

ARAP

REPUBLIC OF RWANDA



MINISTRY OF INFRASTRUCTURE

Abbreviated Resettlement Action Plan

**Development of Urban Infrastructure in Agatare Area of
Nyarugenge District in the City of Kigali**

Final Report

January 2016

ACRONYMS AND DEFINITIONS

AIDS	Acquired Immune Deficiency Syndrome
CAC	Cell Adjudication Committee
CBOs	Community Based Organizations
CoK	City of Kigali
CSO	Civil Society Organisations
DDC	District Development Committee
DDS	District Development Strategy
DLOs	District Land Offices
EDPRS II	Second Economic Development and Poverty Reduction Strategy
EMF	Environment Management Framework
ESIA	Environment and Social Impact Assessment
ESMF	Environmental and Social Management Framework
GDP	Gross Domestic Product
GoR	Government of Rwanda
HIV	Human Immunodeficiency Virus
JADF	Joint Action Development Forums
LODA	Local Development Agency of Rwanda
M&E	Monitoring and Evaluation
MINAGRI	Ministry of Agriculture and Animal Resources
MINALOC	Ministry of Local Government
MINECOFIN	Ministry of Finance and Economic Planning
MINICOM	Ministry of Trade and Industry
MININFRA	Ministry of Infrastructure
MINIRENA	Ministry of Natural Resources
MTR	Mid Term Review
NDIS	National Decentralization Implementation Secretariat
NGO	Non-Governmental Organizations
NLC	National Land Commission
OP	Operational Policy
PAP	Project Affected Persons
PCDP	Public Consultation and Disclosure Procedures
PMU	Project Management Unit
PPP	Public Private Partnership
RAP	Resettlement Action Plan
RUDP	Rwanda Urban Development Project
RDB	Rwanda Development Board
REMA	Rwanda Environment Management Authority

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RGAC	Rwanda Governance Advisory Council
RGB	Rwanda Governance Board
RHA	Rwanda Housing Authority
RNRA	Rwanda Natural Resources Authority
RPF	Resettlement Policy Framework
RRA	Rwanda Revenue Authority
RSTF	Rural Resettlement Task Force
RTDA	Rwanda Transport Development Agency
RWF	Rwandan Francs
SPIU:	Single Project Implementation Unit
WASAC	Water and Sanitation Corporation
WB	World Bank

DEFINITIONS OF TERMS USED IN THIS DOCUMENT

Unless the context dictates otherwise, the following terms shall have the following meanings:-

1. "Affected people" refers to people who are directly affected socially and economically by World Bank-assisted investment projects caused by:
 - a. Relocation or loss of shelter
 - b. Loss of assets or access to assets loss of income sources or means of livelihood, whether or not the affected persons must move to another location; or
 - c. The involuntary restriction or access to legally designated parks and protected areas results in adverse impacts on the livelihood of the displaced persons.
2. "Associated projects" means any subprojects or activities which are directly related to the planned infrastructure development in the six secondary cities.
3. "Census" means a field survey carried out to identify and determine the number of Project Affected Persons (PAP), their assets, and potential impacts; in accordance with the procedures, satisfactory to the relevant government authorities, and the World Bank Safeguard Policies. The meaning of the word shall also embrace the criteria for eligibility for compensation, resettlement and other measures, emanating from consultations with affected communities and the Local Leaders.
4. "Environmental and Social Management Framework (ESMF)" is a safeguard instrument (document) which will set out a mechanism to determine and assess future potential environmental and social impacts of the project funded activities in the infrastructure development program and other activities associated with this project regardless of funding agency in the six secondary cities. The framework will set out mitigation, monitoring and institutional measures to be taken during design, implementation and operation of the project activities to eliminate adverse environmental and social impacts, offset them, or reduce them to acceptable levels. This instrument will be prepared as a separate and stand-alone document to be used in conjunction with this RPF.
5. "Compensation" means 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.
6. "Cut-off date" is the date of commencement of the census of PAPs within the project area boundaries. This is the date on and beyond which any person whose land is occupied for project use, will not be eligible for compensation.
7. "Project affected persons" (PAPs) means persons who, for reasons of the involuntary taking or voluntary contribution of their land and other assets under the project, result in direct economic and or social adverse impacts, regardless of whether or not the said Project affected persons physically relocate. These people may have their:
 - a. Standard of living adversely affected, whether or not the Project Affected Person must move to another location ;
 - b. Right, title, interest in any house, land (including premises, agricultural and grazing land) or any other fixed or movable asset acquired or possessed, temporarily or

- permanently, adversely affected;
- c. Access to productive assets adversely affected, temporarily or permanently; or
 - d. Business, occupation, work or place of residence or habitat adversely affected.
8. "Involuntary Displacement" means the involuntary taking of land resulting in direct or indirect economic and social impacts caused by:
- a. Loss of benefits from use of such land;
 - b. relocation or loss of shelter;
 - c. loss of assets or access to assets; or
 - d. loss of income sources or means of livelihood, whether or not the project affected person has moved to another location.
9. "Involuntary Land Acquisition" is the taking of land by government or other government agencies for compensation, for the purposes of a public project against the will of the landowner. The landowner may be left with the right to negotiate the amount of compensation proposed. This includes land or assets for which the owner enjoys uncontested customary rights.
10. "Land" refers to agricultural and/or non-agricultural land and any structures thereon whether temporary or permanent and which may be required for the Project.
11. "Land acquisition" means the taking of or alienation of land, buildings or other assets thereon for purposes of the Project.
12. "Rehabilitation Assistance" means the provision of development assistance in addition to compensation such as land preparation, credit facilities, training, or job opportunities, needed to enable project affected persons to improve their living standards, income earning capacity and production levels; or at least maintain them at pre-project levels.
13. "Resettlement and Compensation Plan", also known as a "Resettlement Action Plan (RAP)" or "Resettlement Plan" - is a resettlement instrument (document) to be prepared when subproject locations are identified. In such cases, land acquisition leads to physical displacement of persons, and/or loss of shelter, and /or loss of livelihoods and/or loss, denial or restriction of access to economic resources. RAPs are prepared by the party impacting on the people and their livelihoods. RAPs contain specific and legally binding requirements to be abided by to resettle and compensate the affected party before implementation of the project activities causing adverse impacts.
14. "Replacement cost" means replacement of assets with an amount sufficient to cover full replacement cost of lost assets and related transaction costs. In terms of land, this may be categorized as follows;
15. "Replacement cost for agricultural land" means 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:
- a. preparing the land to levels similar to those of the affected land;
 - b. any registration, transfer taxes and other associated fees;
16. "Replacement cost for houses and other structures" means the prevailing cost of replacing affected structures of the quality similar to or better than that of the affected structures, in

an area and. Such costs shall include:

- a. Building materials
 - b. Transporting building materials to the construction site;
 - c. Any labour and contractors' fees; and d) any registration costs.
17. "Resettlement Assistance" means the measures to ensure that project affected persons who may require to be physically relocated are provided with assistance such as moving allowances, residential housing or rentals whichever is feasible and as required, for ease of resettlement during relocation,
18. "The Resettlement Policy Framework (RPF)" is being prepared as an instrument to be used throughout the planned infrastructure development program implementation. The RPF will be publicly disclosed in impacted areas to set out the resettlement and compensation policy, organizational arrangements and design criteria to be applied to meet the needs of the people who may be affected by the program. The Resettlement Action Plans ("RAPs") for the infrastructure development in the six secondary cities will be prepared consistent with the provisions of this RPF.
19. "Resettlement Action Plan": see Resettlement and Compensation Plan above,
20. "Vulnerable Groups" refers to:
- a. Widows, the disabled, marginalized groups, low income households and informal sector operators;
 - b. Incapacitated households – those no one fit to work and;
 - c. Child-headed households and street children
 - d. Including among other things, persons characterised by low nutrition levels, low or no education, lack of employment or revenues, old age, ethnic minority and/or gender bias.

TABLE OF CONTENTS

ACRONYMS AND DEFINITIONS.....	ii
DEFINITIONS OF TERMS USED IN THIS DOCUMENT	iv
TABLE OF CONTENTS	vii
List of Tables	x
EXECUTIVE SUMMARY	1
1. INTRODUCTION.....	3
1.1. Description and location of the project	3
1.1.1. Project objectives and outputs	4
1.1.2. Proposed prioritized infrastructure subproject types and dimensions for the first phase of RUDP in Agatare Area of the CoK.....	4
1.1.3. Subprojects for which land acquisition and resettlement are required	5
1.1.4. Delineation of study area for the assessment.....	6
1.2. Scope of the ARAP.....	8
1.3. Methodology	9
1.4. Socioeconomic profile of Agatare area.....	9
1.4.1. Demographics.....	9
1.4.2. Existing situation of the physical infrastructure in Agatare area.....	10
2. POTENTIAL RUDP IMPACTS	13
2.1 Loss of livelihoods.....	13
2.2 Entitlement Matrix	13
2.2 Gap Analysis between Rwandan Expropriation Law and WB Op 4.12	15
2.2.1. Implementing support from LODA.....	21
2.2.2 Establishment of the Grievance Redress Mechanism.....	21

3.	CENSUS AND SOCIAL ASSESSMENT OF PAPs.....	22
3.1.	List of project affected persons.....	22
3.2.	Socioeconomic assessment of the PAPs.....	23
3.2.1	Vulnerable groups/persons	23
3.2.3	List of affected businesses in Agatare area.....	24
3.3	Size of affected households.....	25
3.3.1	Number of children in the affected households.....	25
3.3.2	Sources of livelihoods for the affected household heads	25
3.3.3	Number of school going dependents of affected households.....	26
3.4	Records keeping.....	26
3.5	Determination of Cut-off date.....	26
4	DESCRIPTION OF COMPENSATION AND OTHER RESETTLEMENT ASSISTANCE.....	27
4.3	Resettlement allowance.....	27
4.4	Livelihood support to the PAPs.....	27
4.5	The different forms of compensation and resettlement facilitation	27
4.6	Eligibility	28
5	VALUATION OF AND COMPENSATION FOR LOSSES	29
5.3	Compensation for Land.....	29
5.4	Valuation for crops	29
5.5	Resettlement measures for each category of eligible PAPs	29
6	CONSULT WITH PAPs ON ACCEPTABLE ALTERNATIVES.....	30
6.3	Verification and disclosure of entitlements.....	30
6.4	Other meetings and consultations	30
6.5	Main issues raised by the PAPs during the first meeting.....	30

6.6	Agreement on compensation and preparation of contracts.....	31
7	GRIEVANCE REDRESS MECHANISM	32
8	DESCRIPTION OF RELEVANT ORGANISATIONS' RESPONSIBILITIES.....	33
8.3	Roles of RUDP during Land and assets measurements.....	33
8.4	Roles of the PAPs.....	34
8.5	Roles of the CoK	34
9	IMPLEMENTATION SCHEDULE	35
10	ESTIMATED COSTS FOR RESETTLEMENT	36
11	FRAMEWORK FOR MONITORING, EVALUATION AND REPORTING	47
11.3	Monitoring plan	47
11.4	Resettlement Implementation Completion report	48
	Annexes:	49
	Annex 1: Minutes of meeting with affected households.....	49
	Annex 2: LIST OF AFFECTED STAKEHOLDERS THAT PARTICIPATED IN THE CONSULTATION MEETING ON , 19-11-2015	54

List of Tables

Table 1: Summary of proposed infrastructure works for Agatare area	5
Table 2: Details of property affected by implementation of subprojects in Agatare Area	6
Table 3: Assessed impact of the RUDP subprojects implementation in Agatare area ...	13
Table 4: Entitlement Matrix.....	13
Table 5: Comparison of Rwandan and World Bank Policies on Resettlement and Compensation	15
Table 6: Average Number of persons above 60 years old per affected household (N=221)	23
Table 7: List and details of the businesses affected by RUDP in Agatare area	24
Table 8: Categorization of affected households by size of households	25
Table 9: Average number of persons under 13 years old per affected household (N=221)	25
Table 10: Source of income per affected household (N=226).....	25
Table 11: Average number of Students per affected household (N= 223).....	26
Table 12: Resettlement measures for each category	29
Table 13: Issues of PAPs and responses given	31
Table 14: Roles and Responsibilities for each institution	33
Table 15: Implementation schedule	35
Table 16: Estimated cost for resettlement	36
Table 17: Plan for Monitoring, evaluating and reporting	48

List of Figures

Figure 1: Site Context at National and City level.....	7
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Figure 2: Location of Agatare Project Area for RUDP implementation 8

Figure 3 : Accessibility means in Agatare area 11

Figure 4: Income levels per month per HH 12

Figure 6: Institutional arrangement for implementation of RUDP in Agatare area. 20

EXECUTIVE SUMMARY

This document is the Abbreviated Resettlement Action Plan prepared by Green World Consult Limited (GWCL) on behalf of the Ministry of Infrastructure (MININFRA) as part of the processes for preparation of a funding proposal, the 'Rwanda Urban Development Project' (RUDP), for the development of urban infrastructure in the six secondary cities of Muhanga, Huye, Musanze, Rubavu, Rusizi and Nyagatare, as well as the Agatare area of the Nyarugenge District in the City of Kigali (CoK). As the social and environmental safeguards consulting firm, GWCL, was required to study the environmental and social impacts of the RUDP, and prepare a Resettlement Action Plan to guide MININFRA, as the executing agency of RUDP, and the implementing agencies (the beneficiary districts that host the six secondary cities and the CoK), in event RUDP implementation in Agatare involved acquisition of land and consequent involuntary displacement of the project affected persons (PAPs).

