

Ministry of Natural Resources and Tourism



**RESETTLEMENT POLICY FRAMEWORK
FOR THE RESILIENT NATURAL
RESOURCES MANAGEMENT FOR TOURISM
AND GROWTH PROJECT**

P150523-PPA-C-07

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**P150523-PPA-C-07 RESETTLEMENT POLICY FRAMEWORK
(RPF)**

Submitted to

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The logo for COWI, consisting of the word "COWI" in a bold, red, sans-serif font.

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ACRONYMS & ABBREVIATIONS

CBOs	Community Based Organizations
CDO	Community Development Officer
CSOs	Civil Society Organizations
DC	District Commissioner
DED	District Executive Director
DMO	District Medical Officer
DP	Displaced Person
ESMF	Environmental and Social Management Framework
GDP	Gross Domestic Product
GoT	Government of Tanzania
HIV/AIDS	Human Immunodeficiency Virus/Acquired Immune Deficiency Syndrome
IDA	International Development Association
LGAs	Local Government Authorities
MEO	Mtaa Executive Officer
MINAPA	Mikumi National Park
MNRT	Ministry of Natural Resources and Tourism
MLHSD	Ministry of Lands, Housing, and Human Settlements Development
MoWI	Ministry of Water and Irrigation
M&E	Monitoring and Evaluation
NEMC	National Environment Management Council
NGOs	Non-Governmental Organizations
OP	Operational Policy
PA	Protected Area
PAP	Project Affected Person
PDO	Project Development Objective
PCU	Project Coordination Unit
PF	Process Framework
RAP	Resettlement Action Plan
RBWB	Rufiji Basin Water Board
RC	Regional Commissioner
REGROW	Resilient Natural Resources Management for Growth
RPF	Resettlement Policy Framework
RUNAPA	Ruaha National Park
RWG	Resettlement Working Group
SGR	Selous Game Reserve
TANAPA	Tanzania National Parks Authority
TANESCO	Tanzania Electric Supply Company Limited
TANROADS	Tanzania National Roads Agency
TAWA	Tanzania Wildlife Authority
ToR	Terms of Reference
UMNP	Udzungwa Mountains National Park
URT	United Republic of Tanzania
VEO	Village Executive Officer
WEO	Ward Executive Officer
WB	World Bank
WMAs	Wildlife Management Areas

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EXECUTIVE SUMMARY

i. Background

The Ministry of Natural Resources and Tourism (MNRT) has solicited funding from the World Bank to implement the ‘Resilient Natural Resource Management for Tourism and Growth’ (REGROW) project, in four priority Protected Areas (PAs) of the Southern Wildlife Area (SWA), namely Selous Game Reserve (SGR), Udzungwa Mountains National Park (UMNP), Ruaha National Park (RUNAPA) and Mikumi National Park (MINAPA). REGROW has four components that are to be implemented starting in the second half of 2017.

1. **Component 1** – Strengthen capacity for management and development of priority Protected Areas
2. **Component 2** – Strengthen access to improved livelihood activities for selected communities in proximity to the priority Protected Areas
3. **Component 3** – Strengthen capacity for landscape management upstream of the Ruaha National Park
4. **Component 4** – Project management, institutional strengthening, and monitoring and evaluation

ii. Rationale

REGROW aims to promote economic development in the SWA; provide legitimate alternatives to unsustainable exploitation of natural resources, and strengthen management of the biodiversity. The implementation of REGROW upholds the mandate of MNRT, ensuring that ecological integrity is not compromised by physical development and that there is equitable access and benefit sharing mechanisms with communities adjacent to the priority PAs.

The REGROW project, by design, is not expected to cause or influence the need for any kind of resettlement. REGROW project activities include infrastructure such as tourism

One-Stop Centres, or small alternative livelihoods-related facilities at village level which will be done on unused land owned by the government or within existing facilities. For the activities under Component 3, on selected improvements on irrigation efficiency, the infrastructure investments are all expected to happen over existing irrigation schemes, and will be particularly focused on water controlling structures (water intakes, lining of existing canals, improvement of existing drainage canals). REGROW is not developing new schemes or promoting new irrigated areas, but rather ensuring increased efficiency in the use of water. In the unlikely event that there is a need for new irrigation infrastructure in a location where no infrastructure existed, it is expected to be on a voluntary basis where farmers request to route an irrigation system through their land that they can then tap into for improved water access and management. As a result of REGROW's focus on implementing activities within PA boundaries (i.e. Component 1), utilizing unused government owned land (i.e. Component 2), or providing improved infrastructure upon request of land owner/user (i.e. Component 3), it is not expected that the project will trigger the need for a Resettlement Action Plan. Therefore, a Resettlement Policy Framework (RPF) is prepared only as a precaution in such an event happening during the project lifetime.

Other Government-sponsored development or improvement activities, in the areas where the REGROW project will be implemented (including the priority PAs and priority villages around them), may involve activities that may result in involuntary resettlement and/or loss of assets or access to assets and livelihoods. Examples of activities that the MNRT may engage in, outside of the REGROW project include, but are not limited to, the possibility of physical displacement of any settlements within the PA. The Government has decided, on a voluntary basis, that it will apply the principles of this RPF to such activities.

The RPF was presented and discussed with different stakeholders from the Ministerial level to the local government level (Region, District) on July 24 and 25 in Morogoro, at the Tanzania Tree Seed Agency venue and on August 03 with Civil Society Organisations and private sector stakeholders at MNRT headquarters. The document, after the approval from the World Bank and GoT, will be made available to the district authorities covering the priority PAs, who will distribute the document to the local administration level including the relevant wards. In addition, the RPF will be disclosed in country office; at regional and district level covering each of the four PAs; and World Bank InfoShop.

iii. Principles

This RPF establishes the resettlement and compensation principles and objectives, organizational arrangements and mechanisms that will guide any resettlement operation and implementers to execute a fair compensation to Project Affected Persons (PAPs), should the need for resettlement arise. The principles are based on both the WB OP4.12 and Tanzania national laws and regulation guiding compensation and resettlement. In case requirements in WB OP4.12 and the Tanzania laws are not in full agreement, the WB OP4.12 standards will apply.

The guiding principles for the RPF, which should be taken into account whenever land is likely to be needed (either permanently or temporarily) include:

1. Displacement of people, property and livelihoods is to be minimized as much as possible, by employing alternative technologies of project infrastructure in such a manner so as to minimize the need to acquire land and property, and to cause as little disturbance and disruption as possible.
2. All possible means will be used to ensure that no people are harmed in any way by construction activities and project outcomes.
3. Resettlement/relocation and compensation planning and implementation activities, and the compensation of PAPs and other relevant stakeholders, will be undertaken with continuous consultation throughout the process.
4. PAPs will be informed about their rights and options pertaining to displacement, compensation and resettlement/relocation, and about grievance mechanisms available to them.
5. PAPs who meet agreed eligibility criteria will be entitled to compensation and relocation measures. Lack of legal rights to land and assets occupied or used will not preclude a PAP from entitlement to resettlement/relocation and compensation measures.
6. Compensation, resettlement/relocation and rehabilitation measures will be as fair to all parties concerned.
7. Compensation, resettlement/relocation and rehabilitation entitlements will be provided in accordance with Tanzanian law and procedures as a minimum, but will include additional measures to meet World Bank requirements where appropriate.

8. Where compensation in cash is provided for loss of assets (including housing and other structures), for loss of access to assets, or for damage caused to assets, it will be provided on the basis of market value or replacement cost (whichever is the highest) and will include necessary additional costs incurred to achieve full restoration.
9. Specific and additional assistance will be provided for particularly vulnerable people, namely women-headed households, widows, orphans, the elderly and handicapped people.
10. Pre-construction and construction work on each particular affected site will not commence until PAPs have been satisfactorily compensated and/or relocated.

iv. Procedures

In case of involuntary resettlement under the REGROW project, or, on a voluntary basis, in case of involuntary resettlement as a result of other activities carried out by the implementing agency inside the four priority PAs or in the priority villages in which REGROW will be implemented, which are directly related to Protected Area management needs of the PAs, then the RPF will guide the implementing agency in preparation and implementation of a Resettlement Action Plan (RAP). The RAP will adhere to the WB OP4.12 and international best practise. Consultations with, and participation of PAPs is a requisite throughout the in planning, implementation, and monitoring of the RAP.

The institutional coordination in the RPF reflects Tanzania's existing institutional framework for land administration, compensation and resettlement implementation. It involves the Central Government Ministries, Department and Agencies and the Local Government Authorities (LGAs). At the Central level, the Ministry of Lands, Housing and Human Settlement Development is the major stakeholder, with other key stakeholders including the Minister responsible; Commissioner for Lands; and Chief Government Valuer. At local level, all LGAs have technical departments responsible for planning, financing and implementing development programmes in their jurisdiction. The departments which are of particular relevance to resettlement planning and implementation are the Community Development; Land; Valuation; and Planning. In addition, local authorities have two standing committees, on Resettlement and Compensation and Grievance Redress, which are critical during resettlement implementation. Any RAP prepared has to involve a qualified (registered) Valuer and a

team of consultants procured by the Project Coordination Unit (PCU), and is subject to World Bank review and clearance.

All grievances under REGROW will be handled using Tanzania's existing administrative procedure, involving government structures from the grassroots level to the national level. Under the grievance procedure, a dissatisfied PAP will register a complaint to the ten cell leader. If the problem is not resolved, the grievance will be channelled to the hamlet leader; if the hamlet leader fails, the case will be taken to the village leaders. In case the village government fails, the aggrieved person will be directed to go to the Ward Development Council. If the ward cannot solve the problem within 14 days, the complainant will seek assistance of the District Executive Director or the District Commissioner. If the problem is not resolved, the aggrieved person can take the matter to the Regional Secretariat. In case the Regional Secretariat does not solve the problem, the matter will be taken to the PO-RALG through MNRT's steering committee. If the complaint is not solved by the PO-RALG, the complainant can take the matter to the court of law.

ACKNOWLEDGEMENT

The Ministry of Natural Resources and Tourism would like to sincerely acknowledge all the Government Ministries, Departments and Agencies, Regional and District offices and officers for their cooperation and provision of valuable information to the Consultant team throughout the study. Specifically, it would like to acknowledge the Regional administration of Morogoro, Iringa and Mbeya and District administration of Morogoro Rural, Mvomero, Kilosa, Kilombero, Iringa Rural, Kilolo and Mbarali that covers the priority protected areas. Their contributions are highly appreciated.

We also acknowledge the administration of protected areas, that is, Tanzanian National Parks Authority, Tanzania Wildlife Authority, Mikumi National Park, Ruaha National Park, Udzungwa National Park and Selous Game Reserve who provided the Consultant team with valuable information to the study.

Last but not least, we express our heartfelt gratitude to the local communities, who are the key stakeholders of this project for their cooperation, which made this study a success.

1 INTRODUCTION

The Ministry of Natural Resources and Tourism (MNRT), as part of its strategy to increase the revenue from tourism to the GDP, is seeking an International Development Association (IDA) credit from the World Bank (WB) to develop the necessary infrastructure to attract tourists and ensure sustainable management of its so-called Southern Circuit, in particular focusing on four priority Protected Areas (PAs). The priority PAs are Selous Game Reserve (SGR), Udzungwa Mountains National Park (UMNP), Ruaha National Park (RUNAPA) and Mikumi National Park (MINAPA) – hereafter referred to as priority PAs. As such, MNRT has designed the Resilient Natural Resource Management for Tourism and Growth (REGROW) Project.

1.1 Objectives

The purpose of the Resettlement Policy Framework (RPF) is to establish resettlement objectives and principles, organizational arrangements, and mechanisms for any resettlement operation, and guide implementers to execute a fair compensation to Project Affected Persons (PAPs). The RPF is to:

- a) Provide the legal and regulatory framework, to identify gaps with the World Bank policy and suggest the mechanisms to bridge such gaps;
- b) Outline the institutional framework i.e. suggests an organizational structure responsible for resettlement activities, and propose mechanism to enhance its institutional capacity.
- c) Preparation of principles and methods to be used in valuing losses, and a description of eligibility and entitlements.
- d) Provide guidance on main activities involved in site selection, site preparation, and relocation.
- e) Outline implementation arrangements including schedule and grievance redress mechanism
- f) To develop principles, strategy and plan for monitoring of resettlement activities, and to set frame work for project evaluation and impact assessment.
- g) Estimate cost and identify possible sources of funding.

1.2 Scope

Although REGROW is not by design intending to cause or influence the need for resettlement, this RPF is prepared on a precautionary basis, including, on a voluntary basis, for the eventuality that other Government-sponsored activities directly related to PA management needs are implemented in the REGROW project area may require land acquisition or other initiatives leading to resettlement during the project lifetime.

The RPF is presented in seven chapters as follows:

- Chapter two provides information about the REGROW project – its description and components and potential activities that may result in resettlement, and the project implementation structure.
- Chapter three provides overall socio-economic context and issues of the project area.
- Chapter four reviews the legal and regulatory Framework, identifies gaps and, performs an assessment of institutional capacity of local institutions and relevant agencies. It further suggests an organizational structure responsible for resettlement activities, and proposes mechanism to enhance its institutional capacity.
- Chapter Five provides the main principles, definitions and concepts governing resettlement/compensation i.e. a description of eligibility for compensation and entitlements under relevant laws and WB policy principles for valuation and compensation.

- Chapter Six provides the tools, instruments methodologies, and mechanisms to assure the compliance of the national law and the Bank's OP/BP 4.12. This includes guidance on the main steps involved in the preparation of a Resettlement Action Plan (RAP), site selection, site preparation, and relocation.
- Chapter seven outlines the implementation arrangements including the institutional coordination, grievance redress mechanisms, monitoring and evaluation and capacity needs.

2 PROJECT DESCRIPTION

The Project Development Objective (PDO) for REGROW is to improve management of natural resources and tourism assets in priority areas of southern Tanzania, and to increase access to livelihood activities for selected communities. By achieving the proposed PDO, the Project will assist the Government of Tanzania (GoT) in addressing rural poverty that has been persistent in and around the country's parks and game reserves, home to globally significant biodiversity. The objective is to be achieved through the provision of capital investments, technical assistance and capacity building for communities living in and around the four priority PAs, and government institutions at the national, sub-national and local level.

REGROW has four components that are to be implemented over six years starting in the second half of 2017.

2.1 Project Location

The priority PAs in the REGROW area operate within a wider administrative context with 7 regions and 18 districts that either overlap the PA boundaries or are adjacent to the targeted PA boundaries (Table 2-1 below).

Table 2-1 Administrative coverage of REGROW priority PAs (overlapping and bordering districts)

Project targeted areas	Regions	Districts
Udzungwa Mountain National Park	Iringa	Kilolo
	Morogoro	Kilombero
Mikumi National Park	Morogoro	Kilosa
		Mvomero
		Morogoro-rural
Ruaha National Park	Iringa	Iringa-rural
		Mufindi
	Mbeya	Mbarali
		Chunya
	Njombe	Wanging'ombe
	Selous Game Reserve ¹	Morogoro
Morogoro-rural		
Ulanga		
Coast		Kibiti (new)
		Rufiji
		Kisarawe
Lindi		Liwale
		Kilwa
Ruvuma		Namtumbo
		Tunduru

NB: Wanging'ombe district in Njombe region and Mufindi district in Iringa region are in the immediate proximity of RUNAPA either associated with the bordering WMAs or potentially involved due to the irrigation network in the region for component 3.

¹ In SGR, the project will focus on the Matambwe sector, which is only photographic. While 90 percent of Selous allows for consumptive tourism (trophy hunting), 10 percent is being used for non-consumptive tourism (photographic tourism), and this is the only area in which REGROW will operate.

2.2 Project components and activities

The Project Development Objective (PDO) is *to improve management of natural resources and tourism assets in priority areas of southern Tanzania, and to increase access to livelihood activities for selected communities.*

REGROW has four components that are to be implemented over six years starting in the second half of 2017.

