

**REPUBLIC OF RWANDA**



**MINISTRY OF INFRASTRUCTURE (MININFRA)  
RWANDA ENERGY GROUP (REG)**

**Rwanda Electricity Sector Strengthening Project (RESSP)  
(Project Number P150634)**

**Resettlement Action Plan (RAP) for KIGALI EPC–OVERHEAD LINE**

**Kigali, June 2019**

## EXECUTIVE SUMMARY

Rwanda has historically a low electrification rate with wide disparity between urban and rural areas. However, the situation has improved in recent years due to the policy, regulatory, and private sector development initiatives advanced by the government. The Government of Rwanda (GoR) launched through its Ministry of Infrastructure (MININFRA), a number of Electricity Sector Strengthening Projects through Rwanda Energy Group (REG) in its subsidiary bodies, the Energy Utility Corporation Limited (EUCL) and the Energy Development Corporation Limited (EDCL). Within this same perspective, additional programs such as the Electricity Access Rollout Programme (EARP) were created in 2009 to bid for the primary targets of the Economic Development and Poverty Reduction Strategy (EDPRS) for connecting up to 70% of households by 2020 and significantly improving access to reliable and cost effective electricity services for households, public institutions and productive use by targeting the connection of the industrial, mining, agriculture and commercial opportunities to the electricity grid.

Against this need, Rwanda Energy Group through EDCL (EARP) and EUCL under the Rwanda Electricity Sector Strengthening Project (RESSP) is undertaking activities related to the supply and installation of MV underground cables, to plant design, Supply and installation of construction material for 15 KV four circuits overhead lines and low and medium voltage lines and service connection in 5 EPCs: (i) Kigali Electricity Network; (ii) East: (iii) North: (iv) South and (v) Western Province.

The construction of transmission and distribution lines as well as other supporting facilities and land use restrictions under the Right of Way will lead to involuntary resettlement impacts necessitating preparation and implementation of a Resettlement Action Plan (RAP). The affected assets mainly include trees and crops, particularly in the districts of Nyarugenge, Kicukiro, Gasabo, Gatsibo, Kayanza, Ngoma, Rwamagana, Rulindo, Burera, Rubavu, Karongi, Rutsiro, Huye, Nyamagabe, Nyanza, Kamonyi and Ruhango. However, some houses will be affected in the Kigali Overhead line under Kigali Network Strengthening. This RAP covers only the Kigali EPC for the Sub-Project of Kigali Network Strengthening 15kv 4 Circuits - Overhead Line. Other lots in Kigali EPC will have no social impacts and EUCL received the non-objection to carry out the works.

This RAP was prepared in full compliance with national policies and regulations including Rwanda expropriation law No 32/2015 of 11/06/2015 and the World Bank Policy on Involuntary Resettlement (OP 4.12) as well as the Resettlement Policy Framework (RPF) prepared for the project. The RPF which was formulated to provide guidance to the preparation, implementation and monitoring of site-specific Resettlement Action Plans (RAPs) and land acquisition, has been the main reference for the preparation of this RAP.

In view of this RAP results, the successful implementation of the planned development activities, the timely implementation and monitoring of the proposed mitigation measures are required, the REG/ (EARP) EUCL will collaborate with the Central and Local Government Officials falling into the subproject area in coordination the implementation and monitoring of the PAPs and other project related activities. The monitoring and evaluation indicators set out in this RAP will be followed up by REG-EUCL as internal monitoring and external monitoring will be carried out by external party to the project implementation team with aim at assessing the compliance of this RAP implementation to the prepared project RPF.

### **Objective of the RAP**

The objective of the RAP is to provide a baseline with regards to the social-economic conditions of the PAPs after field investigation, identify the national and international legal framework to abide with as well as the institutional arrangements, to assess the potential impacts and the mitigation mechanisms, to conduct public consultation meetings with PAPs and project stakeholders, ensure immediate compensation or and support to Project Affected Persons (PAPs) for their affected properties at the project sites prior to project works. The present report principally: (i) describes the proposed Project components/activities and associated resettlement impacts; (ii) discusses the applicable legal and regulatory requirements based on the RPF, particularly in terms of the eligibility of affected persons, their entitlements, the valuation of affected assets, and the provision of other resettlement measures; (iii) describes and outline the steps and actions to implement the resettlement measures, including provision of Grievance Redress Mechanism, monitoring and reporting arrangements; and (iv) provides a budget estimate.

### **Baseline Data and Impacts Assessment**

The construction of transmission and distribution lines as well as other supporting facilities will imply permanent land acquisition and physical resettlement within the Right of way of 12 meters large in all of these EPCs as per the RoW national guidelines for 15 KV power lines from the mandated authority (RURA): N°01/GL/EL-EWS/RURA/2015 stipulating the RoW acquisition, related easement and restriction provisions. The acquisition used instruments in the RAP are deeds (Land title provisions, especially Article 16 regulating the use of rented land by Renter (PAP) and the state (GoR) in relation to the easement process on public interest projects in Rwanda. However, REG will purchase the land for RoW, and this will be its own property after completing land transfer process. Another instrument used is value for the affected property and compensation for properties to be damaged.

### **Public Consultations:**

The RAP Consultant team undertook public consultations in KIGALI EPC to ensure that the Project activities and the likely impacts on the PAPs and their livelihoods are fully explained/communicated and

openly discussed with the PAPs and the local authorities. Community meetings covered the following issues:

- Description of the project objectives, components and implementation activities;
- Property and livelihood impacts associated with project implementation;
- The resettlement/compensation alternatives and strategies available for PAPs;
- The rights of PAPs;
- Eligibility Criteria;
- Grievance redress mechanism;
- RAP preparation;
- Valuation principles and procedures; RAP disclosure; and the approval process.

PAPs were mainly concerned about the likely impacts that will be caused by the Project activities on their livelihood with respect to displacement on the encroached ROW and damage to the developments/ houses on their land and sustenance derived from roadside enterprises such as kiosks/stalls/sheds. The PAPs and stakeholders consulted voiced the need for prompt and adequate compensation for the PAPs to enable them to re-establish their property and livelihood activities. The views of the PAPs and other stakeholders consulted were documented and have been integrated into the resettlement measures and strategies outlined in this RAP. Public consultation meetings were also useful in engaging communities, local authorities and PAPs to be particularly affected by the transmission line construction. Along these consultation meetings, few recommendations were given as views of PAPs and project beneficiaries and this was incorporated in the RAP.

### **Summary of impacts and affected People**

During the construction phase of the project, 30 households will experience displacement as a result of the Project's land acquisition process. The following table provides an overview of the displacement impacts that the community is expected to face, along with the predicted scale of these impacts in terms of number of affected households.

**Table 1: Key Displacement Impacts and Associated Magnitude**

Key Displacement Impacts	Magnitude	HHs to be affected
Loss of houses and plots they occupy	High	27
Tenants	Minor	14
Loss of both unconstructed plot and house	High	3
Total PAPs		44
Out of these, the number of PAPs would also lose (or experience disruptions in) their income sources or means of livelihood	Medium	23

*Source: Field Survey*

The erection of the Kigali (GIKONDO-KBC overhead line) will affect 44 households (where 27 HH will lose houses, 3 HH will lose houses and unconstructed plots, and 14 tenants). The livelihood restoration program will cover 23 HH among them 7 HHs will lose rental houses, 2 Vulnerable PAPs will lose their access to National Social Protection scheme before being reintegrated in the new community and 14 tenants who were renting houses nearest to their daily occupations. All of these will be assisted to restore their livelihood.

- **Eligibility criteria**

Determination of the eligibility of PAPs to be compensated was done through a transparent legal process, taking into consideration all the existing laws of Rwanda and the World Bank policies and local customs. The following criteria were applied:

- PAPs who have formal rights to land including customary/communal land, traditional and religious rights recognized under Rwandan Law; (33 HH)
- PAPs who do not have formal legal rights to land at the time the PAPs and their properties census begins but have a claim to such land or assets provided that such claims are recognized under the laws of Rwanda or become recognized through a process identified in the resettlement plan and; (0HH)
- PAPs who have no recognizable legal right or claim to the land they are occupying, using or getting their livelihood from it before the cut off date, but are recognized under World Bank OP 4.12. (14HH)

The process involved review of tenure documents owned by occupants, interviews with households and groups in the affected area. Local Leaders and the Ministry of Environment also helped in this assignment.

### **Compensation and resettlement measures**

The compensation of affected assets will be made in reference to the prevailing laws in Rwanda and the safeguard policies of the World Bank (OP4.12). The resettlement and compensation of land acquired and houses will be made in reference to the prevailing expropriation laws in Rwanda (Law No. 32/2015 of 11/06/2015 relating to Expropriation in the Public interest, Special No. 35 of 11/06/2015: This law determines the procedures relating to expropriation of land in the interest of the public. Article 3 of the law stipulates that the government have the authority to carry out expropriation. However, the Institution, at any level, which intends to carry out acts of expropriation in the public interest, shall provide funds for inventory of assets of the person to be expropriated and the World Bank safeguard policies and regulations.

The compensation, of damaged properties will be fully done before commencement of Project works, the disturbance allowance of 5% as per 2015 expropriation law in public interest projects are presented together with the compensation fee and the whole RAP budget/cost. In addition to the compensation, the project will assist the vulnerable people that are within the Project intervention areas to improve their livelihoods by linking them to existing National Social protection scheme.

### **Resettlement Action Plan (RAP) Costs**

In total, the Project activities in the two (2) districts will affect total number of 44 households where 30 are HH owners and 14 tenants. Among 30 HH, 27 HH will lose only houses whereas 3 HH will lose both houses and unconstructed plots. No crops, trees or plant will be affected in the line corridor because the project area is residential. The overall RAP cost for the Kigali EPC-Overhead line is estimated to **555,103,825 Rwf** including:

- Resettlement Action Plan compensation cost for houses: 275,313,000 Rwf
- Resettlement Action Plan compensation cost for land: 180,754,350Rwf
- Livelihood Restoration Program excluding 5% of disturbance allowance of 4,402,500 Rwf
- Additional 5% of compensation indemnity for disruption caused by expropriation of 22,803,368 Rwf
- A contingency amount of 15% (71,830,608 Rwf).

### **Content of RAP**

The present report principally describes the proposed Project components/activities and associated resettlement impacts. The report also provides the socio-economic baseline data, identified PAPs and

inventory of properties/assets highlights to be affected, biography of the PAPs and the magnitude of the properties to be lost. The RAP also provides the legal and regulatory framework for assets valuation, eligibility, and compensation.

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## ABBREVIATIONS AND ACRONYMS

CLO	Community Liaison Officer
DLB	District Land Bureau
DTF	District Task Force
EARP	Electricity Access Roll Out Program
EDCL	Energy Development Corporation Limited
EDPRS	Economic Development and Poverty Reduction Strategy
EPC	Engineering, Procurement and Construction
FARG	Fond d'Assistance aux Rescapes du Génocide
GRM	Grievance Redress Mechanism
HHs	Households
IFC	International Finance Corporation
IRS	Indoor Residual Spraying
LAC –LA	Land Adjudication Committee - Land Act
LRC	Local Resettlement Committee
MININFRA	Ministry of Infrastructures
MoE	Ministry of Environment
OP	Operational Policy
PA	Project Area
PAHs	Project Affected Households
PAPs	Project Affected Persons
PIU	Project Implementation Unit
PRA	Participatory Rural Appraisal
RAP	Resettlement Action Plan
RDRC	Rwanda Demobilization and Reintegration Commission

REG	Rwanda Energy Group Ltd
RESSP	Rwanda Electricity Sector Strengthening Project
RoW	Right of Way
RURA	Rwanda Utilities Regulatory Authority
RwF	Rwandan Franc
SHGs	Self-Help Groups
SMP	Social Management Plan
VUP	Vision 2020 Umurenge Program
WB	World Bank

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## DEFINITION OF KEY TERMS

- **Census:** A field survey carried out to identify and determine the number of Project-Affected Persons (PAPs), their assets, and potential impacts; in accordance with the procedures satisfactory to the relevant Government authorities, and the World Bank Safeguard Policies.
- **Community:** A group of individuals broader than the household, who identify themselves as a common unit due to recognized social, religious, economic or traditional government ties, or through a shared locality.
- **Compensation:** The payment in kind, cash or other assets given in exchange for the taking of land, or loss of other assets, including fixed assets thereon, in part or whole.
- **Complete Structures:** Buildings, including houses and institutional structures, which have enclosed walls, roofs and levelled earth or concrete floors.
- **Cut-off date:** The date at which the property identification and valuation exercise ended and the census of PAPs within the project area boundaries commenced. This is the date on and beyond which any person whose land is planned for and/or occupied for project use will not be eligible for compensation.
- **Displacement Assistance:** Support provided to people who are physically displaced by a project. Assistance may include transportation, shelter, and services that are provided to affected people during their move.
- **Economic Displacement:** Loss of income streams or means of livelihood resulting from land acquisition or obstructed access to resources (land, water, or forest) which results from the construction or operation of a project or its associated facilities.
- **Economically-Displaced Households:** Households whose livelihoods are impacted by the Project, which can include both resident households and people living outside the Project Area but having land, crops, businesses or various usage rights there.
- **Entitlements:** The benefits set out in the RAP, including: financial compensation; the right to participate in livelihood restoration programs; and, transport and other short-term assistance required to resettle or relocate.
- **Household:** A person, or group of persons living together, in an individual house or Compound, who share cooking and eating facilities, and form a basic socio-economic and decision-making unit.
- **Institutional Structures and Infrastructure:** Buildings, structures and facilities for public, government and religious use, such as schools and churches, within the Project Area, and being used for the purpose for which they were established.
- **Involuntary resettlement:** The involuntary taking of land resulting in direct or indirect economic and social impacts caused by:
  - o Loss of benefits from use of such land;

- Relocation or loss of shelter;
  - Loss of assets or access to assets; or
  - Loss of income sources or means of livelihood, whether or not the project-affected person has moved to another location.
- **Involuntary land acquisition:** The taking of land by the government or other government agencies for compensation, for the purposes of a public project/interest against the will of the landowner.
  - **Land:** Refers to agricultural and/or non-agricultural land whether temporary or permanent, and which may be required for the Project.
  - **Landowner:** Is a person who has lawful possession over a piece of land. The Landowner may or may not own structures and crops on the land.
  - **Land acquisition:** The taking of or alienation of land, buildings or other assets thereon for purposes of a Project under eminent domain.
  - **Livelihood Programs:** Programs intended to replace or restore quality of life indicators (education, health, nutrition, water and sanitation, income) and maintain or improve economic security for Project-Affected People through provision of economic and income-generating opportunities, which may include activities such as training, agricultural production and processing and small and medium enterprises.
  - **Non-resident Household:** A household (or individual) that has an asset in the Project Area, which existed on or before the Cut-off Date, but who resides outside the Project Area.
  - **Occupied Structures:** These are structures that have signs of regular and sustained human occupancy, for a period prior to the Cut-Off Date.
  - **Physically-displaced Household:** Households who normally live in the Project Area and who will lose access to shelter and assets resulting from the acquisition of land associated with the Project that requires them to move to another location.
  - **Project-affected Household (PAH):** All members of a household, whether related or not, operating as a single socio-economic and decision-making unit, who are affected by a project.
  - **Project affected Persons (PAPs):** means persons who, for reasons of the involuntary taking of their land and other assets under the project, result in direct economic and or social adverse impacts, regardless of whether or not said PAPs physically relocate. These people may have their:
    - Standard of living adversely affected, whether or not the PAP must move to another location;
    - Right, title, investment in any house, land (including premises, agricultural and grazing land) or any other fixed or movable asset temporarily or permanently possessed or adversely affected;

- Access to productive assets temporarily or permanently adversely affected; or business, occupation, work or place of residence or habitat adversely affected.
- **Relocation:** A process through which physically displaced households are provided with a one-time lump sum compensation payment for their existing residential structures and move from the Project Area.
- **Replacement Cost:** The rate of compensation for lost assets must be calculated at full replacement cost, that is, the market value of the assets plus transaction costs. With regard to land and structures, “replacement costs” may be defined as follows:
- **Resettlement Action Plan (RAP):** Also known as a Resettlement and Compensation Plan, a resettlement instrument (document) prepared when sub-project locations are identified and involves land acquisition, which leads to or involves the 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. RAPs are prepared by the project owners (managers or their appointed representative) impacting on the PAPs and their livelihoods and contain specific and legally binding requirements for compensation of the PAPs before the implementation of such project activities.
- **Replacement cost:** The replacement of assets with an amount sufficient to cover full replacement cost of lost assets and related disturbance and transaction costs. In terms of land, this may be categorized as follows:
  - Replacement cost for agricultural land: The pre-project or pre-displacement, whichever is higher, value of land of equal productive potential or use located in the vicinity of the affected land, plus the costs of:
  - Preparing the land to levels similar to those of the affected land;
  - Any registration, transfer taxes and other associated fees.
- **Right-of-Way:** is an easement granted or reserved over the land for transportation purposes; this can be transport related, as well as electrical transmission lines, or oil and gas pipelines. The right-of-way is reserved for the purposes of maintenance, expansion or protection of services, and may also impose restrictions on certain other use rights. According to the national regulations set by Rwanda Utility Regulations Authorities (RURA) the power lines of 30KV should be centered within the RoW of 12m.
- **Socio-economic Survey:** A detailed socio-economic survey of all households within the Project Area, recording detailed demographic and socio-economic data at the household and individual level.
- **Stakeholders:** Any and all individuals, groups, organizations, and institutions interested in and potentially affected by a project or having the ability to influence a project.

- **Tenant:** A person who lives in a structure belonging to another, regardless of whether they pay rent or not.
- **Vulnerable Persons:** Socially and economically disadvantaged groups of persons such as widows, the disabled, and households headed by orphans and single women, elderly persons or household heads who are likely to be more affected by project implementation or are likely to be generally constrained to access or seek out their entitlements promptly.
- **Social Protection:** Social protection consists of policies and programs designed to reduce poverty and vulnerability by promoting efficient labor markets, diminishing people's exposure to risks, and enhancing their capacity to manage economic and social risks, such as unemployment, exclusion, sickness, disability and elderly people.

## **I. INTRODUCTION**

### **I.1. Background**

The Government of Rwanda (GoR) through Rwanda Energy Group (REG) and its subsidiaries Energy Development Corporation Limited (EDCL), Energy Utility Corporation Limited (EUCL) and the Rwanda Electricity Sector Strengthening Project which will contribute to Economic Development and Poverty Reduction Strategy (EDPRS) I and II targets and shall be supported from different donors including World Bank as the main donor. This project complements the on-going EARP which will continue to lead on grid electrification in urban areas and rural settlement.

The main Project objective of RESSP is to improve access to reliable and cost-effective electricity services for households, public institutions and productive use. RESSP will continue to construct the backbone of the power supply system to rural areas and will align generation capacity and demand to achieve an efficient tariff. Rwanda Electricity Sector Strengthening Project (RESSP) has been designed to address two major challenges faced by the energy sector in Rwanda:

- Electricity Sector Capacity Strengthening with an aim to improve the performance of the electricity sector institutions;
- Increased Access to Electricity

The activities and investments to be supported under the proposed project are organized into the following three main components:

- Component A (Electricity Sector Capacity Strengthening) which has three subcomponents
- Component B (Increased Access to Electricity Services).
- Component C (Technical Assistance and Project Implementation Support).

The KIGALI EPC-Overhead line will consist of “Design, supply, and installation of medium voltage \_\_km transmission line from KICUKIRO to GASABO District in Kigali City.”

The Project activities in this EPC will entail permanent land acquisition and land use restriction, resulting in physical displacement of people and their assets. According to the Rwanda Utility Regulatory Authority (RURA) Guidelines No 01/GL/EL-EWS/RURA/2015, the RoW for Power Lines should be 12 m wide for 15-30kV distribution and transmission lines.

The Government through the REG will acquire the land within the right of way corridor, and this will become its own property after completing the land transfer process.

The objective of this assignment is to undertake a detailed Resettlement Action Plan (RAP) to determine the extent of land acquisition impacts associated with the establishment of the electricity transmission and distribution lines, and new substations as well as to put in place measures to mitigate those impacts. This RAP will identify the people to be affected by the project and justify their resettlement after consideration of alternatives that would minimize or avoid displacement, and will ensure that all affected parties are compensated and assisted in restoring their livelihoods.

## **The Overall objective of the RAP includes**

Avoid or at least minimize involuntary resettlement and mitigate adverse social and economic impacts from land/ROW acquisition by: providing compensation for loss of assets at replacement cost; and ensuring that resettlement activities are implemented with appropriate disclosure of information, consultation, and the informed participation of those affected, and Improve or at least restore the livelihoods and standards of living of affected people.

Provide additional targeted assistance (e.g. trainings, or job opportunities) and opportunities to improve or at least restore their income- earning capacity, production levels, and standards of living to economically displaced persons whose livelihoods or income levels are adversely affected.

## **1.2 Scope of the RAP**

This RAP covers the following activities and outputs:

- Analysis of the legal and institutional framework and gap in relation to involuntary resettlement;
- Conducting Social Economic Baseline Information detailing the project affected people by household, their losses and vulnerability;
- Analysis of potential project social impacts and resettlement implications through identification of PAPs, their number and evaluating the extent of the impacts of the project on them;
- Carry out and document public consultation with PAPs and relevant institutions involved in involuntary resettlement;
- Carry out detailed inventory of PAPs properties and submit inventory report that include the photographs of the PAPs, photographs of the affected property and the geo reference (GPS coordinates of the affected property);
- Compensation and resettlement of Project affected people to be carried out in compliance with the Rwandan Legislation Law and the World Bank OP 4;12.
- Set up an implementation schedule covering all activities of the plan from preparation stage to monitoring, indicating clearly those activities that have already been undertaken as part of this RAP preparation and those activities that are still to be implemented;
- Set up organizational structure for proper RAP implementation and delivery of necessary services;
- Set up Monitoring and evaluation mechanisms arrangements by the implementing agency;
- Set up Grievances Redress Mechanism (GRM) that ensures affordable and accessible procedures for settlement of disputes arising from the project.
- Provide the Costs and Budget including costs for compensation, for RAP implementation.
- To assist PAPs in restoring their affected livelihoods and to provide assistance in order to restore livelihoods to at least their previous levels.

### **1.3. Approach and Methodology**

To achieve the study objectives, we followed procedures stipulated in Rwanda expropriation law No 31/2015 of 05/06/2015 and the WB OP 4.12 on involuntary Resettlement and the RPF guidance. The study adopted the following approach: (i) preliminary assessment and review of preliminary design of the projects, (ii) review of baseline information (iii) review of policies and regulations, (iv) review of previous meetings and consultations with stakeholders, (v) interviews with key stakeholders, and (vi) field surveys at the project sites including socio-economic baseline data and assets inventory. Social economic cover including site locations, land cover and proposed infrastructure were described fully with clear maps using Global Position System (GPS) and Geographic Information System (GIS) tools for a comprehensive understanding of the area and project activities and to make the task of planning and monitoring easier during the implementation. data/strip maps, a survey report, property catalogues and a valuation roll, institutional and implementation arrangements, necessary references, annexes and social-economic profiles of PAPs – are all part of this RAP report.

#### **1.3.1. Preliminary works**

Shape files reading and conversion into Arc GIS, site reconnaissance and data collection preparation. This phase consists of:

Getting shape files and convert into Arc GIS: This consists of getting shape files of the project area given by the client to be considered during the RAP study. After getting the shape files, the GIS expert converted the shape files using GIS tools (Arc map) and Google earth to facilitate the analysis of the workload and deployment of the teams in the field.

##### **- Site reconnaissance**

The consultant and his team visited the project area following the proposed line route of the project proponents for the first 14 days;

The site reconnaissance and map analysis, sharing information about the RAP study was done in collaboration with local leaders and residents.

#### **1.3.2. Recruitment and Training of socioeconomic enumerators and Surveyors**

A team of experienced socioeconomic enumerators, survey engineers, valuation experts and support staff (Public engagement meetings animators and data management team) were hired and trained to understand and use data collection tools, to the smooth communication and data sharing and entry along the data collection exercise. The data collection was subdivided into 3 main phases: Preliminary works, data collection on the field (Using tablets and GPS) and Valuation of assets.

## - **Training of enumerators**

The purpose of the training was to familiarize and help enumerators to be familiar with the field data collection using the Computer Assisted Personal Interview (CAPI) embedded with questionnaires and allow the data programming team to develop and finalize the necessary data entry programs and templates using the Survey CTO software. Data collection was done using tablets in order to manage the short time at disposal and assure the quality of the day-to-day collected data. The training sessions also gave the survey team an opportunity to assess the quality of questionnaires.

### **1.3.3. Data collection Methodology**

A triangulation of data collection techniques was applied throughout the collection of the data related to the Resettlement Action Plan elaboration. It is in this regard that the following techniques were subsequently used. Assets Inventory Techniques, Use of Maps and GPS: This was used to trace the project's strip map and identify the PAPs, intensity of impact (losses of all kind), and existing sites of cultural significance. The consultant used the survey maps (Shapefiles) availed by the client (EDCL) to identify the project area and People Affected by the Project.

- **Socio-Economic Survey:** Comprising of detailed census about PAPs using a questionnaire, their households' socio-economic characteristics and plausible losses to be incurred to People to be affected by the Project.

RAP Socioeconomic and assets data collection using Computer Assisted Personal Interviewing (CAPI-Tablets) and 3 D Geographic Positioning System (GPS). Socioeconomic enumerators, collected data using Android Tablets with the Survey CTO software installed and in collaboration with data managers, directly entered the daily collected data. These tablets were used not only to capture the socioeconomic characteristics of the PAPs, take the picture of properties/assets to be affected. To make this possible, we configured the data collection questionnaire in the tablets in a way that collected data was sent to the server in our office.

A surveying engineer was also deployed to the field to anticipate the geographical positions of the project site and properties therein using a 3D GPS electronic device. With his help, socioeconomic enumerators were enabled to know properties (houses, fences, trees, crops, forests etc.) location and start interviewing respective People to be affected by the project. A professional valuator worked hand in hand with surveyor as he was tasked to cost any identified properties along the line route, which properties were given to him by enumerators on a daily basis.

A GIS engineer was as well on duty to receive Geographical values for properties located in the Right of Way (RoW) of different line routes, this for him to draw the project's strip maps. Overall, a team made of 5 socioeconomic enumerators, 1 GIS engineer and team leader and one valuer, a total of 7 people were used



for data collection purpose. The method used for data collection was one-on-one interviews with the heads of household or his/her representative. After completing the surveys, PAP was allowed to ask more clarifications on the project before signing the RAP socio-economic enumeration attendance sheet. For quality and data accuracy purpose, the field team leader revised the filled in questionnaires at the end of every working day. After checking every enumerator's files, he compiled the files and sent them to the Data Managers to the server and to the Valuation team back in the office.

#### **1.4. Format and Content of the report**

This RAP has been prepared in reference to the Resettlement Policy Framework (RPF) prepared for the project as a guidance for the preparation, implementation and monitoring of site-specific resettlement action plans (RAPs) and land acquisition during the implementation of the project. The structure of this RAP report presents the following parts and chapters in a narrative perspective:

An executive summary,

Chapter 1: Introduction;

Chapter 2: Policy, Regulatory and institutional frameworks;

Chapter 3: Baseline data discussion;

Chapter 4: Public consultation meetings

Chapter 5: Impact Assessment and Compensation Measures;

Chapter 6: Compensation and Resettlement Budget

Chapter 7: Eligibility for Resettlement

Chapter 8: RAP implementation and Monitoring provisions.

Chapter 9: RAP disclosure

#### **I.5. PROJECT DESCRIPTION AND LOCATION**

##### **I.5.1. Introduction**

This section describes the proposed Resettlement Action Plan (RAP) of Rwanda Electricity Sector Strengthening Project for KIGALI EPC.

##### **I.5.2. Project Components**

The Rwanda Electricity Sector Strengthening Project (RESSP) which has three components: Component A - Electricity sector capacity strengthening; Component-B - Increased access to electricity services; and Component C - Technical assistance and project implementation support. The following is the brief description of each project components.

##### **Component A: Electricity Sector Capacity Strengthening**

The project will support EUCL to establish a comprehensive Integrated Business Management Information Systems (IBMIS) MIS to ensure efficient, transparent, and accountable processes covering network

operations and maintenance (O&M); commercial functions; and management of corporate resources. The primary activities will include the design, supply, installation, and operationalize (including staff training) of an integrated management information system with several modules covering commercial, network operation, and corporate functions. The integrated Business Management Information Systems will have the following subcomponents:

### **Component B: Increased Access to Electricity Services**

The Increased Access to Electricity Services will support connection of new consumers all over Rwanda and network reinforcements, where required, to ensure that network expansion does not compromise the quality of supply; and strengthening of the Kigali 15KV distribution network to provide sufficient capacity to meet increased demand arising out of increased economic activities.

#### **- Sub-Component B-1: Strengthening the distribution network around Kigali Area**

This subcomponent will finance (i) the rehabilitation of key 15kV medium voltage switching stations in the Kigali electricity distribution network to enhance safety; (ii) upgrading of the Kigali network to increase loading capacity thereby improving supply reliability and reduced technical losses; and (iii) installation of equipment that will facilitate monitoring and control of the network from the National Control Centre (NCC) to reduce unscheduled downtime. These improvements will enhance overall network operations efficiency. The Kigali EPC - Overhead Line, which is the subject of this RAP is part of this Sub-Component B-1.

#### **- Sub-Component B-2: Electricity Access**

This subcomponent is aimed at continued support of the ongoing RESSP and will finance activities to connect new consumers all over Rwanda through the purchase of equipment for grid extensions, reinforcements, consumer connections, and installation services, including upstream system reinforcements, where required, to ensure that network expansion does not result in the deterioration of the quality of supply. The project will support investments that will result in the connection of about 47,000 new customers to the national electricity grid.

### **Component C: Technical Assistance and Project Implementation Support**

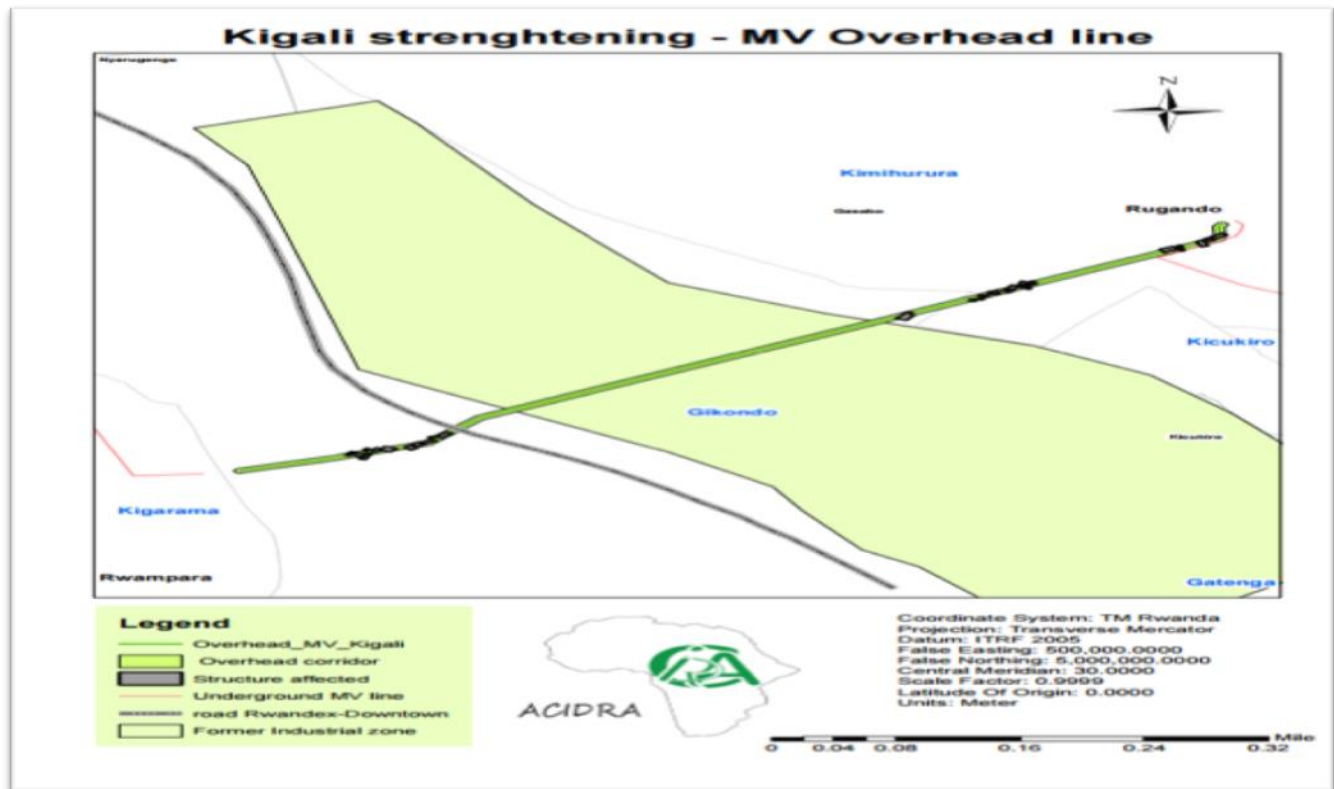
The Technical Assistance and Project Implementation Support component will include the Technical Assistance (TA) and Electricity Sector Strengthening Project Implementation Support. The TA will support Feasibility and Diagnostic Studies required to have in place the requisite plans, bankable projects, and management capacity to foster improved sector expansion and efficient operations.

### I.5.3. Description and Location of KIGALI EPC-Overhead Line

The KIGALI EPC-Overhead line which is covered by this RAP consists at plant design, supply, and installation of medium voltage in the KICUKIRO and GASABO Districts in the Kigali City. The EPC components likely to have resettlement implications include reinforcement of medium voltage transmission line of 1.5 km GIKONDO-KBC.

#### *SITE LAYOUT*

Figure 1: site layout map



Source: Designed in reference to the EDCL/EUCL project's line routing

## **II. LEGAL, POLICY AND INSTITUTIONAL FRAMEWORK**

This chapter describes the relevant policies, legal instruments and institutional arrangements applicable to the construction in different districts of Rwanda in reference to the international framework. This RAP applies the laws, legislation, regulations, and local rules governing the use of land and other assets in Rwanda as well as the World Bank's OP 4.12 on Involuntary Resettlement.

### **II.1. National relevant policies and Regulations**

#### **II.1.1. Rwandan Constitution 2003 as revised in 2015**

The Constitution of Rwanda, Article 11 stipulates that all Rwandans are born and remain free and equal in rights and duties. Discrimination of whatever kind based on, inter alia, ethnic origin, tribe, clan, color, sex, region, social origin, religion or faith, opinion, economic status, culture, language, social status, physical or mental disability or any other form of discrimination is prohibited and punishable by law.

Rwandan Constitution recognizes that every person has a right to private property whether personal or owned in association with others (Article 29). The private property, whether individually or collectively owned is inviolable. The right to property may not be interfered with except in public interest, in circumstances and procedures determined by law and subject to fair and prior compensation. Under Article 30, it is stipulated that private ownership of land and other rights related to land are granted by the State. The law specifies the modalities of acquisition, transfer and use of land.

Exceptionally, the right to property may be overruled in the case of public interest. In these cases, circumstances and procedures are determined by the law and subject to fair and prior compensation (Article 29). Laws on property are also found in various legal texts of Rwanda. Eligibility for compensation is also enshrined under the Rwandan constitution and the Expropriation Law. The property of the State comprises of public and private property of the central Government as well as the public and private property of decentralized local government organs (Article 31).

#### **II.1.2. Land tenure legal provisions in Rwanda**

Although the Organic Land Law provides two types of formal land tenure: full ownership/ freehold and long-term leasehold, all land in Rwanda belongs to public entities: The State, the Cities and the Districts. "Public land" is reserved for public use or for environmental protection. "Private land" can be allocated by its public owners (State, Cities and District) to natural or legal persons. It then becomes "individual land". It is leased through a lease contract and against payment of an annual lease fee. The lessee obtains an ownership certificate (Emphyteutic Lease Contract and Certificate or Full Ownership Title) (Ministry of Natural Resources, 2012).

Individual land owners (e.g. land rights holders) would need to be compensated in case their land holdings are permanently acquired for the purpose of electricity extension construction activities in Kigali city or in respective EPCs (in Provinces). The Organic Land Law recognizes existing rights, whether written or unwritten, under both civil law and customary practices through new national land tenure arrangements. Efforts have been made to formalize land ownership, especially those acquired through customary means.

### **II.1.3. National Land Policy, 2004**

The Policy is premised in the National Development Strategy of Rwanda (Vision 2020). Its main objective is to put in place and operationalize an efficient system of land administration and land management that secures land ownership, promotes investment in land for socio-economic development and poverty reduction. The policy provides for land tenure systems, guiding principles of land management, an effective & efficient land registry, and land transactions. According to the National Land Policy, all Rwandese enjoy the same rights of access to land, implying no discrimination against women. All land should be registered for security.

### **II.1.4. National Gender Policy, 2010**

The National Gender Policy states that the Rwandan society is free from all forms of gender-based discrimination and see both men and women participate fully and enjoy equitably from the development processes. The main mission of this policy is to contribute to the elimination of gender inequalities in all sectors of national life, in order to achieve the nation's goal for sustainable development.

Resettlement activities for this RAP will involve and affect both men and women in terms of loss of property and both genders are expected to be treated equally in sharing the compensation amount or other accompanying measures relating to the relocation and resettlement following the acquisition of land and properties in the right of way of the electricity extension construction activities.

### **II.1.5. N°43/2013 of 16/06/2013 governing land in Rwanda**

The Organic Law No. 03/2013/OL of 16/06/2013 repealing the Organic Law No 8/2005 of 14/7/2005, determines the use and management of land in Rwanda. In particular, it provides for the land use consolidation in Rwanda. This law governs land in Rwanda. It also institutes the principles that are to be respected on land legal rights accepted on any land in the country as well as all other appendages whether natural or artificial. Organic Land Law categorizes land via two criteria: (1) Land Use and (2) Land Ownership. Land Use (Article 9) is split into two categories: urban lands and rural lands.

Land ownership is divided into the following categories: individual owned lands and State lands (whether urban or rural). Article 10 provides that individual land is comprised of land acquired through custom,

written law. That land has been granted definitely by competent authorities or acquired by purchase, donation, inheritance, succession, ascending sharing, and exchange or through sharing.

Article 11 provides that public land consists of land in public and private domain of State, land belonging to public institutions and land that belongs to local authorities whether being in their public domain or in their private domain. It also states that the State may donate to any public institution or local authority its land reserved for public or private domain.

#### **II.1.6. Law No. 32/2015 of 11/6/2015 Relating to Expropriation in the Public Interest**

The Law determines the procedures relating to expropriation in the public interest.

Article 3 of this law notes that, ‘No person shall hinder the implementation of the program of expropriation in the public interest on pretext of self-centered interests. Article 17 states that after the publication of a decision on expropriation in the public interest, complete with a list of holders of rights registered on land titles and property incorporated on land, land owners shall not develop any long-term activities on the land, otherwise such activities shall not be compensable during expropriation.

In terms of valuation, Article 22 states that land values and prices for property consistent with the prevailing market rates shall be established by the Institute of Real Property Valuers in Rwanda. According to Article 26 land titles must be produced as evidence of ownership, and evidence of marital status as applicable. Any persons dispossessed of land, or unlawfully occupying land, or having developed activities prohibited after the enactment of relevant laws shall receive no compensation.

Article 27 reaffirms that compensation for land must include any improvements on the land and compensation for disruption associated with expropriation. Article 28 notes that the value of land and property should be calculated on the basis of size, nature and location and the prevailing market rates. The compensation for disruption caused by expropriation to be paid to the expropriated person shall be equivalent to five % (5%) of the total value of his/her property expropriated.

Article 32 refers to sign-off by the owner once he/she is satisfied with the valuation. Article 33 allows for any person not satisfied with the valuation to contest in writing within seven days. Any person contesting the assessed value must engage the services of a valuer or a valuation firm recognized by the Institute of Real Property Valuer in Rwanda, at their own expense, to carry out a counter-assessment of the value. Under Article 34 if unsatisfied the matter may be referred to the courts. However, the compensation will be paid pending the court decision so as not to delay expropriation.

In terms of payment of compensation, Article 35 notes that, ‘fair compensation can be paid in monetary form in the Rwandan currency or in any other form mutually agreed upon by the expropriator and the person to be expropriated’. The fair compensation must be paid to the expropriated person before he/she relocates.

Article 36 notes that compensation must be paid within 120 days of approval by the Ministry, or otherwise becomes null and void, unless mutually agreed otherwise. After payment, the affected person has a further 120 days to relocate. During this period, they should not plant any crops that would take more than 120 days of growth before harvesting. Article 38 stipulates that compensation shall be deposited into a bank account with a recognized locally-based bank or financial institution.

**Eligibility for compensation** is enshrined under the Rwandan constitution (article 29) and the expropriation law. The two laws regulate and give entitlement to those affected, whether or not they have written customary or formal tenure rights. The person to be expropriated is defined under article 2(7) of the expropriation law to mean any person or legal entity who is to have his or her private property transferred due to public interest, in which case they shall be legally entitled to payment of compensation.

**Compensation entitlement:** In case an individual suffers any loss, Article 3 of the expropriation law stipulates that he or she should receive just compensation for it, although it is not clear what comprises fair and just compensation, this being left to the judgment of independent valuer. Article 4 of this law also stipulates that any project which results in the need for expropriation for public interest shall provide for all just compensation in its budget. Through mutual arrangement, both parties can determine the mode of payment. Article 22 (2) of the expropriation law provides that through an agreement between the person to expropriate and the one to be expropriated, just compensation may either be monetary, alternative land or a building equivalent as long as either option equates to fair and just monetary compensation. In case the determination of ‘just’ compensation exceeds in value the alternative land given to the expropriated person, the difference will be paid to the expropriated person.

Furthermore, the law deals with valuation of land earmarked for expropriation. The law identifies properties to be valued for just compensation to be land and activities that were carried out on the land including different crops, forests, buildings or any other activity aimed at efficient use of land or its productivity. Here the law is silent on access to economic activities on the land. The new law has added 5% of total compensation fees for disturbance allowances.

#### **II.1.7. Law n°.17/2010 of 2010 establishing and organizing the real property valuation profession in Rwanda**

This law provides for the registration of land in Rwanda and conditions for registration. The law also allows the government to conduct valuation when mandated by their government institutions. Articles 27, 29, 30 and 31 of the law deals with valuation methods. These articles stipulate that price for the real property shall be close or equal to the market value. The valuation could also compare land values country wide. Where

sufficient comparable prices are not available to determine the value of improved land, the replacement cost approach shall be used to determine the value of improvements to land by taking real property as a reference. The law also allows the use of international methods not covered in the law after approval from the institute of valuer council.

#### **II.1.8. Ministerial order no. 001/2006 of 2006 determining the structure of land registers**

The ministerial order determines the structure of lands registers, the responsibilities and functioning of the District Land Bureau (DLB). This ministerial order determines the structure of land registers, the responsibilities and the functioning of DLB. The responsibilities of the land bureau include among others to implement land registration and manage land and update, safely keep records of land registers and monitor and approve activities pertaining to valuation of land, other immovable property and demarcate and approve land cadastral. This order does not apply to land specified in articles 12, 14, 15 and 72 of the organic law n° 8/2005 of 14/07/2005 determining the use and management of land in Rwanda

#### **II.1.9. RAP preparation and approval process in Rwanda**

In Rwanda involuntary resettlement is governed by expropriation law and valuation law. Both laws do not have provisions on RAP preparation and approval. Instead, the expropriation defines the process of expropriation and valuation while the resettlement impacts are assessed together with the EIA and RPF reports. The chapter III of the law n° 32/2015 of 11/06/2015 relating to expropriation in the public interest expropriation law defines steps to be undertaken for expropriation as follows:

- **Organs determining projects of expropriation in the public interest**

- Organs which determine projects of expropriation in the public interest are the following:
- the executive committee at the district level, in case such activities concern one district;
- the executive committee at the level of the City of Kigali, in case such activities concern more than one district in the boundaries of the City;
- the relevant ministry, in case planned activities concern more than one district or if it is an activity at the national level, subject to provisions of item 2° of this Article.

- **Organs supervising projects with expropriation in the public interest**

Organs in charge of supervising projects of expropriation in the public interest are hereby established as follows:

- The committee in charge of supervision of projects of expropriation in the public interest at the district level where the project concerns one district;



- The committee in charge of supervision of projects of expropriation due to public interest at the national level where the project concerns more than one district or it is a project at the national level, subject to the provisions of item 2° of this article.

- **Organs approving expropriation in the public interest**

The organs approving expropriation in the public interest are the following:

- At the district level, it is the district council after considering the recommendation of the committee in charge of supervision of projects of expropriation in the public;
- At the level of more than one district, the ministry in charge of land, upon proposal by the committee in charge of supervision of projects of expropriation in the public interest at national level subject to provisions of item 2 of this Article. A ministerial order shall be used;
- At the national level and in case of activities related to security and national sovereignty, the Prime Minister's Office upon proposal by the committee in charge of supervision of projects of expropriation in the public interest at the national level by way of a Prime Minister's order.

- **Procedure for expropriation in the public interest**

Procedures for expropriation are as follows:

- Request for expropriation in the public interest by project proponent/ developer;
- Consideration of the relevance of the project proposal for expropriation in the public interest by relevant committee.
- Decision on the relevance of a project of expropriation in the public interest;
- Approval of expropriation in the public interest;
- Publication of the decision on a project for expropriation in the public interest;
- Valuation of assets and agreement on compensation measures;
- Compensation.

- **RAP process for donor funded projects**

For donor funded projects, where the RAP preparation and approval is a requirement, the donor policies apply and the RAP is prepared in compliance with both international and national laws. The normal practice is as follows:

- Preparation and approval of terms of reference by both donor and implementing agency;
- Recruitment of independent consultant to prepare the RAP;
- RAP preparation by independent consultant;
- Approval of the RAP report by both donor and implementing agency;
- Implementation and monitoring of RAP by implementing agency.

## **II.2. World Bank Policy OP 4.12 on Involuntary Resettlement**

The primary objective of the WB OP 4.12 is to explore all alternatives to avoid, or at least minimize, involuntary resettlement. Where resettlement is unavoidable, the living standards of displaced persons should be restored or improved relative to those conditions that prevailed prior to the Project. The policy applies to the taking of land and other assets when land acquisition results in the loss of shelter, the loss of all or part of productive assets, or access to them, and the loss of income sources or other means of livelihood. The project should compensate for lost assets at full replacement cost, meaningfully consult displaced persons and give them opportunities to participate in planning and implementing resettlement programs.

The World Bank OP 4.12, Annex A, (Paragraphs 17-31), describes the scope (level of detail) and the elements that a resettlement plan should include. These include objectives, potential impacts, socioeconomic studies, legal and institutional framework, eligibility, valuation and compensation of losses, resettlement measures, relocation planning, community participation, grievance management procedures, implementation schedule, costs and budgets, and monitoring and evaluation. WB OP 4.12(6a) requires the resettlement plan to include measures to ensure that displaced persons are (i) informed about their options and rights, (ii) consulted on, offered choices among and provided with technically and economically feasible resettlement alternatives, and (iii) provided prompt and effective compensation at full replacement costs.

WB OP 4.12 (8) requires that particular attention should be paid to the needs of vulnerable groups among those displaced such as those below the poverty line, landless, elderly; women and children and indigenous peoples and ethnic minorities. WB OP4.12 (12a) states that for households depending on land for their livelihoods preference should be given to land-based solutions; however, payment of cash compensation for lost assets may be appropriate where livelihoods are land-based but the land taken for the project is a small fraction (less than 20%) of the affected asset and the residual is economically viable.

WB OP4.12 Paragraph (6 b & c) state that in case of physical relocation, displaced persons should be (i) provided with assistance (such as moving allowances) during relocation; and (ii) provided with residential housing, or housing sites, or, as required, agricultural sites for which a combination of productive potential, location advantages, and other factors is at least equivalent to the advantages of the old site. In addition, displaced persons should be offered support after displacement, for a transition period, based on a reasonable estimate of the time likely to be needed to restore their livelihood and standards of living; and provided with development assistance in addition to compensation measures such as land preparation, credit facilities, training, or job opportunities.

WB. OP 4.12 (13 a) stipulates that any displaced persons and their communities and any host communities receiving them should be provided with timely and relevant information, consulted on resettlement options and offered opportunities to participate in planning, implementing and monitoring resettlement. WB OP4.12 Paragraph 13 (a) requires that appropriate and accessible grievance mechanisms are established to sort out any issues arising.

### **II.3. Comparison between National Legislation and WB OP 4.12**

This section compares existing disparities between the Rwandan expropriation laws and the World Bank's safeguards principles on Involuntary Resettlement. The comparison aims to show these differences with the intent of showing the weaknesses of one legal framework against the other, for a better choice among the two legislations, but with a paramount precedence of the World Bank's OP 4.12' in case the two conflict on one or two regulations. For instance, while OP 4.12 recommends the avoidance of Involuntary Resettlement, the Rwandan Law kept a window for this possibility when deemed necessary, especially for public interests. Other similarities or differences lay around principles related to timing of the notification about compensation and relocation, about public consultation meetings and project related information with concerned people and communities etc. In summary, these key differences are presented table below:

**Table 2: Gap analysis between World Bank OP 4.12 and Rwanda Law for resettlement and compensation**

Principles	Rwanda Legislations	World Bank's involuntary Resettlement (OP 4.12)	Measures to fill the gaps
Valuation	Valuation is covered by the Expropriation Law and the Land Valuation Law and stipulates that the affected person receive fair and just compensation. However, a ministerial order gives the value of land and crops	OP 4.12 prefers Replacement cost method of valuation of assets that helps determine the amount sufficient to replace lost assets and cover transaction costs. In applying this method of valuation, depreciation of structures and assets should not be considered. If the residual of the asset being taken is not economically viable, compensation and another resettlement assistance is provided as if the entire asset had been taken.	Adopt replacement cost method of valuation
Compensation	Article 22 of the expropriation Law N° 32/2015 of 11/06/2015 entitles the landholder to compensation for the value of the land and activities on the basis of size, nature and location in reference to the prevailing market value.	OP 4.12 gives preference to land based resettlement strategies for displaced persons whose livelihoods are land-based as compared to monetary compensation	Replacement cost principle will be applied by mostly compensating trees and crops that will be affected by the project. No physical relocation so far identified.
Disclosure, Participation and consultation	The Rwandan law on Expropriation simply stipulates that affected people be fully informed of expropriation issues. The Expropriation Law governs the specifics of land acquisition. The law provides for public dissemination on the importance of the project to be established and the need for expropriation. In addition to dissemination, the Expropriation Law requires prior consultative meetings and examination of the project proposal involving expropriation, with a view to avoid eventual prejudice on the person or entity subject to expropriation.	WB OP 4.12 requires that persons to be displaced should be actively consulted and should have opportunity to participate in planning and design of resettlement programs. Provide to PAPs opportunities to participate in the planning, implementation, and monitoring of the resettlement program, especially in the process of developing and implementing the procedures for determining eligibility for compensation benefits and development assistance (as documented in a resettlement plan), and for establishing;	This project has not only organized public consultation meeting with People to be affected by the project and their local leaders in reference to the WB OP 4.12 principles, but also involved the election of local resettlement committees to support in overseeing that the community interests and that of PAPs are daily monitored along the project implementation. Once approved, this resettlement Action Plan will be disclosed on REG website and copies availed at local administration offices. Public disclosure of results assets inventory results was also conducted.

Timeframe	Rwanda expropriation law stipulates a timeframe upon when the property to be expropriated must be handed over which is 90 days after compensation has been paid.	OP4.12 requires that displacement must not occur before necessary measures for resettlement are in place, i.e., measures over and above simple compensation. These include compensation and other measures required for relocation and preparation and provision of facilities of resettlement sites, where required. In particular, acquiring land and related assets may only take place after compensation has been paid and where applicable resettlement sites and moving allowances have been provided. Furthermore, measures pertaining to provision of economic rehabilitation can and often do occur post displacement. WB OP 4.12 provides for a timeframe (cut-off date); people who encroach on the area after the cut-off date are not entitled to compensation or resettlement assistance)	Adopt OP 4.12 approach, which states that displacement must not occur before necessary measures for resettlement are in place, i.e., measures over and above simple compensation. These include compensation and other measures required for relocation and preparation and provision of facilities of resettlement sites, where required. Where the borrower has offered to pay compensation to an affected person in accordance with an approved resettlement plan, but the offer has been rejected, the taking of land and related assets may only proceed if the borrower has deposited funds equal to the offered amount plus 10 % in a secure form of escrow or other interest-bearing deposit acceptable to the Bank, and has provided a means satisfactory to the Bank for resolving the dispute concerning said offer of compensation in a timely and equitable manner. In any case, the compensation is required to be done prior to any construction work to be done on the property to be compensated.
Eligibility	Article 26 of the expropriation law requires the person who owns land intended for expropriation to provide evidence of ownership or rights on that land and presents a certificate to that effect. Expropriation law is silent on provision of alternative land and resettlement of those to the pre-displaced status	OP 4.12 criteria for eligibility include even those who do not have 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 the country or become recognized through a process identified in the resettlement plan and also those who have no recognizable legal right or claim to the land they are occupying. The latter are only compensated for assets other than land. OP 4.12 requires and prefers resettlement of displaced persons through provision of land for land instead of cash compensation for land, when livelihoods are land based. Displaced persons should be assisted in their efforts to improve their livelihoods and standards of living or at least to restore them, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.	The WB OP.4.12 has been applied by considering both owners of inventoried land or houses and tenants of properties inventoried in the Right of Way of the MV cabling or overhead lines.
Required Measures	Expropriation law does not provide for alternatives when undertaking compensation.	OP 4.12 requires displaced persons to be consulted on, offered choices among, and provided with technically and economically feasible resettlement alternatives.	Reference to the World Bank OP 4.12 guidelines, any project activity is to be carried after a full and proper compensation to the PAPs.

<p>Grievance redress mechanisms</p>	<p>The new Expropriation Law of 2015 creates the Resettlement and Grievance redress committee and provides complaints procedures for individuals dissatisfied with the proposed project or the value of their compensation and process for expressing dissatisfaction and for seeking redress. The Expropriation Law Article 26 provides complaints procedures for individuals dissatisfied with the value of their compensation. The Law stipulates that the dissatisfied person has a period of 30 days after the project approval decision has been taken to appeal (Article 19).</p>	<p>OP 4.12 requires PAPs be informed of the compensation exercise and establishes Grievance Redress Mechanisms. WB OP 4.12 provides that displaced persons and their communities, and any host communities receiving them, are provided with timely and relevant information, consulted on resettlement options, and offered opportunities to participate in planning and the implementation of the resettlement monitoring. Appropriate and accessible grievance mechanisms must be established for PAPs</p>	<p>Adopt Rwanda Expropriation Law which establishes the Grievance Redress Mechanism committee formed by District (sector/cell) authority, PAP and Project representatives. Grievance committees to be instituted within the procedure but will not replace the existing legal process provided by Rwanda laws; rather it seeks to resolve issues quickly so as to expedite receipt of entitlements and smooth resettlement without resorting to expensive and time-consuming legal action. If the grievance procedure fails to provide a settlement, complainants can still seek legal redress.</p>
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## II.4. Institutions Roles in Implementation of the present RAP implementation.

**Table 3: Roles and Responsibilities for each institution**

ORGANIZATION	ROLES AND RESPONSIBILITIES
MININFRA - RESSP Project Management Units (EDCL and EUCL Social safeguards team)	<ul style="list-style-type: none"> <li>- Screening of sub-projects to identify resettlement and compensation requirements;</li> <li>- Work with all District to create Resettlement and Compensation Committee;</li> <li>- Provision of capacity building and technical support relating to resettlement and compensation activities;</li> <li>- Close monitoring and enforcement of the procedures and requirements of the Rwandan laws and that of the WB OP 4.12 along the project implementation; Monitoring and follow up of the RAP implementation; Resolution of grievance raised;</li> <li>- Review all RAPs and other resettlement-related documentation to ensure that all procedures have been adhered to and that there is consistency in approach between sub-projects;</li> <li>- Undertake the main monitoring and evaluation role of resettlement activities during and post implementation.</li> </ul>
Ministry of Environment	<ul style="list-style-type: none"> <li>- Providing guidelines on the implementation and application of the Organic Land law and the Land Use Master Plan through Districts' Land bureaus;</li> <li>- Providing clarifications on land tenancy schemes (freehold or leasehold), resettlement arrangements, identifying and availing the land on which resettlement is to be established especially in Kigali Strengthening where resettlement exercise might be done for few households;</li> <li>- Mobilizing the public to participate in the management and protection of Environment;</li> </ul>
MINALOC – Local Government Officials.	<ul style="list-style-type: none"> <li>- Review and sign off of all documentation (e.g. completed RAPs, grievance forms, consultation plans);</li> <li>- Participation in the different consultation meetings that will be held;</li> <li>- Participate in the census activities for the PAPs affected assets;</li> <li>- Compensation of PAPs assets using Government funds;</li> <li>- Sign and approve the individual PAPs list that indicates their affected assets for payment;</li> <li>- Following up and participate in resolving issues raised within the elected Grievance committees;</li> </ul>
Rwanda Land Management and Use Authority	<ul style="list-style-type: none"> <li>- RLMUA through its department of land administration and mapping is the organ responsible for overall management and coordination of all activities related to land administration, land use planning and management in Rwanda. The role of RLMUA role in RAP process is to advise on matters related to land ownership and expropriation. District land bureau in close collaboration with project staff will check and approve surveys, various maps and approve land surveys carried out during valuation exercise.</li> </ul>

Institute of Real Property Valuers (IRPV)	<ul style="list-style-type: none"> <li>- Proposes regulations, guidelines and standards for valuation while the function of approval lies with the Council;</li> <li>- Play a revision role for any PAP likely to be dissatisfied with a real property valuation;</li> <li>- Selection of other certified Valuer who shall decide other valuation methods to be used in case of misunderstanding on the used valuation methodology.</li> </ul>
District Land Bureaus,	<ul style="list-style-type: none"> <li>- The District land bureau will be engaged in the preparation of all the RAPs including involvement in all the negotiations before transferring the land as required by law;</li> <li>- The District Land Bureau will Establish the sub-project level Resettlement and Compensation Committees at Sector/ Cell level;</li> <li>- The District Land Bureau will Establish standards for unit rates of affected assets and compensation estimates, according to the standard units appended to the RPF, adjusted for local conditions where necessary;</li> <li>- The District Land Bureau will be part of the Coordination and supervision of the implementation by Resettlement and Compensation committees as stipulated in the RPF and national/ district guidelines.</li> </ul>
Resettlement and land Committees	<ul style="list-style-type: none"> <li>- The District Resettlement Committee will facilitate the RAP implementation along with compensation, land valuation, and grievance redress;</li> <li>- The Resettlement Committee will plan for, coordinate and monitor resettlement, compensation and relocation activities and supervise compensation payments to the project affected parties (PAPs) from Village, Cell, Sector to District levels;</li> </ul>

**Source:** RAP-EPC North/EDCL/EUCL/2019



### **III. BASELINE SOCIO ECONOMIC CHARACTERISTICS OF THE PAHs**

#### **III.1 Introduction**

The information in this section is the socio-economic baseline for the project area as well as from the household census that was undertaken in the communities of Rugarama and Kigugu Villages of Kimihurura and Kinunga cells.

The following aspects of the community are addressed in this section:

- Demographics;
- Community Networks and Linkages;
- Income Generating Activities and Livelihoods
- Infrastructure;
- Education; and
- Health

#### **III.2 Demographic characteristics of the project affected persons**

##### **III.2.1 Population**

The sub-project area (GIKONDO and KIMIHURURA SECTORS, KINUNGA and KIMIHURURA Cells respectively) will have 44 HHs affected, making it the smallest of the other communities from provincial EPCs. Of this population, three (3) households possess both houses and vacant plots, 27 HHs possess houses and the land where their houses are built whereas there are 14 tenants in this affected community. However all 44 HHs will undergo physical resettlement because their houses will be removed because of land acquisition. The total people to be affected by the project is 243 from 44 HHs, with 134 (55%) female and 109 (45%) male. The communities of KIMIHURURA and KINUNGA have mid-sized households (between 5 - 8 members).

##### **III.2.2 Gender**

Overall, the census revealed that 45% of the individuals from the affected communities are female and 55% are male. The household survey data indicated that there are four (4) female – headed households in KINUNGA-KIMIHURURA communities, which is 9% of total households.

##### **III.2.3 Marital Status**

Almost half (45%) of visited inhabitants over the age of 18 in Gikondo-KBC communities are married. However, even if a good number of inhabitants in both surveyed communities were married, 11.5% are separated both legally and illegally. The percentage of widowed members of Kinunga-Kimihurura (1.7 %) is lower than the other communities (4 %).

### **III.2.4 Age Profile in Affected Households**

The population age profile in GIKONDO-KBC is in line with national and state averages, with the general trend being a relatively young population.

The working age population of the two communities is predominantly male (51 %) and this could be attributed to stakeholder reports of young female of working age leaving the area in search of work or training opportunities.

## **III.3 Community Networks and Linkages**

### **III.3.1 Introduction**

This section describes the social networks within and between communities in concerned sectors. Information gathered for both communities indicates that membership and participation in social groups is characterized by a high level of religious (Christian) – based socialization.

### **III.3.2 Community Support Networks**

A significant majority of residents' report that they attend church on a regular basis (81.7 %). Only 1.6 % of residents attend their mosque regularly. Within the group who attend their mosque regularly, 45 % are men and 55 % are women. Approximately 5.6 % of residents participate in other types of social groups and women were found to hold a slight majority within this group, with 56.8 %. It is worth noting that while male participation in social groups is spread amongst households, female participation tends to be grouped among members of the same household.

## **III.4 Income generating activities and livelihoods**

### **III.4.1 Introduction**

The most income generating occupation for community members, are classified mainly in civil servant (Salary) and Petty trading with dominance of civil servant and traders respectively.

The census noted that data regarding levels of income are notoriously reliable and subjective evidence gathered during the household survey indicated that most households are equipped with may be under-reporting income or over-reporting expenditure for the purposes of perceived benefits that would be received in terms of compensation or community investment.

### **III.4.2 Income Sources**

The most common sources of income among surveyed respondents on behalf of the present census are civil servant (57.2 %) and petty trading (38.1 %), the minor percentage of entrepreneurs aided by attended and certified vocational trainings. The household survey allowed respondents to indicate that residents within a household generated income from more than one source not only the primary, but also alternative sources of income for surveyed households. It illustrates a comparison between household survey respondents' primary sources of income and their overall source of household income.

### III.4.3 Income Generation and Gender

The household survey indicated that there were 4 females headed households (FHH) in GIKONDO-KBC communities which equal approximately 9% of the total heads of households. As is this case, in both communities typically generate much less monthly income than male-headed households (MHH).

As indicated, FHH are more likely to earn less monthly income than MHH, and there are no FHH in the top earning bracket. This represents a significant difference with the communities where approximate top monthly earnings of 100,000 Rwf for FHH are typically less than 500,000 Rwf earnings for the top MHH. In addition, both male and female residents of FHH typically earn less monthly income than their counterparts in MHH. This same trend was identified in both surveyed two communities of Gikondo-KBC. Not only did residents of FHH report less monthly income, but only 5.9 % of respondents indicated income in excess of 50,000Rwf compared to 8.4 % of residents of MHH. This same trend was seen in the other two surveyed communities.

### III.4.4 Land Tenure and Ownership

The main RAP provides useful background information about the land tenure process in the sub-project area. All 100 % of households in both communities' report holding legal land title. And 14 HHs representing 31.8 % rent their houses but owners have legal land title. Zero % of respondents reported that they hold agricultural land as the sub-project area located in fully residential zone of the city centre-Kigali. These land tenure trends are similar to those identified in the communities. It should be noted that total percentages do equal one hundred, as all of the households responded to this question.

### III.4.5 Income generating activities

The main types of income-generating activities reported in both communities are listed in Table 5.

**Table 4: Income generating activities**

income generating activity	No. of Households/PAHs	Surveyed Households
Mechanic	5	11%
Petty Trading	12	27%
Hair dressing	4	9%
Handicrafts	2	5%
Transport	8	18%
Civil servants (Salary)	13	30%
<b>Total</b>	<b>44</b>	<b>100%</b>

*Source: Field survey*

As the above table presents, the majority of PAPs' occupation is civil servant with 30% followed by those petty trading with 27%, transport with 18% and 11% are in mechanic. Among the remaining PAPs, 9% are in hairdressing and 5% are in handcrafts.

#### **III.4.6 Agriculture and Animal Husbandry**

Agriculture and Animal husbandry are not an essential activity in Kigali city especially the project area (Gikondo and Kimihurura sectors of Kicukiro and Gasabo Districts, respectively) because it is a residential.

#### **III.4.7 Other Sources of Income**

Certain households receive income from sources other than entrepreneurial and employment activities. These other sources of income are the same for the communities and include:

- Remittances (money received from family members outside of the village or the country) provide a source of income for 6.7 % of households;
- Pensions (received from past employment) provide a source of income for 3.3 % of households; and
- Real Estate Revenue (from rental/lease of property/land) provides a source of income for approximately 32% of households.
- Savings through banks and microfinance institutions.

### **III.5 PAPs access to socio-economic infrastructures**

#### **III.5.1 Introduction**

As all communities are within the central city of Kigali, infrastructures are well developed, where all HHs use the national grid (Electricity), the piped water is at 89 % and 11 % visit the nearest community water points in less than hundred meters (<100m).

The roads within communities and those linking them to the other villages are well positioned and maintained, no particular difficult to traverse during all seasons.

#### **III.5.2 Power/Electricity**

100 % of respondents in communities reported that their household has access to a public electricity supply from the Rwanda Energy Group (REG) and reported to using electricity for lighting, using electronic devices and for welding purposes only). For cooking and heating purposes, all HHs are using Charcoal and wood as the dominant energy source in Kigali city.

### **III.5.3 Telecommunications**

As with the other two surveyed communities, almost all households in communities (99.5 %) have at least one mobile phone. Radios are a popular source of information and communication; 85.1 % of households have at least one radio and 94, 2 % of households reported owning a television).

### **III.5.4 Housing**

The most common type of house in both communities is made with brick (82 %), followed by mud wood homes, which account for approximately 18 % of homes in the community, this represent old houses in both communities. These percentages are slightly indicating the value of their houses reported in the cost of compensation on Kigali sub-project within this RAP. Similarly, to the two other surveyed communities, the houses made of brick and cement tend to belong to families of high socio-economic status and of outside income (reporting a higher income) while those made of mud wood belong to families of lower socio-economic status.

### **III.5.5 Transport**

The conditions of roads are generally considered to be ‘satisfactory’ by 75 % of respondents. 24 % considered road conditions to be ‘good’, while 1 % consider them to be unsatisfactory. As with the surveyed communities, motorcycles are the most common mode of transportation in Communities with 35 % of households owning at least one. Cars are owned by 8% of households, while 25 % of households have bicycles and 67% have no mean of transport. These results are in line with the survey results from the communities of Gikondo-KBC. The community transport (Buses/Coaters) is highly used for most of community members and the average distance from residential to the main road to access buses is 300m which is considered high potential of accessibility.

### **III.5.6 Water**

There is more access to piped water in the two communities and most of HHs with 89% have piped water in their homes. 11 % have piped water access outside of their homes and visit the nearest community water points in less than hundred meters (<100m). .

### **III.5.7 Sanitation Facilities**

Within, the majority of households use dry pit latrines well maintained (63.1 %). Pit latrines are also the most common type of sanitation system in and (used by 36.9 % of households). More households in Communities have access to individual water born sewage systems in their homes. There are no public toilets facilities in and within both communities of Kinunga and Kimihurura.

### III.6 Education level

#### III.6.1 Facilities

Within communities, there are public and private primary and secondary schools that enable all PAHs children from both communities to attend schools at reasonable distance (<500m) from home to school and vice versa (Rugando primary school, Groupe Scolaire Rugando with twelve years basic education -12YBE) Rugando, Gikondo High school near Kinunga site).

#### III.6.2 Education Levels

Among both community members of the age of 18 and above, approximately 36.2 % have completed secondary school, 26.4 % have college or university degrees, compared with only 13.3 % of secondary school graduates within both communities. Professional/ vocational training levels in Communities are moderate with 18.6 % aged between 18 and 35. Only 2 % of surveyed residents (aged 18 or older) report having received some kind of informal professional trainings, and 3.5 % have no professional training whatsoever.

### III.7 Health characteristics

#### III.7.1 Health Status

The health profile of Communities appears is presented in the following table and these cases are the ones that affected the community in a period of one year (2018).

**Table 5: Common diseases in surveyed communities**

Disease	No. of Individuals
Malaria	2
Typhoid fever	4
Heart disease/ hypertension	2
Rheumatism	2
Fever and cough	18
Skin conditions	0
Diarrhea	1
Pneumonia	1

*Source: Field survey*

### **III.7.2 Health Facilities**

When they fall ill (7%), the majority of respondents reported that they usually consult the public hospital (98.2 %) as they have health insurance.

In general, then, residents of the two communities seem to make more use of formal medical care. The most common reasons cited for selection of health care were accessibility, cost and effectiveness. Only 4 % of residents in Kimihurura said that they would not consult with a health care provider when ill compared with 18 % in Kinunga.

## **IV. ELIGIBILITY FOR RESETTLEMENT AND BENEFITS**

### **IV.1 General Principles**

The Eligibility for Resettlement and Benefits sets out the eligibility criteria for PAPs and specifies people who will be eligible for plausible resettlement and compensation benefits prior to the exercise in a bid to discourage the inflow of squatters (ineligible people) in the demarcated project's right of way. This is usually and has been done in the framework of this project through meaningful consultations with people to be affected by the project, local and community leaders along which eligible persons have been identified. The WB OP 4.12 Para 15 (a, b & c) categorizes those eligible for compensation and resettlement in three groups as shown below.

- Those who have formal rights to land including customary/communal land, traditional and religious rights recognized under Rwandan Law;
- Those who do not have formal legal rights to land at the time the PAPs and their properties census begins but have a claim to such land or assets provided that such claims are recognized under the laws of Rwanda or become recognized through a process identified in the resettlement plan;
- Those who have no recognizable legal right or claim to the land they are occupying, using or getting their livelihood from before the cut of date, but are recognized under World Bank OP 4.12. Those covered under (a) and (b) above are to be provided compensation for the land they lost, and other assistance in accordance with this RPF. Persons covered under (c) above are to be provided with resettlement assistance in lieu of compensation for the land they occupy or use, and other assistance, as necessary, to achieve the objectives of this RAP, if they occupy the project area prior to a cut-off date established by the EDCL/EUCL in close consultation with the potential PAPs, local community leaders and the respective local leader and acceptable to the World Bank. Persons who encroach on the area after the cut-off date are not entitled to compensation or any other form of resettlement assistance. All eligible persons above specified are to be provided with compensation for loss of assets other than land with the exception of Kigali City where land will be considered as commercial and will need to be compensated. It is therefore clear that all PAPs irrespective of their status or whether they have formal titles, legal rights or not, squatters or otherwise encroaching illegally on land, are eligible for some kind of assistance if they occupied the land before the cut-off date. Persons who will occupy the area after this RAP's socio-economic survey and Public consultation meeting sessions will not be considered eligible for compensation or any form of resettlement assistance.



## **IV.2 Eligibility Criteria for PAPs Compensation**

Determination of the eligibility of PAPs to be compensated shall be done through a transparent and legal process, taking into consideration all the existing laws of Rwanda and the World Bank policies and local customs. Compensation will be paid only to:

- d) PAPs who have formal rights to land including customary/communal land, traditional and religious rights recognized under Rwandan Law;
- e) PAPs who do not have formal legal rights to land at the time the PAPs and their properties census begins but have a claim to such land or assets provided that such claims are recognized under the laws of Rwanda or become recognized through a process identified in the resettlement plan and;
- f) PAPs who have no recognizable legal right or claim to the land they are occupying, using or getting their livelihood from it before the cut of date, but are recognized under World Bank OP 4.12.

The process involved review of tenure documents owned by occupants, interviews with households and groups in the affected area. Local Leaders and the Ministry of Lands have also helped in this assignment that will be undertaken by the EDCL/EUCL Social Safeguards Specialists and consultants if needed.

## **IV.3 Cut-Off Date**

While WB OP 4.12 indicates that the PAPs should be informed of a cut-off date to give a chance to those who have not been identified as land owners can raise issues, Rwanda law has no such mechanism to protect land owners in case of absentee land lords or users. The establishment of a cut-off date is required to prevent opportunistic invasions/rush migration or construction activities into the chosen land areas. Normally, this cut-off date is the date the census begins.

Upon completion of the census and asset inventory surveys, and in order to avoid an influx of additional persons, cut-off dates were established along consultation meetings held in sectors of Districts where the Project will be implemented. The cut-off dates were advertised and set during the consultation meetings that were held between the PAPs, Local authorities and the Project staff. Those who encroach on the area after the established cut-off dates will not be eligible for compensation or assistance.

It is important to note that any structures or activities established in the ROW, or in areas outside of the ROW but part of the Project after the cut-off date are not eligible for compensation. Any claims for occupation prior to that date, and therefore mistakenly omitted from the Census, will be reviewed against evidence, and referred to the GRM for resolution.

**Table 6: Cut off dates set in different Districts during consultation meetings.**

S/N	Districts	Location (Sectors)	Public consultation meetings/ Cut-off dates set per sector
1	KICUKIRO	GIKONDO	25/4/2019
2	GASABO	KIMIHURURA	2/5/2019

***Household Sign-Off & Moves/Land disposal for the project implementation activities***

The process of agreement, Land disposal for the project implementation activities will be the culmination of a continual consultation and disclosure process, as illustrated by the following key steps:

***(a) Ongoing Public Consultation with affected households***

This has been initiated as part of the ongoing stakeholder engagement process. Issues concerning eligibility, entitlements, compensation and valuation have been and will continue to be specifically addressed through surveys, focus groups, and recourse to the Project grievance mechanism. Consultations and grievance reviews will be facilitated by the District Resettlement Committees, Local Resettlement Committees elected along this RAP.

***(b) Identification & Notification of land resource holders***

In cases where there is clearly no identified owner or user, the respective local authorities will notify the community leaders and Local Resettlement Committee to help in identifying and locating the land users. These leaders and representatives will also be charged with the responsibility of notifying their members about the established cut-off dates and their significance. Land holders will be informed through formal notification in writing and by verbal notification delivered in the presence of all relevant stakeholders.

***(c) Documentation of Holdings and Assets***

In the presence of Local Leaders, elected Local Resettlement Committees, and REG/EDCL/EUCL representatives, meetings with affected individuals have been and will continue to be organized to discuss the compensation process. For each affected individual or household and a compensation report containing necessary information on the affected party household members, inventory of assets affected, and any additional information for monitoring their future status have been completed for documentation purpose along this project implementation. The reports will be kept current and will include documentation of affected properties in respective areas.

***(d) Agreement on Compensation and Preparation of Contracts***

All types of compensation have been clearly explained to the individual and households involved. REG/EDCL/EUCL and the Local Authorities prepared a compensation agreement to be used during compensation process. The compensation agreement and the grievance redress mechanisms will be read loudly in the presence of the affected household, village leaders and members of the Local Resettlement Committee prior to signing sequence, which is to happen before the commencement of construction activities. REG will purchase the land and that land will be its property after completing the land transfer process in collaboration with District One Stop Center offices. Each landowner along the Transmission Lines will sign an individual file designated for compensation purposes.

***(e) Compensation Payments***

All compensation payments will be made to designate PAPs bank accounts, which accounts husband and spouse are co-signers of the due compensation. A final compensation report will be produced at the end of the process. The timing of compensation will be carefully considered, to ensure that affected households have adequate time to reestablish homes and livelihoods prior to vacating the Project Area. In this regard, compensation payments will be done prior to the commencement of any construction works related to this project.

***(f) Moves***

In accordance with Rwanda legislation, households have 120 days to move following receipt of compensation.

However, the Project will provide a move time to ensure households have adequate time to be reestablished. Project work will be phased to avoid those physically resettling for as long as possible. This will be accompanied with an addition of 5% of disturbance allowances

***(g) Follow Up***

The Project will follow up with compensated and physically relocated households on a regular basis, particularly vulnerable households. This will be done through the elected Local Resettlement Committees. Additional assistance for families may be sourced as required through the District Resettlement Committees, for example assistance of the Social Welfare Department.

PAPs should open a bank account in Umurenge SACCO (a local saving and credit cooperative) and where deemed necessary, both wife and husband will sign jointly while withdrawing compensation money, for avoiding the misuse of the compensation money and plausible related conflict.

## **V. PUBLIC CONSULTATION MEETINGS**

### **V.1. Introduction**

The Consultant's RAP team undertook public consultations to ensure that the Project activities and the likely impacts on the local people and their livelihoods were explained and openly discussed. Consultation meetings with the affected communities and individuals is a key element of the RAP preparation and implementation process.

### **V.2. Key Objectives of consultation**

The public consultation aims to improve and facilitate decision-making and create an atmosphere of understanding that actively involves individuals, groups, and organizations that can affect, or be affected by, development of the Project. Community consultation meetings covered the following issues: description of the project objectives, components and implementation activities; property and livelihood impacts associated with project implementation; the resettlement/compensation alternatives and strategies available for PAPs; the rights of PAPs; Grievance redress; RAP preparation; valuation principles and procedures; RAP disclosure; and the approval process.

PAPs were mainly concerned about the likely impact of the Project activities on their livelihood with respect to displacement on the encroached ROW and damage to the developments/structures. The PAPs and stakeholders consulted voiced the need for prompt and adequate compensation for the PAPs to enable them to re-establish their property and livelihood activities.

The views of the PAPs and other stakeholders consulted were documented and have been integrated into the resettlement measures and strategies outlined in this RAP.

### **V.3. Methodology used along the Public Consultation Planning and Implementation**

People were mobilized in collaboration of the consultant and local authority. The consultant sent an invitation letter describing the project in brief (concept note) to the concerned Districts, its objectives and detailed schedule of meetings in each sector and cell. It also described where the line routes will pass through (sectors and cells) in order to facilitate local authority to invite right people.

The Districts informed the sectors and requested the Executive Secretaries of interested sectors to facilitate the consultant by inviting right people (people affected by the Project activities and everyone that will benefit from the Project works) to participate in these public / consultation meetings. After the above administrative methods, the consultant did calls for follow-ups (with sectors executive secretaries) to make sure that people are mobilized to attend the meetings.

Meetings were held at different cell offices and establishment of Local Resettlement Committees (LRCs) held at cell level. Public meetings were chaired by mostly the Executive secretary who introduced team of consultants to people attended meetings. After the opening remark given by the local authority, the consultants explained briefly the project, process of RAP, brief on new expropriation law, grievance mechanism, valuation process & principals, the cut-off date etc. After the presentations the community was given opportunity to give their views, comments and queries. Questions were answered, clarifications offered and their recommendations received.

## Public Consultation Meetings in KICUKIRO District

**Table 7: Topics, Concerns and expectations raised by stakeholders**

Kicukiro District, Gikondo Sector, Kinunga Cell, Date: 25/04/2019, Number of Participants: 16		
No	Topic	Issues, concerns and expectations raised by stakeholders
1	Brief introduction of the project, background and its objectives	Team of consultants explained the project to participants. The showed where the project will pass through and in general assets to be affected by project activities
2	Are you supporting this project?	They supported the project as it will bring development to the city of Kigali and Rwanda as whole
3	What are the project opportunities and positive impact of the project on your livelihood	The project will increase electricity in Kigali and services provided by REG will be improved as well. We hope after this project, power shortages will be a history for us.
4	What are the negative impacts of the project on your livelihood?	We think that the following negative impacts will occur during implementation of this project: <ul style="list-style-type: none"> <li>• Relocation from our houses is definitely negative impact;</li> <li>• Accidents which may occur during operation of electrical infrastructures;</li> <li>• We have fear for valuation. He expect to see valuation rate which will be given to our assets will be below market value so that we will not be able to construct new buildings</li> </ul>
5	How could we mitigate or avoid above negative impacts?	We need to be relocated after receive the compensation calculated based on the real & market value of assets to be affected by the project. Also, the construction contractor should make sure that he/she used sustainable electrical materials.
6	What is your contribution as citizens in implementation of this project?	We shall mobilize other people to participate in the implementation of this project and we confirm to be as partners of the project in all phases
7	Is there a similar project implemented in the area?	Yes, many project in Kigali require compensation & expropriation
8	If there is another project required expropriation and compensation in the area, which negative impacts it caused? How can we avoid these impacts	Some of negative impacts caused by these project are: <ul style="list-style-type: none"> <li>• Our neighbor colleagues were relocated far from our homes;</li> <li>• Some of them were not happy with given compensation package and this created conflicts in families</li> </ul>

9	Which benefits the project will bring to you?	We expect that the project will improve quantity and quality of power supplied in this area and hope we shall be recruited during construction activities of this project
10	What do you think on expropriation and compensation for this project?	We suggest that expropriation should be done before implementation of this project then families to be relocated will need enough time to move from their assets
11	How this project should support vulnerable people?	The should be supported in: <ul style="list-style-type: none"> <li>• Job opportunities (or the can send someone on their behalf);</li> <li>• To consider them in model village program;</li> <li>• It will be better if during expropriation, they will considered and may be additional assistance should be provided</li> </ul>
12	Some of you, will be affected by the project. Which compensation mode do you prefer? (Compensation in cash or compensation in Kind)	Compensation n in cash will be better for us so that we can buy houses and build new ones according to our choices and capacity.
13	Introduce the cut-off date and inform them that a new asset/house to be constructed within the right of way after survey/valuation will not be compensated.	The cut-off date were explained and people agreed to respect the cut-off date. The date of the meeting which is 25/04/2019 constitutes the cut off date.
14	Where are you expecting to resettle after being compensated?	<p>The following are PAPs expectations after being compensated in cash and new expected resettlement sites</p> <ul style="list-style-type: none"> <li>- Buying new houses in Gahanga-Kicukiro 4 PAPs;</li> <li>- buying new houses in Gikondo-Kicukiro District 2 PAPs;</li> <li>- They have other houses to resettle in Gikondo-Kicukiro District 2 PAPs;</li> <li>- Buying new houses in Nyagasambu-Rwamagana 2PAPs;</li> <li>- Buying new houses in Gasanze-Gasabo 2PAPs.</li> </ul> <p><b>Total 12 PAPs</b></p>

**Table 8: Open discussion/ Questions and answers & recommendation**

#	Question raised	Response
1.	Suggestion: We are suggesting that the valuer should consider the actual market value for land and all assets instead of using Government rates which are not fair and not updated	Approved valuer will conduct the valuation, he/she will use market value, and an independent association of valuers provides these values. After valuation, you will sign if you will agree with given value to your asset
2.	We suggest that compensation package should be deposited to joint account (household head and spouse)	The project will consider this suggestion and transfer money to joint account
3.	We suggest this project should be implemented as soon as possible because we stop develop or rehabilitate our buildings, but the project implement in next three years. This disturbs us mentally.	The project will start next year. The government need to implement this project in order to increase electricity as presented in Government program
4.	We suggest that REG should pay compensation before implementation of the project	Compensation will be paid before the implementation of the project as required by Rwanda expropriation law.



## Public Consultation Meetings in Gasabo District

**Table 9: Topics, Concerns and expectations raised by stakeholders**

Gasabo District, Kimihurura Sector, Kimihurura Cell, Date: 02/05/2019 Number of Participants: 20		
No	Topic	Issues, concerns and expectations raised by stakeholders
1.	Brief introduction of the project, background and its objectives	The project objectives, activities and components were explained to local people attended the meeting. The consultant showed them where the project components will pass through
2.	Are you supporting this project?	We support the project as we know that electricity is the main factor of development
3.	What are the project opportunities and positive impact of the project on your livelihood	We guess that all people of Kimihurura are connected to electricity. We expect that this project will strengthen the capacity of power we have and supply other area of Kigali
4.	What are the negative impacts of the project on your livelihood?	Negative impacts which will be caused by the project are: <ul style="list-style-type: none"> <li>• Accidents due to electrification infrastructures</li> <li>• Delay in compensation payment and not enough compensation package;</li> </ul>
5.	How could we mitigate or avoid above negative impacts?	Compensation package should be related to the assets to be affected and compensation payments should be done on time. Also, all assets to be affected by the project should be considered during valuation process
6.	What is your contribution as citizens in implementation of this project?	We shall mobilize people to be flexible in compensation and expropriation process. We ensure that we will protect these infrastructures to be constructed
7.	Is there a similar project implemented in the area?	No
8.	If there is another project required expropriation and compensation in the area, which negative impacts it caused? How can we avoid these impacts	N/A
9.	Which benefits the project will bring to you?	If the project will provide enough compensation, we shall establish new buildings elsewhere as some people belong in high risk zone as per the Kigali master plan

10.	What do you think on expropriation and compensation for this project?	We hope this project will provide compensation related to the assets to be affected by the project
11.	How this project should support vulnerable people?	We suggest that vulnerable people should be prioritized during job recruitment. If possible, REG should connect electricity for their new houses for free of charge.
12.	Some of you will be affected by the project. Which compensation mode do you prefer? (Compensation in cash or compensation in Kind)	All of them prefer compensation in cash.
13.	Introduce the cut-off date and inform them that a new asset/house to be constructed within the right of way after survey/valuation will not be compensated.	The cut-off date was introduced, and its principals were explained. People promised to not add new assets where the project will pass through as additional assets will not be considered during compensation. The cutoff date was fixed on 2/05/2019.
14.	Where are you expecting to resettle after being compensated?	<p>The following are the PAPs responses about the resettlement expectations after being compensated in cash.</p> <ul style="list-style-type: none"> <li>- Buying new houses in Gasanze-Gasabo 4 PAPs</li> <li>- Buying new houses in Jabana, Gatsata Sectors of Gasabo District 5 PAPs</li> <li>- They have other houses to resettle in Kimihurura-Gasabo District 3 PAPs</li> <li>- Buying new houses in Muyumbu-Rwamagana 2 PAPs</li> <li>- Buying new houses in Gahanga-Kicukiro 4 PAPs</li> </ul> <p><b>Total 18 PAPs</b></p>

**Table 10: Open discussion/ Questions and answers & recommendation**

#	Question raised	Response
1.	Which criteria you used to select people to be affected by the project?	The project components have different buffer zone (corridor). The project designer tried to minimize the expropriation. Where the line will be passing, people who have land, houses, trees and crops within the corridor of 12 m will be affected.
2.	When the project will be implemented	The project will be implemented as soon as the compensation has fully done. However, the RAP clearance will influence the start date.

### General outcome of meetings

As the findings of meetings from public consultations are too much, the table below summarized roadmap of public meetings and key issues discussed during meetings.

**Table 11: Summary of consultation findings**

<i>Brief Introduction of the project: Team of consultants explained briefly the project (objectives, components and activities), process of RAP, brief on new expropriation law, grievance mechanism, valuation process &amp; principals, the cut-off date etc.</i>	
Directives, issue asked by the consultant	Concerns and expectations raised by participants
Are you supporting this project?	People for all visited sites supported the project
What are the project opportunities and positive impact of the project on your livelihood	The main opportunity of this project as said by most of participants is development of areas. The emphasized that the project will increase investment which will create new jobs which will drive to the sustainable development. Wellbeing will be improved through electrification of health, school facilities as well as administrative facilities.
What are the negative impacts of the project on your livelihood?	In general, most of visited area blamed delay in compensation of assets affected by the project as well as unfair valuation
How could we mitigate or avoid above negative Impacts?	To mitigate these issues, they suggested that valuation and compensation rates must be based on local market rates. They also suggested that compensation payments must be paid before commencement of any project activities so that people move from their assets after reception of compensation fees. They also requested enough time to move from their assets after reception of compensation payments
What do you think on expropriation and compensation for this project?	They said that they are hoped that this project will make difference to other project as the consultation was started at early stage of the project and ask to continue informed on the further process of the project.
How this project should support vulnerable people?	For vulnerable people who might be affected by the project, they suggest that these people must be compensated in kind (house to house) and suggested that a family member or relative to vulnerable people must be prioritized during job recruitment.

Some of you will be affected by the project. Which compensation mode do you prefer?(compensation in cash or compensation in kind)	All of them suggested to be compensated in cash (if compensation payment will not delay as for other projects).
Introduce the cut-off date and inform them that a new asset/house to be constructed within the right of way after survey/valuation will not be compensated.	The cut-off & its principals were introduced and explained to local people. People committed to respect the cut-off date but they were worried on the delay in implementation of big project projects.
About the new resettlement sites	People are expecting to resettle in new sites as mentioned in consultation meetings table above, other will buy the built houses whereas there are some others who have already other houses to resettle, therefore the compensation amount will help them to build new houses for tenants as source of income.

**Source: Field Survey**

## **VI. RESETTLEMENT IMPACTS**

### **VI.1 Introduction**

It is critical that the resettlement planning process arrives at a detailed understanding of the likely impacts that the Project will have on those subjected to physical and/ or economic displacement.

This enables development of appropriate compensation and livelihood restoration plans, which in turn ensure that the affected people are provided with the support needed to re-establish their homes, lives and means of existence post resettlement, mitigating the impacts that resettlement may cause.

This section draws upon: (i) the affected community baseline outlined in this RAP (ii) additional information gathered through the socio-economic fieldwork, engagement and consultation process to date; and (iii) the asset valuation work conducted in order to inform the entitlement requirements of each eligible PAH. This section seeks to identify and describe the key displacement impacts that the affected people may experience, the predicted scale of these impacts, and the measures to mitigate these impacts and ensure that the resettlement process is transformed into a mechanism for social development. More specifically, this section includes the following:

- An overview of the Project's key displacement impacts in both communities and the relative magnitude of these impacts.
- A more detailed elaboration of each of these displacement impacts, with reference to appropriate sections of the original RAP to provide an indication of the general form that appropriate compensation / mitigation / livelihood restoration measures should take, in order to ensure Project adherence to the requirements of international best practice.

### **VI.2 Overview of key displacement impacts**

During the construction phase of the project, 44 households will experience displacement as a result of the Project's land acquisition process. The following table provides a high-level overview of the displacement

impacts that the community is expected to face, along with the predicted scale of these impacts in terms of number of affected households /people.

**Table 12: Key Displacement Impacts and Associated Magnitude**

<b>Key Displacement Impacts</b>	<b>Magnitude</b>	<b>HHs to be affected</b>
Loss of houses and land occupy	High	27
Tenants	Minor	14
Loss of both unconstructed plot and houses	High	3
Total		44
Number who would also lose or experience disruption in income sources or means of livelihood	Medium	23

*Source: Field Survey*

The erection of the Kigali (GIKONDO-KBC overhead line) will imply 44 Households to be affected (where 27 HH will lose houses, 3 HH will lose houses and unconstructed plots, and 14 tenants). The livelihood restoration program will cover 23 HH among them 7 HHs will lose rental houses, 2 Vulnerable PAPs will lose their access to National Social Protection scheme before being reintegrated in the new community and 14 tenants who were renting houses nearest to their daily occupations. All of these will be assisted to restore their livelihood.

### **VI.3 Key displacement impacts details**

#### **VI.3.1 Loss of Residential Housing**

##### **Summary of Impacts**

The erection of the Kigali (GIKONDO-KBC overhead line) will entail 33 plots to be fully affected (where 30 of them have residential structures while three (3) are unconstructed plots). All the 33 plots belong to 30 owners/households. Fourteen (14) tenants live in the houses owned by the 7 PAPs. 3 HHs own both buildings plots and unconstructed plots, 27 HHs possess buildings and land occupied by their houses.

Affected houses have corrugated metal roofs and earth floors, the impact on the affected households will be high, and will include:

- (i) Disruptions of lives and inconveniences related to the need to pack up the contents of the house, finding a new place and finally moving into a new environment; and
- (ii) Possible emotional distress associated with the loss of a ‘sense of space’, and the feelings of loss of security and familiarity that are attributed to being ‘at home’ in a particular physical context. It is also important to consider the relative vulnerability of the affected household to the impacts of physical resettlement.

### **VI.3.2 Loss of Land plots**

This loss of land will be permanent and the real value will be applicable; the RoW Corridor is 12m wide, and the construction of MV Lines and their towers will dictate REG to acquire land in the RoW corridor.

### **VI.3.4 Loss of Income and Structures**

All 33 plots (30 buildings and 3 unconstructed plots) owned by 30 HHs will be lost. Within 30 HHs, seven (7) of them rent their houses to 14 tenants, and this will be lost as source of livelihood income.

#### **Best Practice: Appropriate Project Interventions**

All 30 households that will lose land and houses will be fully compensated for their losses at full replacement cost. However, every PAP will be given three months of transitional time. All 14 tenants will be given a period of three months without paying their rent, as a mean of Livelihood Restoration Program.

**Table 13: Entitlement matrix**

Category of PAP	Type of Loss	No of PAHs	Compensation for the losses	Compensation for forgone Income	Other Assistance/Observation
land titles owner	loss of houses only	27	The land acquired will be compensated in cash.	Compensation based on the size, location of land acquired	<ul style="list-style-type: none"> <li>- Job opportunities to capable PAPs will be available;</li> <li>- Disturbance allowance of 5% will be provided to every PAP.</li> <li>- Cash management, entrepreneurship and disease prevention trainings will provided.</li> <li>- PAPs will be linked to existing Local NGOs which will help them in the Establishment of revolving fund micro-credit scheme;</li> <li>- PAPs will be taught about the benefits of joining existing community-based self-help groups (residents' tontines, associations, cooperatives, etc.), and they will join willingly these Self-Help Groups (SHGs).</li> <li>- Linking the PAPs with the Microfinance Institutions.</li> </ul>
	loss of both houses and unconstructed plots	3	All houses within the RoW will be compensated in cash as per the preference of PAPs	The valuation will be done based on the real/market value of the building materials.	<ul style="list-style-type: none"> <li>- 5 % of disturbance allowance will be provided to all PAPs.</li> <li>- Cash management, entrepreneurship and diseases prevention trainings will be provided.</li> </ul>

Vulnerable PAPs	Loss of properties and livelihood	2	All properties lost will be fully compensated, and vulnerable people will be assisted to reintegrate them in new society by helping them to adhere to the existing national social protection scheme for Vulnerable people such as: VUP (Vision 2020 Umurenge Program), One cow per poor family (Gira Inka Munyarwanda), Community Based Health Insurance, Ubudehe, support from public works (Umuganda)	Cash compensation for the lost properties and be reintegrated in the new society and be helped to adhere to the existing National Social Protection Scheme.	<ul style="list-style-type: none"> <li>- 5% of disturbance allowance,</li> <li>- Job opportunities to physically capable PAPs where possible will be provided;</li> <li>- Cash management, entrepreneurship and disease prevention trainings will be provided;</li> <li>- Linking the PAPs with the Microfinance Institutions.</li> </ul>
Tenants	Disturbance caused by relocation	14	They will be provided with three months of free rent	They will be given enough time (3 months of free rent as notice) to look for convenient location.	<ul style="list-style-type: none"> <li>- Capable tenants will have a priority to be hired as work force from the project activities.</li> <li>- Cash management, entrepreneurship and disease prevention trainings will provided;</li> <li>- They will be given free three months houses rent.</li> </ul>
HH who will lose source of Income or means of livelihood	Loss of source of income from rental houses	23	All properties lost will be fully compensated in cash.	Training on entrepreneurship will be provided and they REG will assist them to work with existing microfinance institution like SACCO and others. Tenants will be given free three months of rent.	<ul style="list-style-type: none"> <li>- Job opportunities to physically capable and skilled PAPs will be available;</li> <li>- Disturbance allowance of 5% will be provided to every PAP;</li> <li>- Linking the PAPs with the Microfinance Institutions;</li> <li>- Right to salvage materials without deduction from compensation;</li> <li>- Cash management, entrepreneurship and diseases prevention trainings will provided.</li> </ul>



#### **VI.4 Resettlement Sites**

Due to the fact that PAHs to be fully and physically relocated (30 PAHs), judged to be compensated by cash mode, and after receiving their compensation fee, they will have 120 days (reference to the national expropriation law on public interest, 2015) for relocation to the new sites as per their choice. EUCL will work closely with PAPs and Local Government Officials in the new location of affected people to ensure that their livelihood has been restored at least to the pre-displacement level. However all PAPs gave information on new expected resettlement sites as mentioned in above consultation meeting tables.

The project beneficiaries in collaboration with local leaders will provide training sessions to the PAHs about the use of the compensation amount and link them to the Micro Finance Institutions for the management of financial resources. All expected compensation in cash will be paid prior to the construction activities to arrange resettlement on their own to be able to continue with their day to day occupational and social activities.

## VI.5 Asset valuation and impact level on PAHs on 15 kV overhead transmission line (GIKONDO-KBC)

**Table 14: Impact Level and Compensation values**

No	Names	Village	Parcel Area (Sqm)	House Area	Nature of the impact	Impact level
				Sqm		
1	CYUBAHIRO RUTAGENGWA FRANK	UBUMWE	1,263	202.4	Loss of land and shelter	High
2	JEAN	RUGARAMA	53.8	33.2	Loss of land and shelter	High
3	NGIRUWONSANGA JUVENAL	RUGARAMA	86.8	17.9	Loss of land and shelter	High
4	HABYARIMANA EMMANUEL	RUGARAMA	66.7	18.1	Loss of land and shelter	High
5	DUSABIMANA JEAN BOSCO	RUGARAMA	63.04	0	Loss of land	High
			67	21.1	Loss of land and shelter	High
6	MUKANYONGA ASTERIE	RUGARAMA	81.9	43.1	Loss of land and shelter	High
7	MUJAWAYEZU CYRIAQUE	RUGARAMA	128	83.7	Loss of land and shelter	High
8	CONSOLATE	RUGARAMA	99.8	48.6	Loss of land and shelter	High
9	NYIRANSENGIMANA FRANCOISE	RUGARAMA	94	68.2	Loss of land and shelter	High
10	MUKAMUZIMA CLAUDINE	RUGARAMA	66.7	34.7	Loss of land and shelter	High
11	GATABAZI FREDERIC	RUGARAMA	41.5	35.3	Loss of land and shelter	High
12	RUTABANA FRANCOIS	RUGARAMA	106.45	45.3	Loss of land and shelter	High

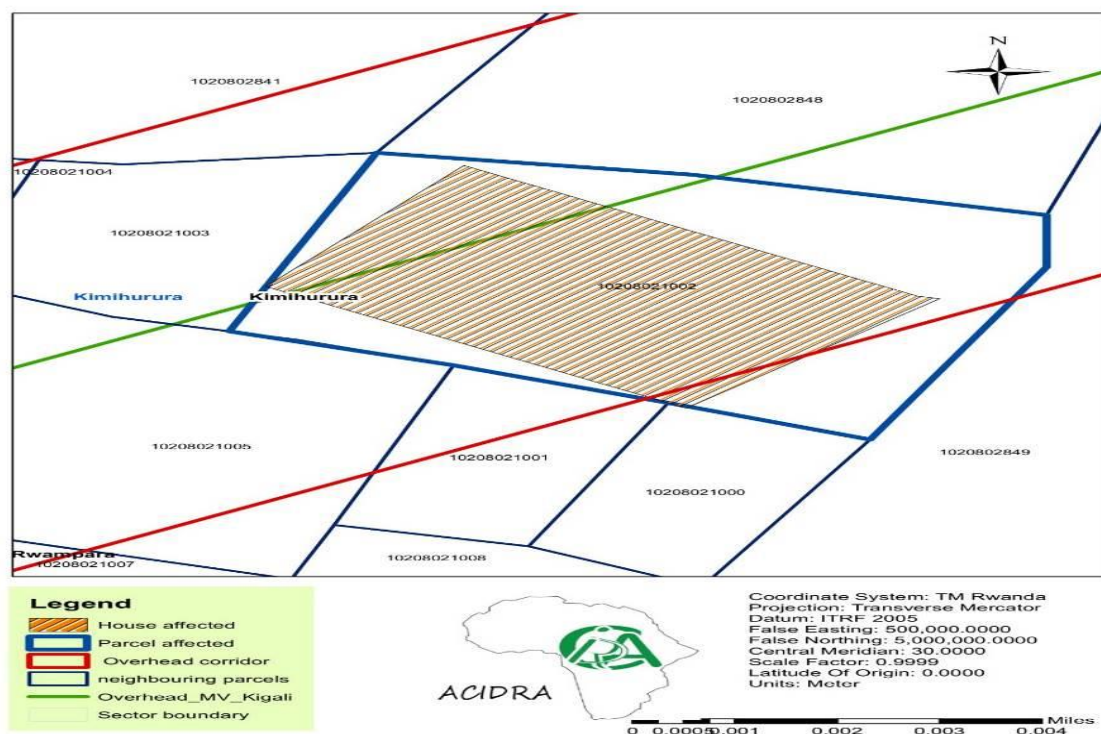
			212.9	0	Loss of land	High
13	KABAGWIRA BEATRICE	URWEGO	130.78	105.3	Loss of land and shelter	High
14	MUKARUSANGA CONSOLE	URWEGO	202.85	150.7	Loss of land and shelter	High
15	GATSINZI COLETTE	URWEGO	706.5	113.2	Loss of land and shelter	High
16	NKUSI FELICIEN	URWEGO	192	47.5	Loss of land and shelter	High
17	GATSINZI COLETTE	URWEGO	706.5	54.4	Loss of land and shelter	High
18	MUBILIGI ETIENNE	KIGUGU III	112	100.8	Loss of land and shelter	High
19	SEROMBA JOHN	KIGUGU III	210.9	29.2	Loss of land and shelter	High
20	KAMONDO FELIX	KIGUGU III	327.6	78.2	Loss of land and shelter	High
21	MUBILIGI ETIENNE	KIGUGU III	74.3	0	Loss of land	High
			172.06	55.9	Loss of land and shelter	High
22	MUHAYISONI REGINE	KIGUGU III	104.4	91.7	Loss of land and shelter	High
23	UWAGIRINKA MADALINE	KIGUGU III	473.79	140.4	Loss of land and shelter	High
24	KAREKERAHO JEANNETTE	KIGUGU III	117.3	63.6	Loss of land and shelter	High
25	MUKAMANA VERONIQUE	KIGUGU III	286.12	47.5	Loss of land and shelter	High
26	HAKIZIMANA JULES	KIGUGU III	212.6	80.8	Loss of land and shelter	High
			138.5		Loss of land	High
27	BAYISENGE MARIE	KIGUGU III	186.36	79.9	Loss of land and shelter	High

28	UWIMANA MARIE CHANTAL	RUGARAMA	242.01	53.3	Loss of land and shelter	High
29	MUKAMUTESI ANNE	KIGUGU III	130.08	43.5	Loss of land and shelter	High
30	VANDAMA RICHARD	KIGUGU III	132.02	25.1	Loss of land and shelter	High

As the table above portrays, 30 Households will be fully affected because the houses are occupying more than 75% of the parcels; which means that the Households will be relocated from the place to an alternative area depending on the PAPs' preference. Owners of these houses will be fully compensated for all loses.

In reference to the agreed method of compensation, after receiving their compensation fee in cash, they will have 120 days to relocate to the new location as per their choice. In addition, during the installation in the new location, the project (RESSP) will assist them in the livelihood restoration plan (present herein to this report). The following are examples of parcels/plots/houses to be affected.

**Figure 2: Parcel/plot/house to be affected**



The above house belongs to Madame MUKANYONGA Asterie and is located on plot no 1002 in KIGUGU III, GIKONDO sector, KICUKIRO district. As it appears on the image, the house fully occupies the land parcel and the only option will be to completely relocate the owner/occupant.

## **VI.6. Compensation framework & assistance**

### **Rationale**

The RAP Compensation Framework, according to the WB OP 4.12, should specify all forms of asset ownership or use rights among the population affected by the project and the project's strategy for a fair compensation. Key principles adhered to in developing the compensation frameworks are the following:

- Compensation and resettlement of project affected people will be carried out in compliance with Rwandan legislation and WB OP 4.12;
- Where Rwandan legislation is less favorable to PAPs than WB OP 4.12 requirements or is not applicable, the latter shall apply;
- The Project will provide for measures to support sustainable use of cash compensation and for mechanisms within the overall monitoring framework to follow up the use of cash compensation. These will include for instance the opening of the account in the sector's SACCO (UMURENGE SACCO) account, on which both PAP (men and women) should be co-signatories;
- The Project will assist PAPs in restoring their affected livelihoods where required in order to restore livelihoods to at least their previous livelihood;
- PAPs will be informed, consulted and involved in decision making during the course of RAP development, implementation and valuation;
- Removal of assets, displacement or restriction of access/land use will not occur before necessary measures for compensation are agreed and in accordance with law and international requirements. Measures will include all kinds of compensation and of other assistance prior to, during, or after displacement/physical relocation;
- REG, as the project proponent, will ensure that compensation costs, as well as those resettlement costs that fall within their scope of commitment, are considered in the overall project budget as upfront costs.

## **VI.7. Livelihoods restoration and community development programme**

### **VI.7.1. Livelihood restoration Program Approach**

The internationally recognized "Sustainable Livelihood Framework" (SLF) by DFID adopted by most international development practitioners presupposes that there are five types of resources that

households require to assure their access to livelihoods. These five resources include; physical capital, human capital, natural capital, financial capital, and social capital, as described in below table.

**Table 15: Livelihood Assets**

<b>Livelihood Asset</b>	<b>Description</b>	<b>Ranking</b>
Natural	Agricultural and grazing land, water resources, food, timber, fish	N/A
Physical	Houses and Trees	X
Human	Labor force within a household, vocational training	X
Financial	Wages and savings	X
Social	Kinship structures, religious groups, neighborhoods	X

The SLF further shows how these assets and resources are interlinked, and when effectively combined, can lead to sustainable livelihood outcomes.

Therefore, the Project Livelihood Programs could enhance these physical assets in the following ways:

**Physical Asset:** This will be assured through comprehensive and adequate compensation packages to PAPs.

**Natural Asset:** Because PAPs chose cash compensation, they will resettle in the preferable places. However implementing agency (REG) with respective local authorities will ensure that they live a life better than the previous

**Human Asset:** Displaced households will be given priority for project-related employment opportunities.

**Financial Asset:** The Project will create employment opportunities, with displaced households prioritized. In addition, a micro-finance program could be developed with delivery partners. Money management and financial training will be provided to all affected households in receipt of compensation.

**Social Asset:** The Project will continue to foster social networks within the communities and ensure these networks are maintained. Where appropriate, existing community groups should be involved in the delivery of livelihood initiatives. The majority of PAPs work for salary where 30% are civil servants, petty trading with 27% followed by those in transport with 18%. Among the remaining PAPs, 11% are in mechanic, 9% in hairdressing and 5% are in handcrafts

Due to its high population density, Rwanda faces the problem that almost all available land is exploited to the very limits of agricultural possibilities and often beyond. The small size of the country (26,336 km<sup>2</sup>) does not offer any alternative for increasing the amount of arable land.

### **VI.7.2. Livelihood Program Components**

Based on the predominant livelihood in the Project area and especially for the 30 households to be fully relocated and 14 tenants, initiatives which restore their livelihood of the fully affected families will be the key element of the Livelihood Program.

The relocation allowances/assistance will focus on:

- Direct compensation to PAHs who will be fully affected prior to construction activities;
- Provision of employment to the local communities during construction activities
- Cash/Financial Management Training Program;
- For the tenants, they will be given free three months houses rent;
- Fees of land transfer;
- Right to houses salvage materials without deduction from compensation;
- Link the PAPs to microfinance institutions.

### **VI.7.3. Direct compensation**

For all the 30 PAHs that will be affected as a result of the GIKONDO KBC overhead line, a full compensation package will be given to them in reference to national expropriation laws and to the WB OP4.12 principles. This will be in relation to their own choice of the cash compensation. This compensation will be done before construction activities and these PAHs will be given 120 days to avail their land and structures to be demolished. 14 tenants will be given 3 free months of rental houses.



#### VI.7.4. Financial Management Training Program

Project-affected households will receive cash compensation mostly in relation to houses and land, as well as additional allowances (e.g. relocation fees specified above). For most PAHs, the compensation amount will be much higher than the money they used to get and manage. Therefore, it is important that *all impacted households* have access to financial management and basic business training in order to ensure households understand that cash compensation should be utilized to restore lost assets and needs to be held securely.

**Table 16: Financial Management Training Objectives, Outcomes & Strategies**

Objective	Desired Outcome	Strategy
Increased knowledge & skills in basic financial management	Improve PAPs utilization and management of cash resources	Training in money management, access to bank accounts and financial advice
	Improved utilization of compensation money for long term sustainable livelihood initiatives	Provision of training in basic business management and enterprise establishment
		Strengthening of community groups (farmer associations, cooperatives, etc.)

**Table 17: Financial Management Program Practices and Services**

Activity	Desired Practices	Services
Financial Management	<ul style="list-style-type: none"><li>○ Utilizing cash compensation for livelihood strategies</li><li>○ Enterprise establishment</li><li>○ Undertake income-generating activities</li><li>○ Use of credit facilities</li><li>○ Market driven production</li><li>○ Formation of saving schemes</li></ul>	<ul style="list-style-type: none"><li>○ Money management training</li><li>○ Small Business Training</li><li>○ Formation of associations and credit groups</li></ul>

## Micro-Finance Program

Limited funding to undertake income generating activities (IGA) can be a significant obstacle to development of households and communities.

The common practice is for community-based groups to rely on members contributions as a savings base for setting up a revolving fund to buy required materials, benefiting from economies of scale, and selling to members at a subsidized rate. Though this approach encourages enterprise development, vulnerable or poor households are disadvantaged.

The Livelihood Program proposes linking these households with Umurenge (Sector) saving and Credit Cooperatives (SACCO) in their respective sectors and an additional training on tontines creation, most specifically for less advantaged households, whose income/savings base is low. At village level, participatory poverty assessment that has been undertaken in almost every village in Rwanda by the *Ubudehe*<sup>1</sup> program will be a reference in classifying poor and very poor households that are to benefit from this program.

**Table 18: Micro-Finance Program Objectives, Outcomes and Strategies**

Objective	Desired Outcome	Strategy
Increased incidence of profitable income generating initiatives and marketing practices	Increase access to key income generating and marketing inputs & services	PAPs will be linked to existing Local NGOs which will help them in the Establishment of revolving fund micro-credit scheme
	Increase quality of key income generating and marketing services	PAPs will be taught about the benefits of joining existing community-based self-help groups (residents' tontines, associations, cooperatives, etc.), and they will join willingly these Self Help Groups (SHGs).

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<sup>1</sup> Ubudehe refers to the long-standing Rwandan practice and culture of collective action and mutual support to solve problems within a community. In Ubudehe citizens are categorised into four group according to their income and level of living conditions and special program or support are provide to the people in category 1 because they are considered vulnerable.

**Table 19: Micro-Finance Program Practices and Services**

Activity	Desired Practices	Services
Income-Generating Initiatives	<ul style="list-style-type: none"><li>○ Enterprise establishment</li><li>○ Undertake/Start IGA including Vocational Training with the help of local churches/Mosques, NGOs etc.</li><li>○ Use of credit facilities</li><li>○ Market driven production</li><li>○ Formation of saving schemes</li></ul>	<ul style="list-style-type: none"><li>○ Strengthening self-help groups, residents' associations, youth and women's enterprises, etc.</li></ul>

The above series of trainings oriented to the financial management and which include the financial management programs, micro-finance practices and strategies will be given mostly to the PAPs that will receive compensation in cash for them to be unlighted about the saving, investment and business development because of the compensation money.

#### **VI.7.5. Gender aspect**

In general, both spouses of affected households (or all partners for non-marriage or polygamous partnerships) are entitled to participate in livelihood restoration programs.

Women will be specifically targeted through gender sensitive engagement and training methods, and through specific activities in both and the microfinance and entrepreneurship fields.

Other tips during implementation of this project

- Employ a fair proportion of women during construction work.
- Disseminate Information about the risks of undesired pregnancy and the dangers of communicable diseases;
- Establish and Educate workers about the Zero tolerance for sexual harassment at the work place or in workers' locations during the day or overnight.
- Provide guidance for parents to advice their girls against indulging in negative relationships with workers.
- Avoid any gender discrimination during the cash compensations or employment wages.
- Avoid Sexual Exploitation and Abuse (SEA), Sexual Harassment (SH) and Violence and Abuse Against Children (VAC). Make bank accounts accessible for both for male and female household members or workers.

## **VI. 7.6. Temporally hardship and Vulnerability**

### **VI.7.6.1. Temporally hardship**

Vulnerability may be viewed in the context of two stages:

-Pre-existing Vulnerability

-Transitional hardship vulnerability caused by the project related physical and economic displacement.

Pre-existing vulnerability is vulnerability that occurs, with or without the project development, whilst transitionally hardship vulnerability occurs because of those directly affected by the project being unable to adjust to new condition due to shocks or stress related to project activities.

### **VI.7.6.2. Vulnerability**

Involuntary Resettlement if not managed well, may increase impoverishment, vulnerable households being particularly susceptible to the adverse effects of land acquisition and resettlement activities. The main situation leading to impoverishment as a direct result of the resettlement process are:

PAPs Disabled, elderly, widows, orphans and young headed households, single women heading households and extreme poor PAPs. However in Rwanda all vulnerable People are classified in Ubudehe category 1. All people in this category are entitled to different social protection scheme including VUP, FARG, RDRC, One Cow per Poor Family and Ubudehe Program (in which people are provided with Community Based Health Insurance). For instance, REG-/EUCL in partnership with the Local Government Authorities of new community receiving the PAPs by helping them to be integrated in existing social protection scheme in that receiving community. This will be done hand in hand with initiatives related to the construction of Village Kitchen Gardens that will be useful to vulnerable people by yielding vegetables and fruits that might be helpful not only in fighting malnutrition but also in generating income to households during the harvest periods.

**Note:** Ubudehe categories classification is done based on household income. Someone who is a widower, elderly, orphan, disabled people is considered vulnerable when his income is not sufficient to help him to access basic needs and he/she is considered as economically disadvantaged. Eg: some identified Widows are businesswomen in Kigali city and classified in UBUDEHE cat 3 of those who have a more stable HH Income in Kigali City.

In this community only 2 people were identified as Vulnerable PAPs and are classified in Ubudehe Cat 1. The First (a widow) who is physically disabled. All of them will be linked to the new community and be adhered to the existing social protection scheme. They will also be given priority in employment during the construction works.

#### **VI.8. Livelihood Program Management & Partnership**

The Local government officials of new community where PAPs will chose to resettle REG together with stakeholders are responsible for execution of the Livelihood Restoration Programs. The Livelihood Program will be undertaken in partnership, through identifying existing government agencies, NGOs and community-based groups undertaking such initiatives. These include the existing National Social Protection Scheme implemented in Rwanda such as One Cow per Poor Family program, Vision 2020 *Umurenge* Program (VUP) and *Ubudehe* Program. All these programs are implemented in all districts of the country and a budget is provided for this purpose for each budget year. 7 HHs to be physically resettled who lost income from their renting houses, 2 Vulnerable PAPs and 14 tenants occupying some of houses in the project area will benefit from livelihood restoration program. The Vulnerable PAPs identified in this community are also part of these 30 household. The list of Tenants is attached to this RAP, the table below gives the details on LRP.

**Table 20: Livelihood Restoration Program**

<b>No</b>	<b>Category of PAP</b>	<b>Benefits</b>	<b>Responsible entity</b>	<b>Estimated Budget in Rwf</b>
1.	7 HHs to be affected	Three months of transitional period	REG	Not Calculated
		Capacity Building on cash management and entrepreneurship	REG and Local Government Officials	1,332,500

		Right to houses salvage materials without deduction from compensation	PAPs and REG	Not calculated
		5% of Disturbance allowance	REG	Already counted
2.	14 Identified Tenants	Free three months of renting fees	REG and Local Government Officials	2,220,000
3.	2 Vulnerable PAPs	5% of Disturbance allowance	REG	Already counted
		Three months of transitional period	REG	Not calculated
		Capacity Building on cash management and entrepreneurship	REG and Local Government Officials	Already counted
		Linking them to the existing National Social Protection Scheme in the receiving community and LRP Implementation monitoring	REG and Local Government Officials	850,000
		Right to houses salvage materials without deduction from compensation	PAPs and REG	Not calculated
Estimated cost of L R P				4,402,500

The total estimated amount for the LRP is 4,402,500 Rwf. Alongside the calculated amount there are other services, which will be provided to PAPs like three months of transitional period and building materials from their demolished houses.

## VI.9. Local employment

The Project will develop a proactive Local Recruitment Policy, with a focus on the most impacted households and vulnerable groups. Unskilled and semi-skilled labor should be sourced from project-affected households wherever possible.

## VII. COMPENSATION AND RESETTLEMENT BUDGET

### VII.1 Best Practice Guidance

It is essential that all costs be estimated carefully and included in a detailed RAP budget. The implementing agency should itemize resettlement costs by categories of impact, entitlement and other resettlement expenditures including training, project management and monitoring.

The RAP budget is linked with a detailed implementation schedule for all key resettlement and rehabilitation activities.

### VII.2 Project RAP Budget

**Table 21: PAHs Compensation Budget replacement Cost**

NO	ITEM	TOTAL COST/Rwf
1.	Houses	275,313,000
2	Land	180,754,350
3	<i>Additional 5% of compensation indemnity for disruption caused by expropriation (Article 28 of Rwandan Expropriation law, 2015)</i>	22,803,368
	<b>TOTAL 1</b>	<b>478,870,718</b>
4	Livelihood Restoration Program excluding 5% of disturbance allowance.	4,402,500
	<b>TOTAL2</b>	<b>483,273,218</b>
5	Contingency fees (15% of Total 2)	71,830,608
	<b>GRAND TOTAL</b>	<b>555,103,825</b>

**Kigali Sub-Project- PAHs Compensation Budget**

The total compensation budget is estimated at **555,103,825 Rwf (Five hundred Fifty-five Million, one hundred and three thousand and eight hundred twenty five Rwandan francs)**. This amount will be used in compensating identified properties to be damaged along the overhead electricity line between GIKONDO and KIMIHURURA Sectors. The PAPs will benefit from the above compensation and related benefits, the eligibility criteria are described in this report.

## **VIII. RAP IMPLEMENTATION AND MONITORING**

### **VIII.1. RAP Implementation Arrangement**

The preparation and implementation of the compensation and resettlement strategies will require the participation of several institutions at different levels. Coordination of the participating institutions is a critical requirement to a successful compensation and resettlement programs. It is always preferred to have this addressed early into the project cycle, to inform them about their roles and responsibilities, lines of reporting, communication channels, expectations and responsibility limits.

In this perspective, the overall coordination of the project will be managed by the Ministry of Infrastructure through REG that will be responsible for overall technical and financial management of the project, and this to include the preparation and implementation of the RAP. These two entities will oversee the compensation and resettlement planning and coordinate issues relating to a fair compensation of Project Affected Persons. Given the importance of the activities under the various sub- components, EDCL (EARP)/EUCL will collaborate with Local Government Authorities falling within the subproject area in coordination and implementation.

The implementation arrangements of the RAP build on:

- The implementation arrangements for the overall compensation and resettlement process and insure proper coordination between concerned agencies at the National, District and Local levels; and
- The implementation arrangements for resettlement and compensation activities in line with the Rwandan legislation and that of the WB OP4.12.



Actors involved in both these sets of institutional arrangements need to be considered in the implementation of resettlement and compensation activities for RAP Project. This section describes the optimal arrangements that are built on already existing in the local administrative institutions and structures in place to ensure that laws, regulations and principles of compensation and resettlement are respected.

## **VIII.2. Institutional implementation arrangements**

A major issue in resettlement implementation and management is development of the appropriate institutional framework for all concerned parties. It is important to ensure timely establishment and effective functioning of appropriate organizations mandated to plan and implement the RAP. The overall coordination of the implementation of the RAP will be provided by REG/EDCL/EUCL, which will oversee all resettlement planning and coordinate all issues relating to the compensation. REG/EDCL/EUCL has a specific Project Implementation Unit (PIU) for the Project, drawing together technical, social and environmental personnel.

Activities to perform during RAP implementation are i) Notification to affected parties; ii) Agreement on compensation, including agreement and further development of rehabilitation measures; and iii) Preparation of contracts, compensation payments and provision of assistance in resettlement. The RAP will be implemented under an institutional arrangement.

The implementation arrangements of the RAP build on:

- The arrangements for the overall program management is of REG/EDCL/EUCL;
- REG/EDCL/EUCL will collaborate with other agencies at the National, District and Local levels for coordination;

The main executing entity REG/EDCL/EUCL will work in close collaboration with Ministry of Environment through Rwanda Land Management and use Authority (RLMUA) and through Local Government Administration. An institutional matrix has been prepared for the implementation of the Resettlement Action Plan.

**Table 22: Implementing Institutions and their Responsibility**

Institution	Roles and Responsibilities
REG/EDCL/EUCL	<ul style="list-style-type: none"> <li>✓ Oversee implementation of the RAP</li> <li>✓ Prepare and update resettlement related documentation to ensure consistency and compliance with RAP</li> <li>✓ Provide all compensation packages as per RAP</li> <li>✓ Provide livelihood and vulnerable assistance measures</li> <li>✓ Overall monitoring and evaluation of resettlement implementation (i.e. annual audits and review of sub-project level monitoring by affected districts)</li> </ul>
MoE	<ul style="list-style-type: none"> <li>✓ Work closely with REG/EDCL/EUCL to facilitate resettlement process and ensure it meets national legislation with regard to land ownership and use</li> <li>✓ Oversee resettlement and compensation process for land resources</li> <li>✓ Review land title documentation and ensure meets all land legislative requirements</li> </ul>
District authorities	<ul style="list-style-type: none"> <li>✓ Assist in consultations with PAPs and stakeholders</li> <li>✓ Review and sign off of all documentation (e.g. compensation agreement, compensation report etc.)</li> <li>✓ Transfer compensation payments to PAPs</li> <li>✓ Monitor proper implementation of RAP</li> <li>✓ Implement LRP</li> </ul>
PAPs	<ul style="list-style-type: none"> <li>✓ Engage in project consultation forums</li> <li>✓ Participation in measurement and sign-off of assets</li> <li>✓ Participation in monitoring &amp; evaluation</li> </ul>

Construction contractor	<ul style="list-style-type: none"> <li>✓ Fair compensation of assets damaged during construction. This compensation is related to assets to be affected, which belong outside the corridor. For example, in case assets outside the corridor is affected by soil deposit and machines during construction</li> <li>✓ Social economic specialist and asset valuator included in team</li> <li>✓ Compensation budget should be included in construction budget</li> </ul> <p>Other measures</p> <ul style="list-style-type: none"> <li>✓ Equitably distribute jobs to both women and men and prioritize vulnerable households and impacted households</li> <li>✓ Disseminate sufficient Information about dangers of communicable diseases including HIV/AIDS</li> <li>✓ Provide Codes of Conduct for workers and communities regarding anti-social behavior</li> <li>✓ Solicit services of archaeologist for identification of any finds during construction of pylon foundation</li> <li>✓ Restore all temporary construction works upon completion of project</li> </ul>
District resettlement Committees together with District One Stop center	<ul style="list-style-type: none"> <li>✓ Interface with District Land Bureau as mandated by revised Land Law</li> <li>✓ Public Awareness, including extensive consultation with the affected people</li> <li>✓ Approving land use changes at District/ Sector/ Cell level and ensuring alignment with the Land Use Master Plan</li> <li>✓ Approving land expropriation</li> <li>✓ Provision of information on current land use, land tenure</li> <li>✓ Ensuring grievance mechanisms meet legislative requirements</li> </ul>

Local Resettlement Committees (Grievance committees) at cell level	<ul style="list-style-type: none"> <li>✓ Public Awareness</li> <li>✓ Development and implementation of RAP, including assistance during resettlement, effective consultation with PAPs</li> <li>✓ Facilitate coordination of information collation activities (such as surveys, sign-off) for monitoring purposes, in accordance with procedures put in place by the district authorities</li> <li>✓ Elect representative of the Committee to act as Project Liaison Officer who has regular contact with PAPs and can lead consultation, public participation and grievance mechanisms</li> <li>✓ To participate in complains resolution</li> </ul>
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During RAP implementation, REG/EDCL/EUCL will play a key role in holding consultation meetings, approving the list of people to be affected by the project, disclosing RAP and compensation payments, following up the resettlement and compensation planning, implementation and monitoring.

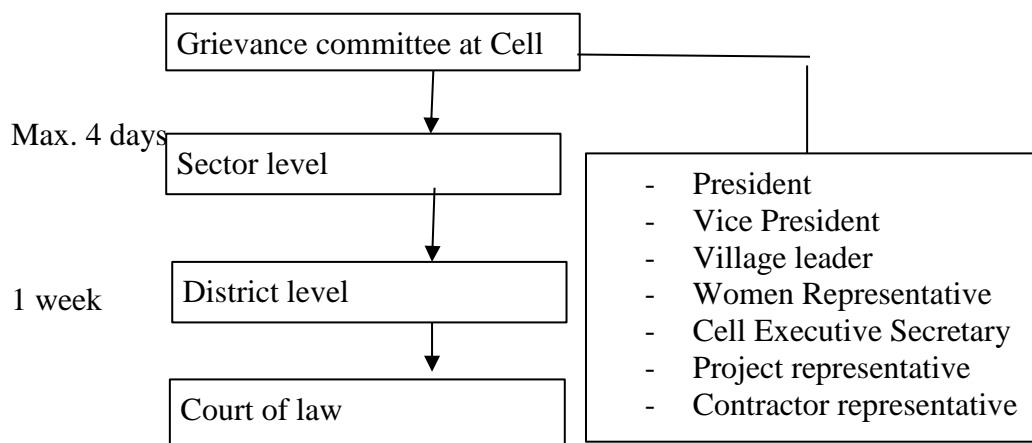
At the local level, Districts authorities will play a critical role in arranging for consultation meetings with the project PAPs, supervising the resettlement and compensation planning, implementation and monitoring. This will mainly be done through the District One Stop Center.

The Districts will also put in place the Resettlement and Compensation and grievance Redress Committee which will be composed by Vice Mayor Economic Development, Legal officer, Land Valuer/Surveyor, Social affairs Officer, Environmental Officer and Executive secretary of all involved sectors. This Committee will implement consultation and grievance mechanisms at the district level. Other responsibilities to be performed by this committee are to act as implementing bodies for RAP related activities at district level, direct partners to the Project Implementation Unit, REG/EDCL/EUCL and lead livelihood restoration programs. Local resettlement and Grievance Redress Committees are established by the consultation meetings organized in January 2018 in presence of Executive secretary of all sectors, representative of REG and in presence of PAPs.

### VIII.3. Grievance Redress Mechanisms

The Grievance redress mechanism is one of the strategies that are put in place to monitor and resolve complaints that may arise during or after the Project implementation by the affected people. The Grievance Redress Mechanism (GRM) ensures that complaints are received, reviewed and addressed by the elected Grievance redress committee. The Grievance committee is elected by the Project affected people during the second consultation meeting held between the District officials, Project representative and the project affected people. The elected committee is based at the cell level and is made up of at least 7 members. The PAPs select and vote for 3 candidates (President, Vice president and women representative); the Village leader is selected by the cell executive secretary, the social and environmental officers from the Contractor, Project and supervising company are also part of the elected committee. The main objective of the GRC is to ensure faster and better resolution of Project related complaints. The Grievance redresses Mechanism Structure;

**Figure 3: Grievance redresses Mechanism Structure**



#### a) Grievance Log

In practice, grievances and disputes that are most likely received during the implementation of the construction of the power line Project

- Misidentification of assets or mistakes in valuing them;
- Dispute over the ownership of a given asset (two individuals who might claim to be the owner of the same asset)
- Disagreement over the value given to plot or other assets.

- Successions, divorces, and other family issues, resulting in disputes between heirs and other family members, over ownership or ownership shares for a given asset.
- Disputed ownership of a business (for instance where the owner and the operator are different persons), which gives rise to conflicts over the compensation sharing arrangements.
- Dispute over offsite impacts (for instance, runoff water from the road causing downstream damages)
- Issue of PAPs with no Bank accounts.

#### **b) Grievance resolution approach**

It is encouraged to resolve the issues right from the cell and Sector levels, as they are so close to the affected communities, aware of and involved in the whole process. The unsolved grievance at the local level can be referred to the District committee. The relevant local administration will then attempt to resolve the problem (through dialogue and negotiation) within 30 days of the complaint being lodged. If the grievance is not resolved in this way, the dissatisfied party can refer the matter to the competent court. Local courts should be used.

If not resolved, then the high court or court of appeal of Rwanda remains an avenue for voicing and resolving these complaints. REG/EDCL/EUCL will follow up the aggrieved PAP at each level to ensure that the grievances are resolved. Each cell should identify one PAP to work with REG/EDCL/EUCL, Contractor, supervising firm and the local leaders to ensure that the grievances are attended to in time. The Grievance committee has been elected by the project affected people at cell levels. The elected committee is made up of at least 4 members. The PAPs elected 2 representatives namely one PAP, one women representing the National Women Council. These are supplemented by one Village leader chosen by the Cell leader and representing all concerned villages and the Social Affairs Cell representative. The grievance committee is meant to be near the community in such a way that the PAPs' complaints are followed up and addressed as soon as possible.

### **VIII.3. Monitoring and Evaluation**

#### **Overview**

The EDCL/EUCL will monitor and report on the effectiveness of RAP implementation. The objective should be to provide to the Project (RESSP) with feedback and to identify problems and successes as early as possible to allow timely adjustment to implementation arrangements. Monitoring and evaluation activities should be integrated into the overall project management process, and the RAP must provide a coherent monitoring plan that identifies the organizational responsibilities, methodology, and the schedule for monitoring and reporting.

#### **Project Approach**

The Project will conduct monitoring and evaluation to track the Resettlement Action Plan Implementation with due diligence. The monitoring and evaluation will give particular attention to the project-affected communities, especially vulnerable groups, including female-headed households and orphan-headed households. Monitoring and evaluation have the following general objectives:

- Monitoring specific situations or difficulties arising from the implementation, and of the compliance of the implementation with objectives and methods set out in the Resettlement Action Plan
- Evaluating emergent, mid-and long-term impacts of the Project on the welfare of impacted households, communities, and local government
- Sufficient involvement of the project affected persons in participatory monitoring and evaluation of short term, mid-term and long-term project activities and effects.

Monitoring activities will be comprised of three main components:

- Internal monitoring
- External monitoring;
- RAP completion audit.

### **VIII.4. Monitoring & Evaluation**

The purpose of monitoring is to provide Project Management, and directly affected persons, households and communities, with timely, concise, indicative information on whether compensation, resettlement and other impact mitigation measures are on track to achieve

sustainable restoration and improvement in the welfare of the affected people, or that adjustments are needed.

Monitoring verifies that:

- Actions and commitments for compensation, resettlement, land access, and development in the RAP are implemented fully and on time;
- Entitled persons receive their compensation on time;
- Compensation and livelihood investments are achieving sustainable restoration and improvement in the welfare of Project-Affected Persons, households and communities;
- Complaints and grievances are followed up with appropriate corrective action;
- Vulnerable persons are tracked and assisted as necessary;
- Gender balance is considered during job recruitment.

In brief, monitoring answers the question: Are Project compensation, resettlement and other impact mitigation measures on time and having the intended effects.

Monitoring will consist of (a) internal monitoring by REG as an integral part of management, working with the impacted communities; and (b) external monitoring by the consultants, working with the impacted communities. Monitoring will be done by:

- Audit
- Conventional sample surveys
- Community participation

#### **a) Internal Monitoring**

It is proposed that internal monitoring of RAP implementation will be undertaken by REG/EDCL/EUCL. Monthly progress reports will be prepared and submitted to management and relevant government authorities. The internal monitoring will look at inputs, processes, and outcomes of compensation/resettlement/other impact mitigation measures.

Monitoring will include stakeholder participation where possible, particularly directly-affected communities. This may include participation in household sign-off activities, monitoring of livelihood program activities, etc.

Indicator selection for the purpose of monitoring and evaluation would be guided by the following principles:



Preference for fewer indicators that have significant validity over more indicators of less significant value

Preference for indicators used by national institutions in order to be able to compare results with control groups in other parts of Rwanda, and avoid reinventing the wheel

Measuring outcome and impacts on the following levels:

- Monetary measuring of livelihoods through a quantitative income or expenditure survey
- Qualitative indicators measuring perception of Project-Affected Persons.

**Table 23: Selection of Indicators for Internal Monitoring**

Monitoring Aspect	Activity and specific monitoring parameters	Monitoring Frequency
Performance against schedule	Progress in technical validation of affected assets and signature of compensation agreements between PAP and REG: % complete	Monthly
	Payment of compensation and delivery of livelihood restoration measures: % complete	
	Grievance process: no. of grievances received/responded/resolved	
	Consultation activities: records of meetings, discussions, interviews, etc.	
	Summary of monitoring activities, to be integrated into the RAP Implementation Status Reports	
Overall restoration of livelihoods and income	Was compensation paid to assets owners? % of total payments/livelihood measures completed, in progress, not started, on appeal	Monthly
	Was compensation in general in line with agreed rates and in – time? % of total payments made at agreed rates % within agreed time frame	
	How is the response of affected people to the livelihood programs? % enrolment of affected households	
	Where livelihood restoration measures delivered for all groups of affected people? % of total livelihood restoration measures in progress not started	

Monitoring Aspect	Activity and specific monitoring parameters	Monitoring Frequency
	Was financial training delivered to all groups of affected people? % of affected households in financial training completed, in progress, not started, appeal	
	Did affected businesses receive entitlements? % of total completed, in progress, not started, in appeal	
	Have vulnerable people been identified on the household level? % of household situations reviewed	
	Have special needs of vulnerable groups been identified and addressed? % of vulnerable people addressed with targeted measures	
	Have physically displaced people managed to re-establish a new place of residence? % of displaced people established new place of residence	
	Have affected businesses been restored? % of restored businesses	
	Change in farm productivity levels (%) and PAP incomes (%). Same for businesses	
	How have changes of income changed overall household economy of PAPs? Factual description	
	Number of skilled and non- skilled PAPs engaged in construction workforce (or otherwise employed as part of Project)? Total no. of PAPs who applied for jobs, % employed part-time/full-time, % undergoing job training	

Monitoring Aspect	Activity and specific monitoring parameters	Monitoring Frequency
	Are livelihood restoration measures proving effective? Summary professional opinion	
	Are any additional support measures required? Professional opinion based on all results to date	
Level of PAP satisfaction	How do PAPs perceive the extent to which their overall livelihood has been restored? Results of routine interviews with PAPs	<b>Continuously</b>
	Have PAPs experienced any hardship as result of the Project? Results of routine interviews with PAPs	
Consultation and Grievances	Do PAPs understand the process of land acquisition/ compensation/ livelihood restoration measures? Results of routine interviews with PAPs	
	Do PAPS understand avenues for expressing grievances? Results of routine interviews with PAPs	
	What types of grievances have been issued and how have these been resolved? How many outstanding? Summary of input from Grievance Procedure and routine interviews with PAPs: factual information.	

#### **b) External Monitoring and Evaluation**

An external audit will be undertaken by an external party to the project implementation team with the aim to assess the compliance of the RAP implementation to the project RPF.

For this purpose, REG will hire a qualified external social auditor with significant experience in resettlement to carry out an annually review focusing on the assessment of compliance with social

commitments contained in Rwanda legislation, World Bank Policies and this Resettlement Action Plan.

Objectives of the review are as follows:

- To assess overall compliance with the RAP
- To verify that measures to restore and enhance Project-Affected Peoples' livelihoods and are being implemented and to assess their effectiveness
- To assess the extent to which the livelihoods of affected communities are being restored in an appropriate manner and how their living standards were improved.

### **c) Resettlement Completion report**

The purpose of the Completion report is to verify that REG has complied with resettlement commitments defined by the RAP, and more generally is in compliance with national and World Bank procedures on involuntary resettlement.

Reference documents for the Completion Audit are the following:

- This Resettlement Action Plan
- Rwanda Legislation
- World Bank regulations and guidance related to involuntary resettlement.

The main objectives of the completion audit are the following:

- General assessment of the implementation of the RAP against the objectives and methods set forth in the RAP
- Assessment of compliance of implementation with laws, regulations and safeguard policies
- Assessment of the fairness, adequacy and promptness of the compensation and resettlement procedures as implemented
- Evaluation of the impact of the compensation and resettlement program on livelihood restoration, measured through incomes and standards of living, with an emphasis on the “no worse-off if not better-off” requirement
- Identification of potential corrective actions necessary to mitigate the negative impacts of the project, if any, and to enhance its positive impacts.

The Completion Audit will be based on documents and materials generated by internal and external monitoring. In addition, auditors will make their own assessments, surveys and interviews in the field with stakeholders.

## **IX. RAP DISCLOSURE AND COMPLETION**

The RAP disclosure, aside of informative meetings with PAPs and concerned communities, will be done by the Ministry of Infrastructure through EDCL/EUCL- which will disclose this Resettlement Action plan by making copies available at its head office and website as well as in District where the project will be implemented, in a bid to inform not only local leaders but also the Persons to be affected by the project. The Government of Rwanda will also authorize the World Bank to disclose this RAP electronically through its InfoShop.

RESSP will at the end of the RAP implementation submit a final progress report to the World Bank. The final report will indicate the effectiveness of the RAP implementation process, including: the organization and delivery of compensation payments and other resettlement measures; the grievance handling system; the M&E system; the community and public engagements, including vulnerable PAPs; and the socio-economic impacts of the resettlement measures. The final report will give an overall assessment of the RAP outputs against inputs indicating the planned activities completed and not completed as well as the lessons learnt during the RAP implementation. The following table demonstrate RAP Implementation schedule.

**Table 24: RAP Implementation Schedule**

		Year 2019											
		1	2	3	4	5	6	7	8	9	10	11	12
<b>Phase 1: Preparatory activities (3 months)</b>													
1.1	Census of RAP assets and socioeconomic surveys of PAPs and affected communities			X	X								
1.2	Preparation of RAP report				X								
<b>Phase 2: RAP implementation</b>													
2.1	Recruitment of Valuer for assets valuation			X									
2.2	Valuation of assets, Sign-Off Process				X								
2.3	Mobilize REG/EDCL/EUCL for compensation and expropriation money through MINECOFIN	X	X	X	X	X							

2.4	REG/EDCL/EUCL to compensate PAP and resettle concerned PAPs						X	X					
2.5	Move from compensated assets							X	X	X	X		
2.6	Implementation of livelihood programs							X	X	X	X	X	X
2.7	Implementation of vulnerable PAP assistance							X	X	X	X	X	X
2.8	Supervision of RAP implementation and livelihood restoration success							X	X	X	X	X	X
2.9	Reconstruction audit												X



## ANNEXES

**Annex 1:** Established grievance committees within the two communities.

GRIEVANCE REDRESS MECHANISM COMMITTEES			
EPC:	Kigali City		
DISTRICT GASABO			
Sector:	KIMIHURURA		
Cell:	KIMIHURURA		
ELECTED COMMITTEE			
	#	Names	Attribute
	1	NGOGA Egide	CE/S
	2	MUKAKAJUGA Viviane	Women Representative
	3	RUTABANA François	PAPs Representative
	4	MUKANDEKEZI Safina	Village leaders Representative

DISTRICT KICUKIRO			
Sector:	GIKONDO		
Cell:	KINUNGA		
ELECTED COMMITTEE			
	#	Names	Attribute
	1	MUNYARUBUGA François	Village leaders Representative
	2	BAYINGANA Claver	CE/S
	3	BATAMURIZA Valérie	Women representative
	4	MUKAMANA Véronique	PAPs representative

**Annex 2: List of tenants and House owners**

<b>S/N</b>	<b>FULL NAMES OF TENANTS</b>	<b>HOUSE OWNER</b>	<b>LOCATION</b>
1.	MUPENZI ALPHONSE	GATABAZI FREDERICK	KIMIHURURA/GASABO
2.	BIMENYIMANA J PAUL	MUJAWAYEZU CYRIAQUE	KIMIHURURA/GASABO
3.	KWIZERA J BAPTISTE	MUJAWAYEZU CYRIAQUE	KIMIHURURA/GASABO
4.	NKUSI DANCILLE	MUKAMANA VERONIQUE	GIKONDO/KICUKIRO
5.	NIYOMUGABO JOHN	KAMONDO BERNARD	GIKONDO/KICUKIRO
6.	KANYAMIBWA ETIENNE	MUMARASHAVU CLAIRE	GIKONDO/KICUKIRO
7.	KARINGANIRE ETIENNE	MUMARASHAVU CLAIRE	GIKONDO/KICUKIRO
8.	NIYIBIZI FIDELE	RUNGENDÉ ALPHONSIEN	GIKONDO/KICUKIRO

9.	MUHIRE THADEE	MUJAWAYEZU CYRIAQUE	KIMIHURURA/GASABO
10.	MUHIRWA MARTIN	MUJAWAYEZU CYRIAQUE	KIMIHURURA/GASABO
11.	CYURINYANA	MUKANKUBANA COSOLEE	KIMIHURURA/GASABO
12.	NYIRAHABIMANA HERENE	MUKANKUBANA COSOLEE	KIMIHURURA/GASABO
13.	GASHUMBA HASAN	MUKANKUBANA COSOLEE	KIMIHURURA/GASABO
14.	TUYIZERE FABRICE	MUKANKUBANA COSOLEE	KIMIHURURA/GASABO

### Annex 3: Sample grievance redresses form

Grievance Number		Copies to forward to:				
Name of the recorder		(Original) Receiver Party				
District/ Sector/Cell (Copy)- Responsible Party Date						
INFORMATION ABOUT GRIEVANCE						
Define the Grievance						
INFORMATION ABOUT THE COMPLAINANT				Forms of Receive		
Name-Surname				Phone line		
Address				Community/Information meetings		
Village/ Cell				Mail		
				Informal		
Sector/ District						
				Other		
Signature of Complainant						
Incidents		Resettlement	Employment	Construction	Worker	Other
Regarding		Process (specify)	And	Community Relations		(specify)

Expropriation and	Recruitment	-	Nuisance from dust	
Compensation	(Specify)	-	Nuisance from noise	
(Specify)		-	Vibrations due to explosions	
-Misconduct of the project personal/worker - Complaint follow up Other				

#### Grievances Close Out Form

Grievance Number:.....

Define immediate action required:.....

Define long term action required (if necessary).....

#### Verification of corrective action and sign off

CORRECTIVE ACTION TAKEN	DUE DATE

#### Responsible Party

Notes: This part will be filled in and signed by the complainant when he/she receives the compensation or file is closed out

Complainant.....

Name and signature.....

Date...../...../.....

Representative of Responsible Party.....

Title, Name and Signature.....

Date.....

**Annex 4: Valuation Costing References**

**INSTITUTE OF REAL PROPERTY  
VALUERS IN RWANDA**



**ORDRE DES EVALUATEURS  
DES BIENS IMMOBILIERS AU**

**RWANDA**  
**SECTOR LEVEL REFERENCE PRICES**

	<b>KIGALI CITY</b>				
<b>1.1.</b>	<b>GASABO DISTRICT</b>				
		<b>price_sqm</b>			
<b>1.</b>	<b>sector</b>	<b>Count</b>	<b>Mean</b>	<b>min</b>	<b>Max</b>
<b>2.</b>	Bumbogo	1 113	6 705	16	107 068
<b>3.</b>	Bumbogo	1 113	6 705	16	107 068
<b>4.</b>	Gatsata	118	10 416	164	102 131
<b>5.</b>	Gikomero	192	1 287	16	11 375
<b>6.</b>	Gisozi	313	14 201	246	152 550
<b>7.</b>	Jabana	904	3 858	3	70 360
<b>8.</b>	Jali	394	4 087	23	113 858
<b>9.</b>	Kacyiru	9	35 098	166	96 114
<b>10.</b>	Kimihurura	26	48 150	694	132 793
<b>11.</b>	Kimironko	243	25 630	2 006	169 676
<b>12.</b>	Kinyinya	923	12 766	139	136 973
<b>13.</b>	Ndera	1 520	5 327	33	79 907
<b>14.</b>	Nduba	490	3 557	48	71 055
<b>15.</b>	Remera	68	50 334	28	120 635
<b>16.</b>	Rusororo	1 120	8 389	12	151 169
<b>17.</b>	Rutunga	147	2 094	23	60 999
<b>1.1.2</b>	<b>KICUKIRO DISTRICT</b>				
<b>1.</b>	Gahanga	1 754	4 207	16	44 622
<b>2.</b>	Gatenga	723	6 909	9	78 161
<b>3.</b>	Gikondo	44	21 131	18	80 050
<b>4.</b>	Kagarama	427	21 941	421	102 525
<b>5.</b>	Kanombe	1 307	5 440	146	85 175
<b>6.</b>	Kicukiro	18	48 026	13 029	76 467
<b>7.</b>	Kigarama	354	10 640	224	72 536
<b>8.</b>	Masaka	2 102	4 922	2	70 435

<b>9.</b>	Niboye	96	35 818	2 407	106 812
<b>10.</b>	Nyarugunga	337	16 242	563	85 582
<b>1.1.3</b>	<b>NYARUGENGE DISTRICT</b>				
		<b>price_sqm</b>			
	<b>sector</b>	<b>Count</b>	<b>Mean</b>	<b>min</b>	<b>max</b>
1.	Gitega	6	16 262	1 426	36 308
2.	Kanyinya	275	2 339	13	28 274
3.	Kigali	729	3 021	7	60 683
4.	Kimisagara	23	4 288	595	22 569
5.	Mageregere	529	2 379	21	39 789
6.	Muhima	15	65 606	11 807	122 983
7.	Nyakabanda	15	14 620	753	27 885
8.	Nyamirambo	238	4 265	208	51 506
9.	Nyarugenge	6	71 680	942	151 697
10.	Rwezamenyo	2	29 880	13 144	46 616

**Source:** *Official Gazette no. Special of 08/11/2018*