Survey of the proposed subprojects in Agatare Area of the CoK established that up to **34** households will have to be displaced and another **255** households will be partially affected without necessarily having to be displaced to give way for the implementation of the respective proposed subprojects. The Rwanda Law requires that MININFRA as the Executing Agency of the RUDP applies for expropriation of the affected property in public interest, and ensures that the CoK as the Implementing Agency, diligently values the affected property, and duly compensates and facilitates the resettlement process of the PAPs. In addition, according to the World Bank Operational Policy on involuntary displacement and resettlement, WB OP 4.12, the CoK has to follow up the PAPs and support their restoration of livelihoods to better level or at least a level equivalent to the standard the PAPs were are prior to the displacement. The WB OP 4.12 to this effect requires that a Resettlement Action Plan (RAP) be prepared to guide the process of acquisition of the land, valuation and compensation for the land and property thereon, and resettlement of the displaced persons; and in the monitoring of the resettled persons to ensure that their livelihoods are at minimum at level equivalent to the level prior to being expropriated.

Going by the principles of the WB OP 4.12, an 'Abbreviated RAP' (ARAP) was prepared for implementation of RUDP in Agatare area given the limited number of persons that will have to be entirely affected and will have to be displaced as indicated above. The main elements of the ARAP for Agatare area are: public consultation and engagement with affected citizens on expropriation processes, social assessment of the PAPs, census report of the PAPs, documentation of assets of the PAPs, disclosure of cut-off point and entitlement, provision of alternatives, compensation and resettlement, addressing grievances, monitoring and reporting of the compensation and resettlement.

The CoK has proposed to offer land for land compensation and or build alternative equivalent houses for the property owners at the current standard of the city that will be better or higher

ARAP

in standard than the affected structures, as compensation for the physically displaced persons. In case of tenants the CoK is proposing setting up temporary model housing for renting in the area to assist the tenants adjust and look for new housing arrangement in the interim. The other option offered by the CoK is payment of cash for the land owners that fail to agree to any of the above alternatives. The CoK is also proposed to citizens that all the informal businesses that will be displaced by implementation of the proposed subprojects will be provided alternatives equivalent or better than level they were operating at prior to the implementation of the planned infrastructure projects. This will include providing the PAPs with space in the different existing or planned public markets and unionizing them into cooperatives to assess public support for their businesses. Those partially affected will be given the option of their houses being repaired by the city contractors or being given cash compensation. The total cost of the ARAP implementation for Agatare area in the CoK was estimated at **RWF 1,010,000,300 (equivalent to USD 1,346,4667.7\$)** including compensation for the property, and offer of disturbance allowance, and of resettlement actions and resettled persons.

A Grievance Redress Mechanism (GRM) has been established in accordance to the Resettlement Policy Framework for the RUDP, Rwanda Law and WB OP4.12 guidelines. The GRM has been popularized through sensitization by GWCL as the Safeguards Consultant, as part of the efforts in preparation of the ARAP for Agatare area. The GRM provides a framework for any aggrieved party to seek review of the decisions of the implementation of the ARAP for Agatare area. Forms for capturing any grievance raised have been left at Nyarugenge Sector level; the Nyarugenge land Bureau will handle any grievance related to resettlement and compensation before and during implementation of the RUDP subproject activities in Agatare area and filed complains at the Nyarugenge Sector level will be gather by the Sector executive and forwarded to Nyarugenge District Land Bureau for addressing and resolving. Efforts were made to sensitize all those involved to ensure that they use all available avenues under the GRM to resolve any disputes without necessarily going to the Courts of Law.

1. INTRODUCTION

1.1. Description and location of the project

With funding from the World Bank, the Government of Rwanda (GoR) through the Ministry of Infrastructure (MININFRA) is in the process of preparing an investment proposal to support the development of six secondary cities of Rwanda including Musanze, Rubavu, Nyagatare, Huye, Rusizi, and Muhanga; as well as development of infrastructure in Agatare area of Nyarugenge District in the City of Kigali. The proposed investment aims to improve urban management, infrastructure services and local economic development. The key project elements components include:

- a) *Performance Based Grants to Support Infrastructure Investments for Basic Services* (including settlement upgrading) in the secondary cities of Rubavu, Rusizi, Musanze, Muhanga, Huye, and Nyagatare that have been identified in the National Urbanization Strategy to serve as poles of future urban and economic growth. The focus will be on supporting district governments in improving core infrastructure and services in the core urban centers of these six districts. Districts would be provided with grants based on their performance in critical institutional areas such as urban management (including, but not limited to, procurement, financial management, revenue collection, and planning and budgeting).
- b) *Facilitating Local Economic Development in the six secondary cities*: Linked to the infrastructure investments, support will be provided to secondary cities in promoting local economic development this could include infrastructure investments to facilitate markets, and technical assistance to district governments in enabling and partnering with the private sector (e.g., through guidance on Public Private Partnership (PPP) arrangements).
- c) *Upgrading of the Agatare Informal Settlement in Nyarugenge District of the City of Kigali*. This intervention includes planning, facilitation and implementation of the Agatare neighbourhood upgrading intervention, and is intended to serve as a pilot for testing approaches for community based urban regeneration that can subsequently be scaled up to other parts of Kigali and to secondary towns.
- d) *Technical Support for the Implementation of the National Urbanization Strategy*: Targeted capacity building support will be provided to districts and national government agencies working to enable an equitable urbanization process which also promotes economic growth. In the six secondary cities the focus will be on (a) improving urban management, spatial planning systems through use of GIS and support to the ongoing effort to revise master plans, as well as enhancing the capacity of cities to plan, develop and execute capital investment plans in view of their long term urbanization trends, (b) supporting the development of a systematic methodology and approach on urban upgrading (e.g., land

sharing for housing, community roles in housing development etc.) and for sharing its knowledge between Kigali and other districts, (c) at the national level, support could be provided to national government entities such as RHA to establish an urban observatory, including the systematic collection of data on demand and supply aspects of housing.

- e) *Project Management Support*: Support will be provided to the implementing agencies at national level and to the Districts on project management, including for the recruitment of staff as needed (e.g. engineers, financial management, procurement, Social and Environmental Safeguards specialists). The districts may also be provided with technical assistance for managing and implementing infrastructure works.

The RUDP implementation in the Agatare area in the CoK will include rehabilitation and construction of several infrastructure projects that principally fall under three categories: rehabilitation, expansion and upgrading of urban roads from murrum to cobblestone and asphalt grade; construction and rehabilitation of natural and existing drains; and to a limited extent setting up a new public street lighting system in the Biryogo, Agatare, Kiyovu and Rwampara cells of the Nyarugenge Sector in Nyarugenge District of the CoK. The proposed infrastructure developments were assessed to trigger the Bank policies WB OP 4.01 on Environmental Assessment (EA); the WB OP 4.11 on Physical Cultural Resources (PCR); and WB OP 4.12 on involuntary displacement and resettlement.

1.1.1. Project objectives and outputs

The overall objective of the proposed project is to support Rwanda's urbanization process by delivering basic services that will improve living conditions and promote local economic development. The project is guided by Rwanda's Urbanisation and Rural Settlement Sector Strategic Plan 2013-18, which appropriately recognizes and calls for the need to ensure socially equitable development and environmental integrity in all urban infrastructure developments. The Sector Strategy promotes the development of secondary cities while creating a network of urban and urbanizing centers. Additional overall urban development guiding principles to be followed in preparing this project are: (a) designs which will encourage densification of the cities, resulting in reduced urban infrastructure and services costs, (b) local economic development must also be taken into consideration in the dialogue with the cities as to investment options, and (c) the investment options must be ranked as well using social inclusive growth as a major criteria.

1.1.2. Proposed prioritized infrastructure subproject types and dimensions for the first phase of RUDP in Agatare Area of the CoK

The following project types with respective purposes and focus were identified and selected by local authorities with citizens' engagement and participation in Agatare area of the CoK. The Citizens' Engagement and participation was coordinated by the District of Nyarugenge and the CoK, with technical backup and facilitation from the Feasibility Study team (Voyants Ltd.) and the Safeguards team (GWCL). Below are the proposed subprojects:

Table 1: Summary of proposed infrastructure works for Agatare area

Area	Proposed Projects	Tentative cost (Million USD)
Agatare informal settlement, Nyarugenge District, CoK	<ul style="list-style-type: none"> ○ 8 m Wide Roads = 1,200m in length upgraded to asphalt ○ 6 m wide roads = 2,840m in length using mostly cobblestones ○ 4 m wide roads = 2,220m in length using mostly cobblestones ○ 3 m wide roads = 1,320m in length using mostly cobblestones ○ 2 m wide foot path = 1,360m in length using concrete pavers ○ 1.5m wide foot path = 8,025m in length using concrete pavers. ○ Public Street lighting 	<ul style="list-style-type: none"> ▪ 1.00 ▪ 1.50 ▪ 0.90 ▪ 0.50 ▪ 0.65 ▪ 2.80 ▪ 0.50

1.1.3. Subprojects for which land acquisition and resettlement are required

All the above proposed subprojects will require land and will lead to limited displacement of households. Through surveying and ground truthing the proposed development of both the roads and the drainage physical infrastructure in Agatare area was assessed to displaced 34 households and partially damage property for over 255 households. The summary of the affected households for the respective categories of proposed infrastructure are given the Table 2 below:

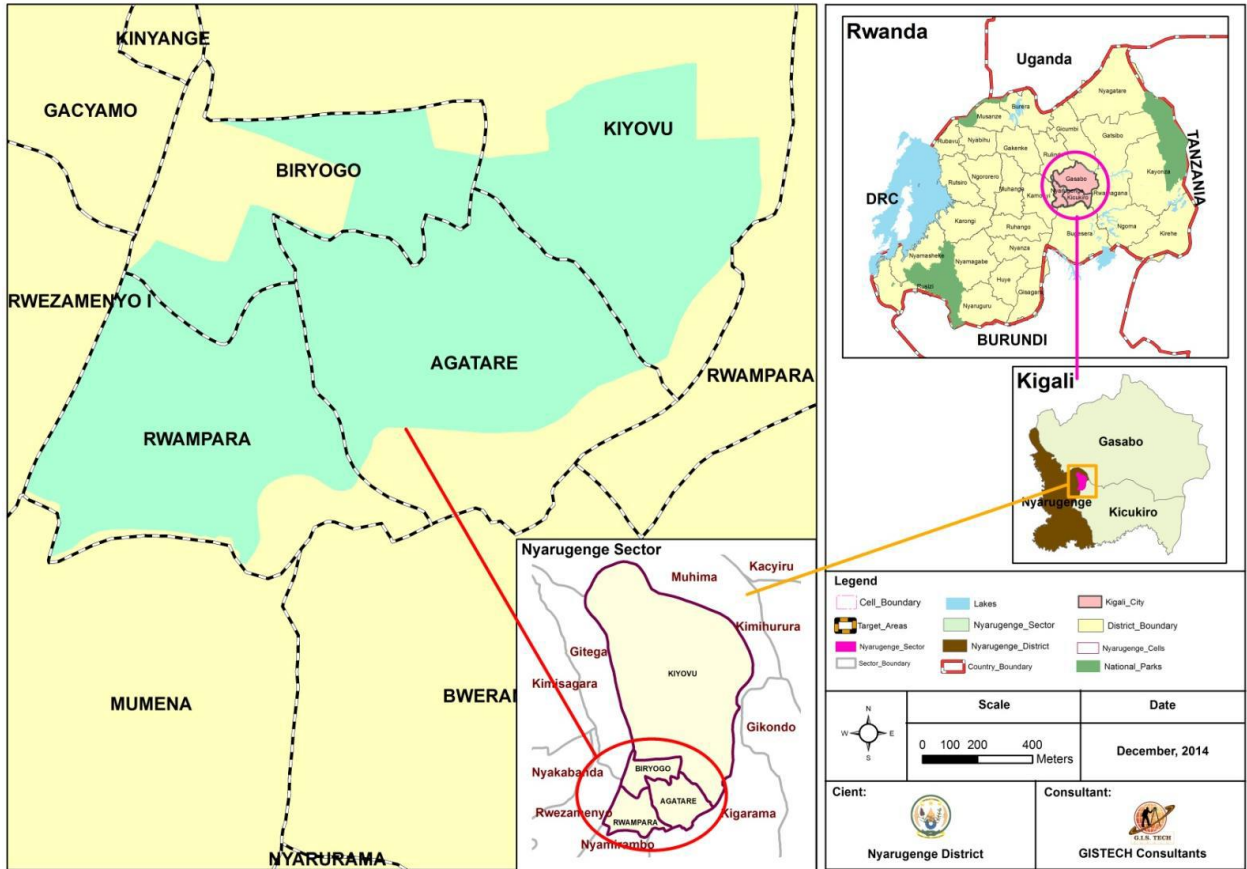
Table 2: Details of property affected by implementation of subprojects in Agatare Area

Type of subprojects	Number of partially affected	Number of entirely affected	Total of affected property
Drainage, footpath and roads	255	34	289
TOAL	255	34	289

1.1.4. Delineation of study area for the assessment

Nyarugenge District of CoK comprises of 8 sectors including Nyarugenge, Muhima, mageregere, Kanyinya, Kimisagara, Nyakabanda, Rwezameyo, Nyamirambo, and Kigali Sectors. The project area includes the majority of the Agatare and Rwampara cells and the southern portions of the Kiyovu and Biryogo cells (Figure 1). The total area of the study is 86 ha compared to the sector which covers 456ha, but with the latter having 84% of the population of Nyarugenge sector.

Map 1: Location of the study area in national and local context



Source: GISTECH, 2015

Figure 1: Site Context at National and City level

Figure 2 below provides the details of the constituent cells including the population and population densities, the total household numbers, and the land area of the umudugudu (villages) of the constituent cells in the Agatare project area.

Project Summary Overview of Nyarugenge Sector Unplanned Settlement

STUDY AREA IS LOCATED IN NYARUGENGE SECTOR & COVERS THE CELLS OF BIRYOGO, AGATARE, RWAMPARA AND KIVOVU.

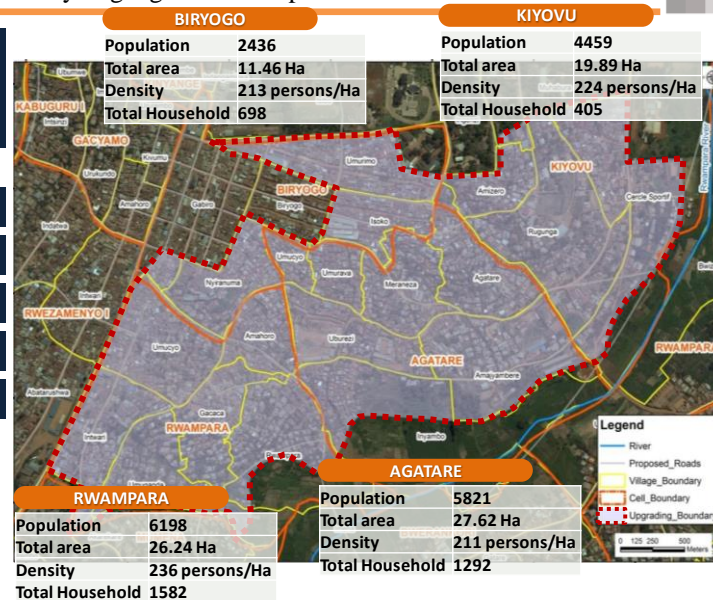
UNPLANNED AREA = 86 HA

TOTAL POPULATION = 18,914

TOTAL HOUSEHOLD = 3,977

HOUSEHOLD SIZE = 4.8

DENSITY = 220 PERSONS/HA



Source: Feasibility Study ppt presentation material by Voyants Ltd.

Figure 2: Location of Agatare Project Area for RUDP implementation

1.2. Scope of the ARAP

The aim of this ARAP report provides an action plan that will ensure that the PAPs livelihoods and standards of living are improved or at least maintained at level they were prior to the displacement, or to levels prevailing prior to the beginning of project implementation, whichever is higher. The scope of work undertaken during the RAP preparation included:

- Survey of projected affected area, land and property there on;
- Census of the PAPs including persons and their land, assets and property thereon;
- Socioeconomic assessment of the PAPs;
- Valuation of the land and assets and property thereon to be expropriated;
- Analysis of the objective of resettlement programmes;
- Consultations with affected Project Affected Persons (PAPs)
- Analysis of the legal framework;
- Analysis of institutional framework covering the identification of agencies responsible for resettlement activities,
- Establishment and popularization of a Grievances Redress Mechanism through evaluation socially and legally available and, affordable and accessible procedures for third party

settlement of disputes arising from expropriation and resettlement process.

- Defining relevant organizations' responsibilities for implementing expropriation and resettling of PAPs, including identification of agencies responsible for implementation of the compensation and resettlement actions as well as monitoring of the PAPs during and after resettlement;
- RAP Implementation schedule covering all resettlement activities from preparation through implementation.
- Cost and budget showing itemized best cost for all activities; and,
- Monitoring and evaluation mechanisms-Arrangements for monitoring of resettlement activities by the implementing agency, supplemented by independent monitors as considered appropriate by World Bank.

1.3. Methodology

The preparation of this resettlement action plan was through a combination of desk study, surveying of the project areas and affected land and property, socioeconomic survey and assessment of the PAPs, census of the PAPs, their assets and property, and valuation of the land and property thereon to be expropriated. The desk study involved review of project documents and analysis of the proposed subproject feasibility reports including maps for the project sites, preliminary technical designs and rapid assessment reports on the social and environmental impacts; and surveying of the project sites to establish the location of the proposed subprojects and establish the exact impact of the proposed subprojects in terms of required land and affected property. The field survey consisted on conducting household census of identified PAPs; conducting social assessment of the subproject sites in the seven cities including socioeconomic study of the PAPs as well as census and measurement of their land, and assets, property and crops thereon which will be affected by implementation of the RUDP subprojects. Meeting and discussions with PAPs and key stakeholders including District Administration was also undertaken and significantly informed the preparation of this ARAP.

1.4. Socioeconomic profile of Agatare area

1.4.1. Demographics

The entire site that is the focus of the study is approximately 86 hectares in area with a population of 18,914 inhabitants within 3,977 households as per the 2012 census. Agatare area like for the rest of CoK, has a sex ratio that is skewed toward men with an average of 106 males for every 100 women. The Agatare area also has over 80% of the population under 40 years of age. Housing + Public Amenities

Although the Agatare project area is mainly comprised of poorly accessible houses in deteriorating condition (largely of mud and wood with iron sheet roofs), there are pockets of residential development and civic buildings (churches, clinics and schools) that consist of entirely new structures or ones that have undergone significant renovation. In the last few years, there have also been targeted investments made in public amenities, such as a covered walkway/drainage channel on the northern half of the site and a tarmac road that bisects the

study area from east to west. Despite these localized improvements, the overall area is still characterized by a lack of infrastructure/public services and few organized site systems such as pedestrian, drainage and slope management. These infrastructural challenges are the main reason why the area was identified as one of the priority cases for urban upgrading in the “Kigali City Informal Settlement Report” (RHA, May 2014). Although the Kigali City Master Plan does propose the introduction of a few collector roads intended to improve overall access to and within the surrounding context, these additions should ideally be incorporated into an overall structure plan to measure them against a clear list of community priorities to determine their viability (physically, economically and socially) and maximize their benefit.

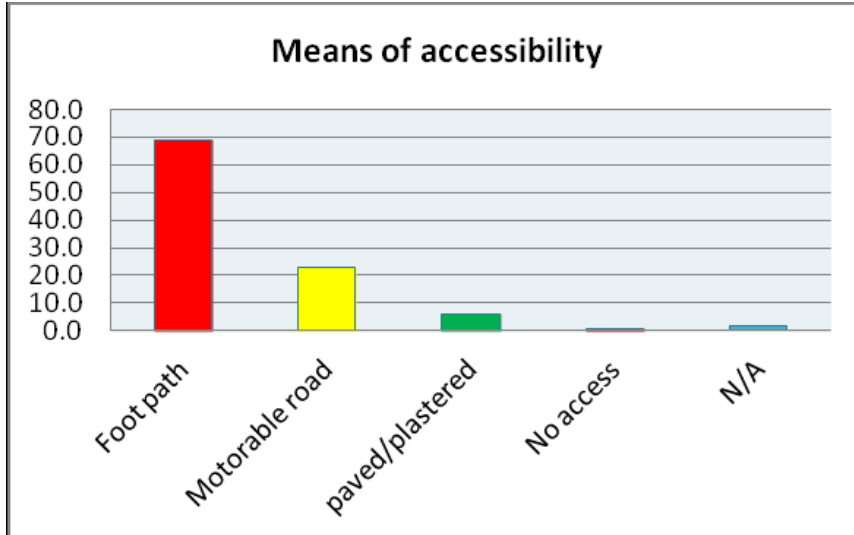
As with the discrete building improvements or new construction projects, there have been successful attempts to strengthen the site’s social networks as well. Residents have organized themselves into cooperatives (e.g., weaving, wetland agriculture, transport) in order to promote economic opportunity, gender equity and community engagement. District authorities have also stepped in to assist the community in developing processes to facilitate participation in the collection of fees for transportation improvements and waste management.

1.4.2. Existing situation of the physical infrastructure in Agatare area

Because it is an upgrading area due to unplanned as well as uncontrolled developments majority of the houses are poorly constructed or dilapidated with no access. 70% of the houses have no vehicular access and the footpaths are also dilapidated and eroded (see figure 3 below). About 20% of the houses are located along the motorable earth roads. These roads are also in a very poor state. Only 5% of the houses are located along the main tarmac road. This makes it very difficult for emergency response like ambulances and fire trucks to access certain areas in case of fires, etc.

1.4.2.1. The challenge of accessibility

Over 80% of the respondents in the project area during the urban planning study for upgrading Agatare area (GISTECH, 2015) indicated that accessibility was their biggest challenge. The majority of the residents current access their residents and other facilities in the project area by foot (Figure 3). Indeed because of the informal and unplanned nature of the houses in the area direct access as well as vehicular navigation of the project area is very difficult.



Source GISTECH, 2015

Figure 3 : Accessibility means in Agatare area

Although people can walk through easily, the narrow paths and environment safety issues depicted above make the footpaths highly risk. The problem of accessibility in Agatare is more severe to residents who own private vehicles because majority of them do not have direct access to a motorable road/street. Usually, they park their vehicles at Rwampara cell office at night and pay a night guard to watch over the cars. Others park their vehicles in groups along the lighted Kiyovu-Nyamirambo asphalt road. The street-lights at night still cannot deter potential thieves and they too are forced to hire night guards.

While it is evident that some drains have been improved to address the problem of storm water in the area, some residents release waste (grey) water into the drains causing pollution along the channel and in the final location of disposal – often Rwampara wetland. Other drains are just natural and un-serviced. Because of low velocity of water in these drains, uncollected solid waste is deposited along the drains leading to blockage and flooding of houses lying along the drain corridor. Some of the existing covered storm water drains which also serve as footpaths in the upgrading area requires repair after being destroyed (swept over) during heavy rains because of high velocity of the water. Three factors are responsible for the high velocity and destruction: impervious surface, high gradient, the presence of solid waste from households which affects smooth flow of water and the general capacity of the drains. To establish the correct sizes, location and length of the drains required to address this problem, an in-depth hydrological modeling is necessary.

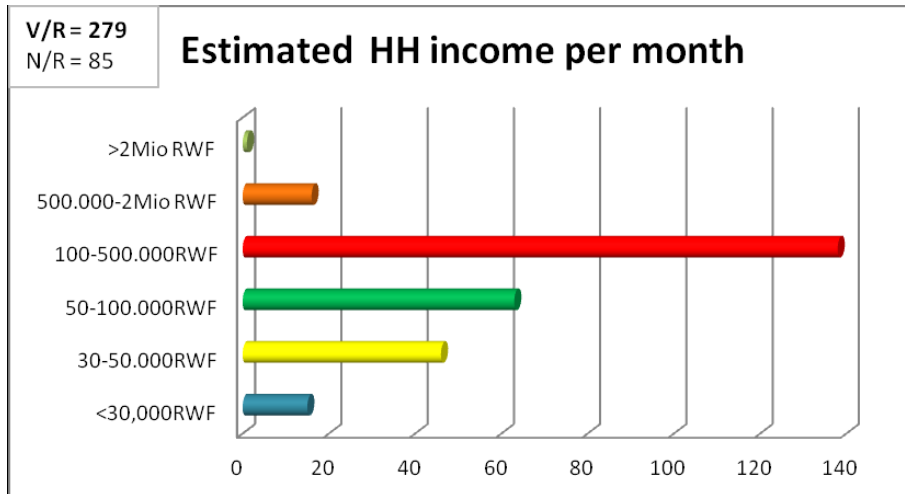
1.4.2.2. Economic activities in Agatare Area

Both formal and informal business activities thrive in the area with traders dealing in new and second-hand clothes, groceries, spare parts for vehicles, motor-bikes, electronic etc. Other sources of income include transport business e.g. motor-bike taxi and sale of food-stuff.

The economic epicentre of the project area is **Biryogo market** which is located to the Northern side of the study area. Nine hundred (900) stalls deal in second-hand clothes, 50-80 stalls deal in shoes while others sell farm produce and food stuffs.

Field investigations indicated that 24% of the respondents have one member of the family that is formally employed while almost same percentages (27%) have one family member in informal employment

Figure 4: Income levels per month per HH



Source: GISTECH, 2015

Key economic challenges reported faced by residents include lack of designated place for working; flooding during rainy season in Rwampara wetland; lack of appropriate livelihood skills and training; limited access to financing; and lack of parking space at Biryogo market.

2. POTENTIAL RUDP IMPACTS

The proposed rehabilitation and construction of roads and drainage infrastructure in Agatare area will lead to only 39 households being physically and economically displaced. Another 257 households were assessed as being partially affected in terms of partial damage to their property or acquisition of part of their land without impact on the premises. The summary of the expected impacts including loss of land and property and other structure are given Table 3 below.

Table 3: Assessed impact of the RUDP subprojects implementation in Agatare area

Item	Unit
Affected District	Nyarugenge
Affected Sector	Nyarugenge
Affected cells	Kiyovu, Biryogo, Agatare, Rwampara
A) Losing houses and assets	
Houses – living quarters	34
commercial premises/ formal and informal	13
B) Land	
Households losing lands or partial effects	255

2.1 Loss of livelihoods

The survey and assessment of the project sites revealed that 7 formal and 5 informal businesses will be entirely leading to loss or reduced livelihoods

2.2 Entitlement Matrix

PAPs were categorized as shown in the table below:

Table 4: Entitlement Matrix

Category of PAP	Type of Loss	ENTITLEMENTS				
		Compensation for Loss of Structures	Compensation for Loss of land	Compensation for Loss of Income	Moving Allowance	Other Assistance

ARAP

<i>Property Owners</i>	Loss of land	-----	Land replacement at new site, plus land clearing by project. Compensation in cash will be considered if the lost land is below 20% of total land		-----	None
	Temporal loss of land			Rental allowances		
<i>Property lease holders/Tenant</i>	Loss of structure/houses	Compensation at full replacement value not depreciated, taking into account market values for structures and materials.		For lost rental income Lump sum cash payment of 6 months' rent per tenant	Coverage of full cost for total transport expenses	Disturbance Allowance
	Loss of crops			Crops at market cost in scarce season(the value of crops is considered at harvesting period		

2.2 Gap Analysis between Rwandan Expropriation Law and WB Op 4.12

There are a number of differences between the Rwandan expropriation law and the World Bank operational policy, WB OP 4.12. In such instances the rules in WB OP 4.12 shall prevail. The key differences relate to the general principles for resettlement including income restoration, eligibility criteria, the notification period for expropriation and resettlement, compensation options, fair and just compensation as well as support to displaced or relocated people. The key differences between Rwandan Law and the Bank's operational policies are outlined in Table 4 below, including the recommendations used in addressing such differences in preparation of the ARAP for Agatare area RUDP.

Table 5: Comparison of Rwandan and World Bank Policies on Resettlement and Compensation

Category of PAPs/ Type of Lost Assets	Rwandan Law	World Bank OP4.12	Comment
Land Owners (loss of land)	<p>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. The title is tradable, but not if it fragments plots below 1 hectare.</p> <p>Compensation for non-transferable property based upon market value.</p> <p>Land owners, under Rwandese Law, received cash compensation based upon market value.</p>	<p>Identification of PAPs is done through census and socio-economic surveys of the affected population,</p> <p>PAPs with title as well as PAPs who do not have a formal title but have customary and traditional right recognized under Rwandan law or who have a recognized claim to the land at time the census begins – are entitled to compensation for land that they lose (besides other assistance)</p> <p>Land-for-land exchange is the preferred option; compensation is to be based on replacement cost</p>	<p>The Constitution provides for land-based resettlement. Although its provisions could be interpreted as implying a preference for land based strategies for displaced persons whose livelihoods are land-based, there is no specific legislative or regulatory provision made for this preference.</p>
Land Squatters (i.e. those who have no recognizable legal right of	Rwandan legislations entitles only those who are "landholders" with legal possession of property	Must be compensated for houses and other structures whatever the legal recognition of their occupancy (see below).	Consider all forms of tenancy based on formal or informal rights/ agreements between

ARAP

<p>claim to the land that they are occupying</p>	<p>Land tenants, under Rwandese Law, are entitled to compensation based upon the amount of rights they hold upon land under relevant laws.</p> <p>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 are being made under the Law (Article 7) to formalize land ownership, especially those acquired through customary means. For instance, rural populations with customary/indigenous land rights are being encouraged to register their land through decentralized land institutions like the District Land Bureau, Sector Land Committees and Cell Land Committees (Ministerial Order N° 001/2006 of 26/09/2006 determining the structure of Land Registers, the responsibilities and the functioning of the District Land Bureau).</p>	<p>Entitled to compensation for loss of crops, and assistance for relocation, as the case may be, and assistance for restoration of livelihoods (see below)</p>	<p>the land owner and tenants as well as those not legally recognized as long as they assist – will be compensated as per the principles of OP4.12.</p>
<p>Land Users/ Land Sharecroppers / Tenants</p> <p>(These include family members, and/or tenants or any other persons using the land to grow crops).</p>	<p>Land users, in some cases, have some form of secured tenure extended to them under new laws. In other cases land users are not entitled to compensation for land, entitled to compensation for crops and any other economic assets.</p> <p>Land users are entitled to compensation for crops and any other economic assets.</p>	<p>No specific provisions to land compensation.</p> <p>Entitled to compensation for crops, entitled to relocation assistance as the case may be and income must be restored to at least pre-project levels (see below).</p>	<p>Will be compensated for their movable properties and activities present on the expropriated land or property</p>
<p>Owners of non-permanent</p>	<p>Owners of "non-permanent" buildings are entitled to cash</p>	<p>Recommends in-kind compensation or cash</p>	<p>Families should be consulted on and</p>

ARAP

buildings	compensation based on market value or entitled to new housing on authorized land under government (state or local) housing programs.	compensation at full replacement cost including labor. Recommends resettlement assistance	offered options to choose from.
Owners of permanent buildings	Owners of "permanent" buildings are entitled to cash compensation based on market value.	Entitled to in-kind compensation or cash compensation at full replacement cost including labor and relocation expenses, prior to displacement	
Perennial and annual Crops	Perennial crops are compensated with cash based upon rate calculated as an average net agricultural income.	Market value for lost crops. Income restoration assistance (such as land preparation, credit facilities, training etc). Land for land compensation allows people to re-establish annual crops immediately.	
Seasonal crops		Market value for lost crops when arrangements cannot be made to harvest.	
Livelihood restoration and development assistance	There are no explicit provisions on livelihood restoration.	Livelihoods and living standards are to be restored in real terms to pre-displacement levels or better offer 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 (for ex. land preparation, jobs, credits facilities);	Follow OP 4.12 guidelines and principles
Timing of	Resettlement must take place	Implement all relevant	Follow the OP. 4.12

ARAP

<p>compensation payments</p>	<p>only when PAPs have been fully and fairly compensated, and compensation has to be completed within 120 days after the valuation report is submitted and decision taken by the expropriator.</p>	<p>resettlement plans before project completion and provide resettlement entitlements before displacement or restriction of access. For projects involving restrictions of access, impose the restrictions in accordance with the timetable in the plan of actions.</p>	<p>guidelines and principles</p>
<p>Consultation and disclosure</p>	<p>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. Normally, a consultative meeting is held within 30 days after receipt of the application for expropriation. Based on these consultations, the relevant Land Commission or Committee (from the Cell level to the National level) takes a decision to approve the project within a period of 15 days.</p>	<p>Consult project-affected persons, host communities and local NGOs, as appropriate. Provide them 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 appropriate and accessible grievance mechanisms.</p>	<p>Follow the OP. 4.12 guidelines and principles</p>
<p>Relocation assistance and resettlement assistance</p>	<p>The person to be expropriated is defined 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.</p>	<p>Avoid or minimize involuntary resettlement and, where this is not feasible, assist displaced persons in improving or at least restoring their livelihoods and standards of living in real terms relative to pre-displacement levels</p>	<p>Resettlement facilitation and support to follow WB policies</p>

		or to levels prevailing prior to the beginning of project implementation, whichever is higher. Moving allowances	
Grievance mechanism and dispute resolution	The Expropriation Law Article 233&34 stipulate the process and procedures for contesting the valuation by 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).	Establish appropriate and accessible grievance mechanisms	Chapter 11 of this RPF provides for GRM in detail.
Displacement	The notification period under national legislation requires that property must be handed over 120 days after financial compensation has been paid	Requires that displacement must not occur until all necessary measures for resettlement are in place	

In a number of cases, as shown in Table I above, the WB requirements are more favorable to PAPs than the provisions of the Rwandan Law. All in all, in the event of divergence between the two, the policy which will be considered to be of a comparatively higher standard shall apply.

Institutional framework

The sketch of the RUDP implementation institutional framework is provided below in Figure 8. The Central Government, principally MININFRA, LODA and RHA, will have an oversight role over the implementing agencies which include the Districts of the six secondary cities and Nyarugenge District of the CoK. The oversight will include coordination and monitoring of performance of implementation of the respective subprojects, risk management, implementation of RAPs and EMPs, monitoring & evaluation and disclosure of information, developing and putting in place performance agreements, and developing and implementing the communication strategy for Urban Development Project. The MININFRA will be the project executing Ministry with the key role of coordinating the implementing agencies (Districts with six secondary cities and CoK) and other key players including relevant Ministries (MINECOFIN, MINALOC, MINIRENA, MINICOM), Provincial Administrations with the concerned Districts, RGB, RHA, RTDA, LODA, WASSAC, RRA, REMA & RDB among others.

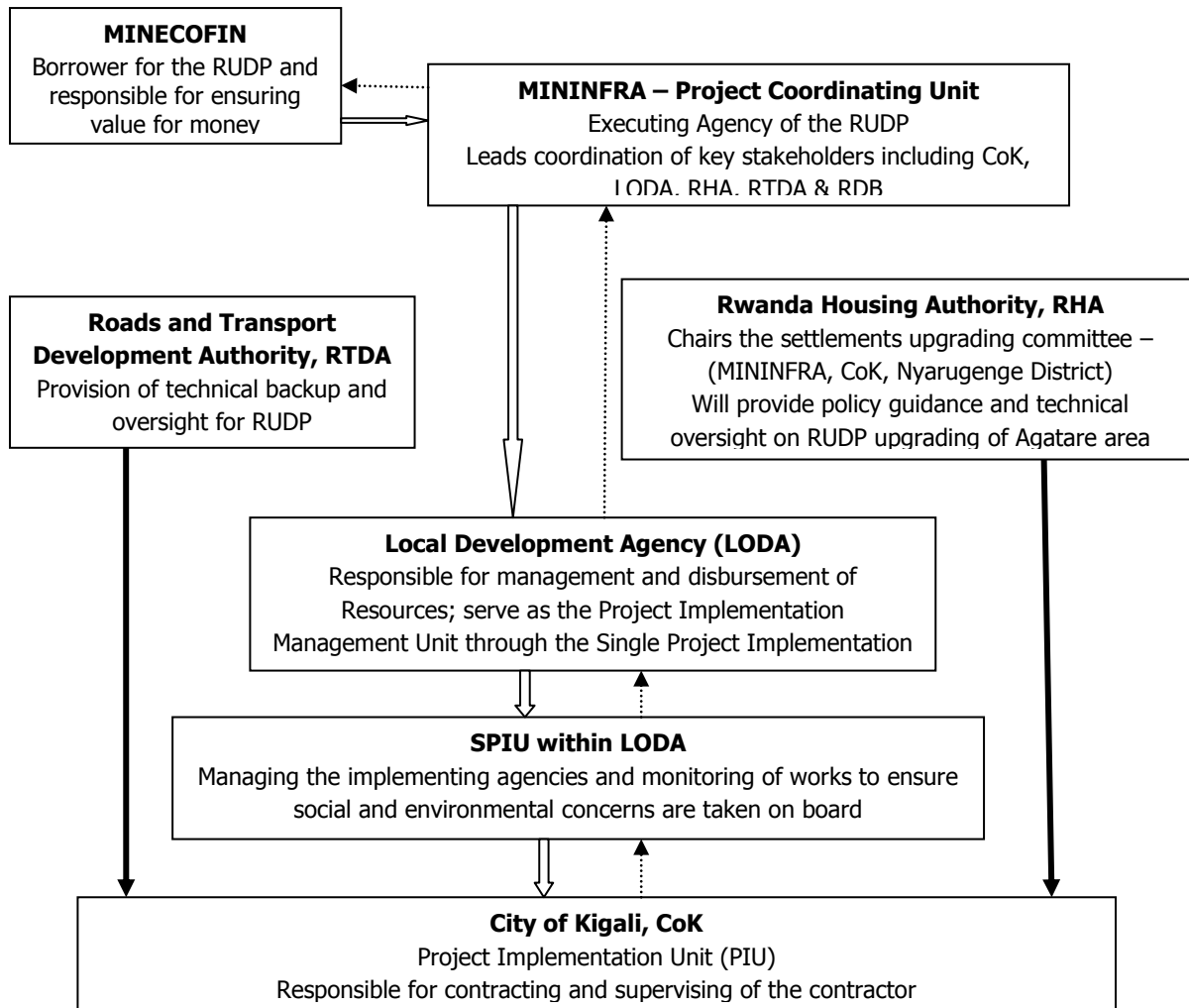


Figure 5: Institutional arrangement for implementation of RUDP in Agatara area.

LODA will responsible for management of the funds, and will host the Project Management Unit (PMU). LODA will also manage and oversee the implementation of the subprojects by the beneficiary Districts and CoK. The project implementing agencies will include the Districts of the six secondary cities and Nyarugenge District of the CoK. The roles of the implementing agencies will include:

- Contracting and implementing physical works, according to agreed procurement procedures
- Managing sub accounts (SOEs etc) according to agreed FM arrangements
- Providing quarterly financial reports on physical and financial progress
- Environmental and Social Safeguards Implementation
- Informing and engaging citizens
- Resolving Grievances and complaints
- Ensuring availability of district officers

Under each District the Executive Secretary will be directly responsible for effective implementation of the project. Implementing agencies will also be directly responsible for the following activities in preparation of the project:

- Review investment priorities identified by Feasibility Study Consultants
- Consult locally – CSO, private sector, communities etc
- Confirm selection of subprojects
- Collaborate closely with consultants preparing the project (FS & Safeguards consultants)
- Disclose executed budget for 2014/2015 by December 2015

2.2.1. Implementing support from LODA

The Single Project Implementation Unit will comprised of the following technical expertise Municipal Engineer as the RUDP Implementation Coordinator, a Financial Management Specialist as the finance and administration manager, and a Sociologist and a Environmental Expert as the social and environmental Safeguards oversight managers. The SPIU will also serve as the 'Capacity and Implementation Support Team' to the implementing agencies assisted by construction supervision consultants and social and environmental experts in project impact monitoring and assessment.

2.2.2 Establishment of the Grievance Redress Mechanism

It is for the benefit of both the project and the PAPs to devise a grievance redress mechanism through which complaints and disagreements can be resolved. The grievance framework recommended for this RAP is built on already existing structures within the laws of the GoR and affected community. The project is advised to develop organs involved in resettlement such as Resettlement Steering Committee (RSC) at the District level include the project representatives, the PAPs representatives, the District representative, and relevant key stakeholders.

3. CENSUS AND SOCIAL ASSESSMENT OF PAPs

Land surveyor and sociologist identified and assessed the PAPs for the existing property and socioeconomic conditions as well as the impacts that will be occasioned by implementation and operationalization of the RUDP in Agatare area. A Rwanda certified valuer working under the safeguards consulting firm, GWCL, carried out the valuation with participation and oversight of another certified property valuer from the CoK.

3.1. List of project affected persons

Topographic and land survey work using GIS based land information gathering approaches was used to confirm the demarcations of the respective subprojects proposed under RUDP for Agatare area. Two meetings were organized and held before the survey and assessment of the impact of RUDP implementation. This included one with the general community members from the affected cells; and a second one with a narrowed down list of those initially assessed by surveyor to most likely be impacted by the implementation of the subprojects. The two meetings were held on 23/10/2015 and on 19/11/2015 respectively. The meetings were held to explain to the PAPs the proposed project activities, the process and purpose of ARAP, discussion and agreement on ARAP implementation including compilation of the list of PAPs, valuation and social assessment of the PAPs, forms and modalities for compensation, facilitation of the displacement and resettlement of PAPs, following up of PAPs, and the Grievance Redress Mechanism (GRM). During the last meeting a Resettlement and Compensation Committee for the Agatare area RUDP–ARAP implementation set up. The committee comprised of local leaders, representative of the PAPs, one from each cell, District leaders, and women and youth representatives, in accordance with the Rwanda Expropriation Law.

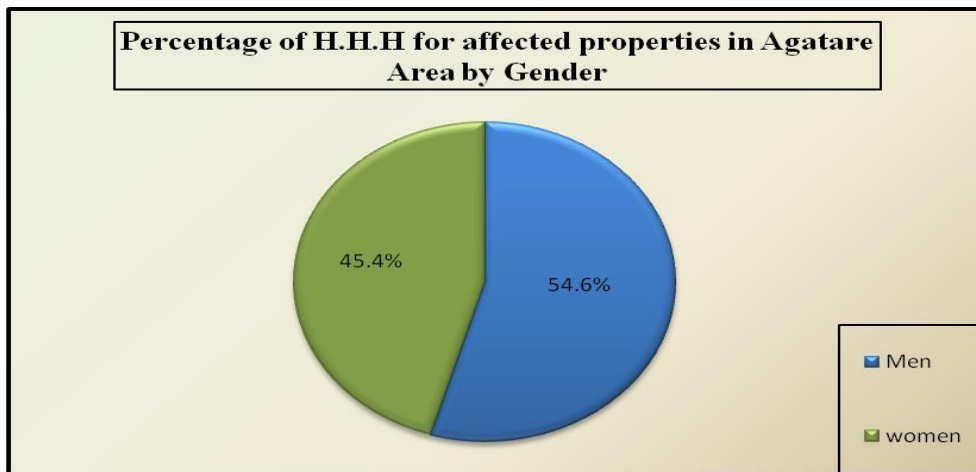
The surveyor, certified property valuer and the sociologist with four teams working in the different cells conducted the assessment of the PAPs for confirmation of the subproject boundary lines, extent and value of the affected land and property thereon, inventory of the property owners including their identification details and photographs by their property, exact location and status of ownership, size and type of property affected (where property was involved) and percentage of expected impact as well as the value of the estimated impact. In addition, a disturbance allowance was calculated as per the expropriation law, and added to the total value of the affected property for expropriation. This resulted in compilation of the list of PAPs, affected property and value of the compensation for the affected property (Table 6). A meeting was organized on 8th December, 2015 and presented to the PAPs during disclosure held at a meeting within the project area. After two disclosures, corrections were made and final lists were signed by the respective PAPs in present of the Sector leaders, and attached to the ARAP. The main findings of the census were that 289 households will be affected; with 34 entirely affected and households displaced, and another 255 partially impacted without displacement of the households. The table below summarizes the social economic situation of affected households.

3.2. Socioeconomic assessment of the PAPs

3.2.1 Vulnerable groups/persons

The socio-economic survey identified that over 45.4% of household heads affected are women headed and these are considered vulnerable people among the project affected persons as indicated in the chart below. There was no identified child headed households in the project area.

Chart 1: Percentage of house hold head in Agatare area of Kigali city



3.2.2 Number of old persons in the affected households

On average around 35 households recorded the presence of elderly persons in their households and the majority approximately 65% recorded no presence of elderly persons.

Table 6: Average Number of persons above 60 years old per affected household (N=221)

None	143	65.0%
1 person	47	21.1%
2 Persons	28	12.6%
3 Persons	3	1.3%

3.2.3 List of affected businesses in Agatare area

There were 7 formal businesses and 5 informal businesses that will be affected by the implementation of the RUDP. The details of these are provided in Table 7 below:

Table 7: List and details of the businesses affected by RUDP in Agatare area

Sub-project	Name of owner	Sex	Category of business	Age of owner	Type of business activity	No. of staff	Monthly Income Average (RWF)	Destination of production	Place of selling	Age of business (years)	Comments
AS23	Murekatete Merita	W	Informal	46	Small Bar in residence	1	100,000	Kiyovu	Kiyovu	2	
AS25	Musanabera claire	W	Formal	47	Store/Bralirwa	4	600,000	Kiyovu	Kiyovu	1.2	Bralirwa Stock
AS9	Sebikamba Yousouf	M	Formal	52	Salon de coiffure; Depot yamakara (Charcoal stock);Boutique	3	60,000	Rwampara	Rwampara	2	Multi-commercial zone
AS9	Rwanyagahu David	M	Formal	54	Depot;Boutique	2	300,000	Rwampara	Rwampara	1	Tenant
AS45	Dushimiyimana JMVA	M	Formal	48	Boutique	1	40,000	Rwampara	Rwampara	3	Tenant
AS30	Munyagashi Frodouard	M	Informal	61	Water house	1	150,000	Rwampara	Rwampara	25	he is the owner of the water house
AS31	Habimana zuberi	M	Informal	2 years	Charcoal selling	1	30000	none	Rwampara cell	0	0783201627
AS31	Uwindatwa salama	W	formal	1 year	Salon de coiffure	1	18000	none	Rwampara cell	0	0785560297
AS31	Kagweba	M	informal	36years	Tailor commerce	2	38000	Rwampara	Elsewhere in kigali	6	0783114494
AS 31 FP112	Nyirahabimana mariam	W	informal	2 years	Charcoal selling	1	40000	Rwampara	Rwampara	7	078336517
AS36	MUREKATETE SAFINA	W	formal	36	marketing	none	100000	Rwampara	Rwampara -gacaca in kigali	6	0788847719 Rich man
AS36	Murekatete hadja	W	formal	47	Commerce Boutique	none	20000	kimisagara	Gacaca kimisagara	5	0788494453

3.3 Size of affected households

The size of affected that has between 6-10 persons is 44.3%, followed by those with 1-5 person at 40.7% , 11-15 person at 10% and lastly 15 person and more at 5% as indicated in table 8.

Table 8: Categorization of affected households by size of households

Size of household	Number of households	Percentage	Comments
1-5 persons	90	40.7%	
6-10 Persons	98	44.3%	
11-15persons	22	10.0%	
>15 persons	11	5.0%	

3.3.1 Number of children in the affected households

The average number of children in the affected households is between 2-5 years recorded at 49.1% and less than 1 year old at 46.4%.

Table 9: Average number of persons under 13 years old per affected household (N=221)

Under 13 years old children	N	%
<=1Child	102	46.4%
2-5 Children	108	49.1%
6-9 Children	10	4.5%

3.3.2 Sources of livelihoods for the affected household heads

The high number of affected households is operating some kind of business activities as the main source of income recorded at 36.3% and the unemployed number of affected household is at 26.1%.

Table 10: Source of income per affected household (N=226)

Type of activities	Number of households	%
Business	82	36.3%
No job	59	26.1%

Professional	37	16.4%
Casual Job	34	15.0%
Agriculture	3	1.3%
Self employed	3	1.3%
permanent job	8	3.5%
Total	226	100.0%

3.3.3 Number of school going dependents of affected households

Table 11: Average number of Students per affected household (N= 223)

Number of Students	Number of households	Percentage
0	38	17.0%
1-3 students	108	48.4%
4-6 students	66	29.6%
>7 students	11	4.9%

3.4 Records keeping

The information in this ARAP were evaluated by the Sector leaders and PAPs and confirmed as true. Both CoK and the MININFRA will keep this information including the relevant records and copies.

3.5 Determination of Cut-off date

The entitlement cut-off date in lieu of this ARAP refers to the timeframe advertised by the CoK beyond which no more claims could be made for inclusion on the list of PAPs, and at which point no assessment of new persons and their property outside the published list would be undertaken. The cut-off date was determined through a meeting with the PAPs, the Nyarugenge Sector leadership and CoK Technical Managers, before the commencement of the census survey and social assessment on 17th November, 2015. The agreed cut-off date was November 30th, 2015.

4 DESCRIPTION OF COMPENSATION AND OTHER RESETTLEMENT ASSISTANCE

4.3 Resettlement allowance

The CoK will compensate the PAPs for the listed affected items as valued in table 16 below as per agreed to and signed valuation forms. The type and form of compensation will be according to what was agreed to between the CoK and each representative of the affected households or owner of affected property/land, at the time of signing off of the valuation of forms.

In regards to public service and utility infrastructure such as water points, electric poles, communication boxes and access roads, their relocation and or compensation will be negotiated with between the CoK and the service providers and in the implementation contract to be funded by the city.

4.4 Livelihood support to the PAPs

PAPs will also get different assistance to assist them in resettling in new areas including planting materials, market space in areas under the jurisdiction of CoK, and training in business skills and or in new available livelihood options. The PAPs will be also encouraged to join CoK small-scale business or producer cooperatives as a means of integrating in new communities. The PAPs will also be encourage and supported to take up available employment opportunities that will be created by the implementation of the RUDP during the construction and rehabilitation of the proposed infrastructure in Agatare area. SPIU and Nyarugenge District technical managers of the RUDP will be tasked to including incentive to the contractors to hire, especially the manual labourers from the attendant communities. This will facilitate additional income that will support the PAPs with relocation and or construction of new dwellings.

4.5 The different forms of compensation and resettlement facilitation

The CoK has offered to negotiate with the PAPs, after approval of the list of PAPs and value of expropriated property, on the different forms of compensation and assistance to PAPs in resettling and restoration of their livelihoods – including both land owners and tenants or users of the affected property. The suggested options including payment of cash; exchange of land for land; provision of temporary housing for tenants and landowners that have been displaced; integration of informal business owners into existing or planned markets near Agatare area; and organizing of such persons into cooperatives or integrating them into existing cooperatives so as to access public assistance for small enterprise development

4.6 Eligibility

Eligibility for compensation is as stipulated in the Rwandan Constitution (Article 29), the Expropriation Law of Rwanda (**N° 32/2015 of 11/06/2015**) and the Bank's operational policy, WB OP 4.12. These documents regulate and give entitlement to the affected persons. The WB OP 4.12 goes further and recognizes the affected persons as that one using the land at the time, whether or not they have written customary or formal tenure rights. In the Rwandan Expropriation Law the person to be expropriated is defined as "any person or a legally accepted association operating in the country who is to have his or her private property transferred due to public interest as well as legally accepted local administrative entities".

5 VALUATION OF AND COMPENSATION FOR LOSSES

This section describes the methodologies that were used to value losses and determine replacement costs as well as the roles of the different institutions and PAPs during the determination of compensation process. The new land law, especially regarding private ownership of land and compensation of such land acquired by Government in public interest in Rwanda, provides for negotiations over the value of land based ongoing market value as the means for arriving at an agreeable value. In other words, PAPs are accorded room to negotiate for the suitable compensation. The financial compensation will be the last option and the land value is calculated with reference to the benchmark prices for land and property set annually the Council of Certified Real Property Valuers in Rwanda.

5.3 Compensation for Land

The exchange of land for land was suggested and was apparently the preferred means of compensation. In this context, the CoK will allocate approximately 3ha of lands to the PAPs who chose land for land in the compensation arrangement.

5.4 Valuation for crops

As is shown in the results of census, crops were valued by the according to the established going market prices, and in line with provisions of the Rwanda Expropriation Law. The summary value of the crops is as indicated in Table 12.

5.5 Resettlement measures for each category of eligible PAPs

The Table 12, below describes resettlement measures accepted for each PAPs category:

Table 12: Resettlement measures for each category

Item	Affected Villages	Compensation measures
Losing lands	4	Exchange of lands or payment in cash
Houses	4	Financial compensation and assistance in building other houses

6 CONSULT WITH PAPs ON ACCEPTABLE ALTERNATIVES

Consultation meetings with PAPs led by the CoK were held from the time of the GISTECH study since 2013. When GWCL came on board more formal consultations were conducted starting in the month of October 2015, to discuss issues related to resettlement and compensation. GWCL as Safeguards Consultant, together with local authorities with technical backup from the Feasibility Study team, held the citizen engagements with members of the general public on the preparations for the impending implementation of the proposed infrastructure subprojects in the area. This was followed up with another meeting with the prospective PAPs following the survey of the required land for the planned developments. After establishing and approval of the list of actual PAPs, two meetings were held to update them of the process and to review and negotiate the valuation of their affected land and property thereon. The local communities were fully involved in all the processes of the development of this ARAP and are well informed about the planned project.

6.3 Verification and disclosure of entitlements

Upon identification of the households that would be affected by the project was completed, GWCL as the RUDP Social and Environmental Safeguards team, together with Technical Staff from the CoK and Nyarugenge District with the Nyarugenge Sector leaders, organized meetings with PAPs to discuss compensation requirements and concerns with the expropriation process and resettlement plans. The CoK also arranged meetings for the negotiations with the local communities to discuss the alternatives for resettlement and compensation. There have been one meeting for disclosure, one on November, 19, 2015 where GWCL and districts staff presented the list of affected households before conducting a detailed census and value of PAPs assets for validation by the affected persons and the second meeting is scheduled on the 12th December. Comments from the second meeting will also be incorporated in the final report.

6.4 Other meetings and consultations

There will be other meeting and consultations with the PAPs, the respective banks, and parties involved in the land exchange programme to discuss how to proceed with the compensation and signing of the agreement and contract documents.

6.5 Main issues raised by the PAPs during the first meeting

The following issues have been raised by the PAPs:

- What is the time frame for compensation?
- What are valuation methods for crops, land and other structures?
- Availability of jobs during construction
- When and how will land be compensated?
- What are the other assistance that project will provides to PAPs

These issues raised by PAPs were responded as follows:

Table 13: Issues of PAPs and responses given

S. No	Gender	Question/comment	Response and how addressed in RAP
1	Female	How does this project help vulnerable people, people with disabilities?	The project will benefit all people and it needs people with the ability to work on the project as well.
2	Female	Priority for jobs should also consider women; women can do the same work.	Priority will include women, there will not be discriminated against women if they are able to accomplish specific task.
3	Male	Raised the issue of employment, he suggested that the local people should be the first ones to be employed project.	The consultant team explained that local people will be involved in the employment, especially those with skills. But those with no skills will be taken as manpower in the project implementation.
4	Female	How will be the expropriation? Will people have a choice on price for their crops or houses destroyed?	The laws of the country will be followed and PAPs will be given a number of options including compensation in kind and/or in cash.
5	Female	What benefits will there be for the population?	Improved connectivity and accessibility in the area, better security and better access to the area markets
6	Female	The project is genuine and very good for us loss of livelihood and need for dwelling places after relocation	All affected assets will be compensated with reference to existing laws and regulations. The PAPs will be followed closely by the CoK to ensure that your lives are better or at least at the same level as before the project.

6.6 Agreement on compensation and preparation of contracts

The CoK prepared formal agreement for release of the affected property, and compensation for the property and for payments for the expropriated land and property thereon, which was duly explained to the PAPs prior to their signing off. Those who chose cash were requested to provide their personal Bank accounts where their money will be transferred. The PAPs were all assured that they will only be moved or displaced after receiving their compensation. In case of husband and wife they were all required to sign off and agree to the banking and compensation arrangement.

7 GRIEVANCE REDRESS MECHANISM

In case of any dissatisfied person, it was made clear to the PAPs that the complaint should be recorded and filed with Nyarugenge Sector leadership for on ward consideration by the Nyarugenge District Land Bureau to handle any resettlement and compensation claim during and before implementation of RUDP project in Agatare area. The CoK is acknowledged institution for which the PAPs have been made aware of as avenues for expressing discontent and disapproval to the resettlement and compensation process. The Rwanda Expropriation Law clearly stipulates the complaints procedures for individuals dissatisfied with the value of their compensation. The Law stipulates that dissatisfied persons have a period of 15 days after the approval decision for the valuation has been taken in this case by the CoK to appeal.

In the event that the PAP rejects the value given to his/her property they can ask for justification of the figure from the District land Bureau. Should they still disagree with the value given the District land bureau, they can appeal to courts of law at their own expenses. The District Land Commission officer was present at the local meetings so as to closely follow the proceedings and to guide local leaders when addressing appeals.

If the grievance is not resolved via the District Land Committee/Bureau upholds the original value, the complainant final resort shall be to file the case to the competent Court of Law. According to the Expropriation Law, filing a case in courts of law does not stop expropriation process to be effected. The suing for review of the compensation decision should be done within 15 days after the local appeals decision is made.

As per international standards, grievances logged outside this timeframe may still be valid and legitimate. Customarily, the government expropriation authorities ensure that all affected people have been fully informed, and will issue warnings about the consequences of failure to lodge their complaints in time. Within this customary procedure, affected people have been informed of the procedures before their assets are taken.

The CoK will follow up the aggrieved PAPs at each level to ensure that the grievances are resolved.

8 DESCRIPTION OF RELEVANT ORGANISATIONS' RESPONSIBILITIES

The Table 9 below gives the summary of responsibility and roles that should be played by every institution during the preparation of ARAP for Agatare RUDP subprojects implementation.

Table 14: Roles and Responsibilities for each institution

ORGANISATION	RESPONSIBILITY
CoK GWCL (Safeguards team)	<ul style="list-style-type: none"> ✓ Screening of sub-projects to identify resettlement and compensation requirements; ✓ Preparation and implementation of ARAP; ✓ Work with Nyarugenge District of the CoK to establish a grievance redress procedure ; ✓ Provision of capacity building and technical support relating to resettlement and compensation activities.
CoK and Nyarugenge District authorities	<ul style="list-style-type: none"> ✓ Review and sign off of all documentation (e.g. completed ARAPs, grievance forms, consultation plans); ✓ Participation in documentation of assets; ✓ Compensation of ARAP; ✓ Responsible in monitoring and implementation.
PAPs	<ul style="list-style-type: none"> ✓ Participation in measurement and valuation of assets of PAPs
CoK and Nyarugenge District Land Bureau	<ul style="list-style-type: none"> ✓ Identification of land for replacement and effective consultation at the sector level, cell level, and at village level (Umudugudu); ✓ Representation of PAPs; ✓ Facilitate coordination of information collation activities (such as surveys, supervising documentation) for monitoring purposes, in accordance with procedures put in place by the District authorities; ✓ consultation, public participation and grievance mechanisms; ✓ Responsible for ensuring that grievance mechanisms meet the requirements of the RPF legislation.

8.3 Roles of RUDP during Land and assets measurements

The CoK played an oversight role in monitoring and ensuring that the process of surveying the land was done in an open and transparent manner and in the presence of all the PAPs. The CoK informed the PAPs in advance and within adequate time on the dates when the social assessment, survey and measurements, and valuation of their land and property were to be conducted; and insisted upon the presence of the PAPs in all meetings and documentation of assets. The CoK working with SPIU is also to:

1. Ensure that the RAP process is implemented successfully;

2. Payment of PAPs;
3. Work together with the District to ensure that complaints are dealt with and that the ARAP is implemented smoothly and efficiently;
4. Follow up and monitor the relocation and settlement of PAPs.

8.4 Roles of the PAPs

The primary role of the PAPs during the process of measuring land and assessing property thereon is to be physically present and ascertain that indeed the measurements are correct and to their satisfaction. Upon being adequately satisfied with the measurements, their signatures will be given as proof of approval.

8.5 Roles of the CoK

The technical staff of CoK played an important role during survey and valuation of land targeted for the implementation of the RUDP. The key roles for the CoK in preparation and implementation of the ARAP included the following:

1. Ensuring that all the money sent to the District of Nyarugenge for ARAP implementation is given to the affected people on time;
2. Worked with Nyarugenge District to ensure the satisfactory implementation of ARAP activities;
3. Ensuring that all the complaints concerning the ARAP are addressed.

9 IMPLEMENTATION SCHEDULE

There will be 15 main steps to be followed during the implementation RAP as shown in the Table 10 below

Table 15: Implementation schedule

Item	Main activities	Responsible institution	Timing
Public consultation	Consultation meeting with the PAPs to inform them on scheduled activities and their roles to accomplish the RAP and Compensation	CoK	November, 2015
Database	Measurement and documentation of affected land, property, other assets (crops)	GWCL	November, 2015
Disclosure of entitlement	To display to the PAPs the results of the census.	CoK, MININFRA & WB	December, 2015
Final disclosure	To display to the PAPs final results of the census and the value of their assets.	CoK, MININFRA & WB	December, 2015
Compensation agreement	Preparation and negotiation of agreement for compensation payment	CoK, Nyarugenge District, Nyarugenge Sector & PAPs	December, 2015
Compensation and other resettlement measures	Compensation	CoK, Nyarugenge District	January-March , 2015
Monitoring and supervision	Follow up of the implementation	CoK, MININFRA & SPIU	From January to June, 2015

10 ESTIMATED COSTS FOR RESETTLEMENT

Table 16: Estimated cost for resettlement

Nº	cell	plot	Type of road, footpath or drainage	Level of affect, minimum area	Total amount
1	AGATARE	99	As 20	Partial affected approx. 44 Sqm	1,600,933
2	AGATARE	560	Fp 98	Partial affected approx. 23 Sqm	2,010,716
3	AGATARE	94		Partial affected approx. 43 Sqm	1,803,621
4	AGATARE		As 27	Partial affected approx. 25Sqm	447,496
5	AGATARE	178	Fp 84	Partial affected approx. 12 Sqm	622,478
6	AGATARE	662	As 20	Partial affected approx. 43.2 Sqm	1,186,742
7	AGATARE	240	Fp 65	Partial affected approx. 3 Sqm	786,187
8	AGATARE	422	Fp 110	Partial affected approx.18.5 Sqm	708,447
9	AGATARE	869	As 19	Partial affected approx.6 Sqm	322,215
10	AGATARE	313	Fp 122	Partial affected approx.25.4 Sqm	2,793,913
11	AGATARE	28	Fp 31	P approx.22.5 Sqm	709,820
12	AGATARE	32	Fp 31	P approx.12Sqm	477,461
13	AGATARE	37	Fp 8	P approx.43 Sqm	1,279,950
14	AGATARE	678	Fp 22	P approx.32 Sqm	2,847,544
15	AGATARE	695	As 19	P approx.43.8 Sqm	2,448,234
16	AGATARE	668	As 20	P approx.23 Sqm	2,907,109
17	AGATARE	316	As 20	P approx.48.6 Sqm	1,042,230
18	AGATARE	35	Fp 8	P approx.39.7 Sqm	1,516,756
19	AGATARE	47	Fp 117	P approx.19 Sqm	2,112,090
20	AGATARE	666	As 20	P approx.26Sqm	1,564,115
21	AGATARE	30	Fp 31	P approx.14 Sqm	511,061

ARAP

22	AGATARE	36	Fp 8	P approx.44 Sqm	4,653,824
23	AGATARE	421		P approx.34 Sqm	2,085,323
24	AGATARE	676	Fp 22	T approx.32.4Sqm	2,520,460
25	AGATARE	19	Fp 31	p approx.32.5Sqm	1,932,280
26	AGATARE	296		p approx.19.5Sqm	2,336,327
27	AGATARE			p approx.18 Sqm	1,394,582
28	AGATARE	41	Fp 117	p approx.20 Sqm	1,690,468
29	AGATARE	186	Fp 84	p approx.13.4 Sqm	1,990,645
30	AGATARE	691	As 20	p approx.19 Sqm	798,004
31	AGATARE	692	As 20	p approx.19 Sqm	1,047,575
32	AGATARE	401	Fp 84	p approx.14.7 Sqm	1,214,787
33	AGATARE	9	Fp 31	p approx.22 Sqm	3,643,440
34	AGATARE	66	MD1	partial,31sqm	2,020,676
35	AGATARE	82	AS32A	partial,89sqm	6,032,363
36	AGATARE	80	AS32A	partial,92sqm	9,488,120.20
37	AGATARE	79	AS32A	partial,149sqm	11,418,123
38	AGATARE	62	AS32A,MD1	tatal,121sqm	5,437,624
39	AGATARE	78	AS32A	partial,42sqm	4,325,762
40	AGATARE	73	AS32A	partial,43	3236750.4
41	AGATARE	60	MD1	Total affected approx. 107 Sqm	7093037
42	AGATARE	61	MD1	Partial affected 10m2	1287265
43	AGATARE	58	MD1	partial affected 47,48m2	1687650
44	AGATARE	48	MD1	Partial affected approx. 27 Sqm	3751544
45	AGATARE	46	MD1	Partial affected approx.. 50,7 Sqm	1129104
46	AGATARE	46	FP	NONE	NONE
47	AGATARE	48	FP	Partial affected 16Sqm	none
48	AGATARE	258	FP 34	Partial 14.4 Sqm	1613839
49	AGATARE	45	MD1	Partial affected 35,75sqm	2716605
50	AGATARE	424	FP47	partial affected	386190

ARAP

51	AGATARE	425	FP47	Total affected	7032593
52	AGATARE	164	FP46	partial Affected 16,5sqm	1953639
53	AGATARE	168	FP46	partial affected 21sqm	365841
54	AGATARE	170	FP46	Partial affected	1178920
55	AGATARE	159	AS43	Partial 84.4sqm	1626962
56	AGATARE	112	AS45&Road	partial 35.64sqm	2013045
57	AGATARE	113	AS43	partail affected 27sqm	1951275
58	AGATARE	639	FP106	(PARTIAL)	483,777
59	AGATARE	327	FP103	TOTAL HOUSE(65.23 sqm)	16,568,974
60	AGATARE	320	FP106	PARTIAL(294 sqm)	10,713,139
61	AGATARE	328	FP103	PARTIAL(26.29sqm)	5,169,646
62	AGATARE	326	FP119	TOTAL(FOR 2HOUSE)	2,269,935
63	AGATARE	347	FP21	PARTIAL(43.9sqm)	829,710
64	AGATARE	605	FP107	PARTIAL(6.3sqm)	529,142
65	AGATARE	614	AS41,FP106	PARTIAL(68.23sqm)	4,406,843
66	AGATARE	643	AS41	PARTIAL(41.06sqm)	2,493,046
67	AGATARE	616	AS41	PARTIAL11.2sqm)	588,096
68	AGATARE		FP106	PARTIAL(52.5sqm)	1,226,397
69	AGATARE	157	AS30	Totally affected	1,653,691.73
	Sub-Total				179,686,157
70	KIYOVU	125	MD1,AS32A	partial,42sqm	1,738,784
71	KIYOVU	281	AS32A,AS34	Total,269sqm	11,107,115
72	KIYOVU	284	AS34	partial,52sqm	3,968,479
73	KIYOVU	290	AS34	partial,69sqm	2545161.6
74	KIYOVU	1323FROM286	AS34	partial,24sqm	2999265.6
75	KIYOVU	1371FROM293	AS34,AS23	partial,84sqm	9753924.2
76	KIYOVU	293	AS23	partial,31sqm	2097196.7
77	KIYOVU	301	AS24,FP69	partial,96sqm	7432194.9

ARAP

78	KIYOVU	35	AS24	Tatal,144sqm	4,127,852.40
79	KIYOVU	122	MD1,FP9	partial,120sqm	9,555,750.30
80	KIYOVU	270	AS24	partial,71sqm	5,165,768.00
81	KIYOVU	182	AS24	partil,39sqm	2017348.4
82	KIYOVU	183	AS24	partial,29sqm	2111014.8
83	KIYOVU	36	AS24	partial,41sqm	1588803.3
84	KIYOVU	123	MD1	Partial affected, approx. 51.2Sqm	2463423
85	KIYOVU	274	MD1	Partial affected approx. 28,6Sqm	577239
86	KIYOVU	259	MD1	Total 280sqm	9010247
87	KIYOVU	259	FP27	partial affected 42,6 sqm	944273
88	KIYOVU	104	FP27	Partial affected approx. 38.75Sqm	2130055
89	Kiyovu	122	FHP9	Partial affected approx.38.75Sqm	
90	Kiyovu	258 (1393)	FP34	Partial affected approx. 9129.52Sqm	2143640
91	Kiyovu	246	FP36	Partial affected approx.41.4 Sqm	1756381
92	KIYOVU	142	FP26	Partial affected 12.5Sqm	943777
93	KIYOVU		FP26		
94	KIYOVU	232	FP36	Partial affected 16,8sqm	777876
95	KIYOVU	260	MD1	Partial affected 107,5sqm	1942311
96	KIYOVU	264	MD1	partial affected 33sqm	653415
97	KIYOVU	59	AS34A	Total	8,219,544.65
98	KIYOVU	60	FP67	Partial	783,008.5
99	KIYOVU	247	AS23	Partial	1,011,360.00
100	KIYOVU	126	AS32A	Partial	4,991,959.75
101	KIYOVU	78	FP68	Partial	3,611,352.41
102	KIYOVU	93	AS23	Partial	2,780,288.64
103	KIYOVU	137	AS22	Partial	2,257,289.63
104	KIYOVU	82	FP68	Partial	228,113.93
105	KIYOVU	288	AS23	Partial	473,340.00
106	KIYOVU	289	AS23	Partial	3,953,081.59

ARAP

107	KIYOVU	81	FP68	Partial	3,402,700.79
108	KIYOVU	58	FP67	Partial	331,069.96
109	KIYOVU	271	AS34	Partial	1,795,821.05
110	KIYOVU	90	FP68	Partial	1,107,797.04
111	KIYOVU	57	FP67	Partial	601,948.61
112	KIYOVU	302	AS24	Partial	1,035,672.12
113	KIYOVU	157	AS22	Partial	3,845,978.11
114	KIYOVU	96	FP83	Partial	5,476,986.40
115	KIYOVU	48	FP68	Partial	2,980,129.68
116	KIYOVU	76	FP68	Partial	1,685,627.02
117	KIYOVU	136	AS22	Partial	5,339,334.80
118	KIYOVU	135	AS22	Partial	1,723,251.55
119	KIYOVU	94	AS32A	Partial	3,580,148.55
120	KIYOVU	94	FP117	Partial	233,685.12
	Sub-Total				134,186,407.1
121	RWAMPARA	125	AS31	Total ,216sqm	6240725.2
122	RWAMPARA	124	AS21	Total ,176sqm	4823858.6
123	RWAMPARA	123	AS31	partial,69sqm	5045133.9
124	RWAMPARA	127	AS31	partial,52sqm	1861846.1
125	RWAMPARA	128	AS31	partial,41sqm	2002416
126	RWAMPARA	133	AS31	partial,92sqm	2421885.2
127	RWAMPARA	129	AS31	partial,45sqm	817782
128	RWAMPARA	134	AS31	partial,72sqm	2011330.7
129	RWAMPARA	234	AS31	partial,37sqm	1700168.5
130	RWAMPARA	231	AS31,FP112	partial,67sqm	2447555.4
131	RWAMPARA	419	FP112,SD1	partial,25sqm	1773317.9
132	RWAMPARA	427	SD1	partial,28sqm	1411388.6
133	RWAMPARA	16	SD1,AS36	partial,34sqm	4197495.5

ARAP

134	RWAMPARA	18	AS36	partial,39sqm	4972672.2
135	RWAMPARA	40	AS36	partial,42sqm	2821502.6
136	RWAMPARA	39	AS36	partial,72sqm	6085847
137	RWAMPARA	438	AS36	partial,35sqm	2351076.8
138	RWAMPARA	14	AS36	partial,74sqm	2270364
139	RWAMPARA	9	AS36	partial,54sqm	3844648.5
140	RWAMPARA	13	AS36	partial,65sqm	3967502.3
141	RWAMPARA	8	AS36	partial,101sqm	3584527.8
142	RWAMPARA	7	AS36	partial,42sqm	1112320.8
143	RWAMPARA	392	AS36	partial,33sqm	2245310.8
144	RWAMPARA	242	AS36,FP3	partial,38sqm	2163989.7
145	RWAMPARA	82	AS36	Total ,120sqm	7698043.6
146	RWAMPARA	83	AS36	partial,50sqm	1500550.1
147	RWAMPARA	81	AS36,FP3	partial,26sqm	2601480.2
148	RWAMPARA	80	AS36	partial,21sqm	1011987.4
149	RWAMPARA	77	AS36	partial,102sqm	2225491.1
150	RWAMPARA	17	AS36,FP49	Total ,108sqm	6536694.9
151	RWAMPARA	393	AS36,FP50	partial,74	4774681.2
152	RWAMPARA	78	AS36,MD3	partial,67sqm	3225465.6
153	RWAMPARA	37	AS36	partial,26sqm	1378197.5
154	RWAMPARA	436	AS36	partial,35sqm	2111432.2
156	RWAMPARA	429	AS36,FP49	partial,29sqm	2515077.6
157	RWAMPARA	428	SD1	partial,21sqm	1056102.4
158	RWAMPARA	100	As 26	Partial affected, approx. 51.2Sqm	867,186
159	RWAMPARA		As 27	Partial affected, approx. 20.62 Sqm	2,288,487
160	RWAMPARA	98	As 26	Total affected approx. 354 Sqm	11,763,841
161	RWAMPARA	563	Fp 43	Total affected approx.38.75Sqm	504,000
162	RWAMPARA	347	As 26	Partial affected approx. 72 Sqm	1,221,675
163	RWAMPARA	554	Fp 98	Partial affected approx.12 Sqm	684,177

ARAP

164	RWAMPARA	353	As 26	Total approx.202 Sqm	6,638,640
165	RWAMPARA	560	Fp 98	P approx.32.5 Sqm	1,860,262
166	RWAMPARA	527	As 27 & Fp 94	P approx.151.1 Sqm	9,603,280
167	RWAMPARA	3	As 26	Total approx.227 Sqm	21,250,087
168	RWAMPARA	21		P approx.69.5 Sqm	1,195,971
169	RWAMPARA	395	As 26	P approx.91 Sqm	13,314,860
170	RWAMPARA	45		P approx.45 Sqm	981,750
171	RWAMPARA	385	As 26	P approx.108 Sqm	11,071,557
172	RWAMPARA	94	As 26	Total approx.294 Sqm	40,368,872
173	RWAMPARA	175	Fp 110	P approx.28.5 Sqm	1,445,514
174	RWAMPARA	529		P approx.25Sqm	3,468,801
175	RWAMPARA	27	As 26	P approx.125.3 Sqm	8,651,870
176	RWAMPARA	35	As 26	P approx.25.5 Sqm	3,112,303
177	RWAMPARA	244	As 27	P approx.21.8 Sqm	2,840,694
178	RWAMPARA	397	As 26	Total approx.424Sqm	20,316,962
179	RWAMPARA	96	As 26	p approx.48 Sqm	1,218,525
180	RWAMPARA	369	As 26	p approx.54 Sqm	3,675,963
181	RWAMPARA	398	As 26		2,351,505
182	RWAMPARA	200	Fp 84	p approx.92.4 Sqm	2,897,449
183	RWAMPARA	246	As 27	p approx.34.6 Sqm	2,984,201
184	RWAMPARA	641	As 27	p approx.67.3 Sqm	15,657,060
185	RWAMPARA	263	Road AS43	partial affected 75,15	4283511
186	RWAMPARA	260	Road AS43	none	none
187	RWAMPARA	252	Road AS43	none	none
188	RWAMPARA	251	Road AS43	partial affected 48sqm	2860975
189	RWAMPARA	146	Road AS43	partial affected	1818431
190	RWAMPARA	145	Road AS31	Total	11763702
191	RWAMPARA	116	Road AS31	none	none
192	RWAMPARA	119	DrianageSD3	partial affected 21.6sqm	788959

ARAP

193	RWAMPARA	147	DrianageSD3	partial affected 52.2sqm		2235947
194	RWAMPARA	262	ROAD AS43	partial affected		2271681
195	RWAMPARA	282	FP89	partial affeced 29sqm		1693928
196	RWAMPARA	447	FP57	partial none	none	
197	RWAMPARA	401	FP59	Total affected		8203369
198	RWAMPARA	300	FP59	Partial affected 71sqm		2232522
199	RWAMPARA	292	FP59	Partial affected 48sqm		1319698
200	RWAMPARA	142	FP89	partail affected 69.75sqm		1919023
201	RWAMPARA	130	FP68	partial affected 30sqm		852962
202	RWAMPARA	433	FP62	partial affected		1927713
203	RWAMPARA	404	FP90	Partial affected 34.8sqm		2752017
204	RWAMPARA	405	FP90	partial affected 72.60sqm		5111350
205	RWAMPARA	430	Drianage &FP0	partial affected 74.4sqm		3692487
206	RWAMPARA	435	FP57	none	none	
207	RWAMPARA	434	FP57	none	none	
208	RWAMPARA	279	FP89	partial affected 74.4sqm		1792891
209	RWAMPARA	272	drainage &FP89	partial affected 60.8sqm		3331084
210	RWAMPARA	276	FP89	partial affected 30sqm		1635152
211	RWAMPARA	126	FP68	Partial affected 34sqm		970673
212	RWAMPARA	261	Road AS43	partial affected 646.2sqm		2208858
213	RWAMPARA	431	FP90	partial affected 40sqm		2985286
214	RWAMPARA	138	FP68	partial affected 35sqm		3975315
215	RWAMPALA	484	AS10	TOTAL HOUSE (140.3sqm)		27,781,217
216	RWAMPALA	480	AS10	TOTAL HOUSE (295sqm)		20,261,875
217	RWAMPALA	457	AS10	PARTIAL(76.3sqm)		39,991,585
218	RWAMPALA	456	AS10	PARTIAL(57.6sqm)		5,404,095
219	RWAMPALA	455	AS10	PARTIAL(11.3sqm)		3,514,716
220	RWAMPALA	450	AS10	Flowers		5,387
221	RWAMPALA	451	AS10	Flowers		5,358

ARAP

222	RWAMPALA	419	FP55	PARTIAL(42.5sqm)	5,734,118
223	RWAMPALA	349	FP55	Flowers(29.0sqm)	551,786
224	RWAMPALA	461	FP55	PARTIAL(62.5sqm)	1,198,040
225	RWAMPALA	477	AS8	PARTIAL(18sqm)	3,393,699
226	RWAMPALA	474	AS8,FP56	PARTIAL(142.5sqm)	5,033,934.6
227	RWAMPALA	472	FP56	PARTIAL(57.5sqm)	1,688,957
228	RWAMPALA	471	FP56	PARTIAL(8.3sqm)	1,420,562
229	RWAMPALA	478	FP11	PARTIAL(23.5sqm)	468,300.0
230	RWAMPALA	454	AS8	PARTIAL(65.8Sqm)	2,484,468
231	RWAMPALA	637	AS6	PARTIAL(36.3Sqm)	686,259
232	RWAMPALA	465	AS6	PARTIAL(22.5Sqm)	450,712.5
233	RWAMPALA	618	AS6	PARTIAL (36.2)	1,135,687
234	RWAMPALA	617	AS6,109	PARTIAL&TOTAL (109.5sqm)	12,036,665
235	RWAMPALA	614	AS6	PARTIAL (46.6)	7,688,045.4
236	RWAMPALA	610	AS6	PARTIAL (61.6)	5,626,992
237	RWAMPALA	473	AS8	PARTIAL (15.0)	316,470
238	RWAMPALA	631	FP109	TOTAL(80.8sqm)	5,961,776
239	RWAMPALA	616	FP109	TOTAL(117.0sqm)	4,391,230
240	RWAMPALA	615	FP109	PARTIAL (60.5)	8,546,989
241	RWAMPALA	581	FP53,FP115	PARTIAL (19.8)	2,529,751
242	RWAMPALA	580	FP53	TOTAL(60.5sqm)	2,745,765
243	RWAMPALA	582	FP53,FP54	PARTIAL (669.0sqm)	2,990,730
244	RWAMPALA	593	FP53	TOTAL(25.8Sqm)	3,169,358
245	RWAMPALA	592	FP53	PARTIAL (21.2)	434,700
246	RWAMPALA	583	FP115	PARTIAL (49.5)	1,598,480
247	RWAMPALA	636	FP54	PARTIAL (67.6)	1,214,850
248	RWAMPALA	595	FP54	TOTAL(52.4Sqm)	3,700,120
249	RWAMPALA	633	FP54	PARTIAL (61.6)	4,139,662
250	RWAMPALA	634	FP54	PARTIAL (61.3)	2,562,075

ARAP

251	RWAMPARA	142	AS9	Partial	343,980.00
252	RWAMPARA	205	AS9	Partial	343,980.0
253	RWAMPARA	181	AS9	Total	8,272,558.18
254	RWAMPARA	179	FP87	Partial	1,706,421.68
255	RWAMPARA	288	AS9	Partial	7,816,710.10
257	RWAMPARA	239	AS9	Total	14,581,215.86
258	RWAMPARA	306	FP85	Partial	6,137,726.49
259	RWAMPARA	201	AS9	Total	13,895,274.53
260	RWAMPARA	153	FP51	Partial	183,209.27
261	RWAMPARA	32	AS9	Partial	3,704,692.57
262	RWAMPARA	305	FP85	Partial	2,833,857.96
263	RWAMPARA	206	AS9	Partial	1,093,452.91
264	RWAMPARA		AS9	Partial	873,697.43
265	RWAMPARA		AS9	Partial	2,192,541.92
266	RWAMPARA	204	AS9	Partial	297,465.00
267	RWAMPARA	155	FP86	Partial	309,523.20
268	RWAMPARA	44	AS9	Partial	926,527.14
269	RWAMPARA	289	AS9	Partial	284,004.00
270	RWAMPARA	202	AS9	Partial	706,435.88
271	RWAMPARA	283	AS9	Partial	468,235.19
272	RWAMPARA	154	FP51	Partial	408,879.60
273	RWAMPARA	194	FP85	Partial	2,256,685.39
274	RWAMPARA	167	FP88	Partial	6,431,735.71
	Sub-Total				640,606,120 Frw
275	BIRYOGO	18	Fp 22	Partial affected approx.25.4 Sqm	1,668,767
276	BIRYOGO	38	As 32 B	P approx.22.5 Sqm	977,497
277	BIRYOGO	39	As 32 B	P approx.22 Sqm	1,836,176
278	BIRYOGO	35	As 32 B	P approx.20 Sqm	2,412,323

ARAP

279	BIRYOGO	35	As 32 B	p approx.32.5 Sqm	2,101,716
280	BIRYOGO	86	FP16	TOTAL(FOR ANEX & PARTIAL ON FENCE)	6,522,032
281	BIRYOGO	82	FP216	PARTIAL(35.3sqm)	2,316,611
282	BIRYOGO	288	AS40	PARTIAL(31.4sqm)	5,157,235
283	BIRYOGO	79	AS40	PARTIAL(18.8sqm)	721,875
284	BIRYOGO	89	FP85	PARTIAL(16.2sqm)	2,581,698
285	BIRYOGO	296	FP15	PARTIAL(45.2sqm)	1,827,441
286	BIRYOGO	277	FP40	PARTIAL(37.5sqm)	920,560
287	BIRYOGO	274	FP40	TOTAL HOUSE(65.23 sqm)	5,397,890
288	BIRYOGO	267	FP40	PARTIAL(63.5sqm)	15,317,291
289	BIRYOGO	270	AS10	Flowers	4,271
290	Biryogo	-	AS10	Flowers	6,048
	Sub-Total				49,769,431
	Total				1,010,000,300

11 FRAMEWORK FOR MONITORING, EVALUATION AND REPORTING

11.3 Monitoring plan

The civil works for rehabilitation and construction of roads, drainage and public lighting infrastructure in Agatare area of Nyarugenge District of the CoK is planned to start in December of 2016. Monitoring of the ARAP will be carried out during the whole process of land acquisition and the compensation to ensure that the objectives are met and successful implementation of the ARAP occurs. The monitoring will be carried out by a committee composed of Nyarugenge District representatives, SPIU for RUDP, Nyarugenge Sector, and CoK to ensure that all of the responsible implementing agencies follow the schedule and comply with the principles of the ARAP.

Suggested key indicators are outlined below and include (and not limited to):

- Number and place of public consultation meetings held with PAPs and local authorities in preparation of, or during RAP implementation;
- Number of PAPs effectively compensated and aggregated amount disbursed compensation (actual versus planned);
- Number of complaints including total received, total justified, and total non justified.
 - This should include the subject matter for all complaints;
 - an explanation for non justified complaints;
 - Total resolved at various levels including the type of agreement reached;
 - Total referred to the legal system/ Courts of Law, including a clarification on who initiated (local leaders, PAP or CoK) the referral and the subject matter.

Suggested performance/evaluation indicators include:

- Total nature and level of all complaints received, resolved;
- Completion of payment within, or after 2 months of estimated completion date indicated in the RAP implementation plan;
- Revival of livelihood activities for the affected persons within 4 months after the compensation payment;
- Submission of monitoring reports at the frequency indicated in the M/E of the RAP implementation report or quarterly.

The table below illustrates the compensation implementation plan and responsible institutions that are expected to oversee the implementation;

Table 17: Plan for Monitoring, evaluating and reporting

Item	Main activities	Responsible institution	Frequency of monitoring
Public consultation	Consultation meeting with the PAPs	CoK and Nyarugenge District	Twice a month
Database	Updating census results	CoK	When it's need
Disclosure of entitlement	Display to the PAPs the results of the census.	CoK & Nyarugenge Sector	After census and assets valuation
Preparation of alternatives	Follow up of implementation of proposed alternatives	GWCL and CoK	Once a week
Compensation and other resettlement measures	Follow up compensation process	Nyarugenge District	Once a week
Follow up of PAPs livelihoods	Follow up and monitoring of PAPs livelihoods	CoK	Once a week

11.4 Resettlement Implementation Completion report

A completion report of the entire resettlement process for this project will be prepared and will include a hand over certificate which will ostensibly provide a verification of when the compensation and assistance were undertaken and to whom these services were provided as well as to indicate that indeed all the compensation has been delivered.

This report will be prepared and submitted to the Bank three months after the end of compensation payment by the CoK, together with SPIU. The ARAP implementation report will include (but not be limited to) the following information:

- Background of the ARAP preparation including a description of the project activities, scope of impacts, number of affected persons, and estimate budget;
- Update of its implementation with actual numbers of displaced persons by segments, compensation paid, issues/complaints raised and solutions provided;
- Complaints status;
- Early assessment of the impacts of resettlement and compensation on affected categories at the time of the report production;
- Total sum disbursed; and,
- Lessons learned from the RAP implementation

Annexes:

Annex 1: Minutes of meeting with affected households

MINUTES OF THE AFFECTED HOUSEHOLDS MEETING

Agatare Affected Household Consultation Meeting.

The Affected h/h meeting was held on 19/11/2015.

The meeting was attended by

Nyarugenge District:

- ***Ingabire Emmanuel, In-charge of Land Bureau & Project Coordinator***

Mr Ingabire Emmanuel the representative of the Nyarugenge District in this meeting answered all questions related to the District responsibility in implementing RUDP project and related expropriation questions from the affected community. He provided a clear direction on all issues raised by affected households during this meeting and ensured timely mobilization of all stakeholders for this meeting. We express our sincere gratitude for the leadership of the district for the invaluable input to the community-based planning process in the field and at the consultative/validation workshops.

City of Kigali/OSC:

- ***David Musonera, Urban Planner***

In collaboration with Nyarugenge District officials, CoK was represented in this meeting by Mr ***David Musonera, Urban Planner***. Nyarugenge District and CoK effectively collaborated with the SG consultants to organize a consultative meeting with affected households. We appreciate the enthusiastic team spirit you showed towards successful completion of this study.

MININFRA: Ms Immaculate Mbabazi, Social Development Planner Senior Engineer

- Participated in the meeting with affected households and provided inputs to most of the comments during the consultative meeting with the affected h/h.

Local leaders and representatives of the study area

- ***Havuguziga Charles, Executive Secretary of Nyarugenge Sector***
- ***Niyonsaba Japhet, Executive Secretary of Rwampara Cell***

- **Muhawenimana Francoise**, Executive Secretary of Agatare Cell
- **Uwera Asha**, Executive Secretary of Kiyovu Cell
- **Gasore Hamad**, Executive Secretary of Biryogo Cell

The local leaders mobilized the affected h/h consultative meeting and we are grateful for that contribution.

The meeting was officially opened by Mr **Havuguziga Charles**, Executive Secretary of Nyarugenge Sector. The executive Secretary began by briefing the community about the agenda of the meeting which he emphasized that it was largely to introduce the SG consultants team who would be conducting a property census and valuation of property in the Cell of Agatare, Biryogo , Kiyovu and Rwampara. He highlighted that the project planned activities had also been discussed with the local community in general during the Monthly community work "Umuganda exercise" the previous weekend and the community was well aware of the planned project (RUDP) and the subproject areas. He went on to introduce the MININFRA, District, SG Consultant, CoK representatives to the community. Then each representative was given an opportunity to speak to the affected community members. Nyarugenge District representative emphasized the need for the community members to cooperate with the valuation team during the valuation exercise by providing them with all necessary information.

He pointed out that the expropriation budget is from the Nyarugenge District and CoK plus MININFRA and not from the World Bank. He mentioned also that the affected h/h will be compensated based on the new expropriation law and a disturbance fee of 5% will be paid as required by the new law.

He requested that any community members affected by the proposed subprojects that do not have land titles should quickly follow-up on this and receive their land title deeds.

MININFRA representative emphasized the need to minimize legal procedures in handling compensation claims and she emphasized that the intention of the meeting is to ensure citizens engagement and their grievances addressed in a participatory manner.

SG Consultants representatives Mr Eddy BAGAMBA (Valuer) and Mr NKURANGA George in the meeting explained that the property will be valued at market price and replacement cost. He emphasized that people with land related conflicts prior to the valuation exercise should try to solve them through local authority immediately and that it's not the property valuer who will handle property family existing conflicts. SG representative explained the Grievance redress mechanism in case of any grievances resulting from property valuation and compensation claims. The grievance redress mechanism will follow local administrative procedures and a grievance filling form will be based at the cell level and the affected community will file complains in 7 days after valuation as required by law.

The community members were given an opportunity to ask questions related to the proposed project

Names	Issues raised by affected h/h	Responses given
Ms Nadia	<ul style="list-style-type: none"> - Property valuation in some cases half the house is a challenge as the remaining part of the house is left hanging and weakened and need to know how this challenge will be handled under this project - Request that in the above case let the entire house be expropriated instead of half of the house - Valuation now and payment is done after 1-2 years how will this be handled 	<ul style="list-style-type: none"> - In case the house is partially affected to the extent of 50% this house will be fully expropriated and the owner resettled -The valuation and payment is based on the new expropriation law and for that reason in case payment is not paid within 3 Months after valuation then that valuation will have to be re-done as per the new law
2. Hasan Muneza	<ul style="list-style-type: none"> - Drainage is one of the major challenges facing Agatara area and would like to know if this was considered under this project (RUDP) 	<ul style="list-style-type: none"> - All drainage networks will be rehabilitated in the area
3. MUKAGATARE Marie	<ul style="list-style-type: none"> - The fence to be removed on her affected property (house) is attached to the house 	<ul style="list-style-type: none"> - Valuation was done based on the existing conditions of the fence in relation to the fence as this issue cannot be answered fully in the meeting room
4. MUKAGIHANA Oliver	<ul style="list-style-type: none"> - Houses that will be partially affected renovation is difficult as CoK and Nyarugenge District are not allowing renovations in the unplanned areas - House close to the road side are affected by vibration during compaction in road construction and houses are weakened how will this be handled 	<ul style="list-style-type: none"> - Sector Executive and Nyarugenge District representative mentioned that currently they are allowing people to renovate their houses and anybody who would like to renovate his or her house should contact Nyarugenge Sector office for permission - In case its clearly established that someone house was affected by vibration during road compaction, that owner will be compensated to renovate the house damaged
5. MAJYAMBERE Vienne	<ul style="list-style-type: none"> - A person with a single plot but has sold portions of that plot to many people and it's the original owner with the title how will that be solved 	<ul style="list-style-type: none"> - Everybody should look for own land title and the sector will be ready to facilitate these people to process their titles as quick as possible
6. Theogene Rudasingwa	<ul style="list-style-type: none"> - The 7 days period to file the complain is too little a time 	<ul style="list-style-type: none"> - This is the requirement by the new expropriation law and has to be respected

ARAP



The affected h/h consultation meeting was concluded by the sector Executive secretary and requested for continued support of the planned project activities and any grievances should be channeled through the Cell to the Sector

Annex 2: LIST OF AFFECTED PEOPLE THAT PARTICPATED IN THE CNSULTATION MEETING ON, 19-11-2015

For the privacy of the affected People, the list of 128 People with their identification is kept at City of Kigali Office.