Component 1 – Strengthen capacity for management and development of priority Protected Areas (US\$85 million). The objective of Component 1 is to improve the management and sustainability of natural resources inside the four priority PAs in Southern Tanzania. This will be achieved through policy and regulatory support, capacity/skills development activities and investments which are grouped under five sub-components:

- a) **Sub-Component 1.1 – Improve knowledge, policy, institutional and operational frameworks for improved Protected Area management.** Strengthen the enabling environment for the activities to be implemented under this component, by generating and managing knowledge, strengthening policy and enhancing capacity at national, institutional, and PA level. Key activities include: (i) review PA General Management Plans, and prepare a tourism development plan to guide future development of the southern part of RUNAPA; (ii) improve payment systems to address delays entering PAs, and carry out sensitivity studies for entrance fees; and (iii) improve existing policies and regulations to promote participation and benefit-sharing.
- b) **Sub-Component 1.2 – Improve PA infrastructure.** Enhance accessibility and basic infrastructure of the priority PAs to improve their management and the overall quality of the tourism products. Key investments include, amongst others: (i) earthworks - construction of new and upgrade existing roads, trails, bridges and upgrading of existing airstrips to improve connectivity and ability to patrol strategic locations; (ii) civil works - construction and upgrading of ranger posts, tourist arrival amenities, entry/exit gates, visitor information centers, youth hostels, rest houses, and “bandas” for official and educational/ research purposes, maintenance workshops, and construction of research centres to strengthen monitoring efforts.
- c) **Sub-Component 1.3 – Infrastructure maintenance, monitoring and research.** Activities include: (i) upgrading of communications systems (radio repeaters, cellphone connectivity and others), monitoring and patrolling equipment; (ii) infrastructure management tools and contingency plans; (iii) basic light and heavy equipment; (iv) wildlife related research initiatives to inform policy dialogue and integrated management; and (v) targeted training.
- d) **Sub-Component 1.4 – Strengthen “Destination Southern Tanzania”.** Support activities that identify and build linkages between the range of attractions – including the priority PAs – in southern Tanzania and increase recognition of southern Tanzania as a destination. Among the activities included are: (i) an integrated tourism product development and marketing strategy for southern Tanzania that includes wildlife, forests, beach, cultural and historic products; (ii) implement marketing and branding strategies for the priority PAs; (iii) supporting and developing capacity to drive destination development and management; and (iv) scoping studies for Kitulo National Park, Katavi National Park and other southern destinations for possible future investment.
- e) **Sub-Component 1.5 – Tourism investment promotion.** Identify, assess feasibility, promote and take to market opportunities for private sector investment in and around the selected PAs. This activity will, among others: (i) define opportunities for private sector investment in PAs and with communities; (ii) support the creation of a conducive investment climate to facilitate investments; and (iii) support the processes of investment promotion and facilitation.

Component 2 – Strengthen access to improved livelihood activities for selected communities in proximity to the priority Protected Areas (US\$27 million). The overall objective of this component is to provide access to improved economic opportunities within selected communities living in the proximity of the priority PAs in order to enhance livelihoods, reduce vulnerability to climate shocks, and reduce pressure on natural resources and wildlife.

By focusing on enhancing partnerships between PAs and communities, the project will be anchored around improved policy and governance frameworks, productive initiatives linking improved livelihoods with tourism, conservation of wildlife and landscapes, and a strong focus on community and Local Government Authority's (LGA) education and training.

The implementation of this subcomponent would be led by the strengthened outreach units of the respective PAs, operationally supported by locally recruited service providers, under the overall coordination of the PA management. The specific instruments, procedures and responsibilities for the delivery of technical and financial support to beneficiaries would be included in a Subproject Manual, to be completed prior to the implementation of activities. Specific sub-components are:

- a) **Sub-Component 2.1 - Improve the governance framework of conservation-related community-based initiatives.** The component will, amongst others: (i) strengthen the legal and institutional framework of TANAPA's and TAWA's benefit sharing schemes; (ii) strengthen and/or develop the community outreach structures of TANAPA and TAWA, through technical assistance, capacity building and equipment; and (iii) develop a plan and/or strategy for development of cultural/historical tourism in the priority PAs.
- b) **Sub-Component 2.2 – Enhance community livelihoods by improving economic opportunities, and link them with conservation of wildlife and landscapes.** Through a demand-driven approach, the subcomponent would provide technical and financial assistance to support the creation, organization, training and operation of groups of households in the priority villages focusing on (i) supplying services and agricultural products to tourism operators; (ii) developing cultural/historical tourism products; (iii) promoting low-environmental impact agricultural micro-enterprises; (iv) establishing conservation-friendly crop and livestock production; (v) reducing human-wildlife conflict; and (vi) promoting participatory forest management.
- c) **Sub-Component 2.3 – Capacity building of communities and government authorities.** The sub-component will focus on targeted education and training to create new or strengthen existing mechanisms for improved natural resources management. It will include, amongst others: (i) scholarships for community members in tourism, wildlife, conservation, and facilitating access to vocational colleges (e.g., wildlife and tourism related skills); (ii) sensitization and promotion of conservation activities at community level, including education sessions, village game scout programs, joint community patrolling, and others; (iii) strengthening of eligible WMAs, through equipment and targeted training, targeted towards increasing their wildlife management effectiveness; (iv) targeted natural resources management training for local government authorities around the priority PAs; and (v) support the development or improvement of Village Land Use Plans (VLUP) in selected areas targeted by sub-component 2.2.

Component 3 – Strengthen capacity for landscape management upstream of the Ruaha National Park (US\$27 million). The overall objective for Component 3 is to protect RUNAPA's water resources within the social and climatic context of the area. These resources are critical for the subsistence and preservation of wildlife and ecosystems, and for continued and expanded tourism in Tanzania's Southern Circuit. Primarily, the component will focus on short-term measures targeted towards the restoration of dry season flows in the Great Ruaha River, and as a secondary focus, the component will lay the ground towards mitigating future degradation of the RUNAPA resulting from climate change impacts, excessive abstraction of water upstream of the Park, deteriorated water quality, and increased sediment in inflowing rivers. All project activities are in

line and follow the conclusions of the Rufiji Integrated Water Resources Management and Development Plan.

Improving land and water management in the Usangu plains and the upper catchments, (which feed into the Ihefu wetland and the Great Ruaha River), is a long process, which will translate into improved quantity and quality of flow only in the medium to long-term. Therefore, given the critical water emergency inside RUNAPA (currently up to three-four consecutive months with zero river flow at the “Ngiriama” control point), the priority of Component 3 is to implement structural solutions, inside RUNAPA, to improve water availability during the dry season, ensuring sufficient, accessible water points for wildlife. These measures will provide results in the short-term, temporarily mitigating the impacts caused by no-flow days. However, they will not address the underlying causes for zero flows, and therefore, the second priority of the Component is to initiate a process to improve land and water management in the upstream catchments in the Mbarali District (where most of the cultivated land is located) through cross-sectoral coordination, efficient farming and irrigation procedures, and conservation of upstream water sources, to demonstrate the benefits and methods for subsequent upscaling and to promote climate change adaptation in the area. The sub-components are:

- a) ***Sub-Component 3.1 – Assess and implement measures to augment dry-season flows to the RUNAPA.*** Key infrastructure investments inside RUNAPA, along the Great Ruaha River, will be implemented in order to: (i) augment dry season flows to the river through storage of wet season flows; and (ii) generate water-stored areas, along the river and tributaries, that ensure increased water availability during dry season (boreholes, ponds, weirs or enhancement of natural river pools).
- b) ***Sub-Component 3.2 – Improve the irrigation efficiency and water savings in irrigation areas.*** This sub-component will focus in the extensive irrigation lands upstream the Ihefu wetland, promoting water savings through: (i) Farmer’s Field Schools to raise awareness and knowledge of System Rice Intensification (SRI) as a farming method for increasing crop yields and reducing water use; (ii) construction of irrigation infrastructure in selected irrigation areas to demonstrate water-efficient methods (water controlling structures, lining of canals and drainage); and (iii) revisiting water use permits and assessing incentive mechanisms for controlling excessive use of water or increase of irrigation areas utilizing drainage water.
- c) ***Sub-Component 3.3 – Catchment conservation activities in selected rivers.*** This would include: (i) surveying hotspots in the upper catchment areas where climate variability and change, together with present and future human activities, comprise severe risks for water sources; (ii) integrated water and land-use planning activities to reduce the risks in these hotspots; and (iii) implementation of selected watershed management activities such as river boundary protection and sustainable agricultural land management practices.
- d) ***Sub-Component 3.4 – Support the consensus-building process for land and water management and climate change adaptation in the Usangu plains.*** The sub-component includes: (i) facilitating cross-sectoral interaction and consultations at the district level, including social and physical surveillance studies when needed, for water resources management; and (ii) strengthening the monitoring and management capacity of Irrigation Organizations and Water Users Associations, including operation and maintenance training.

Component 4 – Project management, institutional strengthening, and monitoring and evaluation (US\$11 million). This component will support the implementation of the project. It will facilitate the technical management and coordination of the project, financial management (FM), procurement and safeguards oversight. It also covers monitoring and evaluation of project implementation progress towards objectives, preparation of regular monitoring, mid-term, and evaluation reports; procurement and FM including audits, environmental and social safeguards. It will also provide for impact evaluation and adaptive improvement activities.

- a) ***Sub-Component 4.1 – Project Management and Institutional strengthening.*** This subcomponent will finance project implementation, management, and coordination support, together with capacity-building initiatives to benefit the various actors involved in project implementation (particularly government agencies and LGAs). Specifically, this support includes: (i) project oversight and coordination costs; (ii) establishment and operation of a Project Coordination Unit (PCU); (iii) fiduciary management, including external/internal audits and accounting; (iv) performance monitoring and reporting; (v) environmental and social safeguards management, including implementation of mitigation measures; (vi) development and implementation of a communication plan; and (vii) short-term training, tailored towards project management.
- b) ***Sub-Component 4.2 – Monitoring and Evaluation.*** A Monitoring and Evaluation (M&E) system will be financed and operated to capture data on physical and financial progress, the performance of implementing agencies and service providers, and the achievements of outcomes and impact vis-à-vis the PDO and associated indicators. In addition, since REGROW would be implementing a development model for tourism promotion and environmental protection, social inclusion and water resources management, it can potentially be scaled up to other protected areas and to other basins. This sub-component will therefore finance extraction of lessons, knowledge generation and exchange, and annual networking among key project stakeholders (at local, regional and national level, including active involvement from the private sector).

2.2.1 Conditions that may lead to potential Resettlement

The REGROW project, by design, is not expected to cause or influence the need for any kind of resettlement. REGROW project activities include infrastructure such as tourism One-Stop Centres, or small alternative livelihoods-related facilities at village level which will be done on unused land owned by the government or within existing facilities. For the activities under Component 3, on selected improvements on irrigation efficiency, the infrastructure investments are all expected to happen over existing irrigation schemes, and will be particularly focused on water controlling structures (water intakes, lining of existing canals, improvement of existing drainage canals). REGROW is not developing new schemes or promoting new irrigated areas, but rather ensuring increased efficiency in the use of water. In the unlikely event that there is a need for new irrigation infrastructure in a location where no infrastructure existed, it is expected to be on a voluntary basis where farmers request to route an irrigation system through their land that they can then tap into for improved water access and management. As a result of REGROW's focus on implementing activities within PA boundaries (i.e. Component 1), utilizing unused government owned land (i.e. Component 2), or providing improved infrastructure upon request of land owner/user (i.e. Component 3), it is not expected that the project will trigger the need for a Resettlement Action Plan. Therefore, a Resettlement Policy Framework (RPF) is prepared only as a precaution in such an event happening during the project lifetime.

However, other Government-sponsored development or improvement activities directly related to PA management needs, in the areas where the REGROW project will be implemented (including the priority PAs and priority villages around them), may involve activities that may result in involuntary resettlement and/or loss of assets or access to assets and livelihoods. Examples of activities that the MNRT may engage in, outside of the REGROW project, include but are not limited to the possibility of physical displacement of any settlements within the PA. MNRT has represented that there are no such activities planned at this time.

In such cases, the implementing entity has decided that the principles of the RPF will guide the implementing agency in preparation and implementation of a Resettlement Action Plan.

2.3 Project Coordination and Implementation Arrangements

Four levels of actors are envisioned for REGROW. At **level one** MNRT has the primary responsibility for REGROW, accounting for and disbursing the finances and collating efforts of ministerial departments and agencies, regulatory authorities, regional secretariats, LGAs, private sector, research institutes, civil society and communities through a Monitoring and Evaluation (M&E) process detailed in the REGROW Process Framework. The coordination role of MNRT (implemented at the level of Ministry management – under the Permanent Secretary) is supported by policy and compliance guidance and approval for Environmental Assessments from the Ministry of Environment, Division of Environment in the Vice President’s office through the National Environmental Management Council (NEMC). MNRT’s role is to ensure national conservation policy and strategy. MNRT will report on total project outcomes and impact. The World Bank (WB) as the lender will provide implementation support of REGROW throughout the lifespan of the project.

Level two of the project is more technical, responsible for detailed design (drawing up terms of reference and commissioning works) of the different interventions and oversight of implementation. MNRT will establish a Project Coordination Unit (PCU). The PCU will ensure that the scope of environmental and social assessment for each intervention is in accordance with the National regulations issues by NEMC. NEMC will also conduct the necessary review and recommend approval of the environmental impact assessments submitted by MNRT under REGROW. Accountability and reporting at level two is to MNRT.

Level three are the main facilitators of the REGROW interventions. Each PA will have a focal point responsible for REGROW as part of their regular responsibilities – TANAPA (Tanzania National Parks Authority) manages three of the PAs (MINAPA, RUNAPA, UMNP) whereas TAWA (Tanzania Wildlife Authority) manages the Selous Game Reserve. The focal points will be a part of the PA management and or have a direct reporting line to management and the PA M&E unit. The PA focal points will ensure links to the communities through LGAs sittings from Regional to Village level (See section 4.4.2). Dependent on the intervention the appropriate technical/administrative staff (ecology, community development, infrastructure etc.) from the PA will represent REGROW at a particular sitting. Level three of the implementation scheme is also responsible for the grievance redress mechanism (See section 7.4). Reporting at this level is channelled through the PA management to the PCU at level two and finally to MNRT. The Focal Points of the four PAs will link to the respective administrative appointees of the LGAs from village to district level, and conduct consultation with the communities and report the same to PA management.

Level four is a diverse and overlapping group that includes communities adjacent to the PAs, private sector (investors, contractors and WMAs), civil society (local, national and international Non-governmental organisations) and other actors (development partners and programmes) in the REGROW area. This level will have different reporting points as contractors will report to the PCU and or respective PA management dependent on the intervention. The communities will report through the respective LGA structure. Civil society and Development partners will report to their governing structures and inform GoT.

2.4 Project Beneficiaries

REGROW benefits several groups of beneficiaries including (i) communities living near the priority PAs and (ii) farmers’ households within the Great Ruaha River sub basin, upstream RUNAPA, through more efficient irrigation and production methods; (iii) government agencies and officials working on water, agriculture and land management, wildlife, tourism, and PA management in Southern Tanzania through capacity building; and (iv) tourism operators and related businesses within and adjacent to the priority PAs through increased tourism revenue.

Within the framework of the project, emphasis will be placed on providing opportunities for women.

The REGROW project is focusing on four priority Protected Areas – MINAPA, RUNAPA, UMNP and photographic zone of SGR. These four PAs were selected for a first phase of investments, with the possibility to scale the support to other PAs in future phases. Most of the project activities, in number and in funding, will be implemented inside the four PAs (Component 1), and will be targeted towards improving infrastructure for PA management (such as improved roads, ranger posts, airstrips for accessibility) and for tourism promotion (entry gates, visitors' centres, trails and others).

In addition, a number of activities will be implemented in areas adjacent to the four priority PAs, in order to promote alternative and resilient livelihoods, strengthen linkages between communities in the vicinity of the PAs and the tourism value chain, and to improve the relation between communities and PAs. The priority PAs cover a vast extension of land (RUNAPA encompasses 13,000 km², SGR extends over 44,000 km², MINAPA covers 3,230 km² and UMNP covers 1,990 km²; combined, they cover over 62,000 km² - for reference, Switzerland covers 41,285 km²). For this reason, REGROW will not be able to tackle all communities surrounding the PAs, and will need to prioritize in order to be effective (the total population living in villages located around the boundaries of the priority PAs is estimated to be 405,000 inhabitants - based on the 2012 National Census), with the possibility of widening the scope in future operations. To do this prioritization, the Government of Tanzania carried out an assessment of the communities around the PAs, and established core selection criteria by which communities were prioritized for project engagement. The core selection criteria included:

- i. Villages whose inclusion in REGROW would help enhance landscape-scale biodiversity conservation (ensure habitat/PAs connectivity and protection of buffer zones/dispersal areas and wildlife migratory corridors). These are villages that have engaged and/or contributed land in the management of Wildlife Management Areas, Village Land Forest Reserves, bee reserves, situated along the wildlife migratory corridors and/or wildlife dispersal areas;
- ii. Villages known as hotspots for illegal activities. The inclusion of these villages in the REGROW project would reduce encroachment in protected areas for farming, settlement, poaching, illegal lumbering, illegal fishing, livestock grazing, etc;
- iii. High potential for engaging in conservation-friendly livelihood activities: All villages surrounding the PAs have the potential for implementing conservation-friendly livelihood activities. The inclusion/exclusion criterion for engagement in conservation-friendly activities was guided by the word '*high potential*'. The inclusion of these villages in the REGROW project would contribute to increased production, value addition, market linkages, diversification of livelihood activities (e.g. beekeeping due to availability of forested lands, fish farming, poultry, horticultural activities, organic farming);
- iv. Existence of tourist attractions and facilities: Existence of tourist local products (handicraft products, traditional dances and tourist facilities such as campsites, lodges, etc.).

Additional Criteria (added advantages)

- i. Existence of village land use plans;
- ii. Presence of financial institutions (Banks, Village Community Banks/ Conservation Community Banks (VICOBA)/COCOBA);
- iii. Presence of the private sector in supporting tourism and non-tourism activities;
- iv. Presence of infrastructure (railway, roads, etc.) to facilitate access
- v. Knowledge and skills in implementing tourism and non-tourism activities;

- vi. Ongoing projects by other international and national organizations/donors (including TANAPA/ TAWA);
- vii. Number of beneficiaries: how many people are likely to benefit from the projects
- viii. Potential to participate in block interventions.

Using the above combination, the villages surrounding the REGROW priority PAs were classified into three groups:

A: High Potential Villages: at least two core selection criteria and at least five other additional criteria (combined);

B: Potential Villages: at least one core selection criteria and at least three other selection criteria (combined), plus the potential of a village to engage in implementation of medium to large scale projects that targets a block and not individual villages (e.g. engagement in semi-improved irrigation schemes);

C: Less Potential Villages: a village with no core selection criteria, and less than three additional selection criteria (combined).

REGROW Component 2 activities will first focus on communities that are screened as High Potential, together with all villages defined as hotspots for illegal activities (which is one of the key issues that REGROW is trying to mitigate). If REGROW has resources to reach all High Potential Villages, the project will then expand its interventions to additional potential villages.

REGROW Component 3 activities will engage farmers around the Usangu flats (South and South West of Ruaha), through the implementation of farmer field schools and key infrastructure for water management. The scope of the component is to demonstrate water-efficient techniques, and rice paddy cultivation methods that use less water and produce higher yields. Similarly to Component 2, the area under irrigation schemes in the Usangu flats is large (current estimates place the area under irrigation at around 150,000 hectares), and the project will have to select a small area, for demonstration purposes, where benefits as a result of the project can be showcased. A different consultancy, commissioned by GoT, is currently selecting the existing irrigation schemes on which the project will focus.

The project area encompasses vulnerable groups. Determination of which groups in Tanzania are recognized as vulnerable is being done on a project by project basis, and is done according to the following criteria: those that may be below the food poverty line and lack access to basic social services (including those that are geographically isolated), and are not integrated with society at large and its institutions due to physical or social factors.

A rapid social assessment of vulnerable groups confirms that there are some vulnerable groups in the project area, including women-headed households, the elderly, disabled, youth, children, and persons with HIV/AIDs. The social assessment has also determined that there are no disadvantaged communities in the project area. The specific needs of vulnerable groups in the project will be addressed through some of the project activities and mitigation measures in the Environmental Management Plans and, where applicable, the Resettlement Action Plans.

3 SOCIAL CONTEXT AND ISSUES

3.1 Social context

3.1.1 Mikumi National Park

MINAPA is bordered by Kilosa (to the west), Mvomero (to the north and east) and Morogoro Rural (to the east). The largest land area of the Mikumi Park is estimated to be in Kilosa district.

Demography

According to the 2012 national population census, the population of districts surrounding MINAPA was 1,441,412. Kilosa district had the highest population of 438,175 people and an annual growth of 2.4 compared to Morogoro rural district, which had the lowest population of 286,248, and annual growth of 0.8.

District	Population			Population growth rate per annum	
	1988	2002	2012	1988 - 2002	2002 - 2012
Morogoro Rural	225,857	263,012	286,248	1.1	0.8
Mvomero	204,345	259,347	312,109	1.7	1.9
Kilosa	346,526	346,184	438,175	-0.1	2.4
Kilombero	187,593	321,611	407,880	3.9	2.4

Source: National Population Census of 2012

Special interest groups

Around MINAPA, 6-11% of the population were recorded with a disability, 29.5% as female headed households and 2.04% as child headed households. HIV/AIDs incidence is low (1% of the respective district populations). The largest factor contributing to orphans in the districts around MINAPA is death of one or both parents due to HIV/AIDS. Other factors, amongst others, include polygamy and parent leaving their children with grandparents either in search of livelihood opportunities to get a sufficient income, or because young females with early pregnancy and marriages feeling incompetent to raise the children (Consultations with Morogoro rural and Mvomero districts' CDOs, 2017).

Ethnicity

The native ethnic groups surrounding Mikumi include Luguru, Zigua, Wakutu, Pogoro, Nguu (Walukungwi) and Wakwere in Mvomero and Morogoro Rural who are concentrated in the highland areas of the district. Major ethnic groups in Kilosa district are the Kaguru and Sagara. Since the 1950's, the area has witnessed an influx of other tribes, most notably the Sukuma agro-pastoralists, Maasai pastoralists, Gogo, Sandawe, Hehe, Vidunda, Pogoro, Kaguru Makua, Chagga, and Pare in search of employment, hunting grounds, and land for farming and livestock rearing.

Education

According to 2012 national population census, literacy rates of persons aged 15 and above surrounding MINAPA was 70%. According to district profiles, Mvomero has the highest primary school pass rate at 63% in 2014 compared to an average pass rate of 42.5% in Morogoro Rural and 43% in Kilosa districts.

Livelihoods

Agriculture: farming and livestock keeping are the dominant livelihood activities around MINAPA which employs an approximately over 80% of the inhabitants. In Morogoro Rural, agriculture is predominantly rain-fed and irrigated. The main crops that are grown include paddy, maize, beans, sorghum, cassava, sorghum and banana (food crops); sisal, cotton, sesame, coffee, fruits and spices (cash crops). In Kilosa district, the main food crops include paddy (which is also the leading cash crop), maize, beans, cassava, and banana while cash crops include sisal, sugarcane, cotton, sesame

and sunflower. In Mvomero district, the main crops grown include paddy, bananas, maize, beans, cassava, Irish and sweet potatoes, groundnuts, millet, sorghum, various cereals and several fruits. Major cash crops in Mvomero include sugar-cane, sunflowers, sesame and horticultural crops (tomatoes, onions, vegetables); and coffee and cotton on a smaller scale.

Livestock keeping: In Morogoro Rural, pastoralism is predominantly practiced along UKUTU valley and in lowlands to the south of the district along the border with SGR. Pastoralism is predominantly free-range grazing dominated by the Maasai and Sukuma. In Kilosa district, Cattle is the leading livestock in the district followed by goats, sheep, pigs, local chicken and donkeys. In Mvomero, livestock keeping predominantly includes cattle (beef and dairy), goats, sheep, pigs, chickens, rabbits, ducks, turkeys, guinea fowl and Livestock products such as leather and hides are used for bags and manure as agricultural inputs (Mvomero District Profile).

Fishing: In Morogoro Rural, fishing activities are carried out in Ruvu, Mgeta and Mvuha rivers and in natural and constructed fish ponds. In Kilosa, there is widespread, subsistence-level fishing in the rivers of Mkondoa, Mdukwi, Ruaha, Berega and Wami, as well as in the Nalla Dam. Fishing activities peak in the rain season mostly for home consumption, with the sale of surplus catches. Claries (Kambare), Sardines and Tilapia are amongst the district's most common fish.

Beekeeping: Beekeeping in Kilosa is practised extensively, with a coverage of 649 ha. The establishments are largely traditional, although modern systems are becoming increasingly numerous, having totalled 439 units by 2015 (District Profile, 2016). Mvomero has an estimated 800 modern bee-hives and 1,500 traditional bee-hives (pot, bark and log). Twenty-two hives are located in Doma ward, which is the closest to MNP (Mvomero District Profile). In Morogoro Rural, there are potential areas for beekeeping activities, which involve both the agricultural and forest lands. The number of beehives increased from 276 in 2001 to 854 in 2010 with a significant increase in modern beehives constituting almost 80%. The estimated harvest/year for all beehives is 6,260 litres of honey, and 1 kg of beeswax from every 30 kg of honey (District profile, undated).

Land cover and land use

Within Mikumi, the dominant land cover is grassland and open woodland with patches of closed woodland to the west and southern borders of the park. Within the near vicinity of Mikumi, patches of cultivated land is concentrated towards the south west of Mikumi following the settlement patterns along the road and rail connection to Ifakara as well as to the east of Mikumi near Ukutu WMA concentrated along the railway line.

According to the Kilosa District Profile (2013), forests/woodlands account for 50% of the District's land-use, the national park for 20%, agriculture for another 20% and urban land for 10%. The district has three Game Management Areas – Twatwatwa (30830 ha) and Kidoma Society (17,203 ha).

Morogoro Rural District includes 7.14 million Ha of forests, which account for 60% of the District's land area of 11.9 million Ha. The forested area comprises of nine protective forest reserves, 16 productive forest reserves and one community forest reserve (Morogoro District Profile, 2013).

Mvomero District consists of general land (24,969 Ha), village land (544,708 Ha) and reserve land (162,822), which amount to 3.4%, 74.4% and 22.2% of the district area respectively. The general land includes 4,789 surveyed plots and 234 surveyed farms whereas the village land includes 99 surveyed villages and 68 villages with land use plans (Mvomero District Profile, 2014).

3.1.2 Selous Game Reserve

The Selous GR borders Kilombero district to the west, Ulanga to the south-west, Namtumbo and Tunduru to the south, Kilosa to the north-west, Morogoro Rural and Kisarawe to the north, Rufiji, Kibiti (newly formed district from Rufiji), Kilwa to the east, and Liwale to the south-east. The

districts surrounding the northern photographic zone that is included in REGROW include Morogoro Rural to the north, Kisarawe and Rufiji to the east and Kilombero to the west.

Demography

According to the 2012 national population census, the population of districts surrounding SGR was 605,120. Morogoro rural had the highest population of 286,248 people with an annual growth rate of 0.8% compared to Kisarawe district, which had the lowest population of 101,598 people and annual growth rate of 0.6%.

District	Population			Population growth rate per annum	
	1988	2002	2012	1988 - 2002	2002 - 2012
MOROGORO REGION					
Morogoro Rural	225,857	263,012	286,248	1.1	0.8
PWANI REGION					
Rufiji	153,938	202,001	217,274	1.9	0.7
Kisarawe	78,290	95,323	101,598	1.4	0.6

Source: National Population Census of 2012

Special interest groups

Kisarawe District has a higher percent population with a disability (13%) compared to Rufiji (8%). Almost 30% of the households in 2012 were headed by females and 2,894 household heads were 19 years and below in the Coast region.

Ethnicity

The main ethnic groups in Morogoro Rural district are Luguru, Sagara, Kaguru, Ndamba and Pogoro. Kilombero district is composed of Ndamba, Mbunga, and Ngido who considered as the natives and major ethnic groups. The Ndengereko, Nyagatwa, Matumbi, Pogoro, Doe and Zaramo are the main ethnic groups in Coastal and Lindi regions. Other groups who have migrated and present in the districts include Pogoro, Hehe, Bena, Nyakyusa, Sangu and other immigrant agro-pastoral tribes, most notably the Sukuma and Maasai.

Education

The literacy rate in Rufiji District is 63.3%, which is 24.6% higher than the rate established in 2002 (NBS, 2013). The literacy rate in Kisarawe District is 73.6%, which represents a 21.6% rise from the district's literacy level in 2002 (Ibid).

Livelihoods

Agriculture: Over 60% of the residents in Morogoro and Coast region are engaged in agriculture. In Rufiji district, arable land accounts for 482,466 ha (24%) of Rufiji district's total land area. Of the arable land, only 90,503 (18.3%) is under cultivation. The main food crops grown in the district include maize, paddy and cassava, the major produced cash crops being cashew nuts, sesame, coconuts and fruits (NBS, 2013). In Kisarawe district, 309,000 ha (15.6%) of arable land, of which only 111,355 ha (22.5%) is cultivated. The district's staple food crops are cassava, sweet potatoes and sorghum, whereas cash crop production within the district is limited mostly to fruits, coconuts and cashew nuts (Ibid).

Fishing: Fishing is practised to a very limited extent in Kisarawe district, with 97 households engaged in fish farming (NBS, 2016). In Rufiji district, fishing is a prominent sector employing 5,197 fishers, 256 registered fishing vessels and 13 fish ponds, with annual productions averaging 1,009,200 kg (NBS, 2013).

Beekeeping: By 2012, Rufiji and Kisarawe districts had 3,825 traditional and 3,187 modern beehives, as well as 113 traditional and 364 modern beehives respectively. In the same year, the

industry yielded 14,760 litres of honey and 4,002 kg of bee wax in Rufiji. The production in Kisarawe stood much lower, with 272 litres of honey and 9 kg of bee wax (NBS, 2013).

Land use and land cover

The Land cover in the northern photographic zone of Selous is predominantly grassland and woodland partly inundated and some areas with permanent swamp towards the east. Small patches of natural forest are found towards the Great Ruaha River in the west. The western boundary is bordered with cultivated land along the regional road to Ifakara town and the railway line.

3.1.3 Udzungwa Mountains National Park

UMNP is bordered by Kilombero and Kilolo districts to the east and west respectively, and Kilosa to the north. The park marks the boundary between Kilombero district and Iringa region (Kilolo district), but the largest proportion on UMNP is in Kilombero district.

Demography

According to the 2012 national population census, the population of districts surrounding UMNP was 912,258 with Kilombero having the highest population of 407,880 and an annual population growth rate of 2.4% compared to Kilolo district with a population of 218,130 people and an annual population growth rate of 0.7%.

Region	District	Population			Population growth rate per annum	
		1988	2002	2012	1988 - 2002	2002 - 2012
Iringa	Kilolo	156,989	204,372	218,130	1.9	0.7
Morogoro	Morogoro Rural	225,857	263,012	286,248	1.1	0.8
	Kilombero	187,593	321,611	407,880	3.9	2.4

Source: National Population Census of 2012

Special interest groups

Less than 10% of the population in Kilombero and Kilolo were recorded with a disability. An average of 30% of households were headed by women and an average of 2% headed by children in 2012.

Ethnicity

In Kilombero district, the major ethnic groups who are also considered natives are the Ndamba, Mbunga, and Ngido. In Kilolo district, the main ethnic groups are the Hehe, Kinga, Bena, Maasai, Barabaig, Safwa and Sagalaare. Other groups who have present surrounding Udzungwa NP include Pogoro, Hehe, Bena, Nyakyusa, Sangu and Sukuma.

Education

The literacy rates of persons aged 15 and above surrounding UMNP is above 75%. The primary school pass rate is higher in Kilolo District (61%) compared to Kilombero (46%) and Kilosa (43%).

Livelihoods

An average of 70% of the population between Morogoro and Iringa regions are engaged in farming activities and an average of 19% are either formally or informally employed.

Agriculture: In Kilombero and Kilolo districts, farming, fishing and pastoralism are the dominant livelihood activities. In Kilombero district, more than 80% of the population are engaged in agriculture as their primary source of income and food in the vast floodplain of the Kilombero valley, southeast of UMNP. Crops grown are paddy (major crop), maize, sesame, banana, sunflower, sugarcane, and cocoa at a very low scale. Kilolo district is predominantly rural with

agriculture being the first and major income generating activity for about 90% of the district workforce. The district produces maize, paddy, and beans, round potatoes, wheat, onions, sorghum, sweet potatoes, finger millet, garden peas, cassava and pigeon peas as food crops while coffee and pyrethrum are produced as cash crops (District Profile, 2013).

Livestock keeping: Pastoralism is one of the dominant livelihood activities in Kilombero district with an estimated grazing area of 60,084.68 ha. Most of the pastoralists are Sukuma, Maasai and Barabaig. In Kilolo district, 114,394.18 ha is used as grazing land. Livestock keeping is still largely traditional and involves mostly indigenous cattle (96%) and the exotic breeds (dairy and beef cattle) account for the remaining 4% of the total cattle population in the district (District Profile, 2013).

Fishing: Artisanal fishing is the second largest livelihood activity in Kilombero district contributing to about 25% of income. It is mostly practiced along Kilombero valley, dams and wetlands. Fishing in Kilolo District takes place in the Great Ruaha, Little Ruaha and fish ponds. Fishing activities in the district is carried out entirely at artisanal level (District Profile, 2013).

Beekeeping: Kilombero District has initiated pilot projects in beekeeping in several villages by using modern technology whereby there are 132 groups involved in beekeeping (youths, women and elderly groups), 4,800 traditional beehives and 3,200 modern beehives (District Profile, undated). Compared to Kilombero district, production of honey and wax in Kilolo district are still low due to the use of traditional methods and the community's disinclination towards beekeeping.

Land use and land cover

The Land cover in Udzungwa is dominated by natural forest in the southern boundary with a mix of open woodland and grassland towards the north. The park is surrounded by extensive cultivated land along its eastern boundary along the regional road from Mikumi town to Ifakara town. The eastern boundary of the UMNP along Kilombero is exposed to encroachment due to its proximity to settlements and continuous expansion in areas such as Kidatu and Msolwa villages.

3.1.4 Ruaha National Park

Ruaha National Park borders Mpwapwa and Dodoma Rural to the north Iringa Rural to the east, Chunya to the west, Mbarali to the south and Manyoni to the north-west.

Demography

According to the 2012 national population census, the population of districts surrounding RUNAPA was 554,549 – Mbarali district has the highest population of 300,517 and an annual population growth rate of 2.5% compared to Iringa Rural district with a population of 254,032 people and an annual population growth rate of 0.4%.

Region	District	Population			Population growth rate per annum	
		1988	2002	2012	1988 - 2002	2002 - 2012
Iringa	Iringa Rural	205,504	245,033	254,032	1.3	0.4
Mbeya	Mbarali	153,182	234,101	300,517	3	2.5

Source: National Population Census of 2012

Special interest groups

Between 6-10% of the population in Iringa Rural and Mbarali district were recorded with a disability. An average of 36% of households are headed by females for both Iringa and Mbarali district. Iringa Rural had a 15% HIV/AIDS incidence rate in 2013. Death of one or both parents due to HIV/AIDS is the largest cause of orphanage in the Iringa rural and Mbarali district. This is because Iringa has the second highest HIV prevalence rate in the country second to Njombe region (URT, 2013); another factor is family issues – In Iringa, women bare most of the burden in taking care of the children as men often leave them in search of livelihood elsewhere. Family disputes and poverty levels in the district are other reasons (Iringa Rural district CDO, 2017).

Ethnicity

The dominant ethnic groups in Iringa District area Hehe, Bena, Kinga and in Mbarali District are Safwa and Sangu tribes. Likewise, the area has experienced an in-migration of other tribes being Sagala, Maasai, Barbaig, Baruchi, Sukuma, Wanji, Nyakyusa, Ndali and Gogo, amongst others. The major ethnic groups in Mbarali district are Sangu, Hehe, Safwa and Bena. The Sangu are Bantu-speaking people who are the native inhabitants of the Usangu plains. On the other hand, the Safwa are mountainous people.

Education

The literacy rates of persons aged 15 and above surrounding Ruaha NP is 79.5% (2012 census for Iringa region). The primary school pass rate is higher in Iringa rural District (62%) compared to Mbarali (46%).

Livelihoods

Over 60% of the population in Iringa and Mbeya regions are engaged in farming activities as their main source of employment.

Agriculture: In Iringa Rural district, agriculture constitutes more than 80% of the residents' income generating activities. The major crops grown are maize, sunflower and paddy. The agricultural sector accounts for 81.7% of the district's GDP. In Mbarali district, agriculture and livestock keeping are the major livelihood activities. More than 83% of the residents are engaged in the agriculture sector. Farming activities constitute 20.1% of the entire district land (16,000 km²) while protected areas comprises about 63% (District Profile, 2014). The main crop grown in the area is paddy, which accounts for over 90% of total crops produced (URT-PMO, 2013). Other crops are maize, sunflower, onions, tomatoes, beans, peanuts, peas, and potatoes.

Livestock keeping: Livestock rearing is Iringa Rural's second largest economic activity, contributing roughly 9% to the district's GDP. In the district, livestock rearing is practised on a subsistence, free-ranging basis, with little commercial success (District Profile, 2013). In Mbarali district, livestock keeping is the second livelihood activity following agriculture. Most livestock are grazed in communal grazing lands, village woodlands, open farms (post-harvest crop residues) of which 123,200 ha is under grazing (District Profile, 2014).

Fishing: The Iringa district's fisheries sub-sector is of appreciable economic importance, having reached an annual production of 1,781.6 tonnes in 2014 valued at TZS 5,344,770,000. There are two large fish dams – namely Mtera and Kibebe. In Mbarali, fishing is practiced at the small scale, mainly along rivers Mbarali, Kimani, Mkoji, Mpapain Maperemehe and Little Ruaha (District Profile, 2014).

Beekeeping: In Iringa Rural, beekeeping is concentrated in the central and southern zones which are the most environmentally conducive to the activity. Being largely traditional, the district's bee-keeping sector holds at low production levels, with only 3,150 modern beehives of the total 13,140 (District Profile, 2013). In Mbarali district, the beekeeping subsector is dominated by traditional production practices thus low honey and bee-wax production (District Profile, 2014).

Land use and land cover

The land cover in Ruaha National Park is dominantly bush land in the northeast but predominantly woodland towards the southwest. The southern boundary has inundated grassland and permanent swamps within the park. Scattered cropland and cultivated land borders the parks' boundary in Mbarali district in the south and Iringa rural district in the west.

4 LEGAL, REGULATORY AND INSTITUTIONAL FRAMEWORK

4.1 Tanzania legal and regulatory framework on land, resettlement and compensation

4.1.1 Land tenure and ownership

Land tenure and ownership in Tanzania is governed by statutes such as the 1977 Constitution, National Land Act No. 4 of 1999, Village Land Act No. 5 of 1999, Land Acquisition Act 1967, and Land Ordinance, 1923 Cap. 113. Land in Tanzania is owned by the state. For the purpose of management of land under the land Act No. 4 of 1999 and all other laws applicable to land, public land in Tanzania is either:

- **General land:** described as consisting of all land, which is neither village land nor reserved land. All urban land falls under this category, except land, which is covered by laws constituting reserved land, or that which is considered hazard land. General land is governed by the Land Act and, hence, is under the control and jurisdiction of the Commissioner for Lands. This ministerial key person has delegated much of the powers to local government land officers. Property rights can be created over general land in terms of a granted Rights of Occupancy for a period of 33, 66 or 99 years confirmed by a Certificate of Title. Longstanding occupation of land (except on government land) is recognized as conferring property rights. In the case of land acquisition all occupiers of land irrespective of whether they have a granted right of occupancy or not, are eligible to compensation. Granted rights of occupancy carry conditions including land development and the payment of land rent. Failure to abide with these conditions can lead to the loss of the right.
- **Village land:** is defined as being the land falling under the jurisdiction and management of a registered village. As Tanzania consists of a vast countryside with only a few urban areas, most land in the country is village land. Village land is held under customary tenure and the government can issue customary certificates of tenure to individuals or communities where the village is surveyed and has a Certificate of Village Land. Customary tenure is akin to freehold.
- **Reserved land:** is defined as land being reserved and governed for purposes subject to nine listed laws. It includes environmental protection areas, such as national parks, forest reserves, wildlife reserves, and marine parks as well as areas intended and set aside for spatial planning and (future) infrastructure development.

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

4.1.2 National policies

National Land Policy of 1995

The policy provides guidance and directives on land ownership and tenure rights and taking of land and other land based assets. The overall aim of the policy is to promote and ensure a secure land tenure system in Tanzania that protects the rights in land and resources for all its citizen. It stipulates organization and procedures for valuing assets and delivery of compensation.

The land policy stipulates that all land is public land, vested in the president as a trustee, and that this should be entrenched in the constitutions. The National Land Policy (1995) provides that a dual system of tenure, which recognizes both customary and statutory right of occupancy as being equal in law be established. The policy further establishes that the land has value, which right and interests of citizens in land shall not be taken without due process of law and that full, fair and prompt compensation shall be paid, when land is acquired. The compensation should be paid to

any person whose right of occupancy or recognized long-standing occupation or customary use of land is revoked or otherwise interfered with to their detriment by the State under the Land Act of 1999.

According to the policy, the administration of village land is vested in the village councils. Village councils have to consent before any alienation of village land is affected. In case of land allocations, village councils shall report to respective village assemblies. The land in the towns is governed by either City, Municipal or Town Council.

In principle, the Minister responsible for land is the sole authority in land issues. However, the policy involves public and private institutions whose functions are associated with lands i.e. local authorities, communities, non-governmental organizations and community based development organizations to participate and co-operate with the minister at different levels during the implementation of the policy and utilization of land.

To address the problem of multiple land allocation, and its resultant disputes, the Commissioner for Lands, is the delegated sole authority for administration of land. She/ He may appoint officers to administer on her/his behalf.

4.1.3 National legislation

Land Act No. 4 of 1999

Section 156 of the Land Act requires that compensation be payable to any person for any damage caused for the affected land, buildings, trees and crops as a result of creation of communal right of way or a wayleave.

Village Land Act No. 5 of 1999

The Village Land Act of 1999 confers the management and administration of village lands to Village Councils, under the approval of the Village Assemblies. However, the Minister of Lands is entitled to decide on the amount of land, which can be owned, by a single person or commercial entity. Section 9 and 11 of the Village Land Regulations states that compensation shall include the market value of the land and the unexhausted improvements, which shall be assessed by a qualified Valuer. In Section 13 of the Village Land Regulations, it states that compensation shall also include disturbance allowance, transport allowance, accommodation allowance and loss of profits.

Land Acquisition Act No. 47 of 1967

The Land Acquisition Act 1967 is the principal legislation governing the compulsory acquisition of land in Tanzania. Sections 3-18 of the Land Acquisition Act 1967 empower the President to acquire land, and provide the procedures to be followed when doing so. The President is empowered to acquire land in any locality provided that such land is required for public purposes.

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

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

Section 11 and 12 of the Act allows for the person whose land is acquired is entitled to be compensated if they so deserve. The persons entitled to compensation are those interested or

claiming to be interested in such land; or persons entitled to sell or convey the same or as the government may find out after reasonable inquiries.

Local Government (District Authorities) Act No. 7 of 1982 and Local Government (Urban Authorities) Act No. 8 of 1982

The Act stipulates the functions of District/Urban councils. The Act enables local authorities to enact by-laws regarding soil protection, agriculture, natural resource exploitation, etc. Issues of land are included in the Act as objectives of functions and therefore part of the mandates of local government in their respective areas. These are relevant legislations since the improvement in the priority PAs will involve, amongst others:

- Vegetation clearance activities, earth works activities – this will expose the soil thus making it to susceptible to wind and water erosion
- Expansion/extraction of construction materials thus causing loss trees.

National Land Use Planning Commission Act No 3 of 1984

The Act established a National Land Use Planning Commission (NLUPC) as the principal advisory organ of the government in all matters related to land use. Among other things, the Commission recommends measures to ensure that the government policies, including those for development and conservation of land, take adequate account of their effects on land use, seek the advancement of scientific knowledge of changes in land use and encourage development of technology to prevent, or minimize adverse effects that endanger human man's health and welfare. The Act also specifies standards, norms and criteria for the protection of beneficial uses and the maintenance of the quality of the land. In addition, the Act established Participatory Land Use Planning and Management (PLUM), which are explicitly recognized in the Land Policy of 1995.

Graves (Removal) Act No. 9 of 1969

The Act provides for the removal of graves from land required for public purposes. The Act provides for compensation for expenses incurred in the removal, transportation, reinstatement and re-internment of the grave or dead body and any placatory or expiatory rites or other ceremony accompanying such removal and reinternment.

4.1.4 National regulations

Land (Assessment of the Value of Land for Compensation) Regulations of 2001

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

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

4.2 World Bank OP 4.12 on Involuntary Resettlement

The World Bank's Operational Policy on Involuntary Resettlement (OP/BP 4.12) is triggered in situations involving involuntary taking of land (includes anything growing on or permanently affixed to land, such as buildings and crops), impacts on or loss of assets, loss of income sources or means of livelihood (whether or not the affected person must relocate), and involuntary

restrictions of access to legally designated parks and PAs. The policy covers direct economic and social impacts that are caused by the involuntary taking of land resulting in relocation, loss of shelter, loss of assets or access to assets; or loss of income sources or means of livelihood.

The policy aims to avoid involuntary resettlement to the extent feasible, or to minimize and mitigate its adverse social and economic impacts. Where involuntary resettlement and acquisition of land or other assets is unavoidable, it promotes participation of Project Affected People (PAP) in resettlement planning and implementation, and its key economic objective is to assist PAPs in their efforts to improve or at least restore their incomes and standards of living after displacement.

The WB OP4.12 prescribes compensation and other resettlement measures to achieve its objectives and requires that borrowers prepare adequate resettlement planning instruments. At time of project screening of potential environmental and social impacts, a RPF is prepared where the project impacts are unknown at the time of project preparation. The RPF will guide preparation of Resettlement Action Plan when project locations are known and WB OP4.12 is triggered.

4.3 Gap analysis between national law and the Bank's Policy

Tanzania does not possess a National Resettlement Policy and subsequent legislation, and thus to ensure compliance and consideration for the adverse impacts of resettlement, use of existing laws relevant to Land and property is employed. Notably, there are some differences particularly in the understanding of how the various PAPs are handled. Table 4-1 below presents a gap analysis in a matrix format between the requirements under Tanzania law and the Bank's OP/BP 4.12. Where gaps have been identified, OP/BP 4.12 standards will apply.

Table 4-1: Comparison on Resettlement elements between the WB OP 4.12 and Tanzanian Legislation

Types of affected/lost assets	Tanzanian law	World Bank OP/BP 4.12	Comparison/Gaps
Landowners	<p>The 1967 Land Acquisition Act, the 1999 Land Act, and the 1999 Village Land Act state clearly that landowners, with or without formal legal rights, are entitled to full, fair, and prompt compensation. They also get a disturbance allowance, transport allowance, accommodation allowance, and loss of profit if they were in actual occupation of the appropriated property.</p> <p>Lost assets are limited to “unexhausted improvements,” that is, the land and developments on the land. The law does not cover economic and social impacts of relocation, and as such, socioeconomic surveys are not part of the land appropriation process.</p>	<p>Displaced persons are classified into three groups:</p> <p>(i) Those who have formal legal rights including customary and traditional rights; (ii) Those who do not have formal legal rights to the land, but have a claim to such land or assets provided that such claims are recognized under the law of the country; and (iii) Those who have no legal rights they are occupying.</p> <p>Landowners under cat. (i) & (ii) are among the PAP entitled to full, fair, and prompt compensation as well as other relocation assistance.</p> <p>Socioeconomic impacts to PAPs are taken into consideration during RAP preparation.</p>	<p>There is no gap between Tanzania law and OP/BP 4.12 as far as those with formal legal rights and those without formal legal rights are concerned</p> <p>However, the lost assets in Tanzania are restricted to land and developments on land, and, where relevant, loss of profits. The lost assets under OP/BP 4.12 are much broader than land and include loss of access to livelihoods and standard of living and the policy seeks to improve them or at least to restore them to pre displacement levels.</p>
Land tenants/squatters	<p>The law does not cover economic and social impacts of relocation and as such, socio-economic surveys are not part of the land acquisition process.</p>	<p>Renters and tenants of residential properties are eligible for relocation assistance. Renters of businesses are also eligible for relocation and other assistance. In addition, compensation for the loss of income during transition.</p>	<p>OP/BP 4.12 recognizes a wider spectrum of PAPs. The Tanzania spectrum is limited to those who can prove proprietary rights and does not include tenants.</p>
	<p>Squatters may be paid compensation on the whim of the government. In addition, those occupying land for over certain amount of time are entitled to compensation. In some cases, however, they are not paid.</p>	<p>Land users within legal rights to that land, including squatters fit in category (iii) above and are provided resettlement assistance as well as other relocation assistance in lieu of compensation for the land they occupy.</p>	<p>OP/BP 4.12 includes those occupying land without legal title to that land among the PAP entitled to resettlement assistance as well as other assistance in lieu of the land they occupy. Under Tanzanian law, such people are not entitled to any assistance.</p>

Types of affected/lost assets	Tanzanian law	World Bank OP/BP 4.12	Comparison/Gaps
Land users	Not entitled to compensation for land, entitled to compensation for crops and sometime provided with other land of equal size and quality	OP/BP 4.12 includes displaced persons who have no recognizable legal right or claim to the land they are occupying.	
Owners of no permanent buildings Owners of permanent buildings	Tanzanian law makes no differentiation between owners of permanent and no permanent buildings. As long as ownership can be proved, compensation is payable. Determination of compensation is based on the market value of the property. In practice though, the depreciated replacement cost approach is used, meaning that PAP do not get the full replacement cost of lost assets.	Under OP/BP 4.12, permanent and no permanent buildings need to be compensated for. Where, however, the displaced persons have no recognizable legal rights to land, they are to be provided with resettlement and other assistance in lieu of compensation for the land they occupy plus compensation for assets. Cash compensation levels should be sufficient to replace lost land and other assets at full replacement cost in local markets.	The gap between Tanzania law and OP/BP 4.12 is about eligibility and hinges upon formal/informal ownership. While in Tanzania compensation is based on market value, determined using the depreciated replacement cost approach for developments on land, OP/BP 4.12 requires that compensation should be sufficient to replace lost land and other assets at full replacement cost.
Timing of compensation payments	Tanzanian law requires that compensation be full, fair, and prompt. Prompt means it should be paid within six months, failure to do so incurs an interest rate equivalent to the average rate offered by commercial banks on fixed deposits. Legally, compensation for the appropriated land does not have to be paid before taking possession, but in current practice, it is usually paid before existing occupiers are displaced.	OP/BP 4.12 displaced persons are provided prompt and effective compensation at full replacement cost for losses of assets directly attributable to the project. Taking of land and related assets may take place only after compensation has been paid and, where applicable, resettlement sites and moving allowances have been provided to the displaced person(s).	In terms of timing, both Tanzanian laws and OP/BP 4.12 require that compensation be paid promptly. This, however, in Tanzania rarely happens in practice, as can be seen in many projects that have involved large-scale land appropriation. Furthermore, OP/BP is more stringent than Tanzanian law in that it requires that compensation (and where applicable allowance) be paid prior to the taking of land and related assets.
Calculation of compensation and valuation	According to the 2001 Land Assessment of the Value of Land for Compensation Regulations as well as the 2001 Village Land Regulations,	OP/BP 4.12 requires that the displaced persons be provided with prompt and effective	Tanzania law provides for the calculation of compensation on the basis of the market value of the lost land and unexhausted

Types of affected/lost assets	Tanzanian law	World Bank OP/BP 4.12	Comparison/Gaps
	<p>compensation for loss of any interest in land shall include the value of unexhausted improvements, a disturbance allowance, transport allowance, accommodation allowance, and loss of profits.</p> <p>The basis for assessment of any land and unexhausted improvement for purposes of compensation is the market value of such land.</p> <p>The market value is arrived at by the use of comparative method evidenced by actual recent sales of similar properties, or use of the income approach, or the replacement cost method if the property is of special nature and not saleable.</p> <p>In practice, for land, an attempt is made to establish market value from recent sales, but these are usually not transparent. As for unexhausted improvements in terms of buildings and other civil infrastructure, the depreciated replacement cost approach is used.</p>	<p>compensation at full replacement cost for losses of assets attributable direct to the project.</p> <p>The replacement cost method is used to determine the amount sufficient to replace lost assets and cover transaction costs. Depreciation is not to be taken into account when applying this method.</p> <p>For losses that cannot easily be valued or compensated in monetary terms (example, access to public services, customers and suppliers, or to fishing, grazing, or forest areas), attempts are made to establish access to equivalent and culturally acceptable resources and earning opportunities.</p>	<p>improvements, plus a disturbance and accommodation allowance and loss of profits where applicable.</p> <p>Since depreciation is applied under Tanzanian laws, the amount paid in most cases does not amount to that required to replace the lost assets. Furthermore, other types of assets (besides land and its developments) are not considered i.e. access to public services, customers and suppliers, or to fishing, grazing, or forest areas.</p>
Relocation and resettlement	<p>Tanzanian laws do not provide for relocation and resettlement. However, there are a few cases where the government has provided both compensation and alternative land, but this has been done at its discretion. In general, however, the government feels that it has discharged its duty once compensation is paid, and it is up to the displaced persons to resettle and re-establish themselves elsewhere.</p>	<p>OP/BP 4.12 stipulates that where project impacts include physical relocation, measures should be taken to ensure that the displaced persons are: (i) provided with assistance (such as a moving allowance) during relocation and (ii) provided with residential housing, or housing sites, or, as required, agricultural sites for which a combination of productive potential, location advantages, and other factors are at least equivalent to the advantages lost.</p>	<p>Tanzanian law provides for a transport allowance for 3 tons of luggage for up to 20 kilometers from the appropriated land, provided the displaced person was living on that land.</p> <p>In lieu of housing, an accommodation allowance is made in the form of rent for 36 months at rates available within 20 kilometres from the appropriated land.</p> <p>Occasionally, in a discretionary manner, alternative land is awarded instead of cash.</p>

Types of affected/lost assets	Tanzanian law	World Bank OP/BP 4.12	Comparison/Gaps
Completion of resettlement and compensation	<p>Under the law, the government can take possession of the appropriated land at the end of the notice to acquire period, before paying compensation.</p> <p>However, current practice is that possession usually occurs after payment of compensation (including 36months house rent), with displaced persons given time to vacate the land, which is usually as soon as possible.</p>	<p>OP/BP 4.12 stipulates that it is necessary to ensure that economic and physical displacement does not take place before necessary measures for resettlement are in place. In particular, taking possession of land and related assets may occur only after compensation has been paid and, where applicable, resettlement sites and a moving allowance have been provided to the displaced persons.</p> <p>OP 4.12 is also triggered for the involuntary restriction of access to legally designated parks and protected areas resulting in adverse impacts on the livelihoods of the displaced persons. REGROW is not expected to impose any restriction of access to legally designated areas, since it is operating in Protected Areas designated as such many years ago. However, since REGROW is strengthening PA management's ability to reduce illegal activities within the priority PAs, a Process Framework was prepared, targeted towards supporting communities to find alternative livelihoods that do not conflict with conservation outcomes.</p>	<p>The 1967 Land Acquisition Act allows the government to appropriate the land before paying compensation which is not consistent with OP/BP 4.12.</p> <p>Current practice endeavours to pay compensation before taking possession of the land.</p>
Livelihood restoration and assistance	<p>There are no legal provisions requiring the government to restore livelihood or to provide assistance toward the restoration of such livelihoods.</p> <p>Indeed, compensation is not payable in the case of restrictions to access to areas of livelihood opportunities.</p>	<p>OP/BP 4.12 requires that the resettlement plan or policy include measures to ensure that the displaced persons are (i) offered support after displacement for a transitional period, based on a reasonable estimate of the time likely to be needed to restore their livelihood and standard of living and (ii) are provided with development assistance in addition to compensation measures,</p>	<p>There are no transitional measures provided under Tanzanian law and practice; nor are there provisions for compensation as a result of restrictions to access to livelihood.</p> <p>Tanzanian law does not make provisions requiring the government to pay special</p>

Types of affected/lost assets	Tanzanian law	World Bank OP/BP 4.12	Comparison/Gaps
	Moreover, there are no provisions that require the government to pay special attention to vulnerable groups or indigenous peoples.	such as land preparation, credit facilities, and training or job opportunities.	attention to vulnerable groups in the administration of compensation.
Consultation and disclosure	<p>There are few provisions related to consultation/disclosure in Tanzanian law.</p> <p>The notice, under the 1967 Land Acquisition Act, informs landowners about the president's need to appropriate their land and their right to object. The 1999 Land Act allows displaced persons to fill in forms requiring that their land be valued and state their opinion as to what their assets are worth.</p> <p>Since resettlement is not provided for legally, there are no provisions about informing the displaced persons about their options and rights; nor are they offered choice among feasible resettlement alternatives.</p>	OP/BP 4.12 requires that displaced persons are (i) informed about their options and rights pertaining to resettlement and (ii) consulted on, offered choices among, and provided with technically and economically feasible resettlement alternatives.	The provisions in OP/BP 4.12 requiring consultation and disclosure have no equivalent in Tanzanian law and practice.
Grievance mechanism and dispute resolution	<p>Under s. 13 of the 1967 Land Acquisition Act, if dispute or disagreement regarding any of the matters listed below is not settled by the parties concerned within six weeks from the date of the publication of notice that the land is required for a public purpose, the minister or any person holding or claiming any interest in the land may institute a suit in the High Court of Tanzania for the determination of the dispute.</p> <p>(i) The amount of compensation; (ii) The right to appropriate the land;</p>	<p>OP/BP 4.12 requires that displaced persons, their communities, and any host communities receiving them are provided with timely and relevant information, consulted on resettlement options, and offered opportunities to participate in planning, implementing, and monitoring resettlement.</p> <p>Appropriate and accessible grievance mechanisms must be established for these groups.</p>	The law in Tanzania does not provide for the establishment of grievance resolution mechanisms specific to particular resettlement cases.

Types of affected/lost assets	Tanzanian law	World Bank OP/BP 4.12	Comparison/Gaps
	<p>(iii) The identity of persons entitled to compensation;</p> <p>(iv) The application of section 12 to the land; or</p> <p>(v) Any right privilege or liability conferred or imposed by this act.</p> <p>In practice, the government tries to resolve grievances through public meetings of the affected persons.</p>		

Source: Adapted from Resettlement Management Framework for the Second Water Sector Support Project (WSSP – II)

4.4 Tanzania's institutional framework for land administration and compensation

Tanzania has no policy on involuntary resettlement, but acts stipulate the various actors in land and natural resources administration and management including acquisition of land, access, use and management of public resources. Taking this and requirement of the World Bank OP 4.12 into consideration, two institutional frameworks comes into play in the development and implementation of the RPF - Central Government Ministries, Department and Agencies and Local Government Authorities:

4.4.1 Ministry of Lands, Housing and Human Settlement Development

The Ministry of Lands, Housing and Human Settlement Development is responsible for policy, regulation and coordination of matters pertaining to land in Tanzania and administers the various land acts: Land Acquisition Act, the Land Act and the Village Land Act. The Ministry is responsible for land use planning, management and land delivery activities specifically surveying and demarcating land/parcel/farms, and provision of land ownership and tenancy in both rural and urban areas.

- Minister Responsible for Lands / Land Use Planning

Established under the Land Policy and the Land Act (Section 8) as the sole authority over all land matters. The Land Act poses to Minister the duty of policy formulation and implementation of Land Policy and Act. The Minister is directed to perform a number of functions (delegated to the Commissioner for Lands) including issuing permit for using land (other than village or reserved land). The Minister is empowered to designate any Body or Organ as a planning authority (Section 7 (4)) and to declare any area of land to be a planning area (Section 8(1)).

- Commissioner for Lands

Established under the Land Policy and Land Act as sole authority responsible for land administration. Land Act (Section 9-11) impose the Commissioner for land as the principal administrative officer and professional officer and advisor to the government in land matters (land allocation, acquisition, registration and land management in general) at all levels. All instances of acquisition of land for public purposes and the need for resettlement and/or compensation have to be referred to the Commissioner. The Commissioner may appoint officers at the appropriate levels of government to administer land other than village land. Has power to delegate the powers to officers at Local Authority or public organization all who work and comply to directives of the Commissioners.

- National Land Use Planning Commission

Established under Section 6 &7 of the Land Use Planning Act, as the principal advisory organ of the Government on all matters related to land use. The Commission is comprised of various environmental stakeholders to ensure oversee the best use of land use planning.

- Survey and Mapping Division

The Surveys and Mapping Division also provides land survey services to government agencies, maintains geodetic survey control networks, prepares and maintains cadastral and topographic maps for the entire country. The Director of Surveys is responsible for coordinating all public sector mapping activities and for maintaining records of all maps, plans and land surveys, which are conducted by government agencies.

- National Land Advisory Council

Established under the Land Act (Section 17) to advice Minister on Land Policy and institutional framework and organizational structure for land matters.

- Land Allocations Committee

Under the Land Act (Section 12) Land Allocation Committees are to be established at central, urban and district authorities to perform duties related to advise of application of Rights of Occupancy.

- Chief Government Valuer

Land (Assessment of the Value of Land for Compensation) Regulations, 2001 (Regulation 6) directs that every assessment of the value of land and unexhausted improvement is verified and endorsed by the Chief Valuer of the Government or Representative.

- Qualified (Registered) Valuer

Land (Assessment of the Value of Land for Compensation) Regulations, 2001 (Regulation 5) directs that every assessment of the value of land and unexhausted improvement is done by a qualified Valuer. Valuers are government employees or individuals or companies registered as service providers in the lands sector and conduct surveys, property valuation etc.

4.4.2 Local Government Authorities

The Local Government system in Tanzania is based on the decentralization policy and is enshrined in the Regional Administration Act (1997), Local Government (District Authorities) Act No. 7, 1982, and the Local Government (Urban Authorities) Act No. 8, 1982. Relevant to this RPF is the former, governing District authorities.

Administratively, Tanzania is divided into three levels of Local Governments whereby each level has statutory functions with respect to development planning. The three levels with respect to District authorities are District Councils, Ward Office, and Village Council.

The District Councils are responsible for planning, financing and implementing development programmes and the law within their areas of jurisdiction. The Council is comprised of:

- i. District technical and supporting Departments including:
 - Land and Natural Resources (including environment) with sections /units for physical planning, surveying, valuation;
 - Community Development (community mobilization, communication and sensitization);
 - Planning (budget planning, investment planning and has a Monitoring and Evaluation (M&E) unit);
 - Public Health, which includes a District Medical Officer
- ii. Land Tribunals (District and Ward levels) for handling and resolving land-related disputes and grievances;
- iii. Various multi-disciplinary, multi-sectoral technical teams and committees of Councillors provided for in the legislation responsible for budgeting, social issues, environmental management, security, planning development projects at local government levels (Refer to Annex 9.2 for details). These are:
 - Finance, Administration and Planning Committee
 - Education, Health and Water Committee
 - Economic Affairs, Works and Environment Committee

In addition, there are other standing committees for Resettlement and Compensation and Grievance Redress. These are the most relevant for the RPF and any subsequent RAPs. Their composition and responsibilities are provided in Table 4-2 below.

Table 4-2 Existing Committees at LGAs involved in Resettlement and Compensation

Unit	Responsibilities	Members
Resettlement and Compensation Committee	<ul style="list-style-type: none"> - Oversight management and coordination of RAP implementation activities - Coordination with municipalities, districts, government agencies and other stakeholders - Review of periodic progress monitoring reports on RAP implementation in accordance with RAP guidelines - Coordinate management of compensation process including providing compensation payments, awareness/training on managing compensation - Ensure compensation is consistent with RAP guidelines - Overseeing establishment and preparation of resettlement sites/homes and other relocation assistance agreed - Maintaining records of PAPs, compensation payments, and monitoring reports - implements measures to prevent land speculation or influx of ineligible persons 	<ul style="list-style-type: none"> - Regional Commissioner (Chair) - Representative of District Commissioner - Representative of respective district Authorities: District Land officer, District Valuer, Community Development Officer, Town Planning - Representative of a local leaders (Ward executive officer, village chairman and village executive officer) - Representative of PAPs (nominated by residents to represent the community/village)
Grievances Redress Committee	<ul style="list-style-type: none"> - Address entitlement issues and other disputes and concerns among PAPs and other stakeholders. - Advice PAPs and other stakeholders on redress mechanisms which cannot be resolved - Refer unresolved disputes to Community Social Committee (CSC) - Liaise with other authorities and Resettlement Committee 	<ul style="list-style-type: none"> - District Commissioner (Chair) - Representative of respective district Authorities: district lands, planning and community development departments - Representative from implementing agency - Representative of PAPs (nominated by residents to represent the community/village)

It should be noted here that, in these committees, gender balance is maintained, a good representation of women is required.

Local governments are not replicated at the regional level. Regional authorities provide technical advice and support and exercise supervision to the Municipal councils. Regional and District Commissioners are responsible for co-ordinating and managing central government affairs.

5 PRINCIPLES, DEFINITIONS AND CONCEPTS

This chapter provides the main principles and concepts governing resettlement/compensation i.e. a description of eligibility for compensation and entitlements under relevant laws and WB policy principles for valuation and compensation.

5.1 Guiding principles of Resettlement of PAPs

The RPF follows the guiding principles for any activity that causes negative impact on affected persons in relation to park management decisions with regards to the priority PAs and communities in which REGROW will be implemented. These principles should be taken into account whenever communities living in the areas surrounding the priority PAs and communities covered in REGROW may be impacted by implementing agencies' initiated activities, whether a permanent or temporary impact:

- i. Displacement of people, property and livelihoods is to be minimized as much as possible, by employing alternative technologies of project infrastructure in such a manner so as to minimize the need to acquire land and property, and to cause as little disturbance and disruption as possible.
- ii. All possible means will be used to ensure that no people are harmed in any way by construction activities and project outcomes.
- iii. Resettlement/relocation and compensation planning and implementation activities, and the compensation of PAPs and other relevant stakeholders, will be undertaken with continuous consultation throughout the process.
- iv. PAPs will be informed about their rights and options pertaining to displacement, compensation and resettlement/relocation, and about grievance mechanisms available to them.
- v. PAPs who meet agreed eligibility criteria will be entitled to compensation and relocation measures. Lack of legal rights to land and assets occupied or used will not preclude a PAP from entitlement to resettlement/relocation and compensation measures.
- vi. Compensation, resettlement/relocation and rehabilitation measures will be as fair to all parties concerned.
- vii. Compensation, resettlement/relocation and rehabilitation entitlements will be provided in accordance with Tanzanian law and procedures as a minimum, but will include additional measures to meet World Bank requirements where appropriate.
- viii. Where compensation in cash is provided for loss of assets (including housing and other structures), for loss of access to assets, or for damage caused to assets, it will be provided on the basis of market value or replacement cost (whichever is the highest) and will include necessary additional costs incurred to achieve full restoration.
- ix. Specific and additional assistance will be provided for particularly vulnerable people, namely women-headed households, widows, orphans, the elderly and handicapped people.
- x. Pre-construction and construction work on each particular affected site will not commence until PAPs have been satisfactorily compensated and/or relocated.

5.2 Project Affected People

Project affected people or household (PAPs), refers to people directly affected, socially and/or economically, temporarily or permanently by a project, as a result of:

- i. the appropriation of land and other assets causing (relocation or loss of shelter);
- ii. loss of assets or access to assets; and
- iii. loss of income sources or means of livelihood, whether or not of the affected person; and persons must move to another location).

Although it is unknown if OP4.12 would be triggered, and the exact nature and locations of sub-projects are unknown, the following categories of PAPs will be used in identifying groups of PAPs for the purpose of determining impacts.

- i. Project affected persons (PAPs) are individuals whose assets may be lost, including land, property, other assets, and/or access to natural and/or economic resources as a result of activities related to sub-project(s). The individual PAP could be:
 - Affected Property Owners – are owners of land or owners of structures for business, residential or other purpose.
 - Affected Tenants: these are people who do not own property but rent house, premises or land for the respective purposes; This category of PAPs is classified in different sub-categories including residential tenants, business tenants, or farm tenants
 - Affected Encroachers and other opportunistic land occupiers – are persons who do not own land that they occupy or use and non-bone fide occupants and intruders of lands reserved for public or other uses. Encroachers in urban area may occupy land for residential / commercial purposes.
 - Affected Squatters - include persons or groups who have settled in place with and without official title to their land.
- ii. Project affected households are groups of PAPs in one household and where one or more of its members are directly affected by the MNRT, park management, activities. These include members like the head of household, male, and female members, dependent relatives, tenants, etc.
- iii. Vulnerable groups of people. such as those who are too old or too ill; children; those stricken with HIV/AIDS; women-headed households; unemployed women living alone; unemployed youth; etc. Households headed by women that depend on sons, brothers, and others for supports are especially vulnerable. Similarly, households with elderly or terminally ill persons are eligible for additional support.

5.3 Types of losses due to land acquisition

Likely categories of impacts/loss that may occur include:

Loss of Assets or Access to Assets

Loss of land and/or property if any activity will acquire land as the land in question will be under use of some sort, communally, or individually. This may cause loss of rights to pieces of land, and/or un-exhausted improvements on the land i.e. built structures and crops.

Loss of land: mainly residential land or commercial land. Because urban agriculture and livestock keeping are widely practised, affected land could also be agricultural land or grazing ground. Land could belong to private individuals, local institutions, or community/ public land. The land could either be grown with crops, or built with structures or open land used for recreation or not developed/used. Ownership could mainly be under either statutory rights of occupancy or customary rights of occupancy and the affected people will lose these land rights (owner; lease holder; informal user of the land).

Loss of house structures: the built structures could be residential houses /dwelling, residential and commercial houses, house annexed structures (e.g. kitchens, boundary wall / live fences, pit latrines, house foundations, stores, cottage industries, livestock pens/sheds etc.) or commercial structures (shop, stall); or house supply structures: water source/supply (well, pump, water line), electricity supply (underground, overhead etc.). Loss of buildings and

structures will affect (owner; tenant; informal user of the structure) individual, institution or community.

Loss of Structures only (not land): encroachers and squatters may suffer loss of fixed structures but not land on which they are built.

Relocation of movable assets and property: these include privately own machinery, mobile structures, and graves

Loss of agricultural assets: farm properties mainly constitute standing crops permanent crops, trees, seasonal crops and vegetable gardens.

Loss of income sources or means of livelihood of persons using the land or assets

The person affected could be title holder/owner; tenant/lease holder; squatter/informal dweller.

Loss of income sources: through loss of business premise or cash crops

Loss of means of livelihood: through loss of farming, grazing area

Loss of rental accommodation or loss of business premises: residential or business tenants will incur loss of rental accommodation or loss of business premises as in many places people rent premises for business or residential purposes

Natural assets: these are unused farmland and natural vegetated / forested areas - these sections are usually not inhabited, however, the benefits accrued will be lost to the communities that use them.

Involuntary restrictions of access to resources, property or asset: In other areas, restrictions that prevent / limit access to resources, property or asset will also result in adverse impacts on livelihoods and wellbeing of affected persons.

5.3.1 Eligibility

Identification of those meeting the eligibility criteria is to be confirmed, through relevant socio-economic surveys and asset and legal verification surveys. Information on special groups, such as those that are vulnerable, will also be identified through the surveys, and confirmed through the consultation process.

Land Act of 1999 confers eligibility for compensation to:

- i. The holder of the granted right of a right of occupancy, which is compulsorily acquired by the President for public purposes. So where the President acquires a piece of land that was granted to an occupier in order to build a road or a school or other public structures, compensation must be paid to the one who was occupying it through a right of occupancy.
- ii. The holder of a granted of right of occupancy which has been revoked;
- iii. The holder of a granted customary right of occupancy in respect of land which is declared to be hazardous land;
- iv. The occupier of land in any peri-urban area where the President acquires such land.
- v. The Land (Compensation Claims) Regulations, 2001 provides further that any person occupying land is eligible to apply for claim for compensation. This recognizes that when making a decision as to who is eligible to get compensation it must be borne in mind that there are people who may not have the title to a piece of land but have acquired interests and rights over that piece of land because of the following reasons:
- vi. A person has occupied land which legally belongs to another person for more than twelve years under the Law of Limitation Act, 1971 acquires all the rights over that piece of land, and therefore also has the right to compensation;

The adjudication function on village lands is assigned to the village government. The village government has administrative control over village land and acts as a liaison between the government and village residents. Within villages, various committees of the village government control land use. Taxation is the prerogative of local authorities. Villagers hold rights of occupancy and use for an indefinite (that is, unlimited) period. Village lands do not have to be titled for rights of users and occupants to be recognized and are not subject to rental payment

For details, refer to Table 4.1 Comparison of the Tanzania Laws and World Bank OP4.12.

WB policy further states that any person occupying land, whether they have legal title, have been granted customary use rights, or have no title or customary use but occupy land prior to cut off date, they are entitled to compensation.

5.3.2 Unit of entitlement

The potential resettlement may affect a range of households, business operators, institutions and individual community members. The impacts, manifest at individual and group level requiring a definition of a unit of entitlement. The unit of entitlement is thus varied depending on the category of the affected. Examples of units of entitlement include:

- for compensation against the loss of land – the unit of entitlement is the landholder;
- for privately held assets and resources – the unit of entitlement is the owner/ household head. Safeguards have been put in place to ensure equitable distribution of compensation among household members (see section 6.5);
- for the loss of contract of rent – the unit of entitlement is the individual who rented farm land
- for loss of employment – the unit of entitlement is the individual directly affected; and
- for rehabilitation assistance – the unit of entitlement is the household. Where household subsistence and survival strategies may be disrupted through the loss of land or the relocation of business enterprises, rehabilitation measures may be extended to an adult household member or members other than the household head to support the restoration and diversification of household livelihoods.

The entitlements require a process of public consultation and disclosure. The WB OP 4.12 emphasises that displaced people must be informed of their rights and consulted on options. It specifically states to “Consult project-affected persons, host communities and local nongovernmental organizations, 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).

5.3.3 Cut-off date

It is necessary to determine, and publicly declare a cut-off date, to define eligibility and thus entitlements.

Property inventories with other relevant socio-economic surveys, and fixing a cut-off-date after proper consultation and an announcement, are instrumental to avoid unnecessary and sometimes fraudulent claims for compensation. After the property inspection and survey exercise is completed, no further claims will be accepted.

5.3.4 Type of Compensation

Individual and household compensation will be made in cash, in kind, and/or through assistance as per the entitlement matrix provided in Table 5-1 below. The type of compensation will be an individual choice of the PAP. If the total loss of land that was used for subsistence farming is more than 20% of the holding, land for land replacement must be offered, and is preferable to in-kind compensation (but ultimately PAPs choice).

- i. Cash payments: Compensation will be calculated in Tanzania shillings. Rates will be adjusted for inflation. Compensation may include items such as land, houses, among others;
- ii. In-kind: Compensation can include buildings, building materials, seedlings, agricultural inputs, and financial credits for equipment; and
- iii. Assistance: Assistance may include disturbance allowance, moving allowance, transportation, and/or labour.

Compensation payments raise issues regarding inflation, security, and timing that must be considered. One reason for providing in-kind compensation is to reduce inflationary pressures on the costs of goods and services. Local inflation may still occur, thus market prices will be monitored during the compensation period to allow for adjustments in compensation values. The question of security, especially for people who will be receiving cash compensation payments, needs to be addressed by the local administration. Local banks and microfinance institutions should work closely with the local administration at this level to encourage the use of their facilities, which will positively affect the growth of the local economies. Each recipient in consultation with the IA and the district, local, and traditional administrations, will decide upon the time and place for in-kind compensation payments.

5.3.5 Replacement Cost

The rate of compensation for lost assets must be calculated at full replacement cost, that is, the market value of the assets plus transaction costs. With regard to land, structures, and businesses, the replacement costs are:

- i. Agricultural land: The market value of land of equal productive use or potential located in the vicinity of the affected land, plus the cost of preparation to levels similar to or better than those of the affected land, plus the cost of any registration and transfer taxes.
- ii. Land in urban areas: The market value of land of equal size and use, with similar or improved public infrastructure facilities and services preferably located near the affected land, plus the cost of any registration and transfer taxes.
- iii. Household and public structures: The cost of purchasing or building a new structure, with an area and quality similar to or better than those of the affected structure, or of repairing a partially affected structure, including labour and contractors' fees and any registration and transfer taxes. In determining the replacement cost, depreciation of the asset and the value of salvage materials are not taken into account, nor is the value of benefits to be derived from the project deducted from the valuation of an affected asset.

Table 5-1 Entitlement Matrix in the RAPs

Land and Assets	Types of Impact	Person(s) Affected	Compensation/Entitlement/Benefits
Agricultural land	<ul style="list-style-type: none"> • Land under cultivation • Less than 20% of land holding affected • Land remains economically viable. 	Farmer/title holder	<ul style="list-style-type: none"> • Cash compensation for affected land equivalent to replacement value
		Tenant/lease holder	<ul style="list-style-type: none"> • Cash compensation for the harvest or product from the affected land or asset, equivalent to average market value of last 3 years, or market value of the crop for the remaining period of tenancy/lease agreement, whichever is greater.
	<ul style="list-style-type: none"> • Greater than 20% of land holding lost • Land does not become economically viable. 	Farmer/Title holder	<ul style="list-style-type: none"> • Land for land replacement where feasible, or compensation in cash for the entire landholding according to PAP's choice. • Land for land replacement will be in terms of a new parcel of land of equivalent size and productivity with a secure tenure status at an available location, which is acceptable to PAPs. Transfer of the land to PAPs shall be free of taxes, registration, and other costs. • Relocation assistance (transport allowance + assistance in re-establishing economic trees + allowance up to a maximum of 12 months while short- term crops mature)
		Tenant/Lease holder	<ul style="list-style-type: none"> • Cash compensation equivalent to average of last 3 years' market value for the mature and harvested crop, or market value of the crop for the remaining period of tenancy/lease agreement, whichever is greater. • Relocation assistance (transport allowance + assistance in re-establishing economic trees + allowance up to a maximum of 12 months while short- term crops mature)
Commercial Land	<ul style="list-style-type: none"> • Land used for business partially affected • Limited loss 	Title holder/business owner	<ul style="list-style-type: none"> • Cash compensation for affected land • Loss of Profit (Net profit/p.m. x 36 months)
		Business owner is lease holder	<ul style="list-style-type: none"> • Loss of Profit (Net profit/p.m. x 36 months)
	<ul style="list-style-type: none"> • Assets used for business severely affected • If partially affected, the remaining assets become insufficient for business purposes 	Title holder/business owner	<ul style="list-style-type: none"> • Land for land replacement or compensation in cash according to PAP's choice. Land for land replacement will be provided in terms of a new parcel of land of equivalent size and market potential with a secured tenure status at an available location which is acceptable to the PAP. • Transfer of the land to the PAP shall be free of taxes, registration, and other costs. • Relocation assistance (transport + disturbance allowance) • Loss of Profit (Net profit/p.m. x 36 months)
		Business person is a lease	<ul style="list-style-type: none"> • Loss of Profit (Net profit/p.m. x 36 months)

Land and Assets	Types of Impact	Person(s) Affected	Compensation/Entitlement/Benefits
		holder	
Residential Land	<ul style="list-style-type: none"> • Land used for residence partially affected, limited loss • Remaining land viable for present use. 	Title holder	<ul style="list-style-type: none"> • Cash compensation for affected land
		Rental/lease holder	<ul style="list-style-type: none"> • Relocation assistance (disturbance allowance)
	<ul style="list-style-type: none"> • Land and assets used for residence severely affected • Remaining area insufficient for continued use or becomes smaller than minimally accepted under zoning law(s) 	Title holder	<ul style="list-style-type: none"> • Land for land replacement or compensation in cash according to PAP's choice. • Land for land replacement shall be of minimum plot of acceptable size under the zoning law(s) or a plot of equivalent size, whichever is larger, in either the community or a nearby resettlement area with adequate physical and social infrastructure systems as well as secured tenure status. • When the affected holding is larger than the relocation plot, cash compensation to cover the difference in value. • Transfer of the land to the PAP shall be free of taxes, registration, and other costs. • Relocation assistance (transport, accommodation and disturbance allowance)
		Rental/lease holder	<ul style="list-style-type: none"> • Refund of any lease/rental fees paid for time/use after date of removal • Assistance in rental/lease of alternative land/property • Relocation assistance (transport, accommodation and disturbance allowance)
Buildings and structures	<ul style="list-style-type: none"> • Structures are partially affected • Remaining structures viable for continued use 	Owner	<ul style="list-style-type: none"> • Cash compensation for affected building and other fixed assets • Cash assistance to cover costs of restoration of the remaining structure
		Rental/lease holder	<ul style="list-style-type: none"> • Cash compensation for affected assets (verifiable improvements to the property by the tenant). • Disturbance allowance
	<ul style="list-style-type: none"> • Entire structures are affected or partially affected • Remaining structures not suitable for continued use 	Owner	<ul style="list-style-type: none"> • Cash compensation for entire structure and other fixed assets without depreciation, or alternative structure of equal or better size and quality in an available location which is acceptable to the PAP. • Right to salvage materials without deduction from compensation • Relocation assistance (transport, accommodation and disturbance allowance) • Rehabilitation assistance if required (assistance with job placement, skills training)
		Rental/lease holder	<ul style="list-style-type: none"> • Cash compensation for affected assets (verifiable improvements to the property by the tenant) • Relocation assistance (transport, accommodation and disturbance allowance)

Land and Assets	Types of Impact	Person(s) Affected	Compensation/Entitlement/Benefits
			<ul style="list-style-type: none"> • Assistance to help find alternative rental arrangements • Rehabilitation assistance if required (assistance with job placement, skills training)
		Squatter/informal dweller	<ul style="list-style-type: none"> • Cash compensation for affected assets (verifiable improvements to the property by the squatter) • Right to salvage materials without deduction from compensation • Relocation assistance (transport, accommodation and disturbance allowance) • Alternatively, assistance to find accommodation in rental housing or in a squatter settlement scheme, if available) • Rehabilitation assistance if required assistance with job placement, skills training)
		Street vendor (informal without title or lease to the stall or shop)	<ul style="list-style-type: none"> • Loss of Profit (Net profit/p.m. x 36 months) • Relocation assistance (transport and disturbance allowance) • Assistance to obtain alternative site to re- establish the business.
Standing crops	Crops affected by land acquisition or temporary acquisition or easement	PAP (whether owner, tenant, or squatter)	<ul style="list-style-type: none"> • Cash compensation equivalent to average of last 3 years market value for the mature and harvested crop.
Trees	Trees lost	Title holder	<ul style="list-style-type: none"> • Cash compensation based on type, age and productive value of affected trees plus 10% premium
Temporary Acquisition	Temporary acquisition	PAP (whether owner, tenant, or squatter)	<ul style="list-style-type: none"> • Cash compensation for any assets affected (e.g. boundary wall demolished, trees removed)

6 TOOLS, INSTRUMENTS AND METHODOLOGIES

6.1 Resettlement planning

It is expected that none of REGROW-funded activities will require land acquisition or cause any type of resettlement. Most of the investment activities will occur inside the Protected Areas, whereas activities involving communities in Components 2 and 3 will be conducted with no need of resettlement. Therefore, in principle, none of REGROW activities will trigger OP4.12. Implementing agencies' own activities, however, may result in land acquisition, impact on assets, impact on economic livelihood, and/or relocation, especially given GoT's efforts to enforcing protected area boundaries. As implementing agencies, through MNRT, may act in areas where REGROW is being implemented, the WB has requested that, during REGROW implementation, the MNRT follows international best practice with regards to land acquisition and resettlement near the priority PAs addressed in REGROW project. WB will provide technical assistance, and MNRT will receive WB review, comment and approval prior to implementing any resettlement activities throughout the REGROW project implementation.

If MNRT decides to implement an activity in the priority PAs or in communities where REGROW is being implemented which would trigger OP4.12, MNRT would prepare and implement a Resettlement Action Plan (RAP), subject to World Bank review and clearance. The RAP will serve to consider the rights and interests of the impacted persons. The RAP will have to be implemented before the proposed intervention is carried out.

Annex 9.3 describes the requirements for the RAP in detail. In general, the RAP contains the following information:

- Baseline Census;
- Socio-Economic Survey;
- Specific Compensation Rates and Standards;
- Entitlements related to any additional impacts;
- Site Description;
- Programs to Improve or Restore Livelihoods and Standards of Living;
- Detailed cost estimates and Implementation Schedule;
- Grievance mechanism; and
- Monitoring and Evaluation.

Difference between a Resettlement Policy Framework and a Resettlement Action Plan
<p>Resettlement Policy Framework (RPF) A Resettlement Policy Framework is prepared when project activity locations are not known at the time of project preparation, and it is unknown as to whether or not OP4.12 will be triggered. The RPF is an instrument to be used throughout the project's implementation, which sets out the objectives and principles, organizational arrangements, and funding mechanisms for any resettlement. The RPF provides guidelines for preparation of a Resettlement Action Plan if it is determined during project implementation that OP4.12 is triggered.</p>
<p>Resettlement Action Plan (RAP) The Resettlement Action Plan is a resettlement instrument (document) to be prepared when project/intervention/activity locations are identified which trigger OP4.12. In such cases, where land acquisition leads to physical displacement of persons, and/or loss of shelter, and/or impact on assets, and /or loss of livelihoods and/or loss, denial or restriction of access to economic resources. OP4.12 can be triggered</p>

even in cases where there is no resettlement or displacement. RAPs are prepared, using guidance and standards established in RPF, by the implementing agency and contain specific and legal binding requirements to resettle and compensate the affected person(s) before activity impacts assets.

6.2 Public Consultation and Engagement

If MNRT decides to implement an action that requires a RAP, the PA focal person (refer to section 2.3) knowledgeable in the project activities, in collaboration with the district Community Development Officer would be responsible for conducting consultations. Public consultation meetings are to be held in all of the affected villages in the vicinity of the priority PAs and as well as with other interested parties. Stakeholders to be involved might include TANAPA, TAWA, Ministry of Lands, Ministry of Water and Irrigation, Management of the priority PAs (Mikumi, Udzungwa, Ruaha and Selous Game Reserve), Region and District Councils, TANESCO, Water Utilities, and Rufiji Water Basin Board, the National Irrigation Commission and the Ministry of Agriculture Livestock and Fisheries.

The objectives of the consultations will be to introduce the activity/intervention, clarify that the activity is NOT part of the REGROW program and solicit feedback from the stakeholders. It is essential that the affected persons are made aware of, and understand during the preparation of the RAP:

- Their options and rights pertaining to resettlement/relocation and compensation;
- Specific technically and economically feasible options and alternatives for resettlement/relocation sites;
- The process of and proposed dates for resettlement/relocation and compensation;
- Effective compensation rates at full replacement cost for loss of assets and services;
- Proposed measures and costs to maintain or improve their living standards;
- Grievance and redress mechanism

The results of the consultation process will be summarized in a table, including the responses to the PAP concerns and presented in a Social Economic Impact Assessment (SIA) report and included in RAP as part of informing RAP preparation.

The consultations will examine among other things:

- Acceptable alternatives
- Conditions under which the impacts will be socially adequate
- Measures required to guarantee that the affected people will enhance or at least restore their livelihoods and living standards
- Preferences regarding forms of compensation assistance
- Measures to mitigate impacts and arrangements for addressing conflicts that might occur.
- Institutional and organizational arrangements by which displaced people can communicate their concerns to project authorities, express grievances and participate throughout planning, implementation and monitoring of the RAP.

For further guidance on consultation, please refer to the Public Consultation and Disclosure Plan prepared for REGROW.

6.3 Socio-economic information

Socio-economic information on the communities within and surround the project area is collected typically with the use of questionnaires and secondary documentation collected. The aim is to understand the PAPs socio-economic status to mitigate against further negative impacts. In addition, a census to record the details of the PAP and their household is to be undertaken. Therefore, a household survey is done concurrently to gather information on the socio-economic profile of the PAPs for planning and monitoring purposes. Information to be collected in both the PAP census and household surveys are given in the box below.

Typical content of PAP census and Household survey	
Household information should include:	PAP Census² information should include:
<ul style="list-style-type: none"> • Household Head and Structure: • Household Size: • Gender structure • Age structure • Ethnicity and Religion • Migratory status • Occupation • Income and expenditure levels • Education level • Health Status • Marital Status 	<ul style="list-style-type: none"> • The PAP's valuation reference number (indicating the proponent-location-sequential number); • The PAP's name; • The date of the census; • Location of affected property: plot number (or Land Registration No.), house number, street name, village or town; • A sketch is drawn of the property, indicating affected portions, cropped area, fallow land, open and covered buildings, etc. • A photograph of the property is taken with the PAP in the foreground holding a large piece of paper indicating his reference number.

6.4 Affected land and assets valuation and compensation

The **Asset Inventories** will be used to determine and negotiate entitlements, while the census information is required to monitor homestead re-establishment. For each individual or household affected, the Ward official³ in collaboration with the Valuer and project management team will complete a compensation dossier containing necessary personal information on the affected party and those that s/he claims as household members, total landholdings, inventory of assets affected, and information for monitoring their future situation. This information will be confirmed and witnessed by the village leader, and Compensation and Resettlement Committee. Dossiers will be kept current and will include documentation of lands surrendered. Each individual will be provided a copy of the dossier at the time of negotiations. This is necessary so that the resettlement process pertaining to each individual PAP can be monitored over time. All claims and assets will be documented in writing. The information obtained from the inventories and census will be entered into a computerized database to facilitate resettlement/relocation planning, implementation and monitoring.

Throughout **Earnings Approach** is to be used to assess market value for compensation in compliance with the Regulations made under S179, the Land (assessment of the value of land for compensation) Regulations, 2001. The earnings approach, estimates the production capacity of an

² Ministry Valuation Form No 1

³ This is part of the current administrative role in their area of jurisdiction.

averaged tended crop that is normally found in the area. Adjustments are made to arrive at fair market value. Compensation will cover lost production until crop is again producing at same level when impact occurred.

For buildings, **Direct Comparison Method** will be applied to arrive at the market values of the different housing. The resultant income will be compared with results of a Replacement Cost. The highest value will be taken as a base for compensation.

The basic principle governing compensation is that of none of the PAPs should be made worse but be better off. The element of compulsory acquisition of land is well treated in most legislation worldwide including Tanzania emphasizing the right to receive a fair compensation to those who occupy land that is subject to acquisition by the state for declared objectives.

In case there is an affected land or asset(s) belonging to a woman (and not to the head of the household), in households with both man and woman present, such land or asset(s) should be registered under the woman's name and she will be entitled to compensation separate from other household asset(s).

A registered valuer is responsible for preparing the asset inventory and to calculate the compensation entitlements. Before valuation exercise, the valuer will sensitize PAPs that compensation is to replace the lost asset(s) and not to buy luxury goods. In addition, the valuer will notify the affected households (include both man and woman) on the compensation process, list of affected assets and compensation amount for each affected asset(s). This will ensure that all household members, including women, are properly informed of asset replacement amount(s). It is preferred that the Valuer is independent i.e. not employed by the district or project implementer directly rather procured for the specific activity. However, the Valuer will carry out his work by involving the district Community Development Officer, Land Officer, Surveyor and district Valuer.

6.4.1 Residential Buildings, Structures and Fixtures

All affected structures will be valued and compensated in the form of cash equal to cost of building a new structure equivalent to replacement of lost asset. Valuation will be conducted by a registered valuer – either government employee or private contractor. PAPs will have the option of reconstructing their new structures on alternative land either in the vicinity or away from the site as per their individual preferences.

Compensation will be paid for structures such as houses, farm buildings, latrines, fences and any other affected assets. Current market prices or replacement cost, whichever is higher, for construction materials will be determined. The registered valuer will survey the prices for the calculation of compensation from the current local market or replacement cost, whichever is higher, for the construction materials and labour.

6.4.2 Annual and/ or Seasonal Crops

The field observations revealed that there are seasonal and/ or annual crops in and around the priority PAs area. These crops include rice, maize, beans, millet and groundnuts. These crops are not permanent; Tanzanian laws do not consider such crops to be compensated.

Compensation for annual/ seasonal crops shall be calculated based on the average yield recorded in the impacted area for the last five years and the current local market prices for different crops grown on the farmers' land. The owners of the crops should be allowed to harvest their produce before the implementation of the project within the time limit granted. The compensation will start and end as per the project plan.

6.4.3 Perennial Crops and Trees

Trees have recognized local market values, depending upon the species and age. Compensation for trees is calculated based on the growth stage of the tree, using the local current price per m³⁴. Subsistence trees (predominantly mango) are to be compensated on a combined replacement market/subsistence value. Trees are classified into three categories: small (saplings), medium (mature trees), and large (for poles).

For trees that have already started giving yields, compensation is to be calculated considering the annual production of each tree, multiplied by the current local market price and the total number of plants, as well as including the costs for the development of the perennial trees.

If households are resettled, they will be compensated for the commercial/food value of the trees they leave behind. Owners will be allowed to take the plantation of trees within the time limit granted according to the proclamation and those that cannot be moved will be compensated.

6.4.4 Land

Preference should be given to land-based resettlement strategies for displaced persons whose livelihoods are land-based. These strategies may include resettlement on public land, or on private land acquired or purchased for resettlement. Whenever replacement land is offered, resettlers are provided with land for which a combination of productive potential, locational advantages, and other factors is at least equivalent to the advantages of the land taken. If land is not the preferred option of the displaced persons, the provision of land would adversely affect the sustainability of a park or protected area, or sufficient land is not available at a reasonable price, non-land-based options built around opportunities for employment or self-employment should be provided in addition to cash compensation for land and other assets lost. The lack of adequate land should be demonstrated and documented.

Payment of cash compensation for lost assets may be appropriate where (a) livelihoods are land-based but the land taken for the project is a small fraction (e.g. less than 20% of productive area) of the affected asset and the residual is economically viable; (b) active markets for land, housing, and labor exist, displaced persons use such markets, and there is sufficient supply of land and housing; or (c) livelihoods are not land-based. Cash compensation levels should be sufficient to replace the lost land and other assets at full replacement cost in local markets.

The labour, material and equipment cost for preparing land improvement structures/works such as clearing, levelling, drainage ditches etc. is calculated on what has already been included in the cost to the farmer. The compensation shall be based on the current local market prices or at cost of replacement, whichever is higher.

6.4.5 Reserved Grazing Land

The compensation for grass is calculated considering the grass productivity of the grazing land and the local current market price of the grass. The productivity will be calculated by considering the current carrying capacity of the grazing land in practice. This is the current carrying capacity of the grazing land will give us the equivalent grass yield by using the conventional conversion factor of livestock unit to grass yield. It is expected that communal land would be compensated based on land-for-land exchange that would then continue to be managed as current situation. Alternatively, the compensation of grassland would be calculated based on sustainable yield and production.

6.4.6 Transportation of Removable Property

Compensation for removable property will be based on the current market price of labour, material and transportation costs required to remove, transfer and replant the property.

⁴ The Valuation Division in the Ministry of Lands and Human Settlements Development has developed crop compensation rates. These rates are reviewed every year. Compensation assessment must be approved by Chief Government Valuer. These procedures will be followed before compensation to affected people is effected

6.4.7 Cemeteries

The Graves (Removal) Act of 1969 refers directly to grave removal. As a general principle, however, the exhumation and re-burial of individual graves within the project area will be avoided as much as possible if unavoidable, only commence following the resettlement of associated families. When this occurs, the project will:

- (i) Identify all existing graves within the project area;
- (ii) Make exhumation and re-burial arrangements with Local Entities (District Government and health officials) and individuals will arrange for reburial ceremonies of the deceased.

In consultation with the village government, identify land for the purposes of preparing such land as a formal cemetery. All reburial will take place within the designated cemeteries. The government rate for payment of the grave will be applied.

The procedure for relocating the graves will be handled by RAP implementing agency who will fund the district authorities to conduct the exercise under the supervision of District Medical Officer (DMO). The DMO exists in the current administrative set up under District Health and Social Welfare Department. As stated in the district authorities' legislation, the DMO is responsible for ensuring graves are exhumed, transported and buried to a different site as part of their mandate. According to the Graves (Removal) Act of 1969, the family of the deceased will be provided with ceremonial cost allowance, as compensation, which will be determined by the valuer and communicated to the PAPs during sensitization meetings during RAP preparation. Any additional costs that might arise in the relocation and/or ceremony will be borne by Ministry responsible for initiating land acquisition.

6.4.8 Businesses or Employment

During the actual relocation process there could be a small amount of disruption to businesses required to relocate over very short distances. Such disruption can be minimized or eliminated if the businesses are allowed to build the replacement structure before abandoning the old structures. In case of businesses and commercial structures that may suffer temporary loss of income in the relocation process, they will be compensated through payment of disturbance allowance for the period required for re-establishing their businesses.

In highly unlikely cases where, PAPs suffer permanent loss of income they become eligible for cash compensation equal to 36 months of average affected income from the establishment and skill enhancement and income restoration programme. As a part of their local government responsibility, the District Community Development department, whose current administrative role in assisting communities in their jurisdiction, will be asked to support the PAPs who will be affected by the project. With assistance from the Resettlement field staff, they will take a responsibility of supporting affected people in developing their skills in entrepreneurship and managing compensation money. Compensation for businesses (such as flourmills, kiosks, coffee shop and local eating and drinking places) will be estimated based on the daily or monthly income of the affected parties if any.

6.4.9 Damage Caused during construction work

Reconstruction activities may also cause temporary or permanent damage to land and assets that cannot be identified or quantified during RAP preparation. An example might be construction workers trampling crops or vegetables while accessing particular construction sites. Thus, wherever possible, the construction team/contractor will repair the damage to the satisfaction of the affected person. Affected persons with a claim should be required to complete a compensation claim form and submit it to the construction team/contractor. The construction team/contractor will then negotiate the required compensation measures, which may include repairing the damage or payment of compensation in cash or kind. Payment of compensation should be effected within one month of submission of the claim form. It will be the responsibility of the implementing agency

that contractor cater for any damage and have necessary policies to demonstrate this. The cost of damage caused by the contractor will be borne by the contractor not the implementing agency.

6.4.10 Community Facilities

Community facilities such as churches, wells, mosques, dispensaries, and water pump and sanitary facilities may need to be relocated to allow an intervention to be effectively implemented. The implementing agency will ensure that the local community derives maximum value from the subsequent re-construction works, preference ought to be given to local labour in order to help PAPs and other local people the opportunity to benefit from wages for their labour. Precaution has to be taken during the agreement and payments to minimise conflict among the beneficiaries.

As PAPs will be relocated at short distances from the project sites, they may continue to have access to social and public services and facilities that they currently use, which exist in the project area. This applies to water supplies, schools, health services, shops, transport services and other community services, such as religious groups. PAPs should continue to use the available social services in the project area, the implementing agency will ensure comparable community facilities will be available.

6.4.11 Compensation for loss of income (rental accommodation, business profit, crops)

Payment to displaced person the loss of profit allowance whereas a business or income generating operation is affected by land acquisition. The regulation require the loss of profit allowance to be calculated as the net monthly profit of the business carried out on the affected property, as evidenced by audited accounts, where available, multiplied by 36 months (i.e. Net Profit/p.m. x 36 Months).

Another alternative payment mode is payment of half of turnover for 6 months. Whereas the property owner lose rental income (due to displacement of house or business premise tenants), he/she is paid lump sum cash payments of 6 months' rent per tenant.

NOTE:

- Many of the affected businesses could be small enterprises without proper records so the Valuer could substitute the loss of profit allowance with lose of accommodation allowance.

Loss of income or food sources in respect of small plot farmers could be covered by cash compensation paid for standing crops and trees.

6.4.12 Relocation allowances

(i) Disturbance allowance:

This is transitional assistance - provided to eligible property owners paid in addition to the compensation value of the affected assets/properties. Disturbance is paid in the following situations:

- In the case of an individual property/land owner whose property/land is being acquired for the proposed project or
- Where an earmarked project site has been subsequently abandoned in favor of another site and the landowner of the abandoned site was required to relinquish his interest over the land.
- Where during the course of executing the proposed project an individual's interest in land suffered proven physical damage/disturbance. Disturbance shall be assessed as a percentage of the value of the property acquired as provided by the Land Act No. 4 of 1999.

The Valuer calculate disturbance allowance accordingly by multiplying the assessed value of the

affected “estate” (i.e. land not assets) by the average percentage rate of interest offered by commercial banks on twelve month fixed deposits. These amounts, in cash, are to be paid to each property owner.

(ii) Accommodation allowance

This is cash allowance provided to displaced people who lose houses and other structures. The allowance will enable them to cover cost for renting similar houses or structures for a period of three years while re-establishing themselves elsewhere. The Valuer calculate accommodation allowance by multiplying the assessed monthly market rent (applied value bands based on a market survey of rental properties in the respective project coverage areas) for the affected building or part of the building by 36 months (i.e. Rent/p.m. x 36 Months).

(iii) Transport allowance

Provided to eligible property owners who will need to relocate (even if only over a very short distance) their movable properties and assets – furniture, equipment, and business goods to a new location. The transport allowance paid in cash – only to PAPs, who are to physically move, is the equivalent of the prevailing cost of hauling 12t of goods by rail or road over a distance of 20km from the point of displacement. Transport allowances shall be actual cost of transporting 12tons of luggage rail or road (whichever is cheaper) within 20 Kilometres from the point of displacement (i.e. 12tons x Actual Cost/ton/km x 20km). In addition, the transport allowance package will include additional allowance covers for PAPs transporting to and from their banks to collect compensation money. The allowance will be calculated as part of transport allowance.

6.4.13 Vulnerable Groups

Affected households that are particularly vulnerable to Project implementation will be identified through socio-economic surveys of the affected population, and in consultation with the implementing agency. Specific vulnerable groups such as Female headed households; Children headed households; HIV/AIDS infected People/ Disabled; Elderly; Youth and orphans will require assistance based on need and level of vulnerability. However, in addition to other compensation and rehabilitation measures, these households will be supported through the following measures:

- In addition to their compensation package, vulnerable households will receive and additional allowance equivalent to the cost of three months' rent. This does not affect their accommodation allowance or any other allowances
- priority registration for employment on the Project's works;
- advice regarding Project impacts, compensation alternatives and risks, and resettlement options, including advice on alternative subsistence and livelihood strategies as offered by the Project;
- skills/training enhancement;
- The village government as part of its administrative duties may organize self-help group/ NGO to assist vulnerable persons in ensuring their replacement houses are constructed
- land preparation where possible; and
- credit facilities where possible.

Apart from the above assistance, the project should look into some ways of supporting group based on the nature of the vulnerability.

6.5 Compensation Process

After the valuation of the affected people's properties (section 6.4 above) the Valuer prepares a compensation schedule based on the national format prescribed for a valuation report⁵. The endorsed payment schedule by the Government chief valuer is counter-signed for approval by relevant authorities before implementation, including:

- i. Ward or Mtaa Executive Officers (WEO/MEO)
- ii. Authorized land officer (informing the Director of the LGA).
- iii. District Commissioner
- iv. Regional Commissioner for final approval

The implementing agency will implement the RAP, in association with the District Resettlement and Compensation Committee (RCC identified in section 4.4.2). If the implementing agency does not have internal capacity, they shall procure a Consultant to provide these services. The cost of RAP implementation will be borne by the implementing agency.

The implementing agency is to prepare a time schedule that indicates how the resettlement activities are linked to the implementation of the overall project. The schedule should also include target dates for the achievement of expected benefits to PAPs, resettlement sites and terminating the various forms of assistance.

Meetings need to be arranged with affected individuals and/or households to discuss the compensation process, to explain all compensation options and types, and identify the suitable payment method for the PAP and particular needs for assistant.

Each PAP is to be presented with a contract listing all property and land being surrendered/acquired, and the types of compensation (cash and/or in-kind) selected and expected timeframe to vacate/relocate. A PAP selecting in-kind compensation will have an order form, which is signed and witnessed. The compensation contract will be read aloud in the presence of the affected party and the representative of the Implementing Agency, Ward Officer and Village Executive Officer prior to signing. Then based on the payment schedule the affected people will be paid.

Current practice in Tanzania is that the compensation payments are deposited into bank accounts to avoid speculations, theft, amongst others, to ensure safety of households' compensation money. The PAPs without bank accounts will be required to open one. For households with both man and woman present, they will be required to open a joint bank account. The potential PAPs will be sensitized to open joint accounts during sensitization meetings and that the institution responsible for triggering OP4.12 will be required to have an individual to follow up on the opening of joint accounts. The government, through institutions responsible, will facilitate the opening of the bank account. The compensation package payable to the PAPs should be able to cover for bank fees for 3 to 5 years. The PAPs should be have a choice on what bank to use. The implementing agency will be responsible for payment. The payment will be done in two forms. Those whose entitlement is less than 300,000 Tshs will be paid in cash while those who are entitled to more than 300,000 Tshs will be paid through a cheque deposited into their bank account. The Community Development Officer (CDOs) will provide training on how to properly use compensation money and arrange for training sessions, which will bring bank officials to provide education on how to operate a bank account.

After receiving their compensation, the PAP will be required to vacate the area before the contractors can start the construction activities or implement the desired interventions. Therefore, the implementation schedule prepared needs to be incorporated in the contractor's and project

⁵ Valuation Report or known as Valuation Form No 2 includes the compensation schedule which has 2 main parts: Part 1: Summary of reference number, name and total compensation cost for each PAP and Part 2: Itemised valuation of each property/asset and each allowance entitled for each PAP with their picture

implementation schedules. The contractor will be required to demolish all the structure and remove all salvages. The PAPs will sign a contract between with the project management agreeing on the timeframe to vacate which will depend on availability of alternative accommodation or readiness of new home. All handing over of property such as land and buildings and compensation payments will be made in the presence of the affected party and the village executive officer.

6.6 Resettlement sites and relocation

In instances where PAPs need to be resettled, the project implementer is to offer displaced persons choices among feasible resettlement options, including adequate replacement housing or cash compensation where appropriate; and provide relocation assistance suited to the needs of each group of displaced persons. This includes

- The preparation of land: clearing of grass and bush may be necessary for the construction of houses at relocation sites, and in the case of new fields for cultivation, the soil may have to be tilled and sowed.
- Construction of new houses and structures (if approved as part of project budget and was agreed as method of payment): once the site has been allocated and the area cleared, the new houses and structures will be built. This again has an implication on the timing of physical relocation.

New resettlement sites built for displaced persons must offer improved living conditions and provide for the same social and cultural institutions that the PAP functions in. The displaced persons' preferences with respect to relocating in pre-existing communities and groups will be taken into consideration.

7 RESETTLEMENT/COMPENSATION MANAGEMENT

7.1 Institutional coordination

To facilitate coordination between the REGROW project and other government entities that will apply the RPF, an institutional structure is proposed as follows:

At level one, if the implementing agency is implementing its activities in or near the four PAs, which is directly related to Protected Area management needs of the four PAs in which REGROW will be implemented, the implementing agency has decided to coordinate with the WB-REGROW project and MNRT on activities they wish to implement. The implementing agency will be solely responsible for initiating and supervising RAP implementation, which will include reviews and clearance by the World Bank. These institutions will be responsible for ensuring RAP is prepared for project activities that are directly associated with park management decisions and that will trigger involuntary resettlement; disbursing and accounting for the funds for RAP implementation; coordinate efforts with LGAs during RAP implementation; ensure all grievances are addressed; and ensure monitoring and evaluation of RAP implementation.

At level two, the implementing agency focal person/project management team and/or their consultant will have a daily hands-on responsibility for the preparation and implementation of a RAP in collaboration with the LGA(s); and coordinating with TANAPA through RUNAPA, MINAPA and UMNP; and TAWA through SGR. TANAPA and TAWA are represented by the PA focal person that are to be part of the engagement activities and to participate in the LGA committee meetings for regular progress reporting on the implementation activities.

At level three, implementing agency will utilise LGAs from village/Mtaa level to regional level, for coordinating efforts in ensuring smooth implementation of resettlement activities. The LGAs as well as implementing agency will be responsible for providing clear information to PAPs and other relevant institutions at local level, will maintain and monitor records of PAPs, support public consultations and participation, and provide avenue for grievance redress associated with RAP implementation (see grievance redress mechanism on section 7.4).

The level four institutions involve communities and civil society organisations. The communities involve the PAPs as well as other members of society who are impacted in one way or the other by the involuntary resettlement. It is encouraged that Civil Society Organisations (CSOs) are identified during the preparation of the RAP to play a role in RAP implementation; for example supporting the PAPs in financial management, skill building in entrepreneurship activities and assist the implementing agency to monitor the implementation of the RAP.

As part of their roles and responsibilities, a variety of government ministries, departments and agencies will be utilised during RAP implementation process. The roles of the above-mentioned institutions are described in Table 7-1 below.

Table 7-1 Institutional roles in the RPF and RAPs

Institution	Role in the RPF and RAP(s)
Implementing Agency	<ul style="list-style-type: none"> • Decision on the proposed subprojects • Screening of proposed activity to determine if WB OP4.12 is triggered. • Coordination, preparation, and implementation of the RAPs • Procuring a consultant for preparation of RAP, and M&E of RAP implementation • Responsible for the disbursement of financial support for any RAP through the Regional and District Authorities. • Providing funds for compensation payments • Initiate and ensure smooth RAP implementation • Provides notification on land acquisition • Oversee resettlement

Institution	Role in the RPF and RAP(s)
	<ul style="list-style-type: none"> • Prepares budget for compensation and support to PAPs which is to be financed by the Ministry of Finance and Planning • Coordinate with relevant agencies in settlement of grievances • Monitor and evaluate the implementation of RAP • Endorses the valuation assessment for compensation payment • Endorse RAP • Ensure compensation is paid or resettlement is undertaken as agreed • Endorses the allocated land to PAPs in case of resettlement • Provides notification on land acquisition
World Bank Technical/ safeguards Advisory/	Reviews, comments and endorse RAP(s) (if prepared)
MLHHS	<ul style="list-style-type: none"> • Endorses the valuation assessment for compensation payment • Ensure compensation is paid or resettlement is undertaken as agreed • Endorses the allocated land to PAPs in case of resettlement
Ministry of Finance and Planning (MFP)	<ul style="list-style-type: none"> • Disbursing compensation funds to the implementing agency • Ensuring funds are appropriately utilised
Implementing Agency focal person/project management team/ Consultant (if required – determined on a case by case basis by PCU)	<ul style="list-style-type: none"> • Preparation of the RAP including identification of resettlement impacts, collaboration with respective District CDO for sensitization and consultation, assessment of potential resettlement site (refer to Annex 9.3 for detailed contents of a RAP) • Asset inventory and valuation (done by a registered Valuer as part of the consultants team) • Consulting Regional Commissioners Office, District Executive Director and Technical Departments, Ward Office and Village Council
Regional Commissioners Office	<ul style="list-style-type: none"> • Verifies and endorses the compensation packages • Ensures security is maintained and grievances are addressed
District Authority Technical departments (refer to section 4.4.2)	<ul style="list-style-type: none"> • Coordinate RAP implementation at the local level • Provides support to PAPs and relevant authorities during RAP implementation using the existing administrative structure and technical department staff • Support in public consultation and participation • Support in grievance redress
Resettlement and Compensation Committee	<ul style="list-style-type: none"> • (refer to table 4.2 of roles from chapter 4) • Ensure that resettlement is transparently and objectively handled when implemented.
Grievance Redress Committee	(refer to table 4.2 of roles from chapter 4)
Ward Office	<ul style="list-style-type: none"> • Participate in the asset inventory and valuation exercise • Signs off valuation forms prepared during valuation
Village Council	<ul style="list-style-type: none"> • Assists to organise village assemblies and/or meetings with PAPs for consultation and engagement • Verifies PAP and affected assets during asset inventory and valuation • Local liaison and PAP witness during the compensation process and any handing over of assets.
CSOs (to be identified during RAP preparation if needed)	<ul style="list-style-type: none"> • Provides advise to PAPs on various issues including proper use of compensation money received • Participate in planning, follow up and monitor the implementation of the RAP.

Institution	Role in the RPF and RAP(s)
	<ul style="list-style-type: none"> • To ensure fairness and appropriate handling of RAPs and where relevant, monitor the process. These players maintain a close line of communication with the PAPs and serve as advocates in most instances.

7.1.1 Capacity needs

- The consultant carried out a discussion with officers in the visited districts, the results shows that the district officers have limited experience on RAP development and implementation. Technical advisory services to the District needs to be provided to ensure that the requirements of the OP4.12 are fulfilled. Financial support to enable them to cover additional administrative costs to be budgeted for.
- The district Community development department to have an active participation in the RCC with budgeted finances to support PAPs in developing their skills in entrepreneurship and managing the compensation.
- The respective Ward office will need to be supported with financial assistance to assist the Valuer and project management team will complete a compensation dossier containing necessary personal information on the affected party and those that s/he claims as household members, total landholdings, inventory of assets affected, and information for monitoring their future situation.
- Respective village council will need financial support, a suitable office space with stationary and means of transport to assist in organising village assemblies, meetings, coordinate verification of affected assets and act as local liaison during the compensation process.

7.2 Monitoring

Internal and external monitoring is proposed for the RAPs (in an event that OP4.12 is triggered). If a RAP will be prepared, the implementing agency will be required, as part of RAP, to engage an independent Consultant, assisted by the planning department at the district level, to undertake monitoring of the resettlement/relocation. Monitoring will specifically take place through measurement against the pre-resettlement/relocation database. The Grievance Redress Mechanism (as described in section 7.4 below) will also be monitored and reported.

The M&E will regularly report to the implementing agency, DED, and the World Bank. The district's reporting system requires that all documents/reports of project(s) implemented in the district be submitted to the DED, and form part of the district Council's meetings and agendas. The M&E unit will prepare simple formats for reporting on the monitoring indicators including data collected and method used, time required for follow up and responsible institution/unit/person. The implementing agency will be responsible for monthly reporting. The reports will be collated by the Monitoring & Evaluation Department.

7.2.1 Monitoring indicators

Internal Monitoring of RAPs will focus on:

- Progress in relation to monitoring indicators which are provided in Annex 9.4
- Delivery and usage of compensation and relocation entitlements including who used at the household level,
- Reconstruction of new houses and commercial structures,
- Compensation awarded for fruit trees,
- Construction/ relocation of community infrastructure,
- Shifting of cultural and religious sites to new locations,
- Reported grievances and action taken,
- Meetings between officials and PAPs

An independent Consultant who will be procured by the implementing agency will conduct external monitoring of the process. The Consultant, besides reviewing the issