

**REVOLUTIONARY GOVERNMENT OF ZANZIBAR
PRESIDENT'S OFFICE - FINANCE AND PLANNING,
MINISTRY OF INFRASTRUCTURE COMMUNICATION AND TRANSPORT**



**BOOSTING INCLUSIVE GROWTH FOR ZANZIBAR (BIG-Z): INTEGRATED
DEVELOPMENT PROJECT**

Updated Resettlement Policy Framework

July 2025

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Abbreviations

ARAP	Abbreviated Resettlement/Compensation Action Plan
BIG-Z	Boosting Inclusive Growth for Zanzibar
CBO's	Community Based Organizations
ESMF	Environmental and Social Management Framework
GCRC	Gross Current Replacement Costs
GDP	Gross domestic product
GEMS	Global Environmental Management Support
HIV/AIDS	Human Immune Deficiency/Acquired Immune Deficiency Syndrome
LGA	Local Government Authority
M&E	Monitoring and Evaluation
MOICT	Ministry of Infrastructure Communication and Transport
NGO	Nongovernmental organization
RGoZ	Revolutionary Government of Zanzibar
OP	Operational Program
OP/BP 4.01	World Bank Environmental Assessment Operational Policy/Bank Procedure 4.01
OP/BP 4.11	World Bank Cultural Properties Safeguard Operational Policy/Bank Procedure 4.11
OP/BP 4.12	World Bank Involuntary Resettlement Safeguard Operational Policy/Bank Procedure 4.12
PAP	Project Affected People
PCP	Participation and Consultation Plan
RAP	Resettlement action plan
RFP	Resettlement Policy Framework
TSh	Tanzanian Shillings
UNESCO	United Nations Educational, Scientific and Cultural Organization
USAID	United States Agency for International Development
PAPs	Project Affected Person
PC	Project Coordinator
PMT	Project Management Team
PIU	Project Implementation Unit
PO-PF	President's Office Finance and Planning
RGoZ	Revolutionary Government of Zanzibar
ZMU	Zanzibar Municipal Council

UNIDO-	United Nations Industrial Development Organization
WB	World Bank
ZUSP – AF	Zanzibar Urban Service Project – Additional Funding

Glossary of Terms

Abbreviated Resettlement/Compensation Action Plan (ARAP): Document prepared by the developer when subproject activities require appropriation of land that leads to physical displacement of less than 200 people; and/or loss of shelter; and/or loss of livelihoods; and/or loss, denial, or restriction of access to economic resources, in less than the 10 percent of the area.

Agricultural laborer: a person doing off-own-farm work on a casual basis that usually covering a period of days or weeks, remuneration may be in cash or in kind (such as food), and is often, but not exclusively, calculated as piecework.

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.

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

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 private sector, developers can include off-grid service providers, cooperatives, and NGOs. In the public sector, developers can include service providers and operators in the electricity sector, such as the Ministry of Finance.

Dwelling unit: It may be defined as any structure – permanent, semi-permanent or traditional where people live and sleep. 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, a roof made of iron sheets, tiles, concrete or asbestos and walls made of burnt bricks, concrete or stones
- *Semi-permanent structure:* Dwelling units lacking materials of a permanent structure for wall or roof. These are built with non-permanent walls such as sun dried bricks or non-permanent roofing materials such as grass thatch
- *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;

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 BIG-Z, 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. This instrument has been prepared as a separate and stand-alone document to be used in conjunction with the Resettlement Management Framework (RPF).

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

Improvement: In relation to any land, means any work or product of work which materially adds value to the land and which is suitable to the land and consistent with the character thereof;

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 people of Malawi 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 Zanzibar law for sale of land.

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

Project: Refers to Boosting Inclusive Growth for Zanzibar (BIG-Z) or sub-projects to be taken up under BIG - Z;

Project Affected Area: Refers to the area of village or 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 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. The RAP is prepared by the party impacting people and livelihoods (the developer) and 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 (government of Zanzibar, MoF: BIG-Z) to be implemented by developers to comply with the resettlement or compensation management required by the subproject. The BIG-Z.

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

Squatter: A person who has settled on public/government land, land belonging to institutions, trust, etc. and or someone else's land illegally for residential, business and or other purposes and/or has been occupying land and building/asset without authority;

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;

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 as categorized below:

- Elderly above 65 years,
- other members between 0-18 years;
- Disabled, HIV/AIDS, chronic illness

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.

Fruit trees: Any tree which is planted for fruit purposes are referred to as Fruit Trees while perennial crops are plants/crops that live for more than two years; these include all types of fruits, guava, oranges, tamarind, tangerine, lime, mangoes, lemon jack fruit etc.

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.

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

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

1 Introduction

Zanzibar is located in the Indian Ocean off the coast of Tanzania mainland, it is among of the top tourist attractions in African. Two main islands make up Zanzibar i.e. Unguja (1,666km²) and Pemba (988 km²). Tourism is one of the most important economic activities on the islands, in 2017 more than 433,000 tourists arrived in Zanzibar. Most of tourists visits the Stone Town which is a United Nations Educational, Scientific and Cultural Organizations (UNESCO) declared World Heritage City. Unfortunately, public infrastructure within the World Heritage City of the Stone Town is in a dilapidated condition. Substantial areas of the Zanzibar Urban Municipal Council (ZUMC) are very dense, unplanned and informally developed, with poor access to services. Around 173 hectares in the *Ng'ambo* areas (outside of the Stone Town) within the council suffer from severe and persistent flooding. Flooding also results in damage to road infrastructure, interruptions to water and electricity supply, and increases the risk of the spread of water borne diseases, including cholera.

Only around 45 percent of the solid waste generated within the ZUMC area is collected and transported to a waste disposal site. Uncollected waste compounds the problems of flooding. There is a general lack of street lights. While dark streets in the narrow lanes of the Stone Town hinder tourist activity, dark areas along poorly maintained or unpaved and flooded roads in the *Ng'ambo* areas pose safety risks to the population. Increase of motorization level has made the government to be not well suited to cope with current and future demand for transport services and infrastructure. Poor enforcement of traffic laws, deregulated environmental of public transport supply and poor road and non-motorized infrastructure, is increasingly deteriorating the quality of mobility and exacerbating congestion. The main transport investments have been focused on road expansion to maximize vehicular capacity and speeds, but with fewer efforts targeting the majority of the population who are mainly users of non-motorized transport (NMT) and public transport systems.

To address the above condition, Zanzibar Urban Services Project (ZUSP) was prepared in a response to a request from the RGoZ in 2008 to assist with the financing of an investment operation that would provide finance for critical infrastructure in key urban areas of the Zanzibar Urban Municipal Council and Pemba Towns and support for improved management capacity for urban development and management. To further the achievement obtained under ZUSP, “Boosting Inclusive Growth for Zanzibar” project (Big-Z) is being prepared, to improve the livability and promote inclusive and sustainable growth in Zanzibar. Like in ZUSP, BIG-Z recognizes the strategic importance of Zanzibar urban centers as the engines for the country’s structural transformation, economic growth and nationwide improvements in welfare. Zanzibar Municipal Council has strategic importance to Zanzibar Island and the country in terms of its physical location, importance for local and international trade and tourism, demographic weight and contribution to the national economy.

1.1 Project Objective and Results

Integrated Development Project “Boosting Inclusive Growth for Zanzibar is being prepared to further the achievement obtained under Zanzibar Urban Services Project. This project will be implemented by the Revolutionary Government of Zanzibar and supported by the World Bank; is expected to run between 2021 and 2027. BIG-Z aim to improve service delivery, cultural heritage preservation, and integrated urban management, among other key areas. The project will use an integrated approach towards sustainable development in Zanzibar consequently improve the climate resilience through both

mitigation and adaptation. The project development objective of BIG-Z is to increase access to improved living conditions and service delivery in targeted areas in Zanzibar and to enhance institutional capacity of the government . To achieve the PDO, the project is divided into the following components: (i) Area Based Integrated and Development which has three thematic pillars a) Integrated Urban Upgrading and regeneration, b) mobility improvement, and c) heritage, tourism and local area development (LAD); (ii) Institutional strengthening for Urban Management and Encouraging, innovation with three subcomponents a) Institutional strengthening and use of technology in governance b) Urban planning, management and regulations, c) Feasibility studies and detailed design for future urban upgrading and mobility improvement projects (iii) Project Management, Operation, Monitoring and Evaluation (iv) Contingent Emergency Response.

1.2 Development of RPF for BIG-Z Project

The Resettlement Policy Framework (RPF) for the BIG-Z Project was developed alongside the Environmental and Social Management Framework (ESMF). It was reviewed and cleared by the World Bank and subsequently disclosed to the public in 2019 through both the World Bank and the Ministry of Finance and Planning websites. Following the Project Restructuring of April 2025, the RPF was revised on July 2025 and cleared by the World Bank on October 2025. The primary objective of the RPF is to establish resettlement and compensation principles, organizational arrangements, and design criteria to guide the management of potential displacement impacts associated with BIG-Z project activities. The RPF was prepared in alignment with the Government of Zanzibar’s resettlement policies and the World Bank’s Involuntary Resettlement Policy (OP/BP 4.12).

The RPF served as a guiding framework for the development and implementation of Resettlement Action Plans (RAPs) for the BIG-Z sub-projects. Project implementation has faced significant delays due primarily to challenges in coordination and insufficient technical support from key line ministries. A Mid Term Review (MTR) conducted in November 2024 highlighted significant inter-agency coordination challenges, as well as the insufficient capacity of supporting line ministries to actively engage in the technical oversight and implementation of project activities. The MTR noted that substantial changes to project implementation arrangements would be needed to turn around project performance; and recommended to:

- (i) improve coordination arrangements aiming at strengthening accountability of key line ministries;
- (ii) Strengthen the capacity of all involved ministries to ensure adequate technical oversight of project activities; and
- (iii) Review institutional arrangements to actively involve relevant ministries in the implementation of project activities.

Following the MTR, the Revolutionary Government of Zanzibar (RGZ), as the Project Implementing Entity, and the Government of the United Republic of Tanzania (GoT), as the Recipient, requested the World Bank on February 4, 2025 and March 7, 2025, respectively, to restructure the Project to transfer implementation responsibility of the selected activities to a new implementing agency.

1.3 Objectives and Scope of RPF Updating

1.3.1 Objective and Scope of RPF Updating

The objective of updating the RPF is to align the safeguards framework with the restructured technical and institutional arrangements of the BIG-Z Project. Specifically, the update seeks to formally confer the mandate to the Ministry of Infrastructure, Communication and Transport (MOICT) for the preparation and implementation of Resettlement Action Plans (RAPs), including the payment of compensation, for the sub-projects under its jurisdiction. Previously, this responsibility rested solely with the President's Office – Finance and Planning (PO-FP). Under the revised structure, both MOICT and PO-FP will share responsibilities, with each institution accountable for the RAPs related to sub-projects within their respective mandates.

The scope of the RPF update will primarily focus on incorporating the Ministry of Infrastructure, Communication and Transport (MOICT) into the framework and clearly defining the specific roles and responsibilities of both MOICT and PO-FP in the preparation and implementation of Resettlement Action Plans (RAPs).

1.3.2 Objectives and Scope of RPF

The objectives of RPF are:

- ✦ Establish the BIG-Z resettlement and compensation principles and implementation arrangements;
- ✦ Describe the legal and institutional framework underlying RGoZ approaches for resettlement, compensation, and rehabilitation;
- ✦ Compare the Zanzibari's laws and the World Bank Operational Policy for Resettlement (OP 4.12) and identify any gaps.
- ✦ Define the eligibility criteria for identification of project affected persons (PAPs) and entitlements, considering Tanzanian laws and OP 4.12;
- ✦ Describe the process for Resettlement Action Plan (RAP) preparation;
- ✦ Describe the consultation procedures and participatory approaches involving PAPs and other key stakeholders; and
- ✦ Provide procedures for filing grievances and resolving disputes.

1.3.3 Methodology and Organization

A Resettlement Policy Framework (RPF) for BIG Z Project, was initially developed under the Zanzibar Urban Services Project (ZUSP). Following the restructuring of the project and the introduction of new institutional arrangements, the RPF now requires updating to reflect the roles and responsibilities of the expanded Implementation institutions. The Project Management Team (PMT) in the PO-PF and the Project Implementation Unit (PIU) in MOICT have indicated a preference for exploring alternatives to cash compensation in future subprojects. The updated RPF is expected to function as a strategic tool to facilitate stakeholder engagement and propose practical, cost-effective resettlement options. These may include in-kind compensation, provision of resettlement housing, land-for-land exchanges, and livelihood enhancement measures. The revised framework should be concise, user-friendly, and fully aligned with the World Bank's Operational Policy (OP) 4.12, serving as a practical guide for the preparation and implementation of Resettlement Action Plans (RAPs).

1.4 The Project Objectives and Outcomes

The PDO is to increase access to improved living conditions and service delivery in targeted areas in Zanzibar and to enhance institutional capacity of the government.

The Purpose: rehabilitation and expansion of urban infrastructure and institutional strengthening activities aimed at improving the fiscal and management capacities of the Participating LGAs.

Project Outcomes: the BIG-Z will improve the welfare and capacities of the beneficiary LGAs to identify their key problems, determine the appropriate solutions in the form of sub-projects, plan their implementation and assume full responsibility for their maintenance and management.

1.4.1 BIG – Z Components

Component 1: Area-Based Integrated Urban and Infrastructure Development (US\$126 million equivalent)

Component 1: finances investments in infrastructure and basic services as well as various support programmes to improve the livelihoods of local residents in three types of areas in Zanzibar: (a) urban core, (b) fast-growing urban areas, and (c) towns/villages. These areas were selected through a consultative process with various stakeholders in Zanzibar, based on the urgency of needs and the expected impacts on development outcomes. A summary of the stakeholder consultation process and results is provided in the project Stakeholder Engagement Plan (SEP).

Subcomponent 1.1: Urban Core Revitalization and Mobility Improvements (US\$53 million): This subcomponent addresses the key development challenges in Zanzibar Stone Town and city center area, i.e. the dilapidation of infrastructure and poor mobility management. In response, the following interventions are proposed, including: (a) Michenzani Area Integrated Redevelopment (MAIR), to regenerate the main streets in the Michenzani city center area, including street and sidewalk improvements, infrastructure and service upgrading, as well as public space improvements; and (b) Stone Town Mobility and Public Space Improvement (STMPSI), a strategic program of mutually reinforcing mobility and public space improvement investments for Stone Town. The investment will improve livability and economic potential and reverse the gradual deterioration and increasing congestion in and around the heritage site, including the Darajani Market area. The final selection of investment and interventions are based on the recommendations from the Stone Town Safe and Sustainable Mobility Management Plan (STMMP) and the Stone Town Conservation and Heritage Management Plan (STCHMP) which were developed under the financing of the ZUSP and are expected to be approved by UNESCO by August 2021.

Subcomponent 1.2: Upgrading and management of fast-growing urban areas (US\$49 million): This subcomponent delivers area-based upgrading solutions in selected fast-growing urban neighborhoods in Zanzibar that were previously suffering from a large service backlog. Proposed activities include: (a) Areabased Upgrading Investments for Unguja (AUI-U), including physical investments for improving living conditions and urban resilience, such as upgrading of urban roads and drainage system, solar-powered street lighting, renovating and greening of public spaces, improvement of walk paths. These investments will not only improve the access to basic services but will also contribute to the mitigation and adaption of climate risks as well as reducing gender inequalities, as women are currently disproportionately affected by poor mobility options and unsafe public spaces. Some of the urgently needed drainage improvements that were designed but not implemented under the ZUSP, such as the Mwantenga area drainage connections and part of System C community drainage, will also be financed under this subcomponent. (b) Solid Waste Management Improvement Investment and Technical Assistance (SWMIITA), which aims to improve SWM service delivery in urban areas of Unguja and Pemba where most solid waste is generated but mismanaged. The SWMIITA will finance the supply of equipment and tools for SWM as well as the construction/rehabilitation of transfer stations and waste

collection points in communities to reduce open dumping and increase recycling rate. Besides, it will also provide technical assistance to local governments and local communities, in collaboration with shehias and local non-governmental organizations (NGOs), to increase awareness in good SWM practice among residents and businesses, to promote active engagement of residents, hotels, restaurants, and other businesses in waste sorting and composting activities.

Subcomponent 1.3: Integrated Local Area Development (LAD) for towns and villages (US\$24 million): This subcomponent will support infrastructure improvement in selected towns or villages in both Unguja and Pemba, which are currently lagging behind in economic growth and poverty conditions. Activities include: (a) Integrated Investments to facilitate LAD in “gateway” villages of Unguja, namely, settlements where tourists pass through on their way to resort areas, aiming to improve access to basic infrastructure and services for local communities as well as enhance tourism infrastructure and heritage assets. To address the disconnect between the fast growth in the tourism sector and the weak economic gain by local communities, the project will prioritize investments that can improve interaction between resorts and villages, increase market access of local businesses, and promote local economic development. Proposed investments are based on the Local Area Plans of these villages developed by the Department of Urban and Rural Planning (DoURP) of Zanzibar, in consultation with local residents, business owners, Shehas, and other stakeholders. (b) Area-based Upgrading Investments for Pemba (AUI-P), including a mix of multisector upgrading investments for improving access to infrastructure and urban services as well as revitalization of key heritage assets in the town councils of Pemba. Component 2: Strengthening Institutions for Urban Management and Encouraging Innovation (US\$13 million equivalent).

This component focuses on institutional development and capacity building, including municipal finance, Information and communication technology (ICT), urban management, and enhancing the enabling and regulatory environment for development as follows:

Sub-component 2.1: Institutional strengthening and use of technology in governance (US\$5 million), including: a) technical assistance on applying information and communication technologies to establish basic spatial data infrastructure (SDI) and institutional arrangements to collect, manage and apply geospatial information across different functions and departments, as well as on-demand technical assistance and capacity building for applying new approaches and technologies for managing climate risks, urban growth, heritage management and COVID-19; b) technical assistance on municipal finance, including budgeting, capital investment planning, asset management, climate risk financing, own-source revenue (OSR) collection, as well as capacity building and training for local government officials in Unguja and Pemba; and c) customized capacity building program for key government institutions, such as the President’s Office - Finance and Planning (POFP), the President’s Office - Regional Administrations, Local Governments and Special Departments (PORALGSD), Ministry of Information, Communication and Transport (MoICT) and its sectoral agencies such as the Zanzibar Road Transport and Safety Regulatory Authority, Ministry of Lands and Housing Development (MoLHD), Ministry of Tourism and Heritage (MoTH), and municipal and town councils. The capacity building activities will include hiring professional consultants and technical support to the PMT, providing equipment and trainings to government officials of various institutions on areas relevant to the delivery of the project, and developing business plans for sustainable operations in consideration of additional challenges created by COVID-19 when applicable.

Subcomponent 2.2: Urban planning, management and regulations (US\$3.5 million), including: (a) development of planning instruments such as integrated master plan for Pemba island, identification of priority investment needs, and a Zanzibar mobility plan (with specific mobility plans for Unguja and Pemba); and (b) technical assistance on establishing a Building Regulatory Framework for Zanzibar, including the development of a building code and regulatory compliance mechanisms, with a focus on climate resilience and energy efficiency.

Sub-component 2.3: Feasibility studies and detailed design for future urban upgrading and mobility improvement projects (US\$4.5 million), including: (a) preparatory studies for the scale-up of integrated upgrading and heritage conservation programs in Unguja and Pemba, including feasibility, costing and prioritization, as well as the preparation of design documents and safeguards instruments needed; (b) preparatory studies and analysis for the delivery of public-private partnerships (PPPs) of selected facilities and services to be prioritized and agreed upon by the government and key stakeholders; and (c) feasibility study and design of selected strategic mobility programs, which may include public transport modernization and rehabilitation/improvement of critical streets/roads.

Component 3: Project Management, Operation, Monitoring and Evaluation (US\$11 million equivalent): This component involves the direct costs of the management and operation of this project to ensure smooth implementation of all project activities in accordance with the Bank's policies and guidelines. It will support the borrower in the areas of project coordination, supervision, financial management (FM), procurement, monitoring and evaluation (M&E), communication, audits, quality assurance and preparation and supervision of implementation of the safeguard's instruments, preparation of related surveys, including provision of training, operating costs, goods and services for the required purpose.

Component 4: Contingent Emergency Response Component (US\$0 million): This Contingent Emergency Response Component (CERC) is included under the project for situations of urgent need of assistance, as a project-specific CERC.

1.5 RPF Scope, Purpose, Principles and Objectives

1.5.1 Scope of the RPF

The RPF is an instrument designed to inform and guide the investments under BIG-Z and to ensure that their preparations and implementations comply with the principles and requirements described in the RPF. PMT is responsible for ensuring compliance with the RPF when it applies.

The RPF applies to all investments under both components of the BIG-Z that require land, displace people physically or economically, impact their livelihoods, and/or restrict their access to livelihoods or resources.

1.5.2 Conditions that Would Lead to Potential Resettlement

BIG-Z activities that may require land take, acquiring land and other assets or restricting access include:

1. Relocating of the drainages into new land: While all new projects would be implemented in existing rights-of-way, small amounts of land may be required for example to improve roadside drains or improve pedestrian connectivity or avoid sensitive / important natural or social / cultural or economic features.

2. Acquisition of new land for construction of new structures not existing before: in some areas, landtake for construction of new structures, sewage and solid waste disposal and transfer stations will require acquisition of additional land.
3. Acquisition of additional land for expansion or extension existing roads and drainage channels to achieve required construction standards: in some cases, expansion of diameters or extension of lengths of existing roads and drainage channels will increase the size of the way leave extending into other land uses;
4. Land take on temporary terms: taking of land temporarily for diversion of traffic during construction phase, stock piling building materials, excavated soils and overburden (cleared soils and vegetation);
5. Blocked/restriction of access: other causes of resettlement issues include construction of drainage channels without addition of access to houses/property causing restrictions or access to homes, business or services. Other restrictions to other local resource users may occur at points of extraction of construction materials, water and other local resources.
6. Livelihood impacts: Including taking land used for crops and horticulture, petty traders, and temporary relocation of market stalls.

Given the fact that the exact nature of the future investments is not currently known or designs will not have completed, until when they are identified the application of this Resettlement Policy Framework (RPF) will guide ZULID /BIG-Z participating institutions in managing land acquisition and mitigation of resulting impacts. The aim is to avoid or at least minimize involuntary resettlement to the extent possible. Where it is unavoidable detailed RAPs, based on this RPF will be carried out as needed, for all subproject that trigger the resettlement safeguards. The details and complexity of each RAP will depend on the investment and type and the level of impacts. Since this RPF will be available, the investment specific RAPs which will be submitted as a condition on a given investment financing need not include the sections well dealt with in the RPF i.e. Policy Principles; legal analysis, entitlement and eligibility criteria. Contents of the RAP preparation based on this RPF are described under Annex A, which is consistent with World Bank OP 4.12.

1.6 Purpose of the RPF

Once subprojects are identified, for those that trigger OP/BP 4.12, preparation of resettlement or compensation plans by the developer (project design agent) will be closely coordinated with the planning and implementation of civil works and in accordance with this policy framework. The plan will be submitted to the World Bank for clearance and will be disclosed in the country and the Infoshop before any land appropriation, resettlement, loss, denial or restriction of economic resources, or any other impact on livelihood occurs.

Among others, the specific objectives of the RPF are to:

- Provide legal and institutional framework and analyze the gaps between the national requirements and the Bank's OP 4.12 and identify measures to bridge gaps between them
- Describe the main principles, scope, and concepts governing the preparation of resettlement and livelihood restorations Plans;

- Define entitlement and eligibility criteria for identification of project affected persons (PAPs) and entitlements; considering Zanzibari laws and the World Bank OP 4.12
- Methods for detailed methods of identifying and valuing affected assets; census and social economic surveys, consultations and negotiations with PAPs,
- Describe the process for preparing and approving resettlement/compensations plans;
- Provide procedures for filing grievances and resolving disputes.
- Describe mechanisms for consultations with and participation of displaced persons in planning, implementation, and monitoring; and
- Decide for monitoring by Zanzibar Municipal Council (ZMC) and, if required, by independent monitors.

1.7 Resettlement Planning Principles and Practices Set Out in the RPF for BIG-Z

The policy framework sets out a number of principles to guide the resettlement of affected people:

- The RPF will apply to all sub-projects to receive funds under the BIG-Z located at various areas to be demarcated within Participating LGA s in Unguja as well as in Pemba Town Councils (PTCs).
- The procedures will be carried out throughout preparation and implementation, and impacts of any potential resettlement will be included in monitoring and evaluation (M&E).
- When a Resettlement Action Plan (RAP) is required, it will be prepared in accordance with guidance provided in the RPF, including Detailed Measurement Surveys, Identification (Census) of PAPs/displaced persons, and Public Consultation and Disclosure Procedures (PCDP).
- The RPF and subsequent RAPs where necessary follow the guidance provided in the World Bank Operational Policy on Involuntary Resettlement (OP4.12), as described in Item 1.
- The RPF ensures that any possible adverse impacts of proposed project activities are addressed through appropriate mitigation measures, in particular, against potential impoverishment risks. These risks can be minimized by:
 - Avoiding displacement of people without a well-designed compensation and relocation process; ○ Minimizing the number of PAPs, to the extent possible;
 - Compensating for losses incurred and displaced incomes and livelihoods; and
 - Ensuring resettlement assistance or rehabilitation, as needed, to address impacts on PAPs livelihoods and their wellbeing.

1.8 Objectives of Resettlement Planning

The objectives of OP/BP 4.12 are the following:

- (i) Involuntary resettlement and land appropriation should be avoided where feasible, or minimized, and all viable alternatives explored.
- (ii) Where involuntary resettlement and land appropriation are unavoidable, resettlement and compensation activities should be conceived and executed as sustainable development programs, providing sufficient investment resources to give the persons economically or physically displaced by the project the opportunity to share project benefits. Displaced and compensated persons should be meaningfully consulted and have opportunities to participate in planning and implementing resettlement and compensation programs.
- (iii) Displaced (economically or physically) and compensated persons should be assisted in their efforts to improve, or at least restore, their livelihoods and standards of living, in real terms, to pre-

displacement levels or levels prevailing prior to the beginning of subproject implementation, whichever is higher.

Affected people, according to OP/BP 4.12, refers to people directly affected, socially and economically, by a project, as a result of:

- (i) The appropriation of land and other assets causing:
 - Relocation or loss of shelter;
 - Loss of assets or access to assets;
 - Loss of income sources or means of livelihood, whether or not of the affected person; and
- (ii) The restriction or denial of access to legally designated protected areas that results in adverse impacts on the livelihood of the economically or physically displaced persons.

OP/BP 4.12 applies to all (economically or physically) displaced persons regardless of the total number affected, the severity of impact, or whether they have legal title to the land or not. The needs of vulnerable groups that have been economically or physically displaced should also receive special attention, especially those below the poverty line: the landless, the elderly, women and children, indigenous groups, and ethnic minorities or other displaced persons who may not be protected through RGoZ land compensation legislation.

Particularly for BIG-Z, OP/BP 4.12 also requires that individual resettlement and compensation plans be fully implemented before the developer can carry out activities that require land appropriation/land use. This is to ensure that displacement, which can be either economic or physical, or restriction to access does not occur before necessary measures for resettlement and compensation are in place and completed. OP/BP 4.12 further requires that these measures include provision of compensation and other assistance required for relocation, prior to displacement, and preparation and provision of resettlement sites with adequate facilities, where required. In particular, land and related asset appropriation may take place only after compensation has occurred and, where applicable, resettlement sites, new homes, related infrastructure, public services, and moving allowances have been provided to displaced persons. Furthermore, if relocation or loss of shelter occurs, the policy requires that measures to assist the displaced persons are implemented fully in accordance with the resettlement and/or compensation action plan. Social impacts of project implementation are expected to be positive overall simply because increased access to mobility, reduction in expenditure on infrastructure investment, contribution to LGAs' incomes, potential impact on the tourism industry, reduction of road traffic accidents and savings on travel time. Other indirect positive impacts include improved health and education statuses of the communities due to reduction of communicable diseases including cholera; increased employment opportunities at all levels, development of new services, improvement of public space, availability of basic services, reduction of flooding, widening social interaction, lower pollution, improvements that accrue from improved access and management of wastes. However, there are considerable risks to project success if the negative social impacts on some targeted beneficiaries are left unmitigated. These negative social impacts include denial, restriction, or loss of access to economic resources in areas that may be required by the project developer. When this happens, people will be affected and resettlement and/or compensation cannot be avoided, and OP/BP 4.12 will be triggered even though the PAP may not have to physically move to another location.

Offering PAPs the opportunity to continue to participate in the planning process that leads to the preparation of resettlement/compensation plans is mandatory. Moreover, offering PAPs the opportunity for employment in subproject activities or to be providers of services during construction of the civil works, for example, for supply of construction materials (such as gravel and sand), small construction

works (masonry), reinstatement and beatification will provide additional income-generating opportunities to a significant number of PAPs who may have to be resettled/compensated.

Furthermore, it is worthy to note that rush migration to selected land sites may occur by those wishing to take advantage of the rules of eligibility. Were this to happen, it would add additional pressures to the planning process and compensation budgets and increase the tendency for conflict within the community. The purpose of establishing a specific Cut-off Date, usually coinciding with carrying out a census of affected persons, is to avoid this scenario. Section 6 addresses this issue. A major objective of this RMF is to ensure that PAPs are meaningfully consulted, have participated in the planning process, and are adequately compensated to ensure that their livelihood is restored or improved, that the process has been fair and transparent, and that all remediation and compensation are completed before people are affected by physical works.

1.9 Early Resettlement Planning

If a subproject triggers OP/BP 4.12, a RAP consistent with this RPF must be prepared. The scope and level of detail of the RAP will vary with the magnitude and the complexity of resettlement.

The RAP is based on up-to-date and reliable information about the proposed resettlement and its impacts on displaced persons and other adversely affected groups and the legal issues involved in resettlement. The RAP covers the elements below; when any element is not relevant to project circumstances, it should be noted in the plan.

To address the impacts under this policy, the RAPs or ARAPs must include measures to ensure that the PAPs are:

- Informed about their options and rights pertaining to resettlement;
- Consulted on, offered choices among, and provided with technically and economically feasible resettlement alternatives;
- Provided prompt and effective compensation at full replacement cost for losses of assets and access attributable to the project; and
- Enabled to restore and preferably improve their living standards compared to pre-project standards.
- Keep good records of the PAPs and the affected assets including location (Geographical positioning); photographs and unique number of the affected parcels?
- Should indicate the social, physical and economic status of the PAPs and recommend additional assistances accordingly.

Therefore, the first stage in the process of preparing the individual RAPs is the screening process to identify the land needed for the subproject and land use needs that will cause resettlement. The RAPs will contain the analysis of alternative sites undertaken during the land screening process. The land screening process presented in the next section is designed to take advantage of and build upon the existing planning structures that developers have in place and have successfully used in the past to plan for extensions and new services.

1.9.1 Screening /Ground Truthing Process

In planning for expansion and/or provision of access to new areas, the first step in this process will be to develop the Resettlement/Compensation Ground-Truthing. This process will lead to identification, selection, and appropriation of land consistent with the provisions of OP/BP 4.12 that would be required for use by the developer for their planned activities. The Resettlement Specialist and an Asset Surveyor should be on top of business to meet with the leaders (shehas) of the Project Area to discuss the intention of scoping the delineated Area of Project Impact to obtain the following information:

- Identification of potentially directly affected villages, their local names, and GPS location;
- Details of the shehas of those shehias;
- Village Development Plans (VDPs) of affected areas;
- Information on service provision to the area, including: service infrastructure, such as Health Centres, educational facilities, boreholes and pumps, religious structures, police and postal posts, and government administrative buildings; and field offices of NGOs and Community Service and Community Based Organisations (CSOs and CBOs);
- Location of access points used by local people to cross the natural drains (valleys/gullies)
- Location of burial grounds/graves, and sites of historic or cultural interest. ▪ section of the water pipelines

Checklist for ground truthing/screening Form (**Annex 2**) to confirm if OP/BP 4.12 is triggered or not. If the policy is triggered, the developer will retain a technical expert to carry out the required technical work, including a fairly 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. These drawings will also include the exact location and land site parameters that the planned subproject will need.

During the land survey, technical teams will meet with the district administration to carry out a preliminary assessment to determine whether there is potential for residents on the identified sites to be affected and therefore trigger OP/BP 4.12. If resettlement and compensation issues are identified at this stage, the technical teams will use their expertise to determine the impact of these issues and whether they would be too large and costly to mitigate according to the provisions of this RPF. Based on the decision of the technical teams, a further decision would be made to identify alternative sites/routes that have little or no resettlement and compensation issues. If no resettlement and compensation issues are involved, or if there are no alternative routes/sites possible, then the original proposed route will be maintained. The reason for this is to arm the decision makers of the subproject developers with good information and options from the field to permit prompt and thorough planning and timely implementation.

Once these drawings are ready and information on the site location and land-use requirements is available, and before a final decision by the developer is made to go ahead with the subproject, the consultative and participatory process with local communities must begin by sensitizing the local/traditional administration and leaders with the tentative land needs of the subproject. The local/traditional leaders will meet, consistent with their local practices, with all the leaders of the homesteads/villages involved. It is at this first meeting of local traditional leaders and administration and homesteads/villages that the **Cut-off Date**¹ is determined and communicated to all the homesteads/villages in the potentially affected areas.

¹ The significance of establishing a Cut-off Date is discussed in Section 6.

2 Legal Framework and Institutional Arrangement

2.1 Legal Frameworks

Compensation policy is stipulated in Zanzibar's Acts and Regulations. In principle, a person affected by compulsory purchase of his/her land or damage to his/her property should be paid a fair compensation so that he/she is neither better off nor worse off as a result of land acquisition.

2.1.1 Land Acquisition Decree Cap 95

This is the principle legislation guiding land acquisition in Zanzibar enacted under the colonial British rule. Though not in use, the act has not been revoked or amended. Several of its provisions are found in the new land acts enacted from the late 1990s onwards. In general, the Land Acquisition Act does not cover all aspects of resettlement affecting people who are displaced from their old settlements, but certain sections in the act are still relevant to-date:

- The Act--sections 4 to 10--stipulates and emphasizes prior notification. The Act directs the District Commissioner to serve public notices and notices in the government gazette of land likely to be acquired for any public purpose or company, and the government or company to serve notice to occupiers of any property, building, garden, etc., prior to entry for purpose of survey, marking boundaries, etc. Section 2 demands payment for damages done to standing crops, trees, fences or buildings during survey, marking boundaries etc.
- Section 9 calls for compensation for acquired property by government or a company. Claims for compensation by all with interests in land should be made to the District Commissioner.

The responsibility of the District Commissioner pertaining to decisions on disputes as to the sufficiency of amounts paid for damages or for acquisition of property is repealed by the Land Tribunal Act, 1994 which confers the responsibility to the Land Tribunal established by the Act as the only lawful body that currently deals with all matters of land disputes.

2.1.2 The Registered Land Act, 1989

This Act was designed to avoid disputes on boundaries through having a land register and a map (registry) of land in question. The Act calls for establishment of a Land Registry in each "Land Registration District" showing all land parcels and leases, whether public or private land; particulars of the Occupant or Proprietor; and conditions and duties affecting his/her Right of Occupancy.

The Act confers to the registered Proprietor of land exclusive rights of occupancy of that land, together with all rights and privileges. The rights are coupled with duties requiring the Proprietors of land to maintain in good order any fences, hedges, stone pillars, walls or other marks, which demarcate its boundaries. In Zanzibar and elsewhere in Tanzania, the boundaries of Rights of Way of roads, electricity transmission lines etc. are not clearly marked. Thus, failure to abide by this law has led to extensive encroachment into the RoW, costly enforcement on the part the roads authorities and electricity companies, and constant disputes with the offenders. The Land adjacent to the sea (foreshore) is deemed public land and shall not be included in any parcel (public or private).

2.1.3 The Land Survey Act, No 9 of 1989

The Act makes provisions for regulating and making of land surveys and for the registration and conduct of the Surveyors. Section 14 of the Act demands that Surveyors give reasonable notice to the owners or occupiers of the land prior to survey activities. Section 15 directs payments of compensation to the owner of any crops or trees cut or damaged in the survey exercise.

2.1.4 Land Tenure Act, No.12 of 1992; Amendment, Act No. 15 of 2003

In this Act, **Section 5 subsection (2)** - gives the President of Zanzibar (or the Minister on behalf of the President) powers to impose right of use of land (easements) on any parcel of land and building/construction in respect of Right of Way, installation, support and clearance necessary for the establishment, maintenance and operation of roads, drainage, electric transmission lines classified in the public interest. In this case the authority is only used if the affected people along the project route reject the areas through which the road, drainage or transmission lines will pass. **Section 5(4)** requires the Government to pay compensation for the persons or communities concerned that is equal to the fair market value of land and any improvements thereon. Zanzibar land acts do not have legal provisions for grant of public land to the person entitled to compensation but consider that land has value and should be taken into consideration affecting that interest. This means if one acquires land, one will have to compensate owners for bare land in addition to unexhausted improvements. **Section 6** demand that any land that is acquired, and there is a dispute or disagreement relating to boundaries, right of use of land, compensation etc. shall be referred to the Land Adjudication Act or the Land Tribunal. The Act under Section 6B considers it an offence (and imposes penalties) by any person to destroy or misuse land by erecting structures or buildings, dumping, digging holes or changing uses of the land, giving out all or part of the grant to other persons contrary to the Act. Under this Act, trees can be owned and held separately from a right of occupancy in land. The Amendment, Act 2008 recognizes the rights of persons holding '3 Acres' plots.

2.1.5 The Land Transfer Act, No. 8 of 1994; Amendment Act, No. 10 of 2007

Permanent transfer or long-term (3 years and over) lease of land takes place in Zanzibar only with approval of the Land Transfer Board. Special emphasis is put on the '3 Acres' plots. The Act is designed to prevent transactions that may result in depriving land owners of sufficient resources to support themselves, their dependents and future generations. The Act also aims at preventing improper change of uses of the land in question.

2.1.6 The Land Tribunal Act, No. 7, 1994; Amendment Act, No 1 of 2008

Land Tribunal Act establishes the Land Tribunal to deal with all matters of land disputes in Zanzibar. The Act demands that the Tribunal preside over any land that is acquired and there is a dispute or disagreement relating to any of the eighteen matters listed, (a) to (r), in the Act. Such matters relevant to the cable project include:

- a. Action involving claims to a right of occupancy and/or possession in respect of any Land
- b. Demarcation of Land which is connected to activities related to the subdivision of parcels and any matter for which demarcation or surveying must be carried out

- c. The use, development and capacity of land
- d. Land valuation and issues involving compensation of land
- e. Removal from possession or eviction from land
- f. All other matters relating to land

The Land Tribunal (Amendment) Act, no 1 of 2008, allows for appeal on the decision of the Land Tribunal in that any party who is aggrieved by the decision of the tribunal has the right to appeal to the High Court.

2.1.7 The World Bank Operational Policy (OP/BP 4.12)

The overall objectives of the OP4.12 on involuntary resettlement are:

- To avoid or minimize involuntary resettlement and land acquisition where feasible, exploring all viable alternatives of project location and designs.

Where involuntary resettlement and acquisition of land or other assets is unavoidable -

- To conceive and execute compensation as sustainable development programs, providing sufficient investment resources to give the persons displaced by the project the opportunity to share project benefits.
- To consult with displaced and compensated persons and provide them opportunities to participate in planning and implementing resettlement and compensation programs.
- To assist displaced and compensated persons - regardless of the legality of land tenure - in their efforts to improve their livelihoods and standards of living (income earnings capacity and production levels) or at least to restore them, in real terms, to pre-displacement levels or levels prevailing prior to the beginning of the project implementation, whichever is higher.

This policy covers direct economic and social impacts that are caused by the involuntary taking of land resulting in relocation, loss of shelter, loss of assets or access to assets; or loss of income sources or means of livelihood. WB Involuntary Resettlement Policy OP 4.12 requires that all projects screened for potential environmental and social impacts be supported/guided by a RPF that identifies involuntary resettlements under the planned project, identifies impacts i.e. severe economic, social and environmental risks and based on this defines the scope of the resettlement assistant programme (i.e. RAP) for affected persons.

2.1.8 Analysis of Zanzibar’s Policy and Legislation and World Bank OP/BP 4.12

A gap analysis has been undertaken in order to measure the difference between Zanzibar laws and the World Bank requirements, with special attention to legal rights to land, improvements made on it and other property and/or title and access to other basic resources; eligibility criteria and compensation packages etc. The results indicate that some aspects of Zanzibar laws and the World Bank Operation Policy are not in full accord. The World Bank Operational Policy 4.12 (Paragraphs. 15 and 16) recognizes that while nonlandowners may have no right to compensation for the loss of the land that they are occupying (since they do not “own” the land), they should be provided with certain resettlement measures, provided that they occupy the project area prior to a cut-off date. Such measures include, where appropriate:

- a. Compensation for the loss of assets owned by the displaced person (other than land);

- b. Resettlement assistance (e.g. replacement land, cash, other assets and employment) in lieu of compensation for the land that they occupy; and
- c. Other assistance, as necessary (e.g. moving assistance), to achieve the objectives of the Policy such as restoration of livelihoods over a transitional period.

This approach fully meets the requirement of the lesser standards. Thus any Resettlement Action Plan has to be consistent with Zanzibar Laws and World Bank OP 4.12 and if there is a gap the one with higher standard will be used.

Table 1: Comparison of Zanzibar Laws and World Bank OP. 4.12 Regarding Compensation and Resettlement

S/N	Resettlement Issue/factor	ZANZIBAR LAWS	WORLD BANK OP.412	COMMENTS
1	Land Owners	Cash compensation based on market value, disturbance & transport allowance, loss of profits or accommodation, cost of acquiring land, other costs incurred to develop the land. Compensation to be paid promptly; if not paid in time, interest will be charged	Recommends land-for-land compensation. Other compensation is at replacement cost	OP 4.12: when land taken is primary source of income and livelihood, PAPs should be provided with land ('land for land'). Zanz: Prompt and fair compensation give room to PAPs to buy alternative land at their most preferable places. Bridge the gap: <ul style="list-style-type: none"> PAPs would be given opportunity to choose preferred form of payment: cash or in-kind at other location Compensation of structures at replacement cost
2	Land Tenants	Entitled to compensation based upon the amount of rights they hold upon land	Are entitled to some form of compensation regardless of the legal recognition of their occupancy	Bridge the gap: Tenants considered for plot acquisition in resettlement site. Compensated replacement cost of non-movable property installed with consent of the property owner.
3	Encroachers	Payment of disturbance, loss of accommodation, loss of profit and transport allowances.	Resettlement activities based on OP 4.12 is to restore standard of living and preferably improve livelihoods. At the least to pay for the investment they have made on the land and loss of livelihood related to that.	Payments of allowances help the PAPs to improve their livelihoods.
4	Encroaching after cut-off date	Encroachers; Silent	Persons who encroach on the area after the cut-off date are not entitled to compensation or any form of resettlement assistance (Para 16)	Those who encroach on the have to demolish their assets themselves without any compensation, if they refuse, the authority concerned will demolish at their cost. It is strictly prohibited to build a house or to plant permanent trees and crops within the Way-Leave after the survey and census is done, the area is marked, and people are informed. .
5	Livelihood restoration	Payment of disturbance, loss of accommodation, loss of profit and transport allowances. Compensation is on monetary basis only	Resettlement activities based on OP 4.12 is to restore standard of living and preferably improve livelihoods. Compensation for lost assets can be monetary, in-kind or both.	Payments of allowances help the PAPs to improve the livelihoods. The PAPs has a room to choose where to buy new land and it is easier to implement; resettlement must insure that livelihoods from land use are not lost.

6	Resettlement options and alternatives	PAPs are to be informed about their rights, consulted on, and provided prompt and effective compensation at full replacement cost for lost assets attributable directly to the project. PAPs have chance	PAPs are to be informed about their options and rights, consulted on, offered choices, provided with technically, economically feasible resettlement alternatives, provided prompt, and effective compensation at full	Compensation in Zanzibar laws gives PAPs the opportunity to choose alternatives. It is on monetary basis. This provides equal opportunity to all PAPs to restore the assets lost; but compensation in-kind,
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S/N	Resettlement Issue/factor	ZANZIBAR LAWS	WORLD BANK OP.412	COMMENTS
		to choose alternatives	replacement cost for lost assets attributable directly to the project.	recommended by OP 4.12, and ensures permanent assets will replace those lost.
7	Forms of payment	Prompt and fair compensation is paid on monetary basis only to replace the lost land within a distance not more than 20km from the project place.	Preference should be given to land-based resettlement for PAPs whose livelihood is land-based.	The WB policy is good but need more time to implement and is costlier. In addition, there can be a long, delayed process. Prompt and fair compensation give room for PAPs to buy alternative land at their most preferable places; resettlement in-kind helps ensure livelihoods from land use are not lost.
8	Replacement of lost assets	Construction of the project can take place after all PAPs receive their money and given time to vacate the compensated land and assets.	Resettlement activities required for the project implementation should be completed before the affected land, asset or resources is taken for project use. Provide prompt and effective compensation at full replacement cost for lost assets attributable directly to the project	Both recognize the importance of prompt and fair compensation before implementation of the project

9	Absentee property owner	The project owner, Valuer and local leaders must make a sincere and necessary effort to contact the landowner or the representative during the valuation. Local government leaders will represent the interests of the unknown owner and the payments will be retained by district executive director while effort is taken to find the owner	In case of absentee owner, effort should be made to contact the owner and negotiate with them on the terms, type and amount of compensation. For absentee owners not contacted, sufficient funds to cover the future payments should be reserved	Both procedures recognize the importance of contacting landowner. Interest will be paid to the owner if the time lag will be more than six month from the date of acquisition or revocation
10	Unknown owner	Local government leaders will represent the interest of the unknown owner and the payments will be retained by district executive director while effort is taken to find the owner	For unknown owners, sufficient funds to cover the future payments should be reserved	Interest will be paid to the owner if the time lag will be more than six month from the date of acquisition or revocation.

3 Methodology for RAP Development

3.1 Method to Determine Cut-off Dates

The entitlement Cut-off Date refers to the time when the assessment of persons and their property in the identified project areas is carried out, that is, the time when the developer has identified the land needed and the census and asset inventory study has been conducted. After the assessment and study, no new cases of affected people will be considered. Unfinished structures would be identified and secured, and unused materials will be piled at the site so that the cut-off survey can estimate investments that should be compensated for in lieu of expenses (including labor) incurred until the Cut-off Date.

The Cut-off Date is to be determined at a meeting of the local and traditional leaders and representatives of the developer. This date and its significance will then be disseminated by local or traditional leaders to all the members of each household or to every individual. This is fully consistent with the way planning meetings and other meetings are held in rural areas of Tanzania.

The establishment of a Cut-off Date is required to prevent people from migrating into the selected sites in hopes of receiving compensation. Therefore, establishment of a Cut-off Date is of critical importance. Because the time period between the Cut-off Date and the actual start of the productive investments (e.g., civil works) can exceed six months, and bearing in mind that work can only begin after the PAPs have been compensated and any replacement structures built according to the requirements of this RMF, special attention needs to be given to secure the sites from opportunistic invasion. These measures should include close consultation with the recognized PAP, signs that inform the general public of the intended use of the site, security patrols to identify opportunistic invaders, and other necessary measures.

The Cut-off Date is subject to the approval of the District Executive Directors and must be in full compliance with the conflict resolution mechanisms in this RPF. The Cut-off Date must also be communicated effectively to potential PAP and the surrounding local villages/communities.

Because most land users obtain their customary use rights from their local traditional leaders, these leaders will play a crucial role in the identification of land user's potentially due compensation. Consultation with leaders is no substitute for carrying out a household-to-household census in the field.

3.2 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 GIS to map all affected properties. On request, BIG – Z has allocated one desk top computer to serve as RAP data server. Clouds data server will also be established whenever is needed. The design of the database is much related to the form design that will be agreed by the entire team for data collection, technically there are two forms i.e. PROPERTY FORM 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. (See Annex 2: ODK Manual).

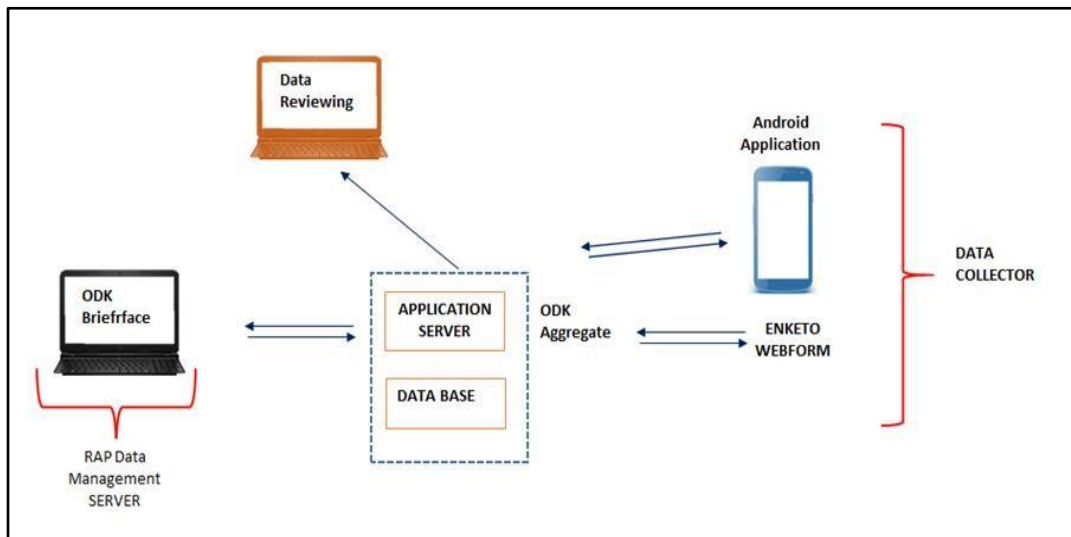


Figure 1: Components of Expert System

Electronic Files: To allow easy retrieval, all project electronic files should will be downloaded from ODK Aggregate using the ODK briefcase maintaining the same register number as used for the hard copy file. These files are to be treated as documents and saved. At the end of the project, all hard copy and electronic files shall be handed over to the Ministry archives.

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.

3.2.1 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 to one relationship between the two forms could be established.

3.2.2 Database Development

1. Gathering the following if available form Commission for Land:
 - Digital and Hard copy of - Existing database, Maps, Shape files, KML files, Satellite Images etc.
 - Check if they use GPS for coordinates for the affected parcels.
 - Check the projection system for mapping.
 - Drone imagery for the project area
 - Software they used or maintaining database, mapping etc. - Anything is required for the project.
2. Checking data that we have for the project
 - Raster Data
 - Vector Data (existing polygons data for the plots)
 - Attribute Data (if any)
3. Checking Data Gaps
 - Data that is required to be identified and take necessary measures to collect those data
4. Data collection during survey

Using ODK collect and GPS reading:

- Every parcel for GPS points for all the corners of the parcel
 - Identify the members of the HHHs, and their socio-economic attributes
 - Every Crop field, Grazing field with their GPS coordinates
 - Every other cultural, religious, utility service (points for Tube-wells, latrines, etc.) etc. with coding
 - Protected areas, forest, swamp, etc. with creating boundary
5. Photographs/Documentary Video for the followings:
- PAPs, trees, crops, settlements
 - Protected areas, forest, swamp, etc. with creating boundary
 - Prone to disaster like – flood, landslide etc. tentative area marking
6. Database design, compilation and checking errors for correction

3.2.3 Characteristics of Database

Resettlement Action Plan (RAP) Database includes spatial linked feature data with attribute data collected from the field and other sources. Options that will be incorporated in the RAP Database are:

- Local projection of UTM Arc1960 37S;
- Querying ability for all the collected data;
- The PostgreSQL database containing both spatial and non-spatial data will be viewed using QGIS 3 software or latest version;
- Updating will be done on a regular basis by the personnel who has access to the database, or the data will be exporting in CSV format for analysis in other software packages;
- Thematic Mapping will be prepared with suitable scale.

RAP database will be spatially linked with attribute data and having following themes:

- ✦ Project Affected Persons (PAPs), Land Parcel, Trees, Crops with their valuation ✦ Different Structures (Residential/Structural, Community facilities etc.); ✦ Land use, Land tenure, River, Canals, Creek etc.
- ✦ Socio-economic, Livelihood, Census data with Property Valuation;
- ✦ Land data/features within - Land uses, Settlement, Agriculture, Industrial, land tenure (Village, Customary, Private, and Common Market etc.), community facilities, Cropping pattern, Trees etc.

3.2.4 Database Out-put

RAP database will contain both Spatial and non-spatial (Attribute) data that is already mentioned before. Some data will be produced as an analysis of the field data that will be also include as per requirement. Some of the examples are:

- Communication materials: Photographs/ Videography/ Dissemination materials etc. Reports; Package wise/District wise/ Project wise status; Listing completed & pending compensation and eligibility cases; Compensation agreements; and Gazette notification for land acquisition
- Charts/Diagram of different statistical data for getting an overview quickly;
- Metadata (Data of database) for each of the features/spatial data to document the history in a nutshell;
- Users' Manual for the client with a short training to use the database after handing over.

3.2.5 Software Required

To operate the RAP Database precision software is basic and obligatory. The RAP data base will use registered software to ensure the security of data. Along with Software, hardware is required for using the software smoothly. All the required equipment/hardware and software have been procured and installed.

3.2.6 RAP Database Administration

The Resettlement Action Plan (RAP) data captured from, asset inventory, Census and Social economic, Focus Group Discussion (FGD) survey for Sensitization and Valuation survey for property are linked with Global Positioning System (GPS) coordinates and some aspects will be presented as spatial database on RAP, using PostgreSQL database which is capable of storing GIS and its related data.

The proposed method is that, ODK aggregate will be installed in the local server, and a spatial database for storing forms and responses will be developed. A question will be uploaded to the server using xml format which then will be connected to the ODK collect android application in the data collector's mobile devices for data gathering.

In tandem with database and GIS data base the project documents such as grievance letters, emails, meeting minutes, assets records forms, Compensation agreement forms, reports, Maps and all other documents that come in or leave office shall be:

- stored to prevent loss, damage or deterioration
- stored to facilitate access
- retained for the time periods required by the BIG- Z

Data management expert is on the top of business to develop a document management system that complies with BIG-Z Procedures Document & Record Management. The objective of the system is to ensure that copies of all documents received or dispatched from an office can be quickly retrieved at a later date and all appropriate staff are made aware of the existence of these documents. Some of the more important considerations in developing a document management system are shown below.

Document Registers: The most important feature of a document management system is the document register. It provides a mechanism for tracking documents throughout the life of the project. Separate registers shall be established for both incoming and outgoing documents. A proposed template is shown below.

<u>Document No.2</u>	<u>From</u>	<u>To</u>	<u>Type</u>	<u>Date</u>	<u>Document Description</u>	<u>File/Storage Location No.</u>
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Documents transmitted by electronic means shall be regarded as documents for the purpose of management and copies will be printed, registered and filed unless it is regarded as non-critical information. In the case of emails, where they can be saved to a secure server or to the Project Workspace, hard copies do not need to be kept unless required by the office management secretary. A Document Register, a mechanism to track documents will be maintained throughout the project period and beyond as required. The PM has identified the person responsible (**Office Management Secretary BIG - Z**) for the management of project documents and briefed this person as to the procedure to be followed.

PAP Unique FILES: A file is a collection of documents including PAPS records. The Project Secretary, BIG-Z 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 PM 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.

² The numbers should be sequential with a new number issued for each document.

File Number	File Name	Location

3.3 Stakeholder Engagement and community consultations

This section presents a summary of consultations held in accordance with the Provision of WB’s OP 4.12 on Land Acquisition and Involuntary Resettlement which stipulate in Guiding Principle 3.3 (b) 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 Policy 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.

3.3.1 Stakeholders Consultations Key Principles

The consultations with stakeholders are essentially a continuous process that will be conducted throughout the project implementation period. The Objectives of consultations to various stakeholder include:

- To identify and document views, concerns and expectations of the stakeholders relating to the project construction activities
- To establish linkages and identify role demarcation in effort to avoid role overlaps
- To collect project documents relevant to the experts’ assignment
- To get further acquainted with the progress of works on site so far
- To prevent conflicts through increased transparency in the processes during implementation
- To reduce the risks and performance challenges in the construction works through timely relocation of private owned assets and utilities from the construction corridor.
- To environmental assessment
- To confirm data availability on tourism trade
- To appreciate the project road, material sites and camp site’s compliance with environment and social.
- To assess resettlement issues particularly sensitive areas near the project sites.

3.3.2 Stakeholders Identification

Guided by the TORs, Consultant has defined 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.

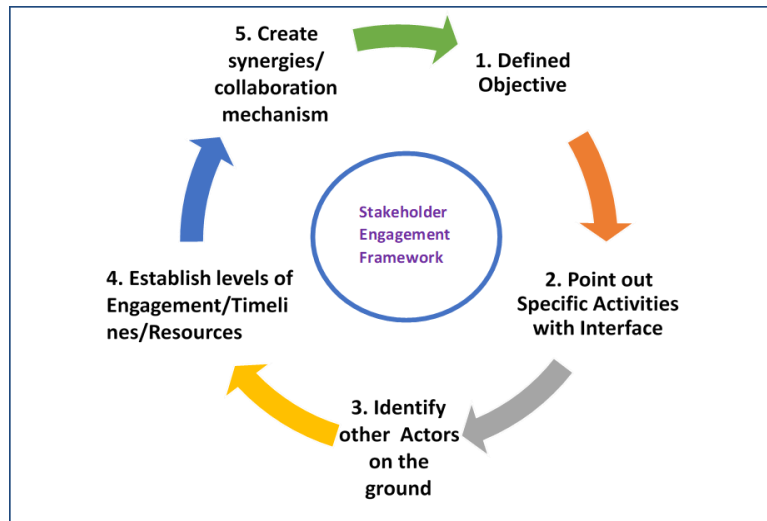


Figure 2: Stakeholder Identification Process

3.3.3 Stakeholders Mapping

a) Identification of stakeholder:

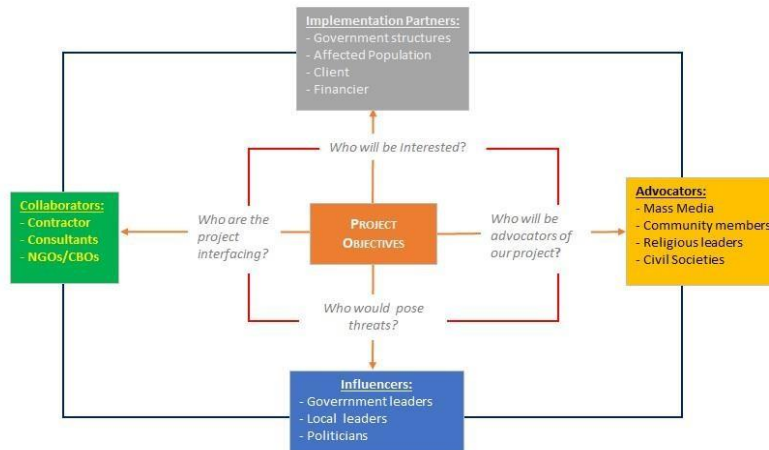
A broad stakeholder engagement process, requires a full stakeholder mapping.

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.

b) 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, advocates, 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.

Figure 3: Stakeholder Mapping Framework



3.3.4 Analyzing

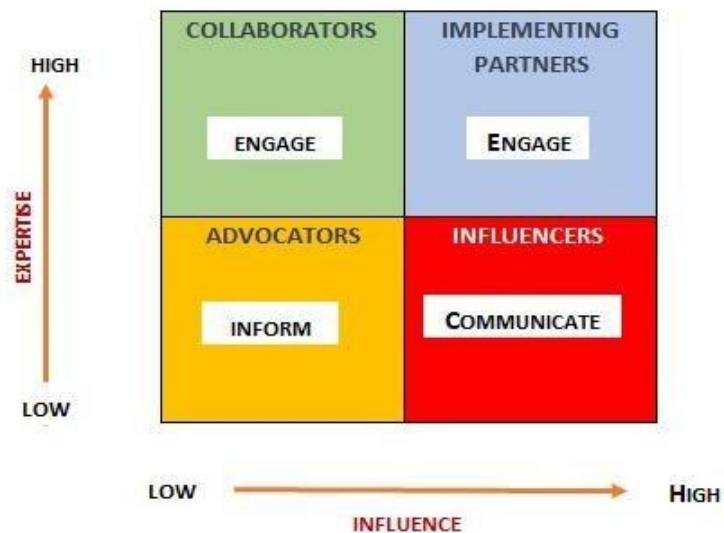
From the established list of the identified stakeholders, analysis was conducted to better understand relevancies and the perspective of which the stakeholders will offer in relation to the objectives of the assignment. Consultant developed a list of criteria to help in the analysis of each identified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

3.3.5 Defining Engagement Framework

Consultant is on the process to establish the frameworks for different stakeholders’ 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:

Figure 4: Stakeholder Engagement Tactics Quadrant



3.3.6 Creating Synergies with other project components

Based on the engagement notes, 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).

(i) Documenting the Engagement

In order to measure success and build on efforts for future activities, consultants have identified areas that requires stakeholder’s engagement the methods used. Based on the TORs and consultants’ 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 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.

c) The Logistics

Logistics are an unavoidable part of designing engagement. The following key aspects will be taken in considerations for the logistics that will help prepare for engagement:

- Logistics that will help during engagement:
- Assign participant’s roles and responsibilities.
- Develop an agenda focused on objectives and outcomes.
- Develop rules of engagement, confidentiality and a decision-making process.
- Create engagement materials.

- Communicate clear objectives, scope, and roles for participants.
- Set up channels of ongoing communication (Twitter feed, voting platform, white boards) ▪ Logistics that will help post-engagement:
- Create evaluation criteria and measures for success.
- Develop a feedback plan and mechanism

3.3.7 Build a Plan

The Action plan will be prepared around this landscape for each output, making sure that it considers the concerns and perceptions stakeholders expressed during the engagement as well as key discussion points. Each action should define roles and responsibilities for implementation, milestones, and a realistic timeline for completion. Before issuing the plan, be sure to consult with those responsible for implementing each action.

3.3.8 Consultations during the RAP development and implementation

A formal communication strategy² is prepared for the project to lay out various communication needs and outreach tools and explain the responsibility of consultant to convey the awareness of the project impacts and its impacts to various stakeholders. A key aspect of this strategy shall be the communication of any project related impacts. The objectives of this communication strategy have been envisaged as follows:

- i. To create project awareness among affected population.
- ii. To provide information to PAPs about the adverse impacts on private properties, economic resources and livelihoods and mitigation measures considered in the RAP/LRP.
- iii. 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 of the region 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.

The scope of work includes the following:

- i. The RAP/LRP Team to put in place the communication strategy for this purpose of creating project awareness.
- ii. Partnering with communication expert in carrying out communication on general project information, project impacts, mitigation measures, grievance redress mechanism, project entitlements, etc. to project affected population.
- iii. To ensure smooth running of project implementation bringing the PAP and the BIG-Z on the same platform with the help of communication strategy adopted for the project.
- iv. With the help of a communication plan developed for this purpose, meeting the targets of project implementation.

Materials: The RAP team in consultation with consultant distribute materials for communication befitting the needs of different means of communication, such as information brochures and hand-outs, radio jingles, TV advertisements, etc.

Communication Plan: A communication plan will be prepared. However, carrying out the communication plan modifications of process will be done as per the project's requirement and evolutions.

² A communication strategy is not part of this report. Consultant has prepared a communication strategy and will be submitted along with the quarterly report covering a period between March and June 2018

3.4 Asset Inventory Census, and Socio-economic survey

3.4.1 Asset inventory (Land Survey)

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, Zanzibar Municipal Council representative, Local Sheha, a representative of the PAPs, a representative of the Department of Lands, the Local Councilor and a village 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 Zanzibar; the UPRN is started by identifying the Region-DistrictLocality-Parcel. Taking Kibele as an example, it is located within the South Region in Central District which happen to be number **2-03-033-xxxx**. However,033 is Tunguu locality, which in its designated boundary included Kibele as one of its Shehia. In this case therefore, in our case we will introduce another no 047 as an additional ID in the case for Kibele. Also, our numbering will ignore the region level and be started at District level. In this regard the UPRN will read as 03-047-xxxx; meaning

- The first part of the UPRN is the “District ID”, 03 = Central District.
- The second part is the “Locality ID”, 047 = Kibele locality.
- The third part is the four digits of the “Parcel/plot number”, xxxx = a serial number such as currently used for surveyed and registered plots.

Note: 047 is a unique and new number and nowhere used in locating ID within Central District.

Property Identifier

In addition, as it was decided in the Zanzibar 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 follow: - Property Identifiers

- A - Apartment (Part of Building)
- B - Building
- C - Condominium
- P - Parcel
- L – Lease

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>

Therefore, if a land parcel is an empty plot, the ID will start with P and will read as **P03047xxxx**. If the parcel is built up then, the ID will start with B and will read as **B03047xxxx**. And so on.

3.5 Census, and Socio-economic survey

The Census questionnaire aimed to enumerate all PAPs in respect: of household demography for the members aging 14 years and above, their 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.

The plot should be used as common feature to link to other information of the PAP for which a unique code is assigned to the parcel. Further, it includes data collected through survey including spatial data collection through GPS for Customary land, government/public land, other institutional land, settlements etc. The Cadastre Numbers and that PAP nos. shall be used for identification of individual PAP. In addition, PAP proper name as per national ID or other ID from a recognised authority such as passport, driving licence and voters' id of the PAP will be used to get a proper name of the PAP. The PAP will be taken a photograph of his/ her self that will be appended in the data base. A venerable PAP will be required to nominate a representative whose photograph will also be attached in the data base for reference.

The Socio-Economic survey questionnaire will be administered to a stratified sample size of about 30% of the affected households. The questionnaire will capture the Social and Economic variables such as: demographic characteristics of the Household members, sex, Education, Age, Children, place of residence, type of marriage and ethnicity, income and ownership of property and the types of property owned, economic activities, types of crops – cash versus food crops, division of labour and control of the agricultural produce, households services, household movable assets (ownership and control), fixed assets ownership and control, Livelihood improvements, social economic services available, social networks, coverage under government or NGO development schemes, level of indebtedness.

The selection of Affected Households for the Socio-Economic survey (affected /along the Way Leave/Corridor) considered the following criteria

- All PAPs losing structures within the ROW.
- All PAPs losing their total land or the entire livelihood or source of income.
- The PAPs, who have conditions of vulnerability and who are likely to be worse off due to project impacts.

Gender Assessment: Given that the affected area is having a mix of peri – urban and urban characteristics, the assessment of gender and women issues should be aligned with the social economic surveys. However, key informant interview should be conducted to the community leaders to seek on their opinion and solicit information about the community and its culture while they helped organize community mobilization and peer consultations. Focus Group Discussions should also be conducted on PAPs to get their opinion on alternative options in compensation payment cash vs in – kind, to replace the lost or restricted income source or asset.

3.6 Framework for Valuation

Valuation methods for affected land and assets would depend on the type of assets found on the piece of land in question. The land asset types identified under Zanzibar Law are:

- i. Government Land defined by the Land Tenure Act No. 12 of 1992, which refers to land confiscated after the Zanzibar Revolution of 1964.
- ii. Private Land as defined by Section 7 of the Land Tenure Act 1992 and in accordance with the requirements of the Land Adjudication Act and the Registered Lands Act of Zanzibar.

In either of the two scenarios above, the ZMC under whose docket the project is placed undertakes compensation for any loss accruing to individuals or community, whether its land, crops or access to a resource.

Government owned land may be allocated free to ZMC by the Minister responsible for land administration (perhaps except for processing and registration fees), the ZMC would be expected to pay compensation to acquire land in this category in cases where the state-owned land is being used by farmers or for instance grazed upon, settled upon or otherwise being used. "Privately" owned property, would have to be acquired at the market value. The guiding principle is that whoever was using the land to be acquired would be provided other land of equal size and quality.

The BIG-Z will require in the most cases, the use of Government lands. Therefore, valuation methods for affected land and assets would depend on the type of use of the land in question. Land assets would be valued according to the valuation methods described below and compensation paid for. The ZMC would compensate for assets and investments, including labour, crops, buildings, and other improvements, according to the provisions of the resettlement plan. Compensation rates would be market rates as of the date and time that the replacement is to be provided. The market prices for cash crops would have to be determined. Calculations for compensation would not be made after the entitlement cut-off date in compliance with this policy. For community land held under customary law, the permanent loss of any such land will be covered by community compensation, which will be in kind, only. However, because the bank policy on resettlement, OP4.12, makes no distinction between statute and customary rights, not only assets and investments will be compensated for, but also land. Thus, a customary landowner or land user on state owned land will be compensated for land, assets, investments, loss of access etc. at market rates at the time of the loss.

3.7 Valuation procedure

3.7.1 Valuation Approaches:

1. The replacement cost approach is based on the premise that the costs of replacing productive assets is based on damages caused by project operations. These costs are taken as a minimum estimate of the value of measures that will reduce the damage or improve on on-site management practices and thereby prevent damage. The approach involves direct replacement of expropriated assets and covers an amount that is sufficient for asset replacement, moving expenses and other transaction costs. Methodologies to be applied in assigning values to losses and determine replacement costs are in according to current rates in Zanzibar expropriation laws supplemented by World Bank OP 4.12.
2. Gross Current Replacement Cost: Gross Current Replacement Cost (GCRC) is defined as the estimated cost of erecting a new building having the same gross external area as that of the existing one, with the same site works and services and on a similar piece of land.
3. Schedule of rates from the Departments of Agriculture, Lands: The Departments of Agriculture and Lands have schedules of rates for preparing estimates for compensation of acquired land and lost crops and trees respectively, while department of construction could provide costs for construction materials and labour, which the appointed. Resettlement Service Providers could use to undertake assessment. When applied to calculation of replacement cost (see above), rates current for the period of actual replacement must be used.

The valuation exercise will be administered by registered Valuer with the valuation inspection form obtained from the Department of Lands and Registration- Zanzibar. Value determination methods were as follows:

Land: Compensation at Replacement cost

In line with World Bank OP4.12 the affected assets should be compensated at the replacement costs. Accordingly, in the supplementary RAP the land will be valued based on the current market value of a unit piece of land- provided that the price is not less than the initial purchase values. Procedures for assigning value to the land involved determination of the size of the affected land to be acquired, inventory of land parcels affected by the project including names, assets ID number, asset location and usage.

Housing structures: market value (without depreciation)

The valuation of affected housing structures found within the project site used replacement cost without including depreciation, taking into consideration the market value of the structures which was calculated based on the market price of the material at the time of valuation. Structures were assigned values depending on the type of structure, number of outer support structures, size of the structure, details of the construction materials used, usage of structure and percentage of loss. Most of housing structures found in the project site include occupied residential structures, unfinished structures for residential purpose and foundations built to erect housing structure.

Compensation will be paid by replacing structures such as huts, houses, farm outbuildings, latrines and fences. Any homes lost will be rebuilt on acquired replacement land, however cash compensation would be available as a preferred option for structures (i.e. extra buildings) lost, that are not the main house or house in which someone is living. The going market prices for construction materials will be determined. Alternatively, compensation will be paid in-kind for the replacement cost without depreciation of the structure. The project will survey these prices for administrative purposes on an ongoing basis.

Compensation will be made for the types of indicative structures that are listed in Table below.

- i. Abandoned because of relocation or resettlement of an individual or household
- ii. Directly damaged by construction activities.

Replacement values will be based on:

- i. Drawings of individual's house and all its related structures and support services,
- ii. Average replacement costs of different types of household buildings and structures based on collection of information on the numbers and types of materials used to construct different types of structures (e.g. bricks, rafters, bundles of straw, doors etc.),
- iii. Prices of these items collected in different local markets,
- iv. Costs for transportation and delivery of these items to acquired/replacement land or building site,
- v. Estimates of construction of new buildings including labour required.

Buildings and structures will be replaced by an equivalent structure or, on an exception basis, cash and/or credits will be paid based on replacement costs.

Table 2: Compensation for buildings and structures

Structure By Type	Description
House	Raw or Baked brick, Straw or tin roof, Varying sizes (small, medium large)
Kitchen	Open, closed

Stables/sheds/pens	Cattle, goat, donkey, sheep, other
Coops	Chicken, duck, other
Fence	Straw/poles (per unit poles & mat), raw and/or baked brick/cement blocks (per 1-m length)
Latrine	Replacement latrines will be similar to those currently operational and financed by the World Bank or other donor agencies at health centers, schools
Open well	Internally lined with concrete rings and provided with a hand
Storage building	Cement/sand block walls with thatched roof on z-profiled metal sheets.
Sun Screen open huts/shades	Similar to those replaced, on thatched roof on wood poles.

Land measurement

For purposes of measuring land, the unit of measurement would be that which is used and understood by the affected farmers. Therefore, in rural areas if a traditional unit of measurement exists, that unit should be used. If a traditional unit of measurement does not exist in a particular area then it is recommended that land should be measured in meters or any other internationally accepted unit of measurement. However, in such an event, the unit that is being used must be explained to the affected farmers/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.

The most important concern of this exercise is to ensure that the affected person is able to verify using his/her own standards/units of measurement for him/herself, the size of land that is being lost. Ensuring that this occurs maintains transparency in the system and will thus avoid subsequent accusations of wrong measurements or miscalculation of areas. For instance, a farmer losing a certain piece of land should know exactly how much land he/she is losing, in terms of size and the replacement land must be at least of that same size and comparable value as land lost, determinable by the farmer.

Calculation of trees and Crops Compensation Rate Trees:

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

The laws of Zanzibar 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.

Crops

The current prices for cash crops would have to be determined. All crops to be compensated using a single rate regardless of the crop grown. This rate incorporates the value of crops and the value of the labour invested in preparing a new land. Determining compensation using a single rate creates transparency because anyone can measure the area of land for which compensation is due and multiply that by a single rate known to all. This approach also allows assignment of values to previous year's land (land in which a farmer has already invested labour) and land that have been planted but have not yet sprouted. Further, it avoids contention over crop density and quality of mixed cropping. The value of the labour invested in preparing agricultural land will be compensated at the average wage in the community for the same period. The rate used for land compensation is to

be updated to reflect values at the time compensation is paid. The following example, which is based on 2003 data, derives a total value for a one-hectare land from the value of the crops on the land and the value of labour invested in preparing a replacement land

Crop values will be determined based on:

- i. A combination of staple foods and cash crops. Specifically, the ratio of land that a farmer typically has in food crops and cash crops is used to determine the chances s/he would lose food crop rather than a cash crop income.
- ii. The value of staple crops to be taken as the highest market price (over 3 years) reached during the year, in recognition of these factors:
 - Although most farmers grow staple crops mainly for home consumption, they always have the option of selling these crops to take advantage of the market.
 - Farmers most often purchase cereals when they have run out, during the “hungry season” when prices are high. Compensating at a lower value might put the individual or household at risk.
 - Averaging the highest price of staple foods yields a high per ha value that reimburses for the vegetables and other foods that are commonly inter-cropped with staples, but are almost impossible to measure for compensation.
- iii. The labour cost for preparing replacement land is calculated on what it would cost a farmer to create a replacement land. This value is found by adding together the average costs of clearing, ploughing, sowing, weeding twice, and harvesting the crop. Labour costs will be paid in Tanzania Shillings at the prevailing market rates.

Compensation for Sacred Sites

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 accepted by local laws (including customary), practice, tradition and culture as sacred. To avoid any possible conflicts between individuals and/or communities/homesteads/village 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.

Compensation for Horticultural, Floricultural and Economic/ Fruit trees

Zanzibar’s has a highly conducive weather for growing of economic and fruit trees like Coconuts, Mangoes, Cloves among other coastal fruit trees which are almost found in every farm. Where they exist on affected land the following example, on Mango trees for instance will serve as a guide on how to value fruit trees and other trees of nutritional, medicinal and other significant economic value. They are primarily important as a source of:

- i. Subsistence food for families
- ii. Cash produce that contribute to the local and export economy
- iii. Petty market income in some areas, and
- iv. Shade (in the case of mango and some guava trees).
- v. Traditional medicinal value.

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. If households chose to resettle, they will be compensated for the labour invested in the trees they leave behind, because they will continue to own the trees left behind under customary rights. It is not uncommon for individuals to own trees in other villages in which they formally lived and, in some cases, to continue to harvest fruit from those trees for subsistence purposes and/or sale to traders. If a household/individual chooses to transfer ownership of the trees, transfer costs will be paid in addition to labour costs. The compensation rate will be based on information obtained from the socio-economic information. Based on the information, a compensation schedule for trees can be developed incorporating the following goals:

- i. Replace subsistence Economic Trees/ Fruit (e.g. Coconuts, Cloves and mango) production yields as quickly as possible.
- ii. Provide subsistence farmers with trees to extend the number of months of the year during which the fruit are produced and can be harvested as a supplemental source of food for their families during their “hungry season”
- iii. Provide farmers with the opportunity to derive additional production income from trees bearing more valuable fruits at off-season periods.
- iv. Provide cash payments to farmers to replace pre-project income derived from the sale of excess fruit production until replacement trees produce the equivalent (or more) in projected cash income.

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. Note that wild, productive trees belong to the community when they occur in the true bush as opposed to a fallow land. These trees will be compensated for under the umbrella of the village or community compensation. 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. PMT has engaged a valuer expert at the BIG –Z project outset to develop a standardized procedure.

3.8 Videography/Drone footage

The videography/Drone footage exercise for the entire corridor / project foot print should be carried out by the 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.

4 Eligibility and Entitlement

Resettlement and entitlement framework 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. This is important for implementing the current RAP.

4.1 Eligibility

During the registration of inventory of the affected assets along the project area, all categories of affected lands should be recognized by the project and their legal statuses be delineated. This will help in estimating proper compensation packages for the losses concerning acquisition of land and other private properties. The census survey will be carried out to identify and determine the number of PAPs in accordance with the procedures, satisfactory to the national policies and the World Bank Safeguard Policies. The Land Law in Zanzibar.

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 facilities and services to be catered to wider population. The regulations will be followed in all projects.

A Project Affected Person (PAP) is defined here as any person whose land and any other property has been lost due to the project irrespective of his/her stand of gender, age, marital status, ability/disability, religion, origin and any other social or cultural attributes. The perspective of the word PAP mentioned above will embrace the criteria for eligibility for compensation, resettlement assistances and other measures, emanating from consultations with affected communities and the village heads.

When resettlement of PAPs is necessary, the following procedures should be considered for determining eligibility for compensation, resettlement assistance and the actual displaced persons:

- PAPs that have formal legal rights to land, including customary and traditional rights recognized under the laws of Zanzibar: This class of people includes those holding leases, freehold land and land held within the family or passed through generations.
- 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 Zanzibar. This class of people includes those that come from outside and given land by the local chief to settle.
- 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).
- Vulnerable groups: There is the case of vulnerable people, such as widows, single mothers, child-headed households, handicapped people, HIV/AIDS victims, and the elderly persons as they require special assistance to cope with the impacts. This category of vulnerable people is explicitly identified in the WB OP 4.12, and therefore requires special or supplementary measures to be taken to attend to their particular needs.
- Displaced persons under paragraph (a) and (b) shall be provided compensation from the community for the land, building or fixed assets on the land and buildings 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 7.1(c) shall be eligible for compensation from the community 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.

4.2 Categories of P AP and Associated types of Losses

There are mainly five categories of affected people that have been identified. The different categories of PAPs with their potential types of losses are summarized in Box 1 below:

Box 1: Different Categories of PAPs and the corresponding assets

PAP Category	Types of Losses
Owners of plots without buildings in the way-leave;	<ul style="list-style-type: none"> ✦ Loss of land ✦ Loss of trees ✦ Loss of intrinsic values e.g. location convenience
Owners of plots with houses and other buildings in the way-leave;	<ul style="list-style-type: none"> ✦ Loss of land and houses in which they are living, ✦ 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, ✦ Loss of livelihoods – source of earning, income.
Owners of plots with non-residential buildings in the way-leave;	<ul style="list-style-type: none"> ✦ Loss of livelihood– source of earning, income, ✦ Loss of Land ✦ Loss of buildings ✦ Loss of intrinsic values e.g. location convenience, patronage of customers, connectivity to water or electricity etc
Owner of land for agriculture / horticulture / shelters for crafts with their land / structures (as source of income) in the way-leave;	<ul style="list-style-type: none"> ✦ Loss of livelihood– source of earning, income, ✦ Loss of land ✦ Loss of structures ✦ Loss of yield ✦ Loss of intrinsic values e.g. location convenience, patronage of customers, ✦ Owners of commercial structures, such as shops (as source of income) in the way-leave ✦ Loss of livelihood– source of earning, income. ✦ Loss of Land ✦ Loss of buildings ✦ Loss of intrinsic values e.g. location convenience, patronage of customers, connectivity to water or electricity etc.
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 utilities

4.3 Entitlement Matrix

The Entitlement Matrix in Table below provides measures for different categories of impacts and project affected persons. For other environment related impacts caused during any stage of the project, refer to the Environment and Social Impact Assessment (ESIA).

Table 3: Entitlement Matrix for Various Categories of PAP

PRE-CONSTRUCTION STAGE					
Type of loss		Category of PAP	Eligibility	Entitlement	Entitlement details
1. Loss of land	Agricultural, commercial, residential	Land owner	Owner PAP	a) Cash compensation for the land at replacement cost (according to the prevailing market prices of the land at the affected areas). b) Disturbance allowance of 30% of the value of land lost will be provided to those who do not get land for land, irrespective of the size of land. c) the value of labour invested in preparing agricultural land will be compensated d) In case of severance of cultivable land by access roads an additional grant of 10% shall be paid over and above the amount paid for acquisition	The payment of replacement costs shall consider: <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. The labour cost will be calculated on what it would cost a farmer to create a replacement land. A full replacement cost.
	Private (freehold/ leasehold) Customary,				
2. Loss of structure	Residential	Dwelling owner Structure Owner/ Unauthorized Occupant	PAP / Household	a) Replacement of the affected structure b) Lump-sum shifting allowance up to 10% of the compensation sum.	In-kind compensation will be payable for those losing main dwelling houses or parts of residential structure such as toilet, kitchen, shed and storage
		Encroacher or Squatter	PAP / Household	a) Replacement cost of structure at a replacement cost b) Right to salvage materials from the existing structure, even if compensated.	Encroacher will be paid the development on the land as per OP4.12. And the right to salvage the materials. If the encroacher is vulnerable other assistances provided to vulnerable PAPs will apply.

		Renter	PAP / Household	<p>a) In urban areas, reimbursement for unexpired tenancy/ lease period or The amount of deposit or advance paid by the tenant to the landlord or the remaining amount at the time of expropriation</p> <p>b) Lump-sum transport allowance up to 10% of the compensation sum.</p>	<p>• In urban areas, proof of a formal tenancy agreement has to be provided. In the absence of a formal agreement, a month rent will be provided.</p>
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PRE-CONSTRUCTION STAGE

Type of loss		Category of PAP	Eligibility	Entitlement	Entitlement details
	Kitchen, Toilets, Bathrooms, storages)	Structure Owner/ Unauthorized Occupant (Encroacher or Squatter)	PAP/Affected Entity	<p>a) Replacement cost of structure replacement cost.</p> <p>b) Right to salvage materials from the demolished structure.</p>	In-kind compensation will be payable for those losing main dwelling houses or parts of residential structure such as toilet, kitchen, shed and storage
	Commercial (Loss of Business Structure)	Structure Owner	PAP/ Business Entity	<p>a) Replacement of structure replacement cost.</p> <p>b) Lump-sum shifting allowance of 10% of the value for the impacted structure.</p> <p>c) Right to salvage materials from the existing structure.</p>	
		Business Owner /	PAP/ Business Entity	<p>Allowance for loss of profit per month (between 1-3 months by type of structure and nature of business):</p> <ul style="list-style-type: none"> • TSH: Selling groceries- • TSH: Selling farm produce • TSH: Fruits/vegetables selling • TSH: Fish selling 	•Proof of accrued monthly profits through tax and business licences) has to be provided.

		Tenant/Renter who is also a business owner	Tenant/Renter with proof of tenancy/ Leasing or in absence of formal agreement, identification through premises owner	<ul style="list-style-type: none"> a) Reimbursement for unexpired tenancy/ lease period or the amount of deposit or advance paid by the tenant to the landlord or the remaining amount at the time of expropriation. b) Allowance: three months' profit for the transition period. c) Lump-sum shifting allowance of: 10% of the compensation sum. d) Allowance for loss of profit per month (between 1-3 months by type of structure and nature of business): <ul style="list-style-type: none"> • TSH : Selling groceries- • TSH: Selling farm produce • TSH: Fruits/vegetables selling • TSH: Fish selling 	<ul style="list-style-type: none"> • Proof of a formal rental agreement has to be provided. • Note: Amount will be deducted from the compensation payable to land owners.
3.Crops and Trees	fruit trees and perennial crop	Crop Owner	Owner PAP, Affected Village (in case of natural growing trees)	<ul style="list-style-type: none"> a) The valuation of perennial crops will be based on the product of their average yield (kg/tree/year). b) The valuation of fruit trees will consider the time between planting and bearing of fruits c) Valuation will be based on the product of yield, period between planting and bearing of fruits and market price. d) Input costs. 	The highest market price/kg and expected life span plus establishment cost will be considered.

PRE-CONSTRUCTION STAGE					
Type of loss		Category of PAP	Eligibility	Entitlement	Entitlement details
	Other trees			Compensation will be based on the provision of the Forestry Gazette, Government of Zanzibar (2015).	<ul style="list-style-type: none"> • Size of trees being lost will be considered in the valuation as the bigger trees will attract high rates. • Based on discussions with Department of Forestry.

	Annual crops		<p>a) Compensation will be based on the average market unit price of the crop over a period of the past three years multiplied by the yield /kg and multiplied again by the land size.</p> <p>OR</p> <p>Three months' notice to harvest standing crops shall be given. However, if notice cannot be given then compensation for these crops shall be paid at market value.</p>	The yield shall be the highest yield of that particular crop as determined by Ministry of Agriculture.
4.Loss of Livelihood (losing commercial unit, Fishing areas, working on agricultural land)	Wage earners (workers employees within shop/business/fishing industries) Livelihood loser	Worker PAP	<p>Assistance</p> <p>a) Preference in provision of Work opportunities in the project during construction stage and later if any available commensurate to his/her existing skill/education levels.</p> <p>b) Transition Allowance: Lump-sum amount at the rate of TSH /day in case of unskilled labor and TSH /month as per skill category to cover the period of transition for 3 months (at 30 days/month) as provided by Department of Labour.</p> <p>c) TSH. /- towards vocational/skill improvement as per choice (to cover all related costs such as, transportation, per diem for number of days).</p>	<p>minimum wages for</p> <ul style="list-style-type: none"> • Unskilled labor – TSH /day (prevailing rates in the Department of Labor, Gazette.) • Apprentices, craftsmen, tradesmen (Department of Labor, Gazette, prevailing month): <ul style="list-style-type: none"> ○ TSH /month
5. Additional support to vulnerable groups	Owner	PAP or Head of the Household	An additional financial assistance of 20% of the compensation amount payable.	This amount will be in addition to other compensation and assistance amounts given above per type of loss If Head of the Household is not fit to avail of the entitlement, then some other able bodied member can be nominated.
PRE-CONSTRUCTION STAGE				
Type of loss	Category of PAP	Eligibility	Entitlement	Entitlement details
6. Loss of Common Property Resources (Hand-pump, dug-wells, Structures, etc.)	Affected Community or Host Community Location Area	Affected area (to wn, district)	Enhancement of community resources.	Replacement /Restoration or augmentation of existing infrastructure based on identified need and to sustain pressure of AFs. ⁴

CONSTRUCTION STAGE				
7. Loss of Access due to construction works	Village Community/ Urban dwellers	Village community	Provision of alternate access.	Provision of access path(s), wooden planks, etc. not exceeding 100 meters. at identified locations in consultations with community
8. Damage to standing crops during construction due to movement of machinery, stringing of wires damage to frontages (footpaths) during excavation for cable replacement	PAP, Village Community	PAP, Village Community	To be undertaken on a case by case basis	PAP to report to Village level Resettlement Grievance Management Committees to resolve issues.
	Urban dwellers	Structure owner	To be undertaken on a case by case basis and repair the damage	Cost shall be determined based on the requirement quantity of concrete for rebuilding the footpath.

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Common resources such as religious structures, graveyards, water points, access paths, ponds, and other such assets will be replaced/ reconstructed and/or augmented in consultation with the local community and preferably with support of local labor.

4.4 Eligibility for Community Compensation

Communities (districts, towns, and shehias) permanently losing land and/or access to assets and/or resources under customary rights will be eligible for compensation. Examples of community compensation are public toilets, market places, taxi parks, schools, and health posts. The rationale for this is to ensure that the pre-project socioeconomic status of adversely impacted communities is restored.

4.5 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 database will be prepared using the existing database developed for RAP with valuation data incorporated. Specifically, it will be comprised of 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. Disclosure Database – PAP identification, Unique number (actually 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 exercise helped to come up with a Disclosure Sheet for all impacted assets, their applicable rates and amounts payable to each PAP. The details from these Disclosure Sheets will also copied onto Compensation Agreement Form approved by PMT. The Compensation Agreement, translated into Kiswahili language will be printed with all cells populated with payable amounts.

Prior to the commencement of the field activities for the above, a half day orientation program will be organized for all those personnel to be involved in the exercise. It will be administered by the Valuation Expert along with the Team Leader. The exercise helped to clarify the following:

- i. Types of assets that would be compensated;
- ii. Rates which have used to compute compensation amounts and their sources;
- iii. Compensation amounts payable to those loosing lands under the project foot print
- iv. Allowances payable such as Shifting allowance, Disturbance allowance;
- v. Special grants for those vulnerable PAHs;
- vi. Cut-off dates applicable for each area;
- vii. Likely date for making of payments and by whom; and

- viii. Other general instructions such as checking on payment in a single account or joint account, taking photographs for issuance of PAP ID card at a later date.

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Updating Database post-Disclosure: Following 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.

4.6 Report Preparation

Data from Census, Socio-economic survey, will be analyzed using Statistical Package for the Social Sciences (SPSS Ver.20) software. Also Land Availability Assessment and Videography footage will be analyzed along with minutes of all meetings with communities and institutional stakeholders and were appropriately documented for usage in the report.

4.6.1 Resettlement/Compensation Action Plan

For impacts that are not considered minor, preparation of a full RAP is required for each site. OP/BP 4.12 article 25 requires the RAP to include:

1. Description of the project;
2. Potential impacts;
3. Objectives;
4. Census
5. Socioeconomic studies;
6. Legal framework;
7. Institutional framework;
8. Entitlements and Eligibility Matrix
9. Asset inventory (land survey)
10. Valuation of and compensation for losses;
11. Resettlement measures;
12. Site selection, houses construction and relocation;
13. Housing, infrastructure, and social services;
14. Community participation;
15. Integration with host populations;
16. Grievance procedures;
17. Organizational responsibilities;
18. Implementation schedule;
19. Cost and budget; and 20. Monitoring and evaluation.

Annex 3 covers the content and structure of the RAP in more detail.

4.7 Abbreviated Resettlement/Compensation Action Plan

The general contents of the ARAP are:

1. A census survey of displaced (economically or physically) persons and valuation of assets;
2. Description of compensation and other resettlement assistance to be provided;
3. Consultations with displaced people about acceptable alternatives;
4. Institutional responsibility for implementation and procedures for grievance redress; 5. Arrangements for monitoring and implementation; and 6. A timetable and budget.

Annex 4 covers the content and structure of the ARAP in more detail.

RAPs will be forwarded for approval to the respective District Executive Director in compliance with the program institutional and administrative requirements. PMT/PIU will send the plans to the World Bank for its review and “no objection.”

For the World Bank to approve funding for any subproject that needs to appropriate land, the developer must first secure legal title to the land, consistent with the provisions of this RPF. For investments on land already owned by the developer, the World Bank will only approve funding for the subproject when it is satisfied that the provisions of this RPF are met for cases where OP/BP 4.12 is triggered.

In cases where land is appropriated and there are no resettlement and compensation issues, the subproject must also seek confirmation from the World Bank that provisions of OP/BP 4.12 do not apply before funding will be approved, and must secure the site and also choose a Cut-off Date for that site to avoid opportunistic migration by camp followers.

5 RAP Implementation Process

5.1 Introduction

Before any subproject is implemented, PAP need to be compensated in accordance with this RMF. Further, for activities involving land appropriation or loss, denial, or restriction to access, these measures must include compensation and other assistance necessary for relocation, prior to displacement, and preparation and provision of resettlement sites with adequate facilities, where applicable. Specifically, appropriation of land and related assets may take place only after compensation has been paid and, where required, resettlement sites and moving allowances have been provided to displaced persons. For program activities requiring relocation or loss of shelter, the policy further mandates that measures to assist the displaced persons are implemented in accordance with the individual RAP. The measures to ensure compliance with this policy directive would be included in the specific RAP prepared for each case of land acquisition involving resettlement or necessitating compensation.

When the developer presents the RAPs to the District Executive Director for approval, part of the screening process used to approve recommended land includes confirming that the RAPs contain acceptable measures compliant with OP/BP 4.12 that link resettlement activities to civil works. The timing mechanism of these measures would ensure that no individual or affected household would be displaced (economically or physically) due to civil works activity before compensation is made and resettlement sites with adequate facilities are prepared and provided for the individuals or homesteads affected. Once RAPs are approved by the local and national authorities, they are sent to the World Bank for final review and approval.

The key activities in RAP implementation are categorized into activities that are to be completed at different stages. These are categorized by activities:

- a. to be completed prior to commencement of compensation and other payments;
- b. to be completed prior to commencement of civil works; and
- c. To be completed for all activities under RAP to be considered as complete.

The subsequent sections present the detailed activities.

5.2 Preparation of RAP Implementation Schedule

As the RAP implementation schedule needs to be ahead and in the worst scenario aligned with the construction schedule, the stretches that were free from physical encumbrances (critical obstruction sections) will be identified based on the Asset Inventory exercise. The results be summarized in and presented in RAP document as per the example given in Table below.

Table 4: Table Stretches free from Structural Encumbrances

S.No.	Shehia	Between sections	Distance in kilometers
1			
2			
3			
4			
5			
6			

Present in a digital maps/drone images the areas that relocation have been made after compensation.

5.3 Activities to be completed prior to commencement of Compensation Payment

- i) **Operationalize Grievance Redressal Mechanisms:** Proposed GRMs at Shehia/Community level and District level would be operationalized following provision of: a) TORs for the committee at each level and b) commensurate training and resources to enable effective functioning.
- ii) **Finalize Contracts with Support Agencies for RAP Implementation:** Contracts with the following agencies would be finalized.
 - a. RAP Payment Agent;
 - b. Construction Contractor to construct Replacement Houses; and
 - c. RAP Implementation Unit (lean unit within PMT/PIU);
- iii) **Disclosure of Draft RAP:** Following the approval of the Draft RAP by PMT and World Bank, the document needs to be disclosed by PMT on their site as for any feedback from general public.
- iv) **RAP approval and Public disclosure-cum-Launch Workshop:** A Public consultation-cum- Disclosure workshop would be conducted at locations in each of the Project Shehia to launch the RAP implementation. The workshop will have participation from representatives of the affected people, other stakeholder's/partner agencies and Shehas. The objective of the workshop will be to:
 - ✦ create awareness on the overall features of BIG-Z
 - ✦ contents of the RAP particularly with respect to applicable entitlements process; and
 - ✦ Provide information on mechanisms and processes for sensitization, participation and consultation and grievance redressal for compensation.
- v) **Undertake Financial Literacy awareness programs:** Financial Literacy awareness trainings would be undertaken with all PAPs prior to payment of compensation.
- vi) **Other Activities during Financial Literacy Awareness Program:** As it would be last stage of interaction by the RAP Implementation Unit with the PAPs prior to issuance of Compensation Payments, the following activities would be additionally undertaken:
 - a. Issuance of PAP Identity Cards: PAP ID cards duly signed by the MOF Legal Officer would be issued and issued to the respective PAPs.
 - b. Recording any changes to option on in kind compensation: During the training if any PAP (losing main dwelling structure) indicates change to the previous option i.e. prefers cash now rather than replacement house as chosen earlier, it shall be shall be duly recorded and conveyed to PMT. The Compensation Agreement Form would be revised and PAP would be required to duly sign the form indicating the revised option. The RAP Database would be updated to reflect the change.
 - c. Preference in type of Seedlings: As seedlings form part of the entitlements and would need to be procured for subsequent distribution, PAPs would be required to indicate the type of seedlings they wish to be compensated with.

- d. Price check with Department of Forestry: The RAP Implementation Unit will make one final check with Department of Forestry to verify the prices of Natural Trees as stated in the Gazette, if issued.
- vii) **Updating and finalization of RAP database:** All information regarding PAPs – asset details, household level details, changes to preferences will be updated for provision to PMT and thereon to the Payment Agent, Construction Contractor for Replacement Houses.
- viii) **Opening of Bank accounts for PAPs:** RAP Implementation Unit would counsel all PAPs due to receive compensation amounts above the agreed threshold and provide necessary information to open Bank accounts or provide account details if they already have bank accounts.
- ix) **Procurement of Seedlings:** PMT/ZUMC will decide for procurement of Fruit Tree Seedlings that are to be provided to PAPs as part of the compensation. These would be provided to the Municipal Council for onward distribution to PAPs at an appropriate time.
- x) **Hold Shehia level meetings to counsel the PAPs:** Shehia level meetings would be held to inform PAPs about the processes and agencies involved in compensation payment, RAP implementation and civil works commencement. Such meetings would be organized by the RAP Implementation Unit.
- xi) **Internal Monitoring:** Internal monitoring by PMT will commence soon after RAP approval which would specifically record:
 - a) Project inputs including readiness of institutions such as GRMs, contracting of Payment Agent,
 - b) Project outputs including number of persons affected and compensated, replacement housing provided; and
 - c) Measure overall physical and financial progress to assess readiness with respect to site handing over and commencement of construction.

The above would be carried out based on reviews of reports produced by RAP Implementation Unit, supplemented with field visits to project areas as deemed necessary and regular updating of RAP Database. It would produce fortnightly reports for usage within PMT/PIU, WB, SE and ZUMC. The activity would continue across subsequent stages and till the end of the Compact or up to a desired period as deemed necessary based on review of progress/completion of activities.

5.4 Activities to be completed prior to commencement of civil works

The structures falling within the corridor of the project infrastructure will need to be relocated to outside the corridor of Impact. Sections below present the findings steps wise processes to relocate the household that will be losing their main dwelling structure; i) consultations with the affected households on the impacted assets and the entitlements (ii) disclosure of the house designs and the allowances (disturbance, shifting, vulnerability assistance etc.); (iii) assess land availability and site assessment for those having alternate lands and (iv) liaise with Shehas and PAP committee to identify land parcels from the earmarked host Shehias, (v) Prepare database with geo reference points for each PAP indicating the place of origin and relocation site. (vi) Prepare a map showing how PAPs are spread in the new areas.

5.4.1 Compiling field Data on in-kind compensations

Table below provides detail on options of kind, land availability and opted design. As can be seen from the table.

Table 5: Options for PAPs losing Main dwelling house, Assessment of land availability and Opted Design

House Category		QTTY		Male		Female	
		Nos.	%	No.	%	No.	%
A	Cash at replacement cost (supporting structures)						
	<i>Have alternate Land</i>						
	<i>Do not have alternate land</i>						
B	Alternate replacement structure*						
	<i>Have Alternate Land</i>						
House Category		QTTY		Male		Female	
	<i>Do not have alternate land</i>						
B1	Options of Designs for In kind (replacement structure)						
	<i>Design 1</i>						
	<i>Design 2</i>						
	<i>Design 3</i>						
	<i>Design 4</i>						
*includes the public/community structure							

5.4.2 Land availability and Site Assessment

RAP preparation team will record the PAPs who have alternate land, as well as the ones who do not have alternate land. Assessment of the alternate site of shall be conducted with respect to location, size and distance from original site and other social amenities. The geo reference and mapping should be produced for easy reference during the RAP implementation. Reporting template see table below: **Table 6: Assessment of Alternate land sites**

Parameter	No of PAPs	% of the total PAPs under land assessment
PAPs having alternate land		
<i>have land within the same sheha</i>		
<i>has land outside their shehia but within the area</i>		
<i>has land outside the area (in Area 24, Lilongwe)</i>		
Size of alternate parcels indicated		
<i>alternate parcel of size 1 acre (4047 sq.mtrs)</i>		
<i>alternate parcel of size 0.25 acre (1011.7 sq.mtrs)</i>		
<i>alternate parcels of size 0.125 acre (505.875 sq.mtrs)</i>		
Current use of that alternate land		
<i>Barren</i>		
<i>Under cultivation</i>		
<i>under cultivation and has some trees</i>		
<i>has some trees</i>		

Adjacent features of that parcel		
<i>has village road next to the parcel</i>		
<i>houses next to parcel</i>		
<i>cultivable parcels next to the parcel</i>		
<i>mix of features (houses, borehole, primary school)</i>		
<i>close to graveyard</i>		
Status of the parcel (Is the parcel livable)		
<i>is livable</i>		
<i>has trees that need to be cut</i>		
<i>land is uneven and requires some leveling</i>		
<i>uneven requiring leveling and has trees to be cut</i>		
<i>is rocky</i>		
<i>is rocky and uneven</i>		
Distance between original site and alternate land site		
<i>< 500 meters</i>		
<i>> 500 meters and < 1 km</i>		
<i>1 km and < 2 km</i>		
<i>2 and less than 5 km</i>		
<i>5 km</i>		
Parameter	No of PAPs	% of the total PAPs under land assessment
Distance between new site and other facilities (school, health facilities)		
<i>same as before or no change</i>		
<i>increased by up to 500 meters</i>		
<i>increased between 500 meters to 1 km</i>		
<i>increased between 1 to 2 km</i>		
<i>more than 2 km</i>		
<i>decreased</i>		

Assessment form to be administered for every PAP are presented in Appendix 12.1

5.4.3 Construction of Replacement Houses

As the alternate Replacement structure will need to be constructed prior to physical displacement of the PAPs from their current location, the activity would need to be completed within a given time frame. As project is linear in nature, the activity could be taken at locations so as to free up the corridor for the Construction Contractor to commence activities in accordance with Final Construction schedule.

5.4.4 Process of Relocation

The process of Relocation would be for three sets of PAPs i.e.

- i. Those losing main dwelling structure and opting for in-kind compensation i.e. PAPs for whom there is a need to have the replacement structures ready before they can be shifted;

- ii. Those losing main dwelling structure and opting for self-relocation i.e. taking compensation in cash and building their own house outside the way leave; and
- iii. Those losing ancillary support structures such as toilets, kitchens, and will only paid cash compensation and can shift out

Example of step wise process of relocation along with responsible agency and timelines shown in table below:

Table 7: Relocation Plan

Step No.	Activity	Timeline (to be completed within	Responsibility	Support Agency
For PAPs opting for Cash				
1	Provision of ID	2 weeks	RAP Implementation Unit	PMT/PIU
2	Opening of Bank account	within 2 weeks	RAP Implementation Unit	PMT/PIU
3	Identify and provide alternative land for those not having land	3 weeks (to begin immediately)	District Administration /RAP Implementation Unit	PMT/PIU
4	Ensure PAPs have received all due compensation (for land under wayleave, homestead land) and allowances (except for shifting allowances that shall be paid at the time of shifting)	4 week from start of RAP implementation	RAP Implementation Unit	PMT/PIU

Step No.	Activity	Timeline (to be completed within	Responsibility	Support Agency
5	Conduct meeting with PAPs to ensure PAPs of follow up actions, particularly those without alternate land		RAP Implementation Unit	PMT/PIU
6	Indicate date of dismantling shifting to outside the way leave	4 weeks from above	RAP Implementation Unit	PMT/PIU
7	Provide support in leveling of land as required			
8	Supervise progress on Self construction and report on progress			
10	Provide Support to PAPs on a case by case basis	within this period	RAP Implementation Unit	PMT/PIU
11	Complete the process of relocation	Total 3-4 months from start)	RAP Implementation Unit	PMT/PIU
For PAPs opting for Alternate House				

1	Provision of ID	at the end of 2 weeks	RAP Implementation Unit	PMT/PIU
2	Opening of Bank account	at the end of 2 weeks	RAP Implementation Unit	PMT/PIU
3	Ensure PAPs have received all due compensation (for land under wayleave, homestead land) and allowances (except for shifting allowances that shall be paid at the time of shifting)	at the end of 4 weeks	RAP Implementation Unit	PMT/PIU
4	Conduct meeting with PAPs to ensure PAPs of follow up actions, particularly those without alternate land		RAP Implementation Unit	PMT/PIU
5	Identify and provide alternative land for those not having land		District Administration /RAP Implementation Unit	PMT/PIU
6	Inform, consult and seek concurrence of PAPs on identified Alternate site and date of commencement of construction	at the end of 8 weeks from above	RAP Implementation Unit	PMT/PIU
7	Contractor checks site and commences Works on construction of replacement houses		Contractor	PMT/PIU
8	Commencement of Works by Contractor	at the end of 8 weeks	Contractor	PMT/PIU
9	Supervision of Works to report progress	Periodic	RAP IA (Civil Engineer)	PMT/PIU
10	Field visits to ensure adherence to agreed design and quality	Periodic	RAP IA / PMT	PMT/PIU
11	Confirmation by the Contractor that the houses are ready with all agreed features and amenities;	at the end of 16th (two months from	Contractor	PMT/PIU
Step No.	Activity	Timeline (to be completed within	Responsibility	Support Agency
		commencement of construction)		
12	Inform PAPs the house readiness and date of Date for dismantling/relocation to site and date by when it should be completed.	Within 10 days of above	PMT through RAP IA	PMT/PIU
13	Provide Support to Vulnerable PAPs on a case by case basis		RAP IA	PMT/PIU

14	Complete the process of relocation for all PAPs opting for Cash (either having or not having alternate land)	Total 4-5 months from start	RAP Implementation Unit/Contractor	PMT/PIU
15	The lease will be owned as decided by PAP – either individually or jointly following counselling on pros and cons of each choice		District Administration, PMT	PMT/PIU

It is necessary that Relocation process be done as per timelines as any delay in this regard is likely to: i) cause problems for safe storage of the personal belongings of these PAHs as they shall have no shelter after dismantling of the original houses and ii) might require the project authorities to provide with interim or transit accommodation. Further, as shifting from locations where PAHs have been living for long period would be a difficult task, following aspects would be taken into consideration:

- i. Ensure that PAHs have seen the resettlement site, if it is not known already to them or belong to them and preferably the exact plot/house that has been allotted
- ii. The period between dismantling and salvaging of house materials and shifting to resettlement site should be minimized to the extent possible;
- iii. Vulnerable PAHs, particularly females and Elderly PAPs would be provided with extra care and support as necessary.
- iv. PAHs have packed their belongings and are in readiness to shift;
- v. Motorized transport/Animal driven carts for transportation (in-kind assistance, if need) are ready;
- vi. The process of shifting process should be i) completed in minimum time possible and ii) avoided during rains. PAP would be allowed to carry away with them all the movable items of their daily living like house construction materials, and personal belongings.
- vii. Records will be kept of PAPs who would shift to which relocation as per format below: **Table 8: Relocation Tracking Table**

Details of relocation									
Name of the VH, GVH	List of members in the PAH (beginning with name of PAP)	Status of Vulnerability of Head of HH	Sex	Age	Date of shifting to new site location	Name and Location of the Resettlement site or area to which PAPs are shifting	Shifting done by self or need help as vulnerable	Start date and End date	Remarks

The records in the above format would be kept by the RAP Implementation Unit which would supervise the relocation process. It would produce short progress updates on the shifting process, periodic updates on the perceptions, complaints of the PAPs, if any, on their new house and new location (in case of project aided relocation) or only new location (in case of self-relocation).

5.4.5 Dismantling of structures and Relocation of PAPs to new location:

Once the construction of the Replacement Houses is complete, all PAPs will be informed to relocate to their new houses and dismantle their old dwelling structures and salvage any material if they wish to.

Handover of site for construction: Once all property on the stated land is vacated, the site will be considered as free from encumbrances to hand over to the Contractor for commencing construction related activities.

5.4.6 Activities to be completed upon completion of all activities under RAP/LRP

- (i) **Identification of PAPs affected by location of Suspension Towers and Payment of Compensation:** Once the Civil Works Contractor has confirmed the layout of the project foot print, RAP Implementation Unit will assess the layout to enumerating the emerging PAP due to designs alterations and record the affected assets on the parcel of land to compute compensation payable. It will inform PMT for its approval, provide details of the PAP, to WB for onward transmission to the PA for payment.
- (ii) **Updating of digitalised RAP Database and Preparation of supplementary RAP:** The above details will be recorded into the supplementary RAP and the RAP Database will also be updated.
- (iii) **Provision of employment, jobs with contractor and other services:** Even though a linear project of this nature would have limited work opportunities at every location, the Contractor would be required to give preference to all able-bodied men and women for local labor and other associated services. Municipal administration would place notifications indicating requirement of labor on their notice boards.
- (iv) **Provision of necessary support measures to PAPs given Fruit /Tree Seedlings:** PMT will contact the Environmentalist and Forest Office (FO) to provide necessary support in the form of counselling, Meetings would be organized at Shehia levels to counsel the PAPs on usage of Fruit Tree Seedlings. For this purpose, the RAP Implementation Unit will take necessary support from local district offices and/or NGOs operational in the area.
- (v) **Preparation of Periodic Internal Monitoring Reports:** Internal Monitoring Reports will be produced periodically and shared internally and with external stakeholders.
- (vi) **Implementation Completion Audit:** As all activities relating to RAP implementation will be expected to be completed in less than 1 year, Implementation Completion Audit would be carried at the end of Year 1 from the start date of RAP implementation to assess whether the project has met with the RAP objectives as a whole.
- (vii) **Annual BIG - Z Review Workshop:** Review of RAP implementation at Annual Workshop would be carried in the first quarter of next year soon after findings of Implementation Completion Audit are available.
- (viii) **Submission of RAP Implementation Completion Report:** Upon completion of all Implementation activities, the contracted RAP Implementation Unit and Payment Agent (PA) shall separately produce Implementation Completion Report for submission to PMT for its review. PMT will compile and collate the findings along with its findings internal monitoring and submit a Consolidated Implementation Completion Report same to World Bank.

6 RAP implementation Institutional Arrangements

The roles and responsibilities of different stakeholders are presented below:

6.1 Project Management Team (PMT) and Project Implementation Unit

PMT will be the main implementing agency and would be responsible for all projects under BIG - Z. It shall be in charge of all activities relating to resettlement (compensation payment, grievance redressal), procurement, construction works, etc. As the RAP implementation activities are varied, different departments within PMT would be involved. The different departments along with their expected roles and responsibilities would be the following:

Table 9: Roles and Responsibilities

Departments	Roles and Responsibilities in RAP preparation and implementation of RAP BIG - Z
<i>Coordinator /Deputy Coordinator</i>	<ul style="list-style-type: none"> ○ Providing leadership and guidance in the RAP development process
<i>RAP and Social Team</i>	<ul style="list-style-type: none"> ○ Act as the focal point for provision of guideline to digitalized RAP development and preparations. ○ Act as the focal point for provision of training to GRM member on GRM – procedures and processes to identified committee personnel across all project districts ○ provide inputs to the progress of RAP preparation specifically with respect to issue of resettlement impacts on vulnerable groups and PAPs in the project corridor ○ provide inputs to the gender mainstreaming activities in the RAP – preparation and implementation ○ undertake site visits as necessary during RAP implementation to review progress in provision of necessary measures to communities as outlined in the RAP ○ coordinate with relevant ministries and district offices, ○ Undertake field visits to participate in obtaining community feedback and perceptions on issuance of payments, relocation of displaced households and livelihood support to vulnerable households ○ Participate in monthly review meetings with all relevant stakeholders and provide inputs to the minutes of the meetings to the PMT/PIU ○ Provide inputs to the scope of work of the Agency proposed to contract for the Implementation of various project components. ○ Review reports of the Implementation Completion of housing construction ○ Undertake handing over of the replacement houses and other livelihood/in-kind compensations. ○ Participate in the All Review missions/Workshop of BIG-Z

<i>Communication and Outreach Directorate</i>	<ul style="list-style-type: none"> ○ Providing guidance and advice on communication and community outreach services to the stakeholders and PAPs ○ Facilitate sensitization activities across the project areas by interactions with district authorities and at community level ○ Provide inputs to and participate actively in the disclosure of the RAP at the district level; ○ Acts as the focal point on training on Financial Literacy by provision of necessary support to the RAP Payment Agent (and the RAP Implementation Unit) in communication with PAPs on the financial products; ○ Be the focal point in the additional community outreach activities aimed at creating awareness and appreciation of BIG-Z vide planned activities such as radio programs,
Departments	Roles and Responsibilities in RAP preparation and implementation of RAP BIG - Z
	<p>formation of radio listening clubs, development of brochures, flyers, and other communication material as deemed necessary;</p> <ul style="list-style-type: none"> ○ undertake site visits as necessary during RAP implementation to review effectiveness of community outreach activities; ○ coordinate with councils particularly in urban areas to facilitate work of RAP preparation and subsequently implementation ○ Participate in monthly review meetings with all relevant stakeholders and provide inputs to the minutes of the meetings to the PMT/PIU ○ Provide inputs to the scope of work of the Agency proposed to contracted for the Implementation Completion Audit of the RAP Implementation of BIG-Z from the point of assessing efficacy of the outreach activities ○ Review reports of the Implementation Completion Audit ○ Participate in the All RAP related Review missions/Workshop for BIG-Z projects
<i>Monitoring, Evaluation</i>	<ul style="list-style-type: none"> ○ Act as the focal point on Internal Monitoring of the BIG - Z; ○ Provide inputs to the usage of RAP Database as a tool for monitoring the project progress; ○ Provide inputs to the review of RAP progress reports; ○ Provide inputs to the scope of work of the Agency proposed to contracted for the Implementation Completion Audit of the RAP Implementation in BIG-Z projects; ○ Review reports of the RAP Implementation Completion Audit;
<i>Procurement</i>	<ul style="list-style-type: none"> ○ Providing procurement guidance and advice on all consultancies and services ○ Ensure timely procurement of all contracts – goods and services relating to RAP implementation: <ul style="list-style-type: none"> i. Software for RAP Database, ii. Seedlings of Trees for provision to PAPs, iii. Agency for conducting Implementation Completion Audit, iv. Agency to undertake Financial Literacy and Outreach, v. RAP Implementation Unit, vi. RAP Payment Agent, vii. Contractor for Construction of Replacement Houses etc.). ○
<i>Fiscal Agent</i>	<ul style="list-style-type: none"> ○ Providing finances to consultants in a timely manner for payment for deliverables ○ Providing finances for payments to IDIQ building contractor, RAP consultant, RAP Payment Agent for PAPs, District Council officials who will be facilitating RAP implementation activities
<i>Legal Directorate</i>	<ul style="list-style-type: none"> ○ Providing legal advice on issues such as vetting of Compensation Agreements and other issues arising during RAP implementation

World Bank's role would be to:

- provides oversight,
- approve procurement plans and disbursement requests,
- review key deliverables;
- conduct oversight to ensure that work is progressing in accordance with safeguard policies;
- undertake regular field missions to observe work in the field;
- assist PMT and RAP team with troubleshooting, as required; and
- Provide policy guidance on WB processes during RAP development and Implementation stage.

6.2 Local Government Authorities (LGAs)

ZUMC would have a major role in the project as essential people in the project their roles in the project will include:

Progress Review

- i. Participate in the Monthly project review meetings with PMT and other implementation partners
- ii. Seek progress update from PMT and review progress relating to the project specifically on Construction works

Construction Support iii. Provide support to the Construction Work schedule by providing alternate project routes as would be required during construction

- iv. Inform PMT and thereby communities in the area in case of any major service disruption so that public cooperation is not compromised.

Grievance Redressal

- v. Report to PMT/PIU in case of any issues or complaints that are being addressed to ZUMC pertaining to this project;
- vi. Participate in the grievance redressal process by formally designating a specific official in each district to represent ZUMC at the bi-monthly or monthly District or Shehia - GRGMC meetings; and
- vii. Provide necessary support to the designated official in resolution of the grievance as is necessary and within the prescribed timelines. ***Patrol the Wayleave and Support Relocations Plans*** viii. Seek and provide support in areas where it is deemed necessary to monitor or patrol, the Way leave Corridor so that further encroachments are not found allowed prior to or during construction works in the project area.
- ix. Be on top of things in the event of relocating the PAPS for temporary measures or permanent ZUMC will be in the upfront line on public outreaches and sensitization in order to facilitate the process
- x. Conduct one on one discussions with the sensitive / influence PAPS such as ruling party, political leaders, religious group etc.

Generate goodwill through CSR initiatives

- xi. Support the communities in the project area as necessary by providing any additional community welfare measures as part of the CSR initiatives followed by. These would help to generate rapport and necessary goodwill towards the project. Such activities would be done in consultation with PMT/PIU and RAP Implementation Unit.

6.3 Supervising Engineer

The Consulting Engineer (CE) would be responsible for supervising contractor hired for constructing the projects. Further CE would be:

- in helping to realign the routes in places where there are resettlement issues; ○
- Monitoring any issues where contractors affect private property, etc.

6.4 RAP Paying Agent

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

- i. 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;
- ii. PA shall be responsible for ensuring that PAPs receive compensation in accordance with the payment schedules provided by PMT;
- iii. 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 PMT/PIU;
- iv. 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;
- v. Make available to beneficiaries (from the PA. s designated payment points or at the offices of a PA), compensation payments according to defined period and agreed terms and for the duration used;
- vi. 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 PMT/PIU;
- vii. Provide PMT with proof of receipt of payment and photographs of PAPS who have received payments and maintain accompanying receipts for filing at PMT;
- viii. Verify amounts received are consistent with the compensation PMT/PIU n schedule provided by PMT/PIU;
- ix. 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 PO-FP and MOICT legal officer's stamp and signature;
- x. Notify the RAP implementation consultant when compensation funds have been transferred into bank accounts;
- xi. Take all reasonable steps necessary to ensure that compensation provided by the PMT/PIU reaches the beneficiaries referred without undue delay and in any event, within five (5) working days to the date of transfer of funds by PMT to the PA Account;

6.5 RAP Implementation Unit

The RAP Implementation Unit that would undertake the following activities:

- a) Produce and distribute ID cards
- b) Report on awareness and outreach meetings – lessons learnt and best practices
- c) Report on PAPs who have opened bank accounts and received cash
- d) Facilitate and/or oversee provision of In-Kind Compensation

- e) 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,
- f) Report on the options made available for PAPs to access economic opportunities, marketing and credit.
- g) Assist in Grievance Redressal process
- h) Assist PAPs with land titling processes
- i) Assist Contractor(s) Responsible for supervision of In-Kind Housing construction
- j) Assist Contractors of works with resettlement related issues
- k) Prepare assignment completion report

6.6 Municipal Administration

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:

- i. Help the Project and PMT/PIU in identification of alternative land for those PAPs displaced from within the way leave;
- ii. Sign the compensation agreements and issuance of PAP ID cards
- iii. Support the project in facilitation of the Houses Construction Activities when they commence;
- iv. Contribute to the GRM by designating members to the committees
- v. Support the Livelihood Restoration/Enhancement programs; and
- vi. 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 PMT/PIU would be responsible to provide financial literacy awareness. Training modules will include:

- i. Managing compensation money to improve household well-being.
- ii. Basics of planning and investing in business and productive activities.
- iii. 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.).
- iv. Different services the banks offer and the minimum requirements for different Bank Accounts.
- v. Knowing the rights and responsibilities in using financial products and services including bank charges for different services.
- vi. How to access their funds, make withdrawals, make deposits, how debit cards and ATMs operate, how to cash checks received as compensation.

6.6 Contractor for construction of Replacement Housing

The Contractor would be implementing a very critical component of the RAP i.e. constructing houses for those displaced from within the way leave and have opted for in-kind compensation. The Contractor would be responsible for the following:

- i. Assess the site identified where the alternate house has to be constructed
- ii. Construct the houses as per the approved designs depending on the Design option preferred
- iii. Provide PMT with the schedule for construction indicating the likely start and end dates;

- iv. Support PMT and RAP Implementation Unit in undertaking supervision of construction activities during site visits
- v. Provide confirmation of completion of construction in all aspects to PMT/PIU; and
- vi. Facilitate handing over process to enable commencement of relocation of PAPs to the new house

6.7 Contractor for Construction of drainages, roads, sewerage systems, waste landfill

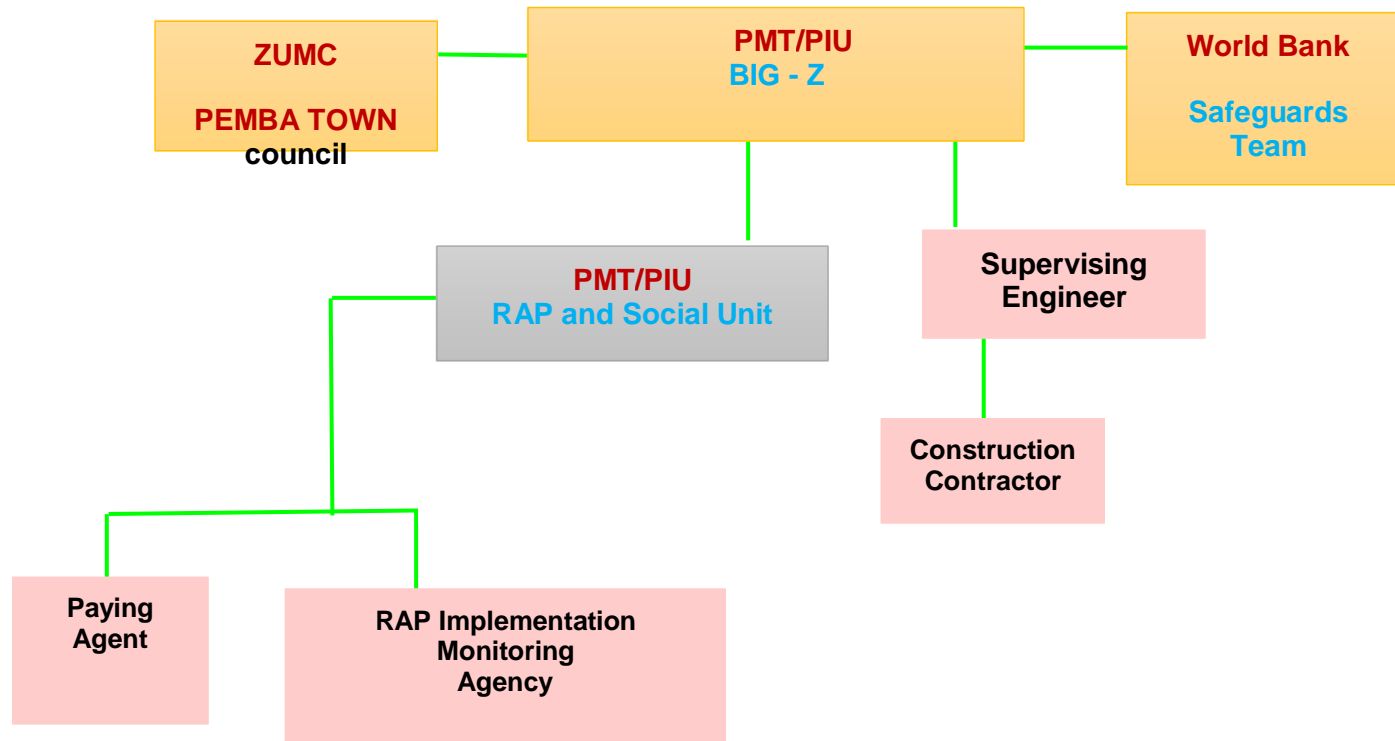
The Contractor responsible for construction of infrastructure would have a few roles, albeit indirect, in respect of RAP implementation:

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

6.8 Organizational structure

Figure 5 presents the reporting structure for different implementation partners involved in RAP implementation.

Figure 5: Organizational Arrangements for RAP implementation in BIG -Z



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7.1 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.

The sections in this booklet present the likely grievances, objectives of the GRM, the principles that need to be adhered in formulation of effective procedures and processes, operationalizing requirements of GRMs, redressal procedure steps involved in recording and redressal of grievances.

7.2 Objectives of the Grievance Redressal Mechanism (GRM)

The primary responsibility to address all complaints and grievances lies with project. The GRM will comprise two levels or tiers to handle grievances – first level will be at community where Shehia-GMC will be clustered, while the next or second level will be at the District level. The primary objectives of creating a GRM are:

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

7.3 Likely Grievances

Types of grievances that could occur/have already occurred during the preconstruction i.e. survey stage and those likely to occur during the RAP implementation followed by construction stage are listed below:

<i>Stage</i>	<i>Types of grievances (indicative)</i>
<i>Planning/Preconstruction</i>	<ul style="list-style-type: none"> • lack of awareness of the project foot print, wayleave/corridor; • missing of parcel, error in identification and/or incorrect measurement (or perceptions over incorrect measurement) of affected assets; • disagreement regarding inheritance or ownership of assets and fearing loss of compensation; • lack of adequate communication on the project developments, not enough consultation/sensitisation, • disagreement over the rates utilized valuation of affected assets; • mistakes in the formulation of compensation agreement documents;

<p><i>RAP Implementation followed by Construction</i></p>	<ul style="list-style-type: none"> • non-payment for improvements carried out to structures post survey and valuation but prior to compensation payments; • mode of payment of compensation and time delays; • dissatisfaction over alternate housing provided; • not enough work during construction stage / dissatisfaction over wages given;
	<ul style="list-style-type: none"> • wrong identification of livelihood restoration schemes, their inadequacy, training support and lack of necessary assistances; • increased cases of HIV/AIDS due to intercultural interactions; • likelihood of increase in Gender Based Violence (GBV); • loss of access not addressed; • loss of property due to theft allegedly by construction personnel; • 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 • Snag in cost ructions causing non-restatement of the soil leading to risk of flooding and blockage of the drains.
<p><i>Post construction</i></p>	<ul style="list-style-type: none"> • Manifestation of the missing PAPs. • Misuse of the infrastructures e.g. garbage trowing in the drains • Land Encroaching of the compensated corridor • Security of the project infrastructure

7.4 Principles to Effective Grievance Redressal

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

- i) Institutions and procedures laid down are consistent with the anticipated grievances;
- ii) Takes cognizance of the existing socio-cultural setting such as making use of existing village structure – shehia in resolution of disputes;
- iii) Is housed within existing formal institutional structures thereby ensuring continuity
- iv) Should be well represented in its composition particularly aimed to resolve the types of grievances that are likely;
- v) Is accessible i.e. Close to the source of grievance so as to not make reporting of grievance difficult in the first place;
- vi) 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;
- vii) Provides appropriate orientation and training to all stakeholders involved in redressal of grievances;
- viii) Is well-supported by an effective information dissemination mechanism to prevent occurrence of a grievance in the first place due to lack of information;
- ix) Fixes a time frame for resolution of grievance and communicates the same to communities;
- x) Is timely and responsive i.e. Its recommendation and decisions are implemented by the project implementers; and finally
- xi) Is adequately resourced to ensure desired effectiveness.
- xii) No financial payments required for PAPs to have their grievances addressed.

7.5 Grievance Management Committees' Structure, and Functioning

There will be two tiers levels of grievance management committees. BIG - Z will be responsible for operationalizing the Shehia - GMCs by providing them with specific TORs for the execution of required work, commensurate training and resources.

7.5.1 Shehia - GMCs

The committee will:

- i. Represent the interests of PAPs and communities in the project's zone of influence;
- ii. Act as an entry and exit point for all grievances arising from resettlement activities
- iii. Act as BIG-Z, ZMC's local monitoring and oversight committee on the corridor encroachment, construction materials vandalism and finally to sensitize the community from misusing the infrastructures.
- iv. Monitor safety standards, labour requirements and community health issues during construction works and report to BIG-Z or ZUMC.
- v. Prepare progress reports and present them to the GMC during monthly meetings.

7.6 Composition of Shehia- GMCs

At the community level, the Resettlement and Grievances Management Committee will be in Shehias depending on numbers of PAPs in a particular area. Total members of Shehia - GMCs would be between 10 and 15. The committee may at any time co-opt any member to help in resolving grievances if it deems necessary. Composition of the committee as formed is presented below:

- i. Chairperson – Sheha
- ii. Deputy Chair Person
- iii. Secretary - PAP
- iv. Elected PAP representative of the affected areas (blocks/Zones)
- v. Women Representative
- vi. Community Development Assistant (Deputy secretary)
- vii. NGO representative (co – opted depending on the pertinent issues within the areas)

7.6.1 Functioning

Details on functioning, meeting schedule and procedures, requisite training and reporting are provided below:

(i) Meeting Schedule:

As it is anticipated that at the initial stages – prior and post compensation payments, the PAPs would have issues to seek clarification on and also report any grievances, the DGRMCs will:

- ✦ Meet once in a month – or more frequently if the situation so demands;
- ✦ Meet once a month, depending on review and internal monitoring of grievances – type and nature;
- ✦ May decide on frequency of meetings as deemed appropriate upon commencement of construction works which may lead to additional disturbance and damages to and thereby grievances from committees

(ii) Committee Meeting Procedures:

The meeting procedures are described below:

- ✦ At the first meeting of the Committee, the Members shall elect a Chairperson and Secretary from amongst themselves who shall serve in that capacity for a specified period (depending of the project time span).

- ✦ The Chairperson of the Committee shall preside over and maintain due and proper conduct of meetings and ensure that the rules and regulations of the Committee are properly administered at all times. In the absence of the Chairperson, the Interim Chairperson will be nominated and duly seconded to preside over the meeting.
- ✦ The Committee Secretary will be responsible for taking minutes and circulation of the duly signed copy of such minutes.
- ✦ The Quorum at any meeting of the Committee shall be fifty (50) percent of the total number of members of the Committee eligible to attend the meeting.
- ✦ The Committee shall enforce at all times transparency and accountability in the conduct of its affairs.
- ✦ PAPs with grievances will not always be expected to attend the meetings but will be called upon to attend when the Committee deems it necessary.

(iii) Training:

Once formed, Training would be imparted to the members of the Committees on the following topics:

- ✦ Orientation of types of likely grievances and the levels for handling the same
- ✦ Legal framework governing the project, and specifically on the different norms as applicable under WB OP 4.12
- ✦ Details of the compensation entitlements i.e. different rates applied for trees (fruits trees, indigenous trees, exotic trees, crops (permanent vis a vis seasonal crops); structures etc.. ✦ Provision in event of damage during construction ✦ Redressal Procedure including:
 - Helping illiterate PAPs record their grievances
 - Approach to investigating issues, usage of grievance recording forms □ Frequency of meetings, minute taking and reporting etc.
 - Communication of resolution status of the grievance to the PAP

(iv) 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 5 working days** of the Committee's decision.

- ✦ *Program Reporting Requirement:* The Shehia - GMCs will work hand in hand with BIG- Z, and ZUMC on all matters arising and progress.
- ✦ *Location and Period of Execution:* The Shehia - GMCs will be meet at shehas meeting venue existing communities or BIG - Z board rooms and 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 BIG - Z, ZUMC and Districts upon by review of suitable indicators such as
 - nature and type of grievances received, addressed; □ pending resolution; and
 - Referred for arbitration/ court.

7.6.2 District- GMCs – Scope, Composition and Functioning

BIG - Z will be responsible for operationalizing the District - GRMCs by providing them with specific TORs for the execution of required work, commensurate training and resources.

7.6.3 Scope of Work of District -GMCs

The committee will:

- i. Represent the interests of PAPs and communities in the district.
- ii. Support the project in identification of PAPs and envisaged land, enterprise or livelihood losses.
- iii. Act as an appeal and exit point for all grievances lodged by Complainants arising from resettlement activities
- iv. Ensure transparency and accountability during property valuation and loss of livelihood claims through public participation.
- v. Act as (ZUMC's) local monitoring and oversight committee on encroachment and power line/transformer vandalism.
- vi. Monitor safety standards, labour requirements and community health issues during construction works and report to ZUMC or BIG-Z.
- vii. Prepare progress reports and present them to the District Commissioner during monthly meetings.

7.6.4 Composition of District - GMCs

At the District level, the composition of the committee will include a mix of representatives from within and outside the district administration. It will include the Shehas as they preside over the District and are widely respected within their areas. The composition of the Committee will be as follows:

- i. District Commissioner – Chair person
- ii. District Lands Officer;
- iii. District valuer
- iv. Sheha from the concerned Shehia;
- v. District Environment Officer;
- vi. Representative from Community Support Organization (CSO)/Non-Government Organization (NGO)/INGO (international NGO) – preferably those related to environment, land planning etc.);
- vii. District Community Development Officer; and
- viii. Official from BIG - Z;

7.6.5 Functioning

Details on functioning, meeting schedule and procedures, requisite training and other details are provided below:

i. Meeting Schedule:

As it is anticipated that at the initial stages – prior and post compensation payments, the PAPs would have issues to seek clarification on and also report any grievances, the District - GMCS will:

- meet monthly - or more frequently if the situation so demands; depending on review and internal monitoring of grievances – type and nature;
- may decide on frequency of meetings as deemed appropriate upon commencement of construction works which may lead to additional disturbance and damages to and thereby grievances from committees

ii. Committee Meeting Procedures:

These are described below:

- At the first meeting of the Committee, the Members shall elect a Chairperson and Secretary from amongst themselves who shall serve in that capacity for three (3) years.
- The Chairperson of the Committee shall preside over and maintain due and proper conduct of meetings and ensure that the rules and regulations of the Committee are properly administered at all times. In the absence of the Chairperson, the Interim Chairperson will be nominated and duly seconded to preside over the meeting.
- The Committee Secretary will be responsible for taking minutes and circulation of the duly signed copy of such minutes.
- The quorum at any meeting of the Committee shall be fifty (50) percent of the total number of members of the Committee eligible to attend the meeting.
- The Committee shall enforce at all times transparency and accountability in the conduct of its affairs.
- PAPs with grievances will not always be expected to attend the meetings but will be called upon to attend when the Committee deems it necessary.

iii. Training:

Once formed, Training would be imparted to the members of the Committees on the following topics:

- ✦ Types of grievances likely to be escalated to their level
- ✦ Legal framework governing the project, particularly the WB requirements
- ✦ Details of the compensation entitlements
- ✦ Provision in event of damage during construction
- ✦ Provision of in-kind and
- ✦ RAP timeline and updating procedures

iv. 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 District Grievances Management Committees will work hand in hand with the RAP Consultant, ZUMC and BIG - Z Communications and Outreach officer reporting on all matters arising and progress.
- *Location:* The District - Grievances Management Committees will be housed within the District Headquarters 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 BIG - Z, ZUMC and districts upon by review of suitable indicators such as
 - Nature and type of grievances received, addressed;
 - Pending resolution; and
 - Referred for arbitration/ court.

7.7 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 Form³. The contact details of the Shehia -GMC members will be made public to the PAPs. Additionally, the Shehas 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 BIG - Z. 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 SHEHIA- GRIEVANCE MANAGEMENT COMMITTEE LEVEL:

The Shehia- 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 the Shehia- 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 places specifically designated for this purpose. Minutes of such meetings shall be kept and if the resolution proposed by the Shehia- 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 14 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 Shehia- 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.

7.8 Timeframe

The total timeframe provided from the stage of recording of grievances to their redressal would **not be more than 14 days, unless referred to court of law**. The Implementation Completion Audit exercise that is proposed to be carried out too can provide relevant recommendations in respect to the Continuance of the committees.

³ Grievance form is in annex 1

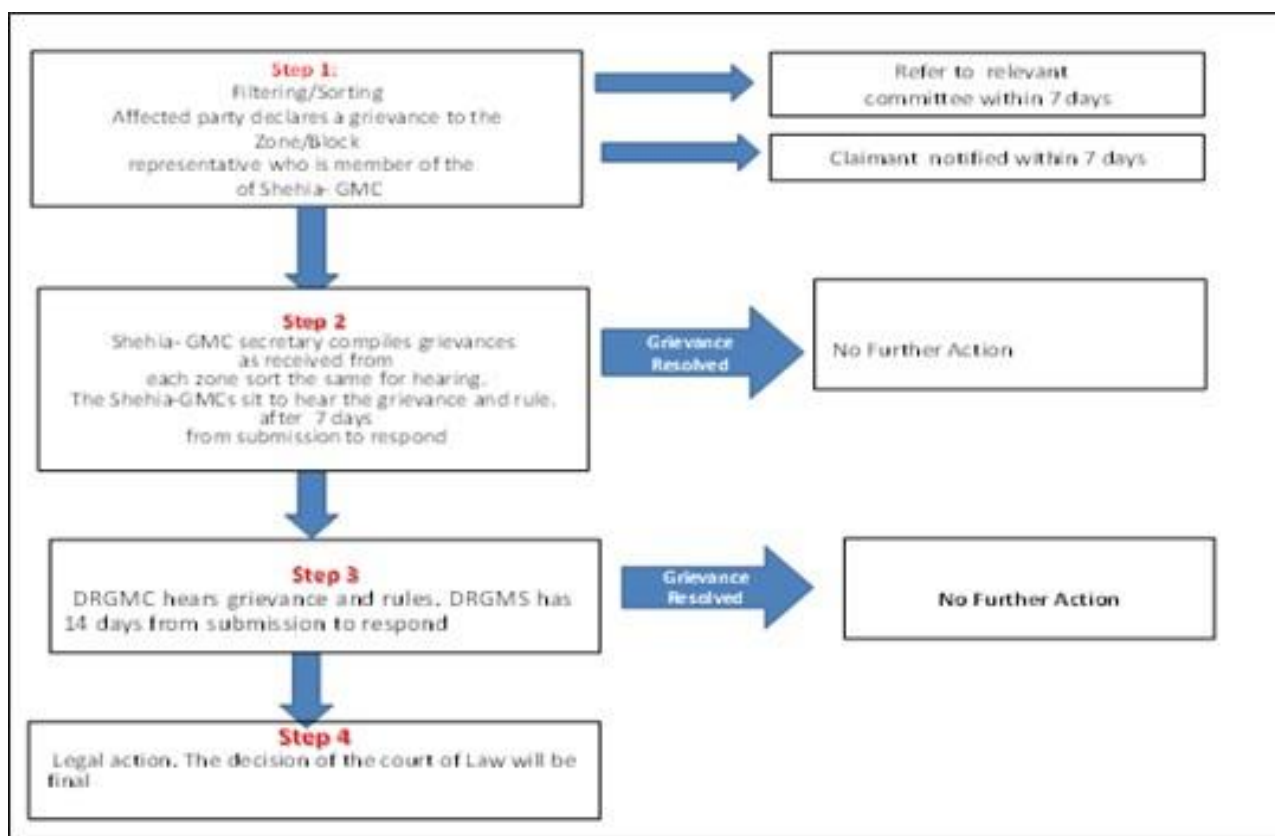


Figure 6: Grievance Redress structure

8 BUDGET AND FUNDING ARRANGEMENT

Resettlement activities in Zanzibar will be financed through a number of arrangements, namely: Government budget; loans borrowed from the domestic market by governments; loans borrowed from development partners; and grants. In the case of BIG - Z projects, the resettlement budget will be financed through a credit finance advanced to the Revolutionary Government of Zanzibar by the World Bank under the BIG - Z project.

8.1 Resettlement Funding

At this stage, it is not possible to estimate the exact number of people who may be affected since the technical designs/details have not yet been developed and land needs have not yet been decided upon. When these locations are known, and after the conclusion of the site specific socioeconomic study, information on specific impacts, individual and household incomes and numbers of affected people and other demographic data would be available, thus facilitating the preparation of a detailed and accurate budget for resettlement and compensation. The Ministry of Finance, ZMC will prepare the resettlement budget and will finance this budget through the administrative and financial management rules and manuals like any other activity eligible for payment under the BIG - Z. This budget will be subject to the approval by ZMC.

Each RAP will include a detailed budget, using the following template in Table below.

Table 10: Template for budget details

S/n	Item	Cost	Assumption
1	Compensation for loss of Land	No. hectare	For land acquisition purposes, based on cost realized in projects involving similar issues in Tanzania
2	Compensation for loss of Crops	hectare of farm lost	Includes costs of labour invested and average of highest price of staple food crops as per methods described in Section G of this RPF
3	Compensation for loss of access to fishing resources.	Say, /fishmonger	Data provided from revised socioeconomic study will determine market values of catch, fish products etc. that is produced
4	Compensation for Buildings and Structures		This compensation would be in-kind. These new buildings would be built and then given to those affected. Cost based on basic housing needs for a family of ten, including house with four bedrooms, ventilated pit latrines, outside kitchen and storage.
5	Compensation for loss of business or profit.	Business owners or tenants.	Calculated based on the opportunity cost equivalent to tax records for previous year (or tax estimates where such records do not exist). Opportunity cost compensation equivalent tax records for previous year (or tax records estimates), or the relocation allowance, Relocation assistance (costs of shifting)
S/n	Item	Cost	Assumption
			Assistance in rental/lease of alternative months) to re-establish the business.
6	Compensation for Trees	/year/tree	Based on methods described on page 39 – 41 of this RPF for compensation for trees.
7	Cost of Relocation	/household/	This cost is to facilitate transportation, etc.
8	Cost of Restoration of Individual Income		Assumed to be higher than the GDP/capita
9	Cost of Restoration of Household Income		Through employment in Program Activities
10	Cost of assisting vulnerable groups		As described

11	Cost of Training Farmers, and other PAPs		This is a mitigation measure, which seeks to involve those affected by the project activities. This figure represents a costs of around TSH/person
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Table 11: Indicative outline of the RAP budget

Asset acquisition		Amount or number	Total estimated cost	Agency responsible
	Land			
	Structure			
	Crops and economic tress			
	Community infrastructure			
	Land Acquisition and Preparation			
	Land			
	Structures			
	Crops areas and others			
	Community infrastructure			
	Relocations			
	Transfer of possessions			
	Installation costs			
	Economic Rehabilitation			
	Training			
	Capital Investments			
	Technical Assistance			
	Monitoring			
	Contingency			
S/n	Item	Costs	Assumptions	
1	Compensation for loss of Land	/hectare	For land acquisition purposes, based on Tanzanian average market cost, or from similar projects	
2	Compensation for loss of Crops	/hectare of farm lost	Includes costs of labour invested and average of highest price of staple food crops and Tanzanian market prices	
5	Compensation for Buildings and Structures	If applicable	This compensation may be in-kind or cash. Costs for basic housing needs should include ventilated pit latrines, outside kitchen, and storage.	
6	Compensation for loss of businesses		See above budget table	

7	Compensation for Trees	/year/tree	Includes costs of labour invested and average of highest price of trees (and tree products) and Tanzanian market prices
8	Cost of Relocation Assistance/Expenses	/household	This cost reflects the moving and transportation allowance
9	Cost of Restoration of Individual Income		Assumed to be higher than the GDP/capita in Tanzania
10	Cost of Restoration of Household Income		These costs reflect the livelihood restoration program of the RAP
11	Cost of Training PAPs		This is a mitigation measure involving capacity building and involves PAPs and affected communities

9 Monitoring and Evaluation

PMT will be the responsible for the M&E of implementation for the resettlement/compensation plans.

BIG-Z will institute an administrative reporting system that:

- Alerts authorities to the need for land appropriation for a subproject to meet technical requirements;
- Provides timely information about the valuation and negotiation process;
- Reports any grievances that require resolution; and
- 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 PMT on M&E results, so that PMT is promptly aware of any difficulties arising at the local level.

The M&E objective will be to make a final evaluation to determine:

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

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:

- (i) Affected individuals, households, and communities are able to maintain their subproject standard of living, and even improve on it;
- (ii) Local communities remain supportive of the project; and (iii) Absence or prevalence of conflicts.

The indicators in **Error! Reference source not found.** below will be used to monitor and evaluate the implementation of resettlement and compensation plans.

9.1 Verifiable Indicators for M&E

The consultant will consolidate efforts in periodical monitoring the indicators listed in following matrix.

Table 12: 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 village, 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

Parameters	Indicators	
	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 by village	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
	Number of men and women planted trees to replace the lost ones	Midterm and End

Annex 1: Legal and Institutional Framework

This RMF will apply the laws, legislation, regulations, and local rules governing the use of land and other assets in Zanzibar. This legal and institutional framework is presented in six sections: (i) overview of the political economy and governance in Zanzibar; (ii) property and land rights, as defined by Tanzanian law and customary practice; (iii) appropriation of land and other assets, including regulations over the buying and selling of these assets; (iv) rights and compensation, particularly the accepted norms influencing people's basic rights to livelihood and social services; (v) dispute resolution and grievance mechanisms, specifically the legal and institutional arrangements for filing grievances or complaints and how those grievances are addressed through formal and informal systems; and (vi) comparison with OP/BP 4.12, using equivalence and acceptability standards.

1.1 Overview

Zanzibar is made up of two formerly independent countries that united in 1964. Zanzibar (mainland) and Zanzibar have different laws and procedures related to land and property rights. Zanzibar hereafter refers to the mainland only.

Zanzibar is a multiparty parliamentary democracy. The country is among the poorest nations in the world, but is developing rapidly and enjoying peace and macroeconomic stability. The country has a central government, regional administrations, and local governments. There are 21 regions, 117 rural and urban authorities, and 12,500 villages.

Zanzibar has an area of 945,087 square kilometers, a population of nearly 50 million that is growing at around 2.8 percent per year, and experiencing rapid urbanization. Around 30 percent of the population resides in urban areas. Over 80 percent of the population depends on agriculture, but only 2 percent of rural land and 20 percent of urban land are registered. Poverty is still rampant despite macroeconomic gains in the past decades.

The preamble of Zanzibar's 1977 Constitution (as amended) sets out the basis for Zanzibar to build a democratic society founded on the principles of freedom, justice, fraternity and concord, in which the executive branch is accountable to the legislature, which is composed of elected members and representatives of the people, and also to the judiciary, which is independent and dispenses justice without fear or favor, thereby ensuring that all human rights are preserved and protected. The Constitution provides for the legislative supremacy of Parliament and independence of the judiciary. It also embraces the principles of rule of law, separation of powers, and a pluralistic political system.

Zanzibar Vision 2025 expresses both hope and determination in its aim to rid the country of poverty, disease, and ignorance. It seeks to do so by achieving high and sustained growth at an average of 8 percent and eliminating poverty by 2025. The National Strategy for Growth and Poverty Reduction seeks to realize the goals of Vision 2025.

Rapid development has many times necessitated the appropriation of land from its owners for investments such as infrastructure. There is a system of land appropriation and compensation based on law and practice, and many sectors have their own laws and regulations that address the issue of involuntary resettlement.

Zanzibar has a set of solid policy, legal, and institutional frameworks for management of land and property appropriation and compensation. Basic principles recognizing ownership of lands and

resources are enshrined in the national Constitution and the Land Policy and Land Acts. These are further defined in local laws and bylaws.

1.2 Property and Land Rights in Zanzibar

The Zanzibar Constitution provides for the rights of citizens to own property and disallows the appropriation of legally held property unless the owner is fairly and adequately compensated. Article 24 (1) states: “Every person is entitled to own property and has a right to the protection of his property held in accordance to the law.” Sub-article (2) further provides that: ...it shall be unlawful for any person to be deprived of property for the purposes of nationalization or any other purposes without the authority of the law which makes provision for fair and adequate compensation.”

The National Land Policy of 1995 and the land laws that emerged from it address the issues of: land tenure; promotion of equitable distribution of land access for all citizens; improvement of land delivery systems; fair and prompt compensation when land rights are taken over or interfered with by the government; promotion of sound land information management; recognition of rights in unplanned areas; establishment of cost-effective mechanisms for land surveys and housing for low-income families; improved efficiency in land management and administration and land disputes resolution; and protection of land resources from degradation for sustainable development.

Among the land policy fundamentals that the land laws seek to implement are the following:

- To recognize that all land in Zanzibar is public land vested in the president as a trustee on behalf of all citizens;
- To ensure that existing rights in and recognized long-standing occupation or use of land are clarified and secured by the law; and,
- To pay full, fair, and prompt compensation to any person whose right of occupancy or recognized long-standing occupation or customary use of land is revoked or otherwise interfered with to their detriment by the state.

The 1999 Land Act and Village Land Act created three categories of land, namely general land, village land, and reserved land. Hazard land is an additional category.

General land consists of all land that is neither village land nor reserved land. All urban land falls under this category, except land covered by laws constituting reserved land, or that which is considered hazard land. General land is governed by the 1999 Land Act and, hence, is under the control and jurisdiction of the Commissioner for Lands. This key ministerial person has delegated much of the powers to local government land officers. Property rights can be created over general land in terms of a granted rights of occupancy for a period of 33, 66 or 99 years, confirmed by a certificate of title. Long-standing occupation of land, except on government land, is recognized as conferring property rights. In the case of land appropriation, all occupiers of land, irrespective of whether they have a granted right of occupancy or not, are eligible for compensation.

Granted rights of occupancy carry conditions including land development and payment of land rent. Failure to abide with these conditions can lead to the loss of the right.

Village land is defined as land under the jurisdiction and management of a registered village. Because Zanzibar consists of a vast countryside with only a few urban areas, most land in the country is village land. Each village is required to define three land-use categories within its own borders: (i) communal village land, (ii) individual and family land, and (iii) reserved land (for future village expansion). Village land is held under customary tenure and the government can issue customary certificates of tenure to individuals or communities where the village is surveyed and has a Certificate of Village Land. Customary tenure is akin to freehold.

Reserved land is defined as land reserved and governed for purposes subject to nine listed laws. Reserved land includes: environmental protection areas, such as national parks, forest reserves, wildlife reserves, and marine parks as well as areas intended and set aside for spatial planning and (future) infrastructure development.

The Commissioner for Lands can convert land from one category to the other. By far the majority of land occupiers have no certificates of title, in part because land has to be surveyed before it can be issued with a title. However, there is a lot of de facto recognition of property rights for the majority of land occupiers.

The 1996 National Land Policy of Zanzibar provides guidance and directives on land ownership and tenure rights and the appropriation of land and other land-based assets. The policy stipulates organization and procedures for valuing assets and delivery of compensation. The overall aim of the policy is to promote and ensure a secure land tenure system in Zanzibar that protects the rights in land and resources all of its citizens. The following principles are the basis of the land policy:

- All land in Zanzibar is public land vested in the president as trustee on behalf of all citizens;
- Land has value;
- The rights and interest of citizens in land shall not be taken without due process of law; and – Full, fair, and prompt compensation shall be paid when land is appropriated.

1.3 *Appropriation and Valuation of Land and Others Assets*

Land appropriation

The 1967 Land Acquisition Act is the principal legislation governing appropriation of land in Zanzibar. Sections 3–18 of the 1967 Land Acquisition Act empower the president to appropriate land, and provide the procedures to be followed when doing so. The president is empowered to procure land in any locality provided that such land is required for public purposes.

The procedures provided by the Land Acquisition Act include: investigation of the land to see if it is suitable for the intended purpose; notification to landowners to inform them of the decision to appropriate their land before the president takes possession; and payment of compensation to those who will be adversely affected. The law restricts compensation to unexhausted improvements on the land, excluding the land or such improvements as land clearing and fencing. This latter situation has been rectified by the 1999 Land Act.

If land is required for public purpose, the president is required to give six weeks' notice to those with an interest in the land in question, but, if the situation demands, the notice can be shortened without the need to give explanation. After the expiration of the notice period, the president is entitled to enter the land in question even before compensation is made.

The person whose land is appropriated is entitled to compensation if deserved as provided under Sections 11 and 12 of the 1999 Land Act. The persons entitled to compensation are those interested or claiming to be interested in such land, or persons entitled to sell or convey the land, or as the government may find out after reasonable inquiries.

The 1999 Land Act clarifies and adds certain aspects to be considered when determining the compensation package. Many other laws have provisions related to land appropriation, but they will always refer back to the Land Acquisition Act and the Land Act. Some of these additional laws are:

the 2004 Village Land Act, the 2007 Roads Act, the 2007 Urban Planning Act, the 2007 Land Use Planning Act, and the 2010 Mining Act, among others⁴.

Zanzibar has a dual system of land tenure for public lands: (i) customary rights and (ii) statutory rights of occupancy. Land tenure rights can be held by individuals and by communities. Individual holdings can be covered by the following:

- Leasehold right of occupancy for varying periods, for example, 33, 66 or 99 years, which must be confirmed by a certificate of occupancy; and
- Customary rights of occupancy that must be confirmed by a certificate (*Hati ya Ardhi ya Mila*) and have no term limit. Communities (villages) are allowed to hold land and to manage it, although they do not formally own the land.

Valuation

The 1967 Land Acquisition Act (s.14) requires the following to be considered when assessing compensation:

- The value of such land at the time of the public notification of intent to appropriate the land, without regard to any improvement, work or construction on thereafter, or to be made or constructed in the implementation of the purpose for which it is appropriated;
- If only part of the land belonging to any person is appropriated, consider any probable enhancement to land value resulting from proximity to any improvements or works made or constructed or to be made or constructed on the part appropriated; and
- Damage, if any, sustained by the person having an estate or interest in the land by reason of the severance of such land from any other land or lands belonging to the same person, or other injurious effect upon such other land or lands.

Two areas that do not need to be considered during compensation assessment are:

- Any probable enhancement in the value of the land in future; and
- The value of the land where a grant of public land has been made in lieu of the land appropriated.

A practice developed that, since land belonged to the public, the valuation for compensation excluded the value of bare land. However, two clarifications among others were made in the 1999 Land Act:

- Consider that an interest in land has value, and that value is considered in any transaction affecting that interest; and
- That in assessing compensation, the market value of the real property is considered.

Current practice is guided by the 2001 Land (Assessment of the Value of Land for Compensation) Regulations and the 2001 Village Land Regulations, which provide that the basis for assessment of the value of any land and unexhausted improvement for the purposes of compensation is the market value of such land.

⁴ The 1977 Constitution of Zanzibar (as amended), Land Act (No. 4 of 1999), Village Land Act (No. 5 of 1999), Land Regulations 2001 Subsidiary Legislation, Land Acquisition Act (1967), Land Ordinance (1923 Cap. 113), and Town and Country Planning Ordinance (1956 Cap. 378) contain provisions related to land tenure and ownership in Zanzibar.

The market value of any land and unexhausted improvement is arrived at by the use of the comparative method, evidenced by actual recent sales of similar properties, or by the use of the income approach or replacement cost method if the property is of special nature and not readily transacted in the market.

Assessment can only be carried out by a qualified assessor with the involvement of the government (national and local); such assessment must be verified by the chief government assessor.

Zanzibar laws indicate that current market values should be used as basis for valuation of land and properties. Regulation 3 of the 2001 Land Policy (Assessment of the Value of Land for Compensation) Regulations and Part I–III of the 2002 Village Land Regulations provide for practical guidelines on compensation assessment. Full and fair compensation is only achieved by including all components of land quality. Presently, in assessing the value of the unexhausted improvements for compensation purposes, the law emphasizes that the value should be the price for which said improvements can fetch if sold on the open market. But in normal circumstances, this price is lower than the replacement value, but higher than the initial construction cost of said improvements.

A number of national laws have provisions requiring environmental and social planning for investments that may cause adverse environmental impacts to the resource and mitigation measures for individuals affected by development activities. Agriculture and land acts provide for the rights of individuals whose property may be appropriated and for their compensation according to national laws.

The 1982 Local Government (District Authorities) Act No. 7 and 1982 Local Government (Urban Authorities) Act No. 8 stipulate the functions of district/urban councils. Issues of land are included as objectives of functions and therefore part of the mandates of local government in their respective areas. The prices for cash crops will be determined as the average value over the previous year, corrected for inflation. The prices for subsistence crops will be determined as the highest value over the previous year, corrected for inflation. Crop values will be determined based on a combination of staple foods and cash crops. Specifically, the 80/20 ratio of land that a farmer typically has in food crops and cash crops is used to determine the chances that he or she would lose food crop rather than cash crop income. Another way of valuing agricultural production is through the value of staple crops to be taken as the highest market price reached during the year. This is based on three factors: first, although most farmers grow staple crops mainly for home consumption, they always have the option of selling these crops to take advantage of the market. Second, farmers most often purchase cereals when they have run out, during the "hungry season," when prices are high. Compensating at a lower value might put the individual or household at risk. Third, averaging the highest price of staple foods yields a high per hectare value that reimburses for the vegetables and other foods that are commonly intercropped with staples, but are almost impossible to measure for compensation. 1.4 ***Compensation***

The principle of providing compensation for land that is necessarily appropriated exists in both the Constitution and the land laws.

Article 24, sub-article

...it shall be unlawful for any person to be deprived of property for the purposes of nationalization or any other purposes without the authority of the law which makes provision for fair and adequate compensation.

Under the 1967 Land Acquisition Act, the government is required to pay compensation for appropriated land. The compensation may be as agreed upon, or as determined under the act. The

government, in addition to paying compensation, with consent of the person entitled to compensation, may also give alternative land. There are situations where the government is compelled to give alternative land (for example, in cases where land was used as a cemetery) in lieu of or in addition to compensation. The land granted must be of the same value and held under the same terms as the land appropriated, and must be in the same local government authority area unless the person whose land is being appropriated consents to being given land elsewhere.

The Land Acquisition Act does not provide for compensation if land is vacant. Also, if land is inadequately developed, compensation is to be limited to the value of unexhausted improvements of the land.

However, provisions in the 1999 Land Act override or clarify those in the 1967 Land Acquisition Act.

In the case of appropriation, the government is required to pay full, fair, and prompt compensation to any person whose **right of occupancy or recognized long-standing occupation or customary use of land** is revoked or otherwise interfered with to their detriment by the state under this Act or is acquired under the Land Acquisition Act; provided that in assessing compensation for the land appropriated in the manner provided for under this Act, the concept of opportunity cost shall be based on the following:

- (i) Market value of the real property;
- (ii) Transport allowance;
- (iii) Loss of profits or accommodation;
- (iv) Cost of acquiring or getting the subject land;
- (v) Disturbance allowance; and
- (vi) Any other cost, loss or capital expenditure incurred to the development of the subject land.

Interest at market rate to be charged in case of delays in payment of compensation and any other costs incurred in relation to the acquisition.

The question of legal documentation is not a key consideration in compensation eligibility. In practice, at least in recent days, compensation has been paid in all cases for people who claim to be landowners and who are adversely affected by planned project. However, the definition of beneficiaries has not been considered to include tenants.

The 2001 Land (Assessment of the Value of Land for Compensation) Regulations and the 2001 Village Land Regulations provide for compensation to include the value of unexhausted improvements, a disturbance allowance, a transport allowance, an accommodation allowance, and loss of profits.

- The **disturbance allowance** is calculated by multiplying the value of the land by an average rate of interest offered by commercial banks on fixed deposits for 12 months at the time of loss of interest in land.
- The **transport allowance** is the actual cost of transporting 12 tons of luggage by road or rail, whichever is cheaper, within 20 kilometers from the point of displacement.
- The **accommodation allowance** is calculated by multiplying the monthly market rent for the appropriated property by 36 months.
- The **loss of profit** in the case of business carried out on the appropriated property will be assessed by calculating the net monthly profit, evidenced by audited accounts where necessary and applicable, and multiplied by 36 months.

Transport allowance, accommodation allowance, and loss of profit do not apply if the land appropriated is unoccupied at the date of loss of interest.

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

In the case of agricultural land, compensation is intended to provide a farmer whose land is appropriated and used for project purposes to cover the productive values of the land, labor, and crop loss. For this reason, and for transparency, "land" is defined as an area: (i) under cultivation; (ii) being prepared for cultivation; or (iii) cultivated during the last agricultural season. This definition recognizes that the biggest investment a farmer makes in producing a crop is not seed or fertilizer, but the significant labor put into the land each year by the farmer. Farmers work on their land most months of the year. As a result, compensation relating to land will cover the market price of labor invested times the amount of time spent preparing a plot equivalent to that taken. The market price of the crop lost is considered separately.

The other compensation rates cover the labor cost for preparing replacement land based on a calculated value of what it would cost a farmer to clear and create replacement land. This value is found by adding together the average costs of clearing, plowing, sowing, weeding twice, and harvesting the crop. Labor costs will be paid in Zanzibar shillings at the prevailing market rates.

All agricultural labor activities are included for two reasons. First, all land labor will be compensated at the same rate. Second, it is difficult to forecast the growing season that would define appropriation of the land. The eventual consideration is when land compensation covers all investments that a farmer will make. In certain cases, assistance may be provided to land users in addition to compensation payments, for example, if the farmer is notified that his or her land is needed after the agriculturally critical date. Often, the timing coincides with the time when the farmer no longer has enough time to prepare another land without additional labor. Assistance will be provided in the form of labor-intensive village hire, or perhaps mechanized clearing, so that replacement land will be ready by the sowing date. The farmer will still continue to receive his or her cash compensation so that compensation can cover the costs for sowing, weeding, and harvesting.

Compensation for structures will be based on replacement cost, for example, huts, houses, farm outbuildings, latrines, and fences. Any homes lost will be rebuilt on acquired replacement land, however, cash compensation would be available as a preferred option for structures (that is, extra buildings) lost that are not the main house or house in which someone is living. The going market prices for construction materials will be determined. Alternatively, compensation will be made in kind for the replacement cost without depreciation of the structure.

Compensation will be made for structures that are abandoned because of relocation or resettlement of an individual or household or directly damaged by construction activities.

Replacement values will be based on:

- Drawings of individual households and all related structures and support services;
- Average replacement costs of different types of household buildings and structures based on collection of information on the number and types of materials used to construct different types of structures, for example, bricks, rafters, bundles of straw, doors, and so forth—for vulnerable groups, replacement values will be based on actual replacement cost;
- Prices of these items in different local markets;
- Costs for transportation and delivery of these items to appropriated/replacement land or building site; and
- Construction estimates of new buildings, including labor required.

1.5 *Dispute Resolution and Grievance Mechanism*

When there is a dispute, the government tries to reach an amicable solution through discussion. If a solution is not found within six weeks, the 1967 Land Acquisition Act application can be made to the High Court of Zanzibar for determination of the dispute. Every legal suit shall be governed insofar as the same may be applicable by the Civil Procedure Code, and the decree of the High Court of Zanzibar may be appealed to the Court of Appeal.

Since the 2002 Courts (Land Disputes Settlements) Act, disputes concerning land appropriation and compensation are dealt with by the Land Division of the High Court.

In the case of a dispute over the amount to be paid, either the minister or the person claiming compensation may refer such dispute to the Regional Commissioner overseeing the area where the land is situated, and the decision of the Regional Commissioner shall be final.

1.6 *Comparison with World Bank OP/BP 4.12*

The comparison of OP/BP 4.12 and the National Legislation is presented in the main document in **Error! Reference source not found.**2. Wherever the Government policy is silent the world bank policy will apply.

Annex 2: Resettlement/Compensation Checklist Screening Form

Subproject Data

Subproject Title: _____	Date: _____
Location: District: _____	Province: _____
Village: _____	
Developer: _____	Social Specialist: _____

1.7 Screening Questions for Resettlement Categorization

Probable Involuntary Resettlement Effects*	Yes	No	Not known	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:					
Probable Involuntary Resettlement Effects*	Yes	No	Not known	Possible	Remarks
Are local laws and regulations compatible with the World Bank's Involuntary Resettlement Policy?					
Will coordination with the BIG-Z 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.

1.8 *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

Category A significant resettlement impact (more than 200 people affected), Full Resettlement/Compensation Action Plan (RAP) is required.

Category B Limited resettlement impact (less than 200 people affected), Abbreviated Resettlement/Compensation Action Plan (ARAP) is required.

Category C No resettlement impact; no resettlement plan is required.

Additional information is needed for categorization and is to be gathered by the REA.

Consultant support is required to prepare RAP or ARAP.

Developer signature

Reviewed and accepted by PMT/World Bank

Signature

Annex 3: Guidelines for an Resettlement/Compensation Action Plan

This template is extracted from World Bank Operational Policy/Bank Procedure 4.12 (OP/BP 4.12), Involuntary Resettlement, Annex A, which can be found on the World Bank's Web site at www.worldbank.org.

The scope and level of detail of the resettlement plan will vary based on the magnitude and complexity of resettlement. The plan is based on up-to-date and reliable information about the proposed resettlement and its impacts on displaced persons and other adversely affected groups and the legal issues involved in resettlement. The resettlement plan should cover elements listed here, when any element is not relevant to subproject circumstances, it should be noted in the plan.

Subproject Description

Provide general description of the subproject and identification of the subproject area.

Potential Impacts

Identify (i) the subproject component or activities that give rise to resettlement, (ii) the zone of impact of such component or activities, (iii) the alternatives considered to avoid or minimize resettlement, and (iv) the mechanisms established to minimize resettlement, to the extent possible, during subproject implementation.

Objectives

Provide the main objectives of the resettlement plan.

Census and Socioeconomic Studies

Provide findings of the socioeconomic studies conducted in the early stages of project preparation with the involvement of potentially displaced people, including:

The results of a census survey covering:

- (i) Current occupants of the affected area to establish a basis for design of the resettlement program and to exclude subsequent inflows of people from eligibility for compensation and resettlement assistance;
- (ii) Standard 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;
- (iii) The magnitude of the expected loss, total or partial, of assets, and the extent of displacement, physical or economic;
- (iv) Information on vulnerable groups or persons for whom special provisions may have to be made; and

- (v) Provisions to update information on Project Affected People (PAP) livelihoods and standards of living at regular intervals so that the latest information is available at the time of their displacement.

Other studies describing:

- (i) 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 subproject area;
- (ii) The patterns of social interaction in the affected communities, including social support systems, and how they will be affected by the subproject;
- (iii) Public infrastructure and social services that will be affected; and
- (iv) Social and cultural characteristics of displaced communities, including a description of formal and informal institutions such as community organizations, ritual groups, and Nongovernmental Organizations (NGOs) that may be relevant to the consultation strategy and to designing and implementing resettlement activities.

1.9 Legal Framework

The findings of a legal framework analysis covering:

- (i) The scope of the power of eminent domain and the nature of compensation associated with it, in terms of both the valuation methodology and the timing of payment;
- (ii) 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 alternative dispute resolution mechanisms that may be relevant to resettlement under the subproject;
- (iii) Relevant law (including customary and traditional law) governing land tenure, valuation of assets and losses, compensation, and natural resource–usage rights, customary personal law related to displacement, and environmental laws and social welfare legislation;
- (iv) Laws and regulations relating to the agencies responsible for implementing resettlement activities;
- (v) Gaps, if any, between local laws covering eminent domain and resettlement and the World Bank's resettlement policy, and the mechanisms to bridge such gaps; and
- (vi) Any legal steps necessary to ensure the effective implementation of resettlement activities under the project, including, as appropriate, a process for recognizing claims to legal rights to land, including claims that derive from customary and traditional usage.

Institutional Framework

The findings of any analysis of the institutional framework covering:

- (i) The identification of agencies responsible for resettlement activities and NGOs that may have a role in subproject implementation;
- (ii) An assessment of the institutional capacity of such agencies and NGOs; and
- (iii) Any steps that are proposed to enhance the institutional capacity of agencies and NGOs responsible for resettlement implementation.

Eligibility

Definition of categories of affected persons, whether or not they are displaced, and criteria for determining their eligibility for compensation and other resettlement assistance, including relevant Cutoff Dates.

Valuation of and Compensation for Losses

The methodology for valuing losses to determine their replacement cost, a description of the proposed types and levels of compensation under local law, and necessary supplementary measures to achieve replacement cost for lost assets.

Resettlement Measures

Describe the packages and other resettlement measures that will assist each category of eligible displaced persons to achieve the objectives of OP/BP 4.12. In addition to being technically and economically feasible, the resettlement packages should be compatible with the cultural preferences of the displaced persons and prepared with their input and participation.

Site Selection, Site Preparation, and Relocation

Describe alternative relocation sites considered and explain reason for selection, including:

- (i) Institutional and technical arrangements for identifying and preparing relocation sites, whether rural or urban, for which a combination of productive potential, location advantages, and other factors is 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;
- (ii) Any measures necessary to prevent land speculation or influx of eligible persons at the selected sites;
- (iii) Procedure for physical relocation under the project, including timetables for site preparation and transfer; and
- (iv) Legal arrangements for regularizing tenure and transferring titles to resettlers.

Housing, Infrastructure, and Social Services

Plans to provide (or to finance resettlers' provision of) housing, infrastructure (for example, water supply, feeder roads), and social services to host populations and any necessary site development, engineering, and architectural designs for these facilities.

Environmental Protection and Management

Describe the boundaries of the relocation area, the 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).

Community Participation

Describe the involvement of resettles and host communities, including:

Describe the strategy for consultation with and participation of resettles and hosts in the design and implementation of resettlement activities;

- (i) A summary of the views expressed and how these views were considered in preparation of the resettlement plan;
- (ii) A review of the resettlement alternatives presented and the choices made by PAP regarding their available options, including choices regarding: types of compensation and resettlement assistance; relocating as individual families or as parts of preexisting communities or kinship

- groups; sustaining existing patterns of group organization; or retaining access to cultural property (for example, places of worship, pilgrimage centers, or cemeteries); and
- (iii) Institutionalized arrangements by which PAP can communicate their concerns to project authorities throughout planning and implementation, and measures to ensure that vulnerable groups such as indigenous people, ethnic minorities, the landless, and women are adequately represented.

Integration with Host Population

Describe measures to mitigate the impact of resettlement on any host communities, including:

- (i) Consultations with host communities and local governments;
- (ii) Arrangements for prompt tendering of any payment due to hosts for land or other assets provided to resettles;
- (iii) Arrangements for addressing any conflict that may arise between resettles and host communities; and
- (iv) Any measures necessary to augment services (for example, education, water, health, and production services) in host communities to make them at least comparable to services available to resettles.

Grievance Procedures

Describe the affordable and accessible procedures for third-party dispute resolution for resettlement issues. Grievance mechanisms should consider the availability of judicial recourse and community and traditional dispute settlement mechanisms.

Organizational Responsibilities

Provide the organizational framework for implementing resettlement, including identification of agencies responsible for delivery or resettlement measures and provision of services; arrangements to ensure appropriate coordination between agencies and jurisdictions involved in implementation; any measures (including technical assistance) needed to strengthen implementing agencies' capacity to design and carry out resettlement activities; provisions for the transfer to local authorities or resettles the responsibility for managing facilities and services provided under the project and for transferring other such responsibilities from the resettlement implementing agencies, when appropriate.

Implementation Schedule

Provide an implementation schedule covering all resettlement activities from preparation through implementation, including target dates for realization of expected benefits to resettles and hosts and termination of various forms of assistance. The schedule should indicate how the resettlement activities are linked to the implementation of the overall project.

Cost and Budget

Provide itemized cost estimates for all resettlement activities, including allowances for inflation, population growth, and other contingencies; a timetable for expenditures; sources of funds; arrangements for the timely flow of funds; and funding for resettlement, if any, in areas outside the jurisdiction of the implementing agencies.

Monitoring and Evaluation

Provide arrangements for: monitoring of resettlement activities by the implementing agency, supplemented by independent monitors as considered appropriate by the World Bank, to ensure complete and objective information; performance monitoring indicators to measure inputs, outputs, and outcomes for resettlement activities; involvement of PAP in the monitoring process; evaluation of the impact of resettlement for a reasonable period after all resettlement and related development

activities have been completed; use of resettlement monitoring results to guide subsequent implementation.

Annex 4: Guidelines for an Abbreviated Resettlement/Compensation Action Plan

This template is extracted from World Bank Operational Policy/Bank Procedure 4.12 (OP/BP 4.12), Involuntary Resettlement, Annex A, which can be found on the World Bank's Web site at www.worldbank.org.

Introduction

An abbreviated plan covers the following minimum elements:

- (i) Description of the event that causes displacement;
- (ii) A census and socioeconomic survey of displaced households and/or businesses;
- (iii) Impacts caused by displacement;
- (iv) Valuation of assets;
- (v) Description of compensation and other resettlement assistance to be provided;
- (vi) Consultations with displaced people about acceptable alternatives;
- (vii) Timetable;
- (viii) Budget;
- (ix) Institutional responsibility for implementation and procedures for grievance redress; and
- (x) Arrangements for monitoring and evaluation.

Statement of Problem

Describe the project activities that will cause displacement and efforts made to reduce the number of people to be displaced. Describe the site and the services currently available (schools, places of worship, public transportation, health posts, markets, and the like) and their distance from the site.

Legal Framework

Brief review of local laws, regulations, and procedures on land appropriation and resettlement. In case there are gaps between local laws and World Bank policy, describe ways to bridge these gaps.

Census and Social economic Survey forms

Census Survey of Affected Properties, Families, and/or Businesses

Socioeconomic Survey of adversely impacted Households Affected Properties, Families, and/or Businesses

Properties (goods and assets affected)

Household number (1)	Business number (2)	Name of household head or business owner	Plot area	Description of houses and constructions	Uses of the property (housing, economic activity)	Level of affectation (total, partial, minimum) (3)	Tenure status (titled owner, owner without documents, tenant, sharecropper) (4)	Appraisal value	Comments

- (i) Households should be defined as commensal units that is, people who eat out of the same pot.
- (ii) Business should be defined as any economic activity.
- (iii) Check “partial” in the case of people that can develop the current activity; if not, check “total.” (iv) If they are not owners, include the name and address of the owner.

Socioeconomic Characteristics of Families

Household number	Name of household head	No. of persons in household	No. of children < 13 years of age	No. of adults +60 years of age	No. of students	Sources of income	Place of work or study and distances	Time living in the affected property	Comments

Socioeconomic Characteristics of Businesses

Business number	Name of business owner	Age of business owner	Type of activity	Number of employees	Average monthly income	Destination of production	Place of selling	Time of affected business	Comments

1.10 Impacts Caused by Displacement

Household or business number	Loss of land	Loss of house or business place	Loss of income	Loss of access to educational services	Loss of access to health services	Loss of access to public services	Loss of social networks	Loss of economic networks	Comments

Main findings of survey

Additional information on dwelling value, willingness to be resettled, consultation meetings and so forth.

Proposed Assistance to Resettled Families

Description of type of assistance to be provided to Project Affected People (PAP), terms of agreement with PAP, indication of willingness of PAP to work with discussed assistance and timetable.

- Describe how incomes will be restored or enhanced;
- Special attention on people who are aged, invalids, single mothers, or otherwise in need of special assistance;
- Describe how access to services will be restored or enhanced;
- Describe measures to reestablish socioeconomic networks; and
- Describe possible impacts on host groups and measures implemented to avoid rejection or other negative reaction.

Types of assistance

- Compensation and assistance for resettlement; and
- Resettlement to new housing. **Agreed Solutions**

Household or business number	Resettlement solution	Comments

Responsible Agency

Provide name of entity that will be responsible for implementation and monitoring of activities involved in relocation process. Describe the task team; analyze its capacity to implement the plan or measures to strengthen team.

Source of Budget and Cost Estimate

Include cost of land, housing, moving costs, administrative costs, moving allowances, settle-in allowances. Describe budget sources.

Resettlement Schedule

Description of activities involved, dates, budget, and comments including any follow-up activities to ensure PAP have been able to reestablish their livelihoods/living situation. This schedule should be aligned with the schedule for design and construction of the civil works.

Activities	Dates	Budget	Comments
Planning of census and surveys			
Information to people affected			
Conduct census and socioeconomic survey			
Analysis of data and identification of impacts			
Definition of assistance measures			
Serve official notice			
Relocation/assistance			
Follow-up visit with responsible agency			

Monitoring and Evaluation

Institutions responsible should follow up on plan implementation and readdress any activity as necessary to achieve goals.

No later than 6–12 months after the relocation date, the responsible agency will follow up with the relocated families and/or businesses to determine if they have been able to reestablish their livelihoods and living situation. If this is not the case for any or all of the persons relocated, further assistance will be provided by the relevant government institution.