval of all studies and implementation of construction works under the TACTIC project through TARURA -World Bank Coordinating Unit (WBCU) established at the national level to coordinate and implement the project.

5.1.2 The TARURA - Project World Bank Coordinating Unit (WBCU)

Responsibilities of WBCU will include issues related to the preparation of the project, including the development of the **ESMF**, RPF, SEP, the procurement strategy and plan, and other work widgets. The WBCU is led by a Project Coordinator with relevant staff. The WBCU will oversee overall coordination of RAP implementation, reporting to the WB regarding safeguards issues, as well as of integrating safeguards requirements into bidding and contracting documents. It is the responsibility of WBCU and those of TARURA HQ to interact with the environmental and social authorities, ensuring an efficient implementation of safeguards documents. The officials should undertake, randomly, field visits and environmental supervision and monitoring, assessing environmental compliance at worksites, advising Project Implementing Units (PIUs) at LGA level on environmental and social safeguards issues. The WBCU-TARURA will, also, be responsible for identifying training needs of all parties involved in RAP implementation. The WBCU will cooperate with all local institutions to provide a successful implementation of the Resettlement Procedure (RAP).

5.1.3 Project Implementing Units

It is assumed that the project would be implemented at the local level through PIUs which will be working closely with the respective cities, municipalities and town councils.

The PIUs will include Environmental and Social Safeguards Specialists (ESS), whose main duties would be to ensure that the project activities are implemented in compliance with the WB safeguards Standards and GoT rules and procedures. Among major responsibilities of the PIU ESS will be the following:

- a) ensuring that contractors comply with all ESMPs requirements;
- b) conducting ESMP supervision and monitoring and assessing environmental and social impacts and efficiency of mitigation measures, as well as identifying noncompliance issues or adverse trends in results, and putting in place programs to correct any identified problems;
- c) when in need, providing advise and consulting contractors in RAP implementation; and
- d) reporting to the WBCU with regard to implementation of the Resettlement Procedure.
- e) Monitoring recording, participate in grievances resolution meeting and reporting.

The WBWC can consider budgeting for additional experts or NGOs/CSOs to facilitate in reaching out to the communities.

5.1.4 Land Resources and Town Planning Department

For each LGA under the Project is responsible for identifying and verifying property boundaries and ownership. They also will clarify land allotment certificates for agricultural land that has been formally registered and transferred to the Immovable Property Registration Offices.

5.1.5 The Local Government authorities

District/Municipal councils and local communities (Mitaa) are the final beneficiaries of the project implementation; it is required continuous assistance and presence during all the progress of the project. They will be responsible for the coordination of the implementing procedures and execution of the compensation together with PO-RALG/ WBCU.

It is crucial that the PAPs are informed about their rights and options, at which point they may discuss matters that need clarification. All information regarding cash compensation amount and size of land offered for compensation must be presented to each eligible PAP for consideration and endorsement before cash payment or land compensation can be affected. A committee of peers will be set up for grievance redress.

5.1.6 Responsibility of Stakeholders

- i. Municipal Council in collaboration with SPCU will be responsible for implementing the RAP
- ii. WBCU and PIU -shall set up Resettlement Committee comprising representatives of key Ministries and a local NGO involved in similar projects.
- iii. External Audits shall include the evaluation of the implementation of the resettlement action plans in routine annual audits. Without undue restrictions, the audits may include assessment of:
 - Resettlement conditions where relevant;
 - Consultation on compensation options, process and procedures;
 - Adequacy of compensation; and
 - Adequacy of specific measures targeting vulnerable people.

The following committees shall be established under the LGAs to ensure involvement of other Special Departments and representation from the PAPs / Mitaa

TABLE 10: RAP IMPLEMENTATION COMMITTEES

Resettlement Committee	Compensation Committee	District Grievances Redress Committee.
<ul style="list-style-type: none"> • PIU Coordinator (Chair) • Representative of District Commissioner • Representative of LGA • Representative of Ministry of Lands officer • RAP Consultant (paying agent and RAP implementation NGO) (i) Valuer Representative of a local Administrators / Mtaa Representative of PAPs	(i) Representative of District Commissioner (Chair) (ii) Representative of Principal secretary of PO-RALG (iii) Representative of Ministry of Lands – lands officer (iv) Consultant (payment agent) (v) Representative from the SPCU (vi) Valuer (vii) Representative of PAPs	(i) Municipal Director (Chair) ^{r11} (ii) Representative of SPCU (iii) Representative of Ministry of Lands/chief valuer (iv) Valuer (v) Representative from PO-RALG (vi) Mtaa leader (vii) Facility grievance committee chair (viii) Representative of PAPs (ix) Representative of a local NGO for GBV

5.1.7 Project Resettlement Implementation Unit (RIU)

This RPF suggest for formulation of a lean unit for Project Resettlement implementation at PIU office (proposed team members and their roles see annex 3). The role of this unit is to ensure the smooth and timely implementation of the Resettlement Action Plan. This team will also supervise, manage and support the tasks of the community and compensation teams. The coordinating unit will also resolve any problems related to coordination of the other units.

The RAP Implementation Unit that would broadly undertake the following activities:

- Produce and distribute ID cards
- Report on awareness and outreach meetings – lessons learnt and best practices
- Report on PAPs who have opened bank accounts and received cash
- Facilitate and/or oversee provision of In-Kind Compensation
- Prepare monthly progress reports for each RAP that includes progress as against the scheduled timeframe of RAP implementation, which shall include physical and financial progress,
- Report on the options made available for PAPs to access economic opportunities, marketing and credit.
- Assist in Grievance Redressal process
- Assist PAPs with land titling processes
- Assist Contractor(s) Responsible for supervision of In-Kind Housing construction
- Assist Contractors of works with resettlement related issues
- Prepare assignment completion report

5.1.8 Community Liaison and Grievance Redress Officer

Again, this RPF suggest for engagement of a community liaison and grievance redress officer. These personnel will be working under the PIU. From a community liaison perspective, the key objective of this officer is to ensure good project relations with both the PAPs and local residents of the affected areas. The officer will be responsible for informing the PAPs and local residents about the resettlement and compensation process.

The detailed tasks of the community liaison and grievance redress officer in relation to Community liaison officer tasks will be to:

- (i) Prepare and distribute notices of meetings at least one week prior to the meetings to local leaders and media such as radio, TV and newspapers. Notices should be distributed in Kiswahili;
- (ii) Organize meetings with local government leaders at the Mtaa level and distribute notices for general meetings to local government leaders, NGOs and communities;
- (iii) Distribute notices, press releases at various points (such as at local government offices, markets, schools, churches and mosques);
- (iv) Meeting with the Mitaa to explain the land acquisition process and to answer questions about the process
- (v) Select appropriate locations for use as payment centres for compensation payments;
- (vi) Explain the compensation payment process including the benefits of using a bank and the role of the Bank.

5.1.9 The Bank (RAP Paying Agent)¹²

The key roles and responsibilities of the Paying Agent (PA) by Preparation and Execution phases are detailed below:

- PA shall be responsible for the provision of training and information to PAPs on its financial services which the PAPs will need in the management of their compensation money;
- PA shall be responsible for ensuring that PAPs receive compensation in accordance with the payment schedules provided by (SPCU – RIU);
- Verify and confirm identity of each beneficiary on the basis of his/her national identity card, driving license, or passport), and confirm eligibility based on the compensation schedule provided by (SPCU – RIU);;
- Facilitate funds transfers with newly opened bank accounts and assist with opening bank accounts for those beneficiaries required to hold bank account but who do not have one or who choose to receive their compensation in a bank account;
- Make available to beneficiaries (from the PAs designated payment points or at the offices of a PA), compensation payments according to defined period and agreed terms and for the duration used;
- Maintain an updated register of PAPs who have choose to receive their compensation in a bank account (as per threshold amounts) and those who are still outstanding, in line with the compensation schedule received from (SPCU – RIU);
- Provide (SPCU – RIU); with proof of receipt of payment and photographs of PAPS who have received payments and maintain accompanying receipts for filing at SPCU;
- Verify amounts received are consistent with the compensation schedule provided by (SPCU – RIU);;
- The PA under no circumstance will hand over compensation to a person other than the PAP as listed and clearly identified by the national identity card, biometric thumb print or an Identity card processed by RAP developer with the Municipals’ legal officers’ stamp and signature;
- Notify the RAP implementation consultant when compensation funds have been transferred into bank accounts;
- Take all reasonable steps necessary to ensure that compensation provided by the (SPCU – RIU); reaches the beneficiaries referred without undue delay and in any event, within five (5) working days to the date of transfer of funds by (SPCU – RIU); to the PA Account;

5.1.10 Municipal Administration (LGA)

Municipal Administration would assist in the RAP development and implementation process through the provision of community development to support in field work activities including: community consultations, financial literacy and later during grievance resolution. Specifically, their role would be to perform the following activities:

- iv. Help the Project and (PIU – RIU); in identification of alternative land for those PAPs displaced from within the way leave;
- v. Sign the compensation agreements and issuance of PAP ID cards
- vi. Support the project in facilitation of the Houses Construction Activities when they commence;
- vii. Contribute to the GRM by designating members to the committees
- viii. Support the Livelihood Restoration/Enhancement programs; and

¹² This is basically a banks that will be used by the LGAs to pay compensations.

- ix. Support to the distribution of seedlings by providing requisite extension services through the Forest Office. The Forest Office (DFO) to ensure that these commensurate training is provided to the PAPs on growth of these seedlings and also periodically monitored to ensure their survival and full growth.

Additionally, the Municipal office jointly with (SPCU – RIU); would be responsible to provide financial literacy awareness. Training modules will include:

- a) Managing compensation money to improve household well-being.
- b) Basics of planning and investing in business and productive activities.
- c) Benefits of having a Bank Account (i.e. safety and protection against loss or theft, convenience of not carrying physically large amounts of money, etc.).
- d) Different services the banks offer and the minimum requirements for different Bank Accounts.
- e) Knowing the rights and responsibilities in using financial products and services including bank charges for different services.
- f) How to access their funds, make withdrawals, make deposits, how debit cards and ATMs operate, how to cash checks received as compensation.
- g) Facilitate handing over process to enable commencement of relocation of PAPs to the new house

5.1.11 Contractor for Construction Of infrastructure¹³

The Contractor responsible for construction of infrastructure would have a few roles, albeit indirect, in respect of RAP implementation:

- Provide SPCU with final schedule of construction for SPCU/RAP Implementation Unit to communicate with communities along the corridor;
- List down all possible obstruction sections
- Provide labour requirements so that attempts can be made to source labour from the project areas;
- Inform SPCU of any issues relating to access that might be disrupted
- Employ the local population to work as casual or skilled labour and Pay wages as per applicable norms
- provide compensation for any damages to assets outside of wayleave, in accordance with rates established in the RAP,
- have a Community Liaison Officer (CLO) who interfaces with the community;
- refer any resettlement-related grievances reported to them to the RAP implementation consultant and SPCU;
- maintain a grievance redress procedure for construction-related impacts,
- Inform SPCU in case of unexpected findings of cultural and archaeological artefacts and see the options to reroute the layout as necessary;
- Ensure complete adherence to the ESMP.

¹³ Facilities, Drainages, Roads, Sewerage Systems, Waste dumpsites

6 GRIEVANCE REDRESS MECHANISM

6.1 Introduction

Regardless of its scale, involuntary resettlement inevitably gives rise to grievances among the affected population over issues ranging from rates of compensation and eligibility criteria to the quality of replacement housing and other disturbances during construction stage. Therefore, an easily accessible and effective grievance redress mechanism will be required to resolve grievances at the community and technical levels. The grievance redress mechanism, will allow the institutions engaged in grievance resolution to receive and address specific concerns about compensation and relocation raised by PAPs or members of host communities or any issues related to implementation of resettlement action plan in a timely fashion, including a resource mechanism designed to resolve disputes in an impartial manner cut down on lengthy litigation.

This section presents (i) likely grievances based on the analysis from the consultations with various stakeholders for the TACTIC project; (ii) objectives of the GRM; (iii) the principles that need to be adhered in formulation of effective procedures and processes, (iv) operationalizing requirements of GRMs, (v) handling of SEA and GBV issues; (vi) redressal procedure steps involved in recording and redressal of grievances.

6.2 Likely Grievances

Nature and types of grievances that could occur at various levels of project cycle in relation to RAP are listed in table below.

TABLE 11: NATURE AND TYPE OF LIKELY GRIEVANCES

<i>Nature</i>	<i>Stage</i>	<i>Types of grievances (indicative)</i>
<i>Inventory Grievance</i>	<i>Planning/Pre-construction</i>	<ul style="list-style-type: none"> i. Lack of awareness of the project foot print, wayleave/corridor; ii. Missing of parcel/ error in identification and/or incorrect measurement (or perceptions over incorrect measurement) of affected assets; iii. Disagreement regarding inheritance or ownership of assets and fearing loss of compensation; iv. Inadequate communication on the project developments, not enough consultation/sensitization, v. disagreement over the rates utilized valuation of affected assets; vi. mistakes in the formulation of compensation agreement documents; vii. Delays in compensation payments
<i>Valuation Grievance</i>		<ul style="list-style-type: none"> viii. Misinformation during valuation e.g. entitling the wrong PAP ix. Poor social services to resettled areas especially when relocate markets where roads and other access are insufficient x. Improper allocation of business spaces xi. Miscalculation of compensation and resettlement xii. Improper provision for people with disabilities in the project design's
<i>Compensation Grievance</i>	<i>RAP Implementation followed by Construction</i>	<ul style="list-style-type: none"> i. non-payment for improvements carried out to structures post survey and valuation but prior to compensation payments; ii. mode of payment of compensation and time delays; iii. dissatisfaction over alternate housing/business spaces provided;

Nature	Stage	Types of grievances (indicative)
Conduction Grievances		<ul style="list-style-type: none"> ➤ Dissatisfaction over wages given; Poor sanitary services ➤ wrong identification of livelihood restoration schemes, their inadequacy, training support and lack of necessary assistances; ➤ likelihood of increase in Gender Based Violence (GBV); ➤ loss of access not addressed; ➤ loss of structures due to machine vibrations ➤ damage to crops caused due by ongoing construction work e.g. deep cutting/excavations ➤ dissatisfaction over replacement structures; ➤ inadequate support in relocating to resettlement sites/replacement structures; and ➤ non restatement of the soil leading to flooding and blockage of the drains. <ul style="list-style-type: none"> i. Pollution {air, land noise vibrations} due to machines' movements ii. Disrupted entrance access to the residence and other public areas iii. Improper traffic management may cause accidents iv. Accidental discharges may affect community health at the project vicinity v. Gender and GBV issues in employment vi. Lack of notification to project progress e.g. blasting, closing, of roads, cut of dates, cut of utilities, etc. vii. Lack of employment to local dwellers viii. Lack of provision of appropriate PPEs ix. Flooding due to obstruction of water natural course x. Disruption of services including electricity and water xi. Improper demobilisation and decommissioning may cause pollution xii. Blasting of materials in borrow pits and vibration of construction machines may cause cracks into nearby communities' structures xiii. Gender and GBV issues in employment
Decommissioning Grievance	Post construction	<ul style="list-style-type: none"> ➤ Manifestation of the missing PAPs. ➤ Misuse of the infrastructures e.g. garbage throwing in the drains ➤ Land encroaching of the compensated corridor ➤ Security of the project infrastructure ➤ Waste water discharges from fish markets or slaughter houses ➤ High taxes and tariff charged in the new/modern facilities ➤ Lack of employment to local dwellers ➤ Mismanagement of sub projects ➤ Fear of being not be provided business spaces in the new infrastructure ➤ An increase of fees to occupy the new facility ➤ Improper spaces for waste disposal

6.2.1 Objectives of the Grievance Redressal Mechanism (GRM)

Given the foreseen grievances that will likely occur in various sub projects, the primary responsibility to address all complaints and grievances that will be raised towards the subprojects. The GRM will comprise two levels or tiers to handle grievances – first level will be at community where

Mtaa - GMC will be clustered, while the next or second level will be at the Municipal level. The primary objectives of creating a GRM are:

- disputes related to preparation and implementation of Resettlement Action Plan of this specific project are treated separately and on priority;
- helps project proponents ensure that project implementation timelines and overall schedule are not compromised due to delays in resolution grievance; and finally
- helps cut down on lengthy and expensive litigation that PAPs might have to indulge in otherwise

6.2.2 Principles to Effective Grievance Redressal

Principles in formulation of effective grievance redressed process are as follows:

- Institutions and procedures laid down are consistent with the anticipated grievances;
 - Takes cognizance of the existing socio-cultural setting such as making use of existing Mtaa disputes resolution structure.
 - Is housed within existing formal institutional structures thereby ensuring continuity
 - Should be well represented in its composition particularly aimed to resolve the types of grievances that are likely;
 - Is accessible/close to the source of grievance so as to not make reporting of grievance difficult in the first place;
 - Takes cognizance of the need to resolve grievances as they are better resolved at the level at which they occur rather than the next higher level;
 - Provides appropriate orientation and training to all stakeholders involved in redressal of grievances;
 - Is well-supported by an effective information dissemination mechanism to prevent occurrence of a grievance in the first place due to lack of information;
 - Fixes a time frame for resolution of grievance and communicates the same to communities;
 - Is timely and responsive i.e. Its recommendation and decisions are implemented by the project implementers; and finally
 - Is adequately resourced to ensure desired effectiveness.
 - No financial payments required for PAPs to have their grievances addressed.

6.3 Grievance Management Committees' Structure, and Functioning

The sub projects within the TACTIC project can be clustered into two clusters based on their nature namely the subprojects with linear nature on one hand and subprojects with confinement nature on the another. Likewise, the nature of grievance committees at the lowest level there will have some difference emanating from the nature of the project. For instance, for linear projects at the first, (lower) level there will be Mtaa committees chaired by the Mtaa Chairperson. This is because the impacted communities are led by the Mtaa leaders -local government structure at their localities. Figure 6 illustrates the grievances resolution flow. However, for the confined project eg markets, bus stand the grievance committees are usually by mechanism put forth by project management. This structure in the management will be the lower level of grievance handling. in order to strengthen these committees, the RPF is proposing inclusion of members from LGAs. Second, level is the LGA level (TACTIC project coordinator 's office) where the grievances from both linear and nonlinear committees will converge at a common point. Figure 6 illustrates the grievances resolution flow.

Based on the concerns from the stakeholders pertaining issues related to the relocation of utilities; which in most cases not only weighing down the pace of construction works but also it has been causing huge outcry from the communities due to disruption of the services especially water supply. Within that context this RPF proposing an additional (Third) committee for utilities

services providers with its coordination at the district Commissioner’s office. The proposed compositions of the committees are presented in the subsequent sections.

6.4 Scope of Work of Grievance Management Committees

All committees will have similar responsibilities albeit at different levels of their function/jurisdiction. Major responsibility of the Grievance Management Committees will be:

- Represent the interests of PAPs and communities in the project's zone of influence;
- Act as an entry and exit point for all grievances arising from resettlement activities
- Act as part of project monitoring and oversight committee on the corridor encroachment, construction materials vandalism and finally to sensitize the community from misusing the infrastructures.
- Monitor safety standards, labour requirements and community health issues during construction works and report to LGAs /TARURA coordinator of TACTIC.
- Prepare progress reports and present them to the GMC during monthly meetings

6.4.1 Compositions of various grievance management committees

The composition of grievance committees is listed in the table below:

TABLE 12: COMPOSITION OF GRIEVANCES COMMITTEES

Level	Committees members	Position in the Committee
Mtaa level <i>(this applies mainly under Linear Projects)</i>	Mtaa Leader	Chairperson
	Grievance Community liaison officer-	secretary
	Influential person	Member
	Religious leaders	Member
	PAPs representatives -male and female	Member
	Representatives of people with disabilities	Member
	Representatives of project contactors and consultants	Member
	Representatives from Relevant CBOs (GBV)	Member
	Representatives or community affected institutions	Member
Facilities level <i>(this applies mainly to projects within a confined site)</i>	Facilities Users Association Leader	Chairperson
	Manager -	Secretary
	Councillor {optional}	Member
	Ward Executive Officer (WEO)	Member
	Grievance/Community liaison officer	secretary
	Mtaa Leaders	Member
	Representative of the facility’s sub committees	Members(s)
	Influential person	Members(s)
	Representatives of transport owners	Members(s)
Representatives of transport operators	Members(s)	
Municipal Level (LGAs) Committees Members	LGAs/MED	Chairperson
	Grievance handling officer	Secretary
	Environmental officer	Member
	Markets officer	Member
	Valuer	Member
	Land officer	Member
	Legal officer	Member

Level	Committees members	Position in the Committee
	Grievances officer	Member
	Project coordinator	Member
District Commissioner s' Offices	District Commissioner	The chairperson
	Representatives from various utilities (TANESCO Water and sanitation authorities, Water basin officer, Communication cables agencies, Railways Authorities, Airports authorities' Military authorities)	Members
	Representatives from Roads i.e. TARURA and TANROADS	Members
	Grievances officer	Members
	Project coordinator	Member

6.4.2 Dissemination of Committee's Resolution

- The Committee's resolution status on any grievance received and discussed will be communicated to the PAP or any claimant within **7 working days** of the Committee's decision
Program Reporting Requirement: The Grievances Management Committees will work hand in hand with the RAP Consultant, LGAs and TACTIC project Communications liaison officers reporting on all matters arising and progress.
- *Location:* The District - Grievances Management Committees will be housed within the project coordinator's office and provided with a separate space to work. They would undertake travel to project sites as necessary.
- *Operational duration:* In terms of duration, the following shall be the key considerations:
- The committees would need to operate till the project continues to have an interface with affected communities
- It should remain operational even after end of the construction period as it is likely that there could be issues relating to the operational phase.
- The duration till when such a grievance redressal system needs to be maintained post construction can be determined and can be mutually agreed between SPCU and LGAs / districts upon by review of suitable indicators such as: Nature and type of grievances; received, addressed; Pending resolution; and Referred for arbitration/ court.
- *Interfacing with the complainant*
Community Development Assistant (Deputy secretary) will be responsible for preparation of invitation and resolutions letters. In the event of submitting the invitation letter the CDO will send the letter and make a follow up by phone. During the dissemination of the resolutions the CDO and committee secretary will seek appointment to meet the complainant and submit the resolution to the complainant after cancelling.

6.5 Redressal Procedure

The Grievance redressal procedure aims to take into use the existing traditional structures. However, the PAP shall have the option of directly reporting the grievance to the District level GRM, if s/he so desires. The steps involved are as given below:

STEP 1 – LOGGING AND RECORDING OF GRIEVANCE:

As a first step, all complaints and grievances relating to any aspect of the project are to be properly lodged through the representative block/zone member of the Grievance Management Committee

and then recorded in the Grievance Form¹⁴. The contact details of the Mtaa-GMC members will be made public to the PAPs. Additionally, the *Mtaa leader* will also be available to help the PAPs to channel their grievances to the committee. Grievance Form feeds into the RAP Database managed centrally at TACTIC. Complaints that are not connected to the Project are filtered and referred to relevant local committees and claimants informed accordingly within 5 days. Some cases may just require provision of required information or clarification and may therefore not be required to be referred to Step 2.

STEP 2 – REDRESSAL AT MTAA- GRIEVANCE MANAGEMENT COMMITTEE LEVEL:

The Mtaa/facility - GMC shall maintain a record/register of all complaints/grievances received so that these can be recorded collectively. At this step, all cases are to be heard by Mtaa/facility- GMC and addressed through consultations conducted in a transparent manner and aimed at resolving matters through consensus. In order to ensure transparency, all meetings aimed at resolving such complaints are conducted in places specifically designated for this purpose. Minutes of such meetings shall be kept and if the resolution proposed by the Mtaa/facility- GMC is accepted by the PAP, the PAP will sign the grievance form to show agreement and the grievance will subsequently be closed, otherwise Step 3 below will be followed in appeal. **A period of 7 days is provided to hear and redress the grievance.**

STEP 2 –REDRESSAL AT DISTRICT - GRIEVANCE MANAGEMENT COMMITTEE LEVEL

If the Complainant does not receive any response from the Mtaa/facility GMC within 14 days of lodging the complaint or that the Complainant is not satisfied with the response, then the issue will be appealed to the *District - Grievance Management Committee (District- GMC)*. During the appeal to the District- GMC, all the necessary details will be attached, and the Complainant notified accordingly of the venue, date and time of when a hearing will be conducted and resolved within 14 days' time. If the resolution proposed by the District- GMC is accepted by the PAP, the PAP will sign the grievance form to show agreement and the grievance will subsequently be closed.

STEP 3 – CIVIL COURTS OPTION:

If the affected person is not satisfied with the decision of the District- GMC he/she will be informed of his/her rights to take the grievance to the court of law, as a last resort. However, the Complainant will also be informed that to do so will be at their own expense, unless the court awards damages to the Complainant. The decision of the court of law will be final.

¹⁴ Grievance form is in annex 1

FIGURE 5: GRIEVANCE FLOW CHART FOR LINEAR PROJECTS

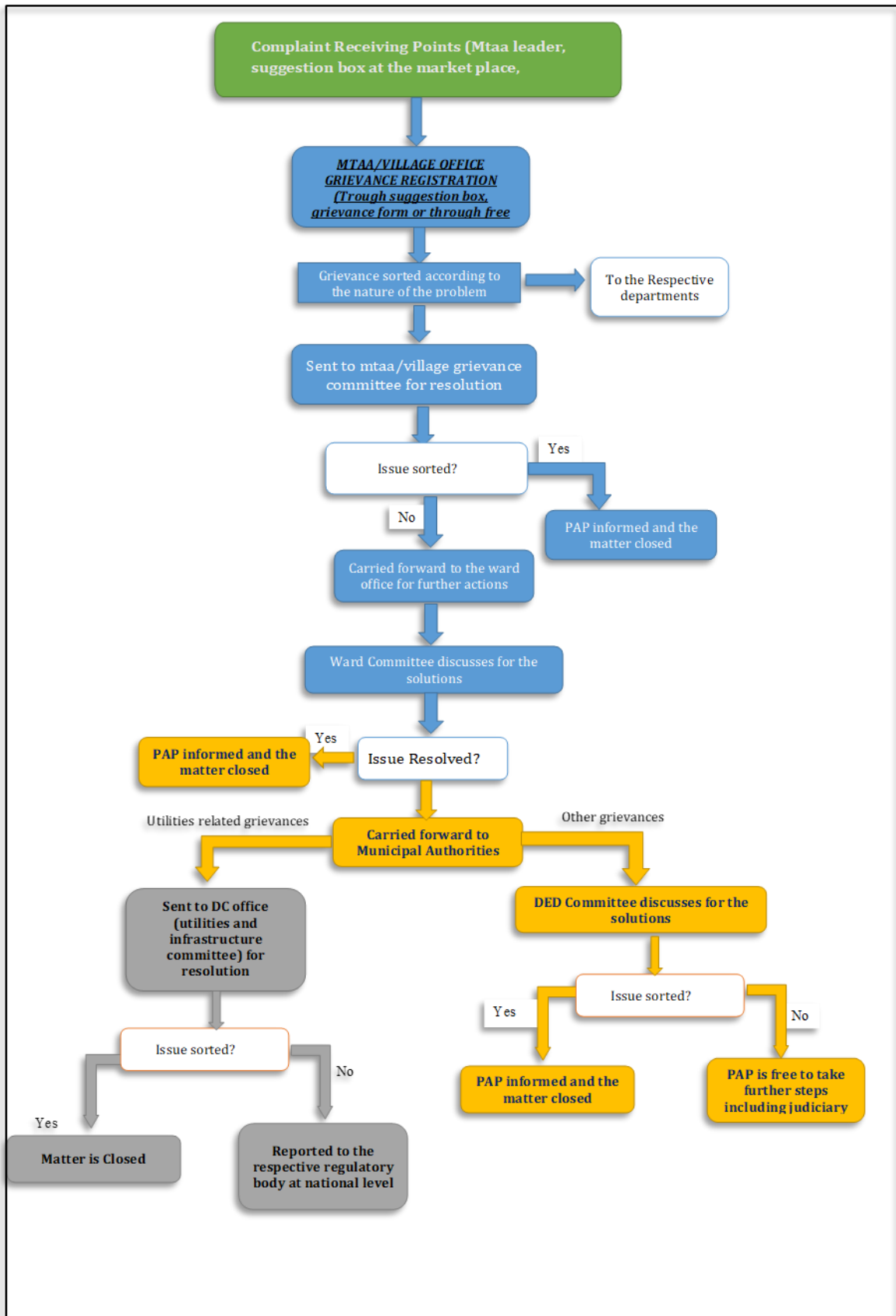
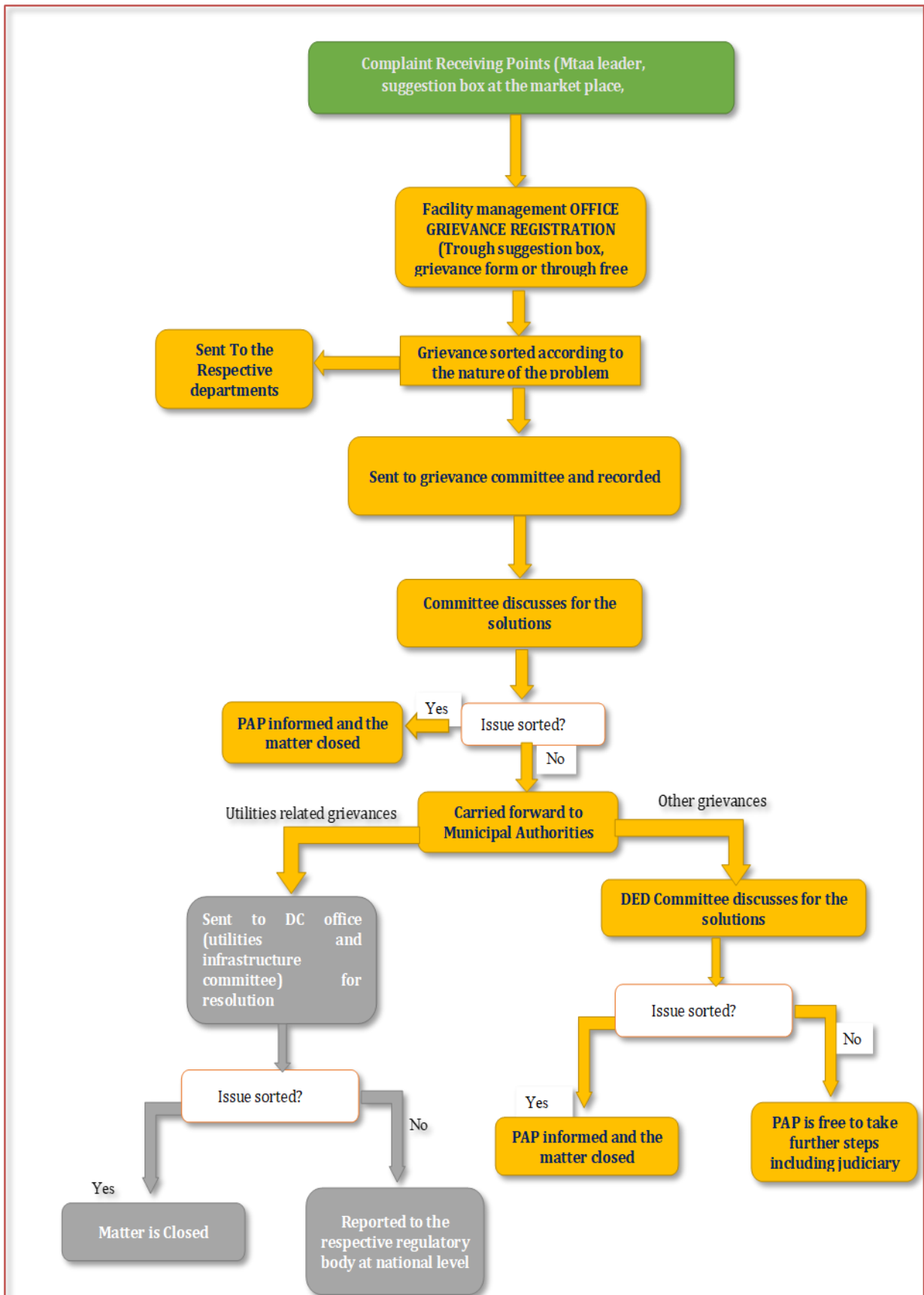


FIGURE 6: GRIEVANCE FLOW CHART FOR CONFINED PROJECTS (FACILITIES)



6.6 Responsibility for addressing issues of GBV/SEA

The World Bank's ESF requires that: "the Borrower [is] to provide a grievance mechanism, process, or procedure to receive and facilitate resolution of concerns and grievances of project-affected parties arising in connection with the project, about the Borrower's environmental and social performance. A grievance mechanism will be proportionate to the risks and impacts of the project." In compliance to this WB requirement SPCU will undertake the following steps;

6.6.1 Identify Service providers for the GBV

Upon the project appraisal, SPCU will identify organization(s) and establish synergies with providers on the ground e.g., NGOs and local institutions who are trusted by the local community and are working on GBV prevention and response. In areas with high GBV prevalence, there may already be an existing mapping of GBV prevention and response actors in a given community) It is important to map community organizations working on women's and girls' rights as they may be both entry points to services for survivors and useful allies for awareness raising activities around the GBVs. When identifying community-based organizations, look for those with experience working with the local population to address the root causes of GBV by providing livelihood support or by implementing community-based interventions to challenge the norms and attitudes that underlie GBV. These two activities fall under the broad categories of GBV prevention and response. The activities that GBV Services Providers will provide a project will depend upon the risk level. These can include the following:

- Undertaking a community mapping of GBV risk 'hot spots' and vulnerable target groups that may be most susceptible to project induced GBV, particularly SEA;
- In consultation with the IA, on the basis of the community mapping, identifying the specific GBV prevention activities to be undertaken to address GBV risks (see Section 2 for the types of risks to be considered);
- Providing services to survivors and/or becoming a victim advocate/victim accompaniment, case management organization. If required and in High risk situations, the project should equip this organization with funds that will enable it to facilitate access to timely, safe and confidential services for the survivor (including money for transportation, documentation fees, and lodging if needed);
- Providing training related to ensuring knowledge of standards laid out in the CoC and services that are available for survivors;
- Ensuring that the project has 'safe spaces' where survivors can report incidents of GBV to trained personnel;
- Raising awareness around the existing accountability mechanisms and supporting the development of a Stakeholder Engagement Plan; and,
- Channelling complaints to the appropriate accountability mechanism

6.6.2 Enhance the capability of all RAP Implementers in handling the GBV issues

The RAP implementers will be trained on the key principles that should be considered when handling GBV.

The following will be some of the targeted groups for such trainings:

(i) workers, both from the contractor and sub-contractors; (ii) consultants, such as the supervision consultants or others working in the project area; and, (iii) IA staff involved with the project. Managers are particularly important to train as they have the responsibility for ensuring compliance of staff with the GBVs as well as implementing sanctions for transgressions.

The trainings will be done to all employees prior to commencing work on site to ensure they are familiar with the company's commitments to address GBV, and the project's GBV. The sanctions

embodied in the GBV need to be clearly explained. It should be noted that the induction course will need to be repeated on a regular basis as new staff start on the project.

The trainings will be conducted no more frequently than monthly for the duration of the contract starting from the first induction training prior to commencement of RAP implementation and subsequent construction works to reinforce the understanding of the project's GBV goals.

6.6.3 Coordination of SEA/GBV Reporting

SPCU will support for to community development officers; existence in GRC. The Community Development officers will do the following:

Upon receiving the complaints, the Community Development officers will send the complaints to GBV Services Providers.

The GBV service provider will identify the survivor in accordance with international standards that articulate a minimum basic package of services, ideally including case management support, health services, psychosocial support, police support and security, access to legal services, and shelter, if needed. When identifying GBV Services Providers, the quality-of-service provision should be a key consideration. In keeping with a survivor-centered approach, accessing services should be the choice of the survivor. Access to police and justice services should be made available in the instance that the survivor would like to pursue charges through the local justice system.

SPCU Social Expert will follow up with service providers on the mitigation and progress of resolving GBV related matters. The reports will be documented as part of quarterly reports.

6.6.4 Suggested ways of reporting GBV / SEA

Community will be sensitized on the existing channels for reporting grievances. SPCU will adopt the simple and convenient channels that suit the nature of the community. The awareness will be made publicly advertised procedures, setting out the length of time users can expect to wait for acknowledgement, response and resolution of their grievances. Transparency about the grievance procedure, governing structure and decision makers;

Different ways in which users can submit their grievances, which may include:

- i. submissions in person, by phone, text message, mail, email or via a website;
 - a. A log where grievances are registered in writing and maintained as a database managed by Community development officers at LGA and Community liaison officers at SPCU;
 - b. An appeals process (including the national judiciary) to which unsatisfied grievances may be referred when resolution of grievance has not been achieved; and,
 - c. An option for mediation when users are not satisfied with the proposed resolution.

6.6.5 Operationalization of the GBV redress

The costs of operating the GRM are usually modest and should be financed by the SPCU as part of the general project management costs. The GRM needs to be in place prior to the contractor mobilizing.

The GRM will have multiple channels where complaints can be registered. Particularly for GBV, where risks of stigmatization, rejection and reprisals against survivors create and reinforce a culture of silence, complainants may be reticent to directly approach the project management team. Additional measures may therefore be needed to enable reporting.

The GRM will basically be operated by the WBCU. However, for GBV the SPCU will create synergy with active and competent GBV Services Provider for adequate handling of the issues.

6.7 Response to grievances

All comments and complaints will be responded to either verbally or in writing, in accordance to preferred method of communication specified by the complainant. The grievance should be responded to within 14 days maximum. Comments will be reviewed and taken into account in the project preparation; an individual response should be presented to each aggrieved person. The grievances should be documented in a Grievance log – under custodianship of the project coordinators' office at municipal level.

6.8 Disclosure of Grievances

All grievances activities should be disclosed periodically, monthly and quarterly progress reports should include the process/status of grievances eg. the most frequent grievances faced and how they were solved. These reports will be disclosed through project progress meetings at the local governmental level.

A best practice standard is to acknowledge all complaints within 14 calendar days. Due to the complexity of some of the complaints, not all of them can be resolved immediately. In this case medium or long-term corrective actions are required, which need a formal procedure recommended to be implemented within 30 calendar days:

- i. The aggrieved person has to be informed of the proposed corrective measure.
- ii. In case no corrective action is required, the petitioner should also be informed accordingly.
- iii. Implementation of the corrective measure and its follow up has to be communicated to the complainant and recorded in the grievance register

All grievances and communications, received by the project social officer¹⁵, will be registered and the actions taken/responses given will be tracked and recorded for each. Proper administration and internal records of stakeholder complaints and communications are essential for transparency and quality of project responsiveness and reporting to stakeholders on the resolution of grievances. All grievances received shall be documented in a grievance register.

6.9 Monitoring Response to grievances

All grievances activities should be monitored in order to verify the process. Monitoring will be for the following indicators:

- i. Efficiency of grievances recipients monthly (Channel, gender, age, basic economic status of the complainants should be mentioned)
- ii. Type of grievance received (according to the topic of the complaint)
- iii. Number of grievances solved
- iv. Number of unsolved grievances and the reasons behind not solving them
- v. Satisfaction levels with proposed solutions
- vi. Documentation efficiency
- vii. Time consumed to solve the problem
- viii. Efficiency of response to received grievance dissemination activities undertaken

¹⁵ This person will be appointed among the community development staff and will have the key responsibility of recording and supervising the redress processes

7 FUNDING ARRANGEMENTS

7.1 Funding sources

At this stage, where the locations of the sub projects have not yet been determined, and when the number of PAPs cannot be identified, it is not possible to provide an estimated cost of resettlement. The costs will be known upon the preparation and implementation of the subproject RAPs which are usually financed through internal finances. Therefore, funding will be processed and effected through the project's financial processing arrangements. Funds for implementing inventory assessments and resettlement plans will be provided by the implementing agency (LGAs). The funds will be obtained from annual Council budgets approved through parliament; Local taxes and levies collected in the LGA and /or Loans from commercial Banks.

7.2 Budget Items

RAP implementation budget will be prepared to compensate the loses identified from the subcomponents. Major items of the RAP budget will include the items listed in table below. It is advised that the budget items would vary from one RAP to another depending on impacts that require compensation.

TABLE 13: SAMPLE OF BUDGET TEMPLATE

Item	Quantity	Unit	Unit Rate/Cost (Tsh)	Costs (USD)
COMPENSATION BASE				
Total Land (ha.)				
Total Number of Trees (Nos)				
<i>Indigenous</i>				
<i>Exotic</i>				
<i>Fruits</i>				
Total Buildings/structures (Nos.)				
<i>Residential</i>				
<i>Commercial</i>				
Loss Of Profit				
<i>Total Compensation Base</i>				
▪ TOPPING UP ALLOWANCES				
<i>Disturbance Allowances (%)</i>	7			
<i>Shifting Allowance to the PAP losing buildings (%)¹⁶</i>	As per EM			
<i>Assistance to the vulnerable households (%)</i>	20			
<i>Accommodation¹⁷ (monthly rent)</i>	36			
Total Compensation Base and allowances				

¹⁶ As directed by the valuation methods and in the Entitlement matrix

¹⁷ For the PAPs losing entire dwelling house

Item	Quantity	Unit	Unit Rate/Cost (Tsh)	Costs (USD)
Sub Total (A) Compensations (Base amount & Allow.)				
3. ADMINISTRATION COSTS				
RAP implementation Agency				
Monitoring Agency				
Handling of Grievances				
Temporary relocation of Markets/ facilities				
Relocation of Services (utilities related to residential and commercial buildings ¹⁸)				
Total Administration costs				
Sub Total (B) Compensation and Administration				
5. HERITAGE RESOURCES/GRAVE RELOCATION				
Personnel (professional and unskilled labour)				
Materials (coffins, bricks, protective gears)				
Transportation (car hiring, fuel and lubricants)				
Other Costs (communication)				
Sub Total (C) Costs for relocating Graveyards				
6. CONTINGENCIES TO MEET ANY UNFORESEEN IMPACTS COSTS				
% of compensation base and allowances 10				
D. Sub Total D Contingency				
Total RAP implementation Budget (A+B+C+D)				

¹⁸ This is a provision just in case the utilities relocation are not taken care by the contractor.

8 MONITORING AND EVALUATION

8.1 Introduction

SPCU Coordination Unit will be the responsible for the M&E of implementation for the resettlement/compensation plans.

TACTIC sub projects will institute an administrative reporting system to provide resettlement and compensation monitoring reports (RMR) that:

- (a) Alerts authorities to the of RAP implementation and requirements;
- (b) Provides timely information about compliance with the RAP;
- (c) Reports any grievances that require resolution; and
- (d) Documents timely completion of project resettlement obligations (e.g., payment of the agreed sums and construction of new structures) for all permanent and temporary losses, as well as unanticipated, additional construction damage.

Consistent with the ESMF, the engineering and survey departments of the developers will be responsible for periodically reporting to SPCU on M&E results, so that SPCU is promptly aware of any difficulties arising at the local level.

Once the required RAPs have been completed and implemented, a final review is required in order to assure that the plans have been properly implemented- resettlement and compensation final report (RFR). The M&E objective will be to make a final evaluation to determine:

- a) If PAPs have been compensated in full before implementation of subproject activities; and
- b) If PAPs are now living at a higher standard than before subproject implementation, living at the same standard, or if they are poorer.

8.2 Reporting

Apart from periodical progress reports that will be submitted by the consultant on monthly and quarterly basis, there will be two essential monitoring reports that will be produced by RAP implementers:

- A Resettlement and Compensation Monitoring Report (RMR) to be prepared by the M&E consultant at the end of the assignment.
- Resettlement and Compensation Final Report (RFR) to be prepared by the RAP implementation Agency and be approved by the client.

8.2 Verifiable Indicators for M&E

A number of socioeconomic indicators will be used to determine the status of affected people (compared to pre-project, land being used, standard of house, and level of participation in project activities, how many children in school, health standards, and others). Therefore, RAPs will set three major socioeconomic goals by which to evaluate success:

1. Affected individuals, households, and communities are able to maintain their subproject standard of living, and even improve on it;
2. Local communities remain supportive of the project; and
3. Absence or prevalence of conflicts.

The indicators in Table below will be used to monitor and evaluate the implementation of resettlement and compensation plans. The consultant will consolidate efforts in periodical monitoring the indicators listed in following matrix.

TABLE 14: RAP MONITORING INDICATORS

Parameters	Indicators	
Impacts on assets and people	Number of Affected assets compensated	Quarterly, Annually
	Number of replaced trees and structures	Quarterly, Annually
	Number of restored livelihoods and income	Quarterly, annually
Financial (compensation/ establishment)	Amount of total compensation disbursed	End Term Evaluation
	Amount of compensation paid to PAPs by LGA , Location and Sub-county	End Term Evaluation
	Number of PAPs paid compensation (disaggregated by gender)in cash/cheque/bank account	End Term Evaluation End Term Evaluation
	Number of PAPs already having bank accounts and those yet to open	End Term Evaluation
	Number of PAPs who were not found and not paid	End Term Evaluation
Relocation/ Rehabilitation /Income Enhancement	Number of PAPs who shifted to other unaffected parcels	Quarterly
	Number of PAPs who continue to reside in the same areas as before	Quarterly
	Number of vulnerable PAPs who have shifted by area	Quarterly
	Number of total PAPs enrolled into ongoing government programs (by type)	Quarterly
	Number of youth, unemployed employed in construction works by type of services provided	Quarterly
	Number of emerging PAPs due to unforeseen construction impacts	Monthly
	Number of Encroachers existing within the compensated corridor	Monthly
	Number of Consultations meetings held with communities	Quarterly, Midterm and End Term
	Time taken for issuance of expropriation order and date of vacating the land	Quarterly, Midterm and End Term
	Time taken to identify alternate lands for PAPs	Quarterly, Midterm and End Term
Institutional Strengthening	Number of trainings provided to the committees (GRCs)	Quarterly
	Number of grievances committees with full staffing and functioning	Quarterly
	Number of members of each grievance committee disaggregated by gender, age and education levels	Quarterly
	Number of grievances resolved by 'level' (first level, second level and third level) of resolution	Quarterly
	Number of cases that have been referred to courts	Quarterly
Compensation usage	Number of men and women built new homes to replace the demolished/impacted ones	Midterm and End
	Number of men and women planted trees to replace the lost ones	Midterm and End
	Number of men and women built new homes to replace the demolished/impacted ones	Midterm and End

ANNEXURE

ANNEX 1: ANNEX 1: LIST OF PRIORITY SUBPROJECTS

LGAs	Name of Subproject
Tanga CC	Construction/improvement of markets (Mgandini Market) include city market
	Rehabilitation of Mama Storm Water Drainage (5.2km)
	Construction of fish market and supportive infrastructure at Kasera.
	Construction of Min Bus Stands along Tanga – Pangani - Bagamoyo - Dar es Salam Trunk road and Tanga-Horohoro/Kenya Boarder Trunk road
Arusha CC	Construction of Modern Bus Terminal at Bondeni City area at Muriet Ward and improvement of existing bus stand
	Construction of Njiro Modern Market
Mwanza CC	Installation of Machines at Nyakato Abattoir
	Mkuyuni Fish Market
	Construction of Buhongwa Market
	Construction of Igoma Buhongwa Road 12km
Ilemela MC	Kirumba Central Market and Access roads
	Pasiansi - Lumala - Kiseke road 3.2 km
	Buswelu - Busenga - Coca cola road 3.3 km
Kigoma MC	Construction of storm water drains (Bangwe, Burega, Rutale, and extension of Mlole and Katonyanga drains)
	The proposed extension of Wafipa – Kagera road (1.3km) and provision of Bridge on river Luiche.
	<i>Upgrading of Old Kasulu road (7km)</i>
	Bangwe - Burega – Ujiji road (7.5km)
Dodoma CC	Establishment of the Economic Clusters within the areas designated in the Master Plan: 1. Construction of Local Markets at Sabasaba, Ilazo, Mkonze, Nzuguni, Mtumba, Miyuji, Bonanza, Mahungu Communities and the Improvement of Majengo Market 2. Construction of minibus stations at Sabasaba, Michese, Chang'ombe, Mkonze, Nzuguni and Kizota Communities 3. Construction of Gender sensitive features (Footbridges) at Ntyuka, Chaduru and Maili Mbili Communities
	Access bus route from Nzuguni bus terminal & central market to city center through: • 18.0 Km Road Linking Mwangaza, Kisasa, Medeli, Tambukareli through inner ring road junction (Nashera Hotel) to link National Capital City (NCC-Link) and Mkalama Community • 1.2 Km Circular route around Jamhuri National Stadium
	Extension of Ilazo/Ipagala storm water drainage with its tributaries to ensure smooth flow towards Hombolo reservoir and the Improvement of Storm water drains within Kizota (Bochela & Mtube) Communities.

LGAs	Name of Subproject
Mbeya CC	Airport - Samora connecting Tanesco Sae Kisanji (2.0 km)
	Airport - Samora connecting Kabwe Block T Sido (1.183 km)
	Ilomba Isyesye connecting Nane Nane Bus Stand (0.6 km)
	Kabwe Block T connecting Kiwira Makungulu (0.72 km)
	Loop Dausen Rejico (0.5 km)
	Dausen Rejico connecting Mbalizi Rd (0.5 km)
	TANESCO Sae Kisanji -Uwata Hospital (0.65 km)
	Construction of Central Bus Terminal and Daladala Bus Stop at Old Airport (14.00 Ha)
	Improvement and extension of drainage system at Nzovwe, at Ilo, Sinde, and Iyela (Old Airport)
	Extension of Ilomba Machioni road (1.2 km)

ANNEX 2: ISSUES RECORDED FROM THE STAKEHOLDERS MEETINGS

ISSUE RAISED	STAKEHOLDER	RESPONSE	RELEVANCE IN RPF
Stake holder Engagement and Capacity building in all project cycle	<ol style="list-style-type: none"> 1. Kasulu Town Council, (Representatives from LGAs, NGOs,) 2. Kigoma Town Council (Representatives from LGAs, Representative from people with disabilities) 3. Singida Municipality Council (Representatives form LGAs, Market vendors) 	1. Capacity building is one of TACTIC's components in implementations of project	INCORPORATED in sections
		2. TACTIC project will have continuous consultations with the PAPs and their local leaders during preparation of the RAP report	Incorporated in sections
Grievances and compliant handling	1. Kigoma Town Council (Representatives of Town council officials. NGOs, water Authorities	• There will be grievances handling committee to deal with all complaint	Incorporated in Grievance sections
Gender equality and GBV	<ul style="list-style-type: none"> • Bukoba Municipal Council, (LGAs representatives, NGOs, market vendors, Kigoma Council,) • Kondoa Town council , ,(Representatives from Municipal offices , (Market Vendors) 	▪ LGAs in collaboration with NGOs will ensure all issues related to GBV are observed and well addressed	Incorporated in Grievance sections
		▪ Consultations will ensure equitable gender representation of the PAPs	Incorporated in Grievance sections
Resettlement and compensation issues ie fairness and promptly paid	<ul style="list-style-type: none"> • Kahama Municipal authority (LGAs representatives, Bus stand users, NGOs) • Bukoba Municipal Council (LGAs representatives, market vendors, bus users) • Mwanza Council (Municipal representative, NGOs)TANESCO representatives 	• Compensation will be fair and promptly delivered	Incorporated in EM
		• Market users will be relocated temporally prior to project implementation. Mechanism will be in place to ensure that each PAP receives business space in the new facility	Incorporated in Entitlement – Relocation plan
Provisions for Vulnerable Group and Disability	<ul style="list-style-type: none"> • Musoma Municipal Council (representatives from LGAs, market users, representatives from NGOs) • Kondoa Town Council (Representatives from LGAs, Market vendors, Bus stand users) • Sumbawanga Municipal Council(LGAs representatives , TANESCO, RUWASA representatives ,Market leaders,) 	• LGAs will make sure Project designs provides provisional for disables (in market upgrading market, bus stands , roads etc)	Incorporated in Consultations

<p>Relocation of utilities usually poses challenges that result to weigh down the progress of construction works</p>	<ul style="list-style-type: none"> • SINGIDA MC • Singida MC Conference Center • Misuna onions market offices 	<ul style="list-style-type: none"> • Having early meeting with utilities stakeholders before execution of the project like TANESCO, TANROADS, SUWASA, TTCL • Collaboration between the stakeholders and municipal during the implementation 	<p>Incorporated in grievance redress and consultations sections.</p>
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ANNEX 3: Roles and responsibilities of RAP Team members

Position	Revised roles and responsibilities
<i>Key Personnel</i>	
Team Leader	<ul style="list-style-type: none"> • Shall be overall responsible for satisfactory completion of the project assignment • shall act as primary contact point to the client on team activities • shall inform and liaise with the GRMCs during field activities • shall develop submission readiness checklists for all deliverables to ensure all aspects in TORs and subsequent discussions are covered. • shall be responsible for timely submission of deliverables as required under the contract • shall collate and compile information as required for briefing the client on the progress • shall undertake field visits for ensuring accuracy in data collection; • shall provide responses to all queries that arise from deliverables and other field activities • shall provide necessary guidance to team members on all aspects
Resettlement Database Manager	<ul style="list-style-type: none"> • shall be primarily responsible for development of RAP database; • shall integrate the socio-economic survey and census findings and integrate with GPS coordinates and videography findings into the database; • shall develop user friendly menu driven formats for data search and report generation • shall interact with client as required on the development of Database, besides attending other meetings; • shall provide support and guidance in preparation of necessary details to client and to other team members as required. • Shall develop a manual for Database operation
Mid-level Resettlement Specialist	<ul style="list-style-type: none"> • shall provide inputs to the designing of survey instruments • shall train and guide enumerators as required for accurate collection of data and recording • shall be responsible for timely submission of deliverables for the surveys carried out in his/her region • shall undertake field visits for ensuring accuracy in data collection; • shall provide responses to all queries that arise from deliverables and other field activities • shall inform and liaise with the GRMCs during field activities • shall provide necessary support to all team members as required
Communication and Public Outreach Specialist	<ul style="list-style-type: none"> • shall be primarily responsible for communication messages to be developed and also for the consultation strategy to be adopted in the field • shall guide and train the field level personnel in carrying out consultations • shall prepare the Dissemination brief that is to be developed for the project • shall develop the community consultation checklist for the field level consultations and other institution level consultations • shall guide the teams in accurate recording of the consultation discussions and outcomes • shall inform and liaise with the GRMCs during consultations
Asset Valuation Expert	<p>Shall be primarily responsible for:</p> <ul style="list-style-type: none"> • undertake valuation of affected assets and preparation of compensation agreements • Participate in client interactions • Attend internal team meetings as requested for by LGA/PIU

Position	Revised roles and responsibilities
	<ul style="list-style-type: none"> • Interact with various district authorities on valuation aspects • Provide inputs to the asset valuation inventory forms • Provide inputs to the scoping exercise and also the valuation approach in the Inception Report • review existing government rates for different types of assets impacted • participate in the community consultations and focus group discussions • liaise with the GRMC s during field activities including valuation • prepare of the draft eligibility and entitlement matrix • undertake careful as per agreed rates • prepare the compensation agreements • finalize compensation agreements and provide inputs as necessary to RAP /LRP; and carry out other valuation asset related tasks
Livelihood Specialist	<ul style="list-style-type: none"> • shall lead the identification of suitable income and livelihood restoration activities • shall contribute to the preparation of survey instruments • Shall report to the LGAs any specific concerns raised by the communities relating to livelihoods or loss of income • shall prepare a compendium of on-going government and non-government programs • shall work under the overall guidance of the LGA/PIU
Legal Expert – Resettlement	<ul style="list-style-type: none"> • shall undertake review of key legislations and practices relating to land acquisition and compensation and grievance redressal measures • shall verify the title deeds for all the lands and substations to ensure rightful ownership of property by individual losing assets and subsequently of PIU (including of existing substation lands) • provide guidance to the team on valuation and community awareness aspects • shall work closely with the Asset Valuation expert in verification of title-deeds prior to commencement of valuation • shall provide inputs to the legal aspects that need to be conveyed to communities during consultations • participate in workshops and meetings as required for providing inputs/guidance on legal aspects • attend meetings with client as and when called for • carry out any other tasks as agreed to with LGA/PIU in relation to legal aspects concerning the project activities
Project Secretary	<ul style="list-style-type: none"> • shall be primarily responsible to support the Team members for overall project coordination and management • shall be responsible to arrange logistics for field activities • shall provide support as necessary to the team • shall be responsible for all filing of all project level communication
Asset Valuers-	<ul style="list-style-type: none"> • Support to Asset Valuation Expert in valuation of properties
Mappers Cartographic Experts	<ul style="list-style-type: none"> • Provide support to Asset Valuer and Database managers
Asset Inventory Staff/ SE Surveyors	<ul style="list-style-type: none"> • Support to Asset Valuer in measurement of assets and other data
Census takers/Enumerators (identified)	<ul style="list-style-type: none"> • Shall be responsible for collecting and recording household and census data

ANNEX 4: RESETTLEMENT/COMPENSATION CHECKLIST SCREENING FORM¹⁹

Subproject Data

Subproject Title: _____ Date: _____
Location: District: _____ Ward: _____ Mtaa _____
Developer: _____ Social Specialist: _____

screening Questions for Resettlement Categorization

Probable Involuntary Resettlement Effects*	Yes	No	Unknown	Possible	Remarks
Will the subproject include any physical construction work?					
Does the subproject include upgrading or rehabilitation of existing physical facilities?					
Is any subproject effect likely lead to loss of housing, other assets, resource use, or incomes/livelihoods? Estimated number?					
Is land appropriation likely to be necessary? Estimated area?					
Is the site for land appropriation known?					
Is the ownership status and current usage of the land known?					
Will easements be utilized within an existing right of way?					
Are there any people without land titles who live or earn their livelihood at the site or within the right of way? Estimated number?					
Will there be loss of housing? Estimated number?					
Will there be loss of agricultural plots?					
Will there be losses of crops, trees, or fixed assets?					
Will traditional seasonal grazing areas or animal transit routes be compromised or closed to pastoralists?					
Will there be loss of businesses or enterprises?					
Will there be loss of incomes and livelihoods?					
Will people lose access to facilities, services, or natural resources, thereby affecting their livelihoods?					
Will any social or economic activities be affected by land use-related changes?					
If involuntary resettlement impacts are expected:					
Are local laws and regulations compatible with the World Bank's ESS5					

¹⁹ PIU/WBCU/CGV Expropriation Commission at SIC has to examine the request and documents Raising of Expropriation Commission, verification of documentation on proprieties, calculation and verification of compensation value

Probable Involuntary Resettlement Effects*	Yes	No	Unknown	Possible	Remarks
Will coordination with the TACTIC be required to deal with land appropriation?					
Does the developer retain sufficient skilled staff for resettlement planning and implementation?					
Are training and capacity-building interventions required prior to resettlement planning and implementation?					
Information on affected persons:					
Any estimate of the likely number of households that will be affected by the project?					Number: _____
Are any of the household's poor, headed by a woman, or vulnerable to poverty risks?					Number: _____
Are any of the Project Affected People (PAP) from indigenous or ethnic minority groups? If yes, please explain:					Number: _____

*Whenever possible, consider also any future subprojects or investments.

Involuntary Resettlement/Compensation Category

After reviewing the answers above, the Project Team Leader and Social Development/ Resettlement Specialist agree, subject to confirmation, that the project is categorized as noted below.
Project Categorization and Resettlement Planning Requirements

Developer signature

Reviewed and accepted by SPCU/World Bank

Signature

ANNEX 5: Proposed ToR For Preparation of RAP under TACTIC and Proposed Outline of the RAP Report

The RAP will be prepared as part of the ToR for Detailed Engineering Design. Therefore, during the feasibility study, the consultant will conduct a screening for resettlement, temporary displacement, loss of assets, loss of access to assets and services, or other impacts on livelihoods likely to occur in the project area (both negative impacts and positive opportunities during and after the project). In cases where the ULGA has already paid compensation to project affected people, the consultant will assess if the resettlement exercise was carried out in compliance with the World Bank Environmental and Social Framework and Tanzanian standards.

During preparation of the detailed designs, the Consultant will be guided by the project Resettlement Policy Framework (including a standard entitlement matrix) and prepare the RAPs and valuation reports for each subproject. ULGAs will arrange consultations/negotiations with project affected people. The Consultants will be responsible for packaging this information into a Resettlement Action Plan that meets World Bank Standards of Environmental and Social Standard 5: Land Acquisition, Restrictions on Land Use and Involuntary Resettlement (ESS5) as well as those of the Tanzania Government. Responsibilities of the Consultant and Client are outlined below:

1. Consultant responsibilities:

- Identifying and mapping/georeferencing potential PAPs including vulnerable/special groups – note that a final RAP that does not include maps will not be accepted,
- Working with engineers and planners to develop strategies to minimize resettlement while ensuring safe buffer zones and adequate O&M access around infrastructure rights of way,
- Identifying potential impacts on livelihoods and together with ULGAs and PO-RALG developing mitigation measures and assistance programs,
- Socioeconomic survey data collection,
- Create a georeferenced database of affected houses, facilities, PAPs, etc,
- Preparing valuation report,
- Ensuring resettlement issues are integrated with consultations and coordinating consultations with PAPs.
- Write-up and packaging RAP reports for public disclosure by the Client.

2. Client/ULGA responsibilities:

- Coordinating and facilitating consultations with PAPs (to be attended by the Consultant),
- Verification of valuation report,
- Marking structures for partial or total demolition.

3. The RAP should be kept simple, specific and practical, but meet the World Bank's RAP elements outlined below, and in detail in Annex 2 - the consultant should adapt this as necessary to the subproject context:

- Project description,
- Country legal and institutional guidelines and requirements,
- Social assessment and socio-economic profile,
- Estimated population, displacement and categories of affected people,
- Eligibility criteria for various categories of affected people and establish cutoff date,
- Entitlement matrix for proposed resettlement and compensation exercise,
- Methods for valuing affected assets,
- Organizational arrangements and procedures for delivery of entitlements,
- Methods for consultation with and participation of affected people,
- Grievance redress mechanism,

- Budget and funding arrangements,
- Monitoring arrangements,
- Implementation schedule,

RAP Outline

1. **Description of the project:** General description of the project and identification of the project area.
2. **Potential impacts :** Identification of: (a) the project components or activities that give rise to displacement, explaining why the selected land must be acquired for use within the timeframe of the project; (b) the zone of impact of such components or activities; (c) the scope and scale of land acquisition and impacts on structures and other fixed assets; (d) any project-imposed restrictions on use of, or access to, land or natural resources; (e) alternatives considered to avoid or minimize displacement and why those were rejected; and (f) the mechanisms established to minimize displacement, to the extent possible, during project implementation.
3. **Objectives:** The main objectives of the resettlement program.
4. **Census survey and baseline socioeconomic studies:** The findings of a household-level census identifying and enumerating affected persons, and, with the involvement of affected persons, surveying land, structures and other fixed assets to be affected by the project. The census survey also serves other essential functions: (a) identifying characteristics of displaced households, including a description of production systems, labor, and household organization; and baseline information on livelihoods (including, as relevant, production levels and income derived from both formal and informal economic activities) and standards of living (including health status) of the displaced population; (b) information on vulnerable groups or persons for whom special provisions may have to be made; (c) identifying public or community infrastructure, property or services that may be affected; (d) providing a basis for the design of, and budgeting for, the resettlement program; (e) in conjunction with establishment of a cutoff date, providing a basis for excluding ineligible people from compensation and resettlement assistance; and (f) establishing baseline conditions for monitoring and evaluation purposes. As the Bank may deem relevant, additional studies on the following subjects may be required to supplement or inform the census survey: (g) land tenure and transfer systems, including an inventory of common property natural resources from which people derive their livelihoods and sustenance, non-title-based usufruct systems (including fishing, grazing, or use of forest areas) governed by local recognized land allocation mechanisms, and any issues raised by different tenure systems in the project area; (h) the patterns of social interaction in the affected communities, including social networks and social support systems, and how they will be affected by the project; and (i) social and cultural characteristics of displaced communities, including a description of formal and informal institutions (e.g., community organizations, ritual groups, nongovernmental organizations (NGOs)) that may be relevant to the consultation strategy and to designing and implementing the resettlement activities.
5. **Legal framework:** The findings of an analysis of the legal framework, covering: (a) the scope of the power of compulsory acquisition and imposition of land use restriction and the nature of compensation associated with it, in terms of both the valuation methodology and the timing of payment; (b) the applicable legal and administrative procedures, including a description of the remedies available to displaced persons in the judicial process and the normal timeframe for such procedures, and any available grievance redress mechanisms that may be relevant to the project; (c) laws and regulations relating to the agencies responsible for implementing resettlement activities; and (d) gaps, if any, between local laws and practices covering compulsory acquisition, imposition

of land use restrictions and provision of resettlement measures and ESS5, and the mechanisms to bridge such gaps.

6. **Institutional framework:** The findings of an analysis of the institutional framework covering: (a) the identification of agencies responsible for resettlement activities and NGOs/CSOs that may have a role in project implementation, including providing support for displaced persons; (b) an assessment of the institutional capacity of such agencies and NGOs/CSOs; and (c) any steps that are proposed to enhance the institutional capacity of agencies and NGOs/CSOs responsible for resettlement implementation.
7. **Eligibility:** Definition of displaced persons and criteria for determining their eligibility for compensation and other resettlement assistance, including relevant cutoff dates.
8. **Valuation of and compensation for losses:** The methodology to be used in valuing losses to determine their replacement cost; and a description of the proposed types and levels of compensation for land, natural resources and other assets under local law and such supplementary measures as are necessary to achieve replacement cost for them.
9. **Community participation:** Involvement of displaced persons (including host communities, where relevant): (a) a description of the strategy for consultation with, and participation of, displaced persons in the design and implementation of the resettlement activities; (b) a summary of the views expressed and how these views were taken into account in preparing the resettlement plan; (c) a review of the resettlement alternatives presented and the choices made by displaced persons regarding options available to them; and (d) institutionalized arrangements by which displaced people can communicate their concerns to project authorities throughout planning and implementation, and measures to ensure that such vulnerable groups as indigenous people, ethnic minorities, the landless, and women are adequately represented.
10. **Implementation schedule:** An implementation schedule providing anticipated dates for displacement, and estimated initiation and completion dates for all resettlement plan activities. The schedule should indicate how the resettlement activities are linked to the implementation of the overall project.
11. **Costs and budget:** Tables showing categorized cost estimates for all resettlement activities, including allowances for inflation, population growth, and other contingencies; timetables for expenditures; sources of funds; and arrangements for timely flow of funds, and funding for resettlement, if any, in areas outside the jurisdiction of the implementing agencies.
12. **Grievance redress mechanism:** The plan describes affordable and accessible procedures for third-party settlement of disputes arising from displacement or resettlement; such grievance mechanisms should take into account the availability of judicial recourse and community and traditional dispute settlement mechanisms.
13. **Monitoring and evaluation:** Arrangements for monitoring of displacement and resettlement activities by the implementing agency, supplemented by third-party monitors as considered appropriate by the Bank, to ensure complete and objective information; performance monitoring indicators to measure inputs, outputs, and outcomes for resettlement activities; involvement of the displaced persons in the monitoring process; evaluation of results for a reasonable period after all resettlement activities have been completed; using the results of resettlement monitoring to guide subsequent implementation.
14. **Arrangements for adaptive management:** The plan should include provisions for adapting resettlement implementation in response to unanticipated changes in project conditions, or unanticipated obstacles to achieving satisfactory resettlement outcomes.
15. **Additional planning requirements where resettlement involves physical displacement**

- 15.1. *Transitional Assistance*. The plan describes assistance to be provided for relocation of household members and their possessions (or business equipment and inventory). The plan describes any additional assistance to be provided for households choosing cash compensation and securing their own replacement housing, including construction of new housing. If planned relocation sites (for residences or businesses) are not ready for occupancy at the time of physical displacement, the plan establishes a transitional allowance sufficient to meet temporary rental expenses and other costs until occupancy is available.
- 15.2. *Site Selection, Site Preparation, And Relocation*. When planned relocation sites are to be prepared, the resettlement plan describes the alternative relocation sites considered and explains sites selected, covering: (a) institutional and technical arrangements for identifying and preparing relocation sites, whether rural or urban, for which a combination of productive potential, locational advantages, and other factors is better or at least comparable to the advantages of the old sites, with an estimate of the time needed to acquire and transfer land and ancillary resources; (b) identification and consideration of opportunities to improve local living standards by supplemental investment (or through establishment of project benefit-sharing arrangements) in infrastructure, facilities or services; (c) any measures necessary to prevent land speculation or influx of ineligible persons at the selected sites; (d) procedures for physical relocation under the project, including timetables for site preparation and transfer; and (e) legal arrangements for regularizing tenure and transferring titles to those resettled, including provision of security of tenure for those previously lacking full legal rights to land or structures.
- 15.3. *Housing, infrastructure*, and social services. Plans to provide (or to finance local community provision of) housing, infrastructure (e.g., water supply, feeder roads), and social services (e.g., schools, health services); plans to maintain or provide a comparable level of services to host populations; any necessary site development, engineering, and architectural designs for these facilities.
- 15.4. *Environmental Protection and Management*. A description of the boundaries of the planned relocation sites; and an assessment of the environmental impacts of the proposed resettlement and measures to mitigate and manage these impacts (coordinated as appropriate with the environmental assessment of the main investment requiring the resettlement).
- 17.5. *Consultation on relocation arrangements*. The plan describes methods of consultation with physically displaced persons on their preferences regarding relocation alternatives available to them, including, as relevant, choices related to forms of compensation and transitional assistance, to relocating as individual households families or with preexisting communities or kinship groups, to sustaining existing patterns of group organization, and for relocation of, or retaining access to, cultural property (e.g., places of worship, pilgrimage centers, cemeteries).
- 15.6. *Integration with host populations*. Measures to mitigate the impact of planned relocation sites on any host communities, including: (a) consultations with host communities and local governments; (b) arrangements for prompt tendering of any payment due the hosts for land or other assets provided in support of planned relocation sites; (c) arrangements for identifying and addressing any conflict that may arise between those resettled and host communities; and (d) any measures necessary to augment services (e.g., education, water, health, and production services) in host communities to meet increased demands upon them, or to make them at least comparable to services available within planned relocation sites.

16. Additional planning requirements where resettlement involves economic displacement

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

- 16.1. Direct land replacement. For those with agricultural livelihoods, the resettlement plan provides for an option to receive replacement land of equivalent productive value, or demonstrates that

sufficient land of equivalent value is unavailable. Where replacement land is available, the plan describes methods and timing for its allocation to displaced persons. 26. Loss of access to land or resources. For those whose livelihood is affected by loss of land or resource use or access, including common property resources, the resettlement plan describes means to obtain substitutes or alternative resources, or otherwise provides support for alternative livelihoods.

- 16.2. Support for alternative livelihoods. For all other categories of economically displaced persons, the resettlement plan describes feasible arrangements for obtaining employment or for establishing a business, including provision of relevant supplemental assistance including skills training, credit, licenses or permits, or specialized equipment. As warranted, livelihood planning provides special assistance to women, minorities or vulnerable groups who may be disadvantaged in securing alternative livelihoods.
- 16.3. Consideration of economic development opportunities. The resettlement plan identifies and assesses any feasible opportunities to promote improved livelihoods as a result of resettlement processes. This may include, for example, preferential project employment arrangements, support for development of specialized products or markets, preferential commercial zoning and trading arrangements, or other measures. Where relevant, the plan should also assess the feasibility of prospects for financial distributions to communities, or directly to displaced persons, through establishment of project-based benefit-sharing arrangements.
- 16.4. Transitional support. The resettlement plan provides transitional support to those whose livelihoods will be disrupted. This may include payment for lost crops and lost natural resources, payment of lost profits for businesses, or payment of lost wages for employees affected by business relocation. The plan provides that the transitional support continues for the duration of the transition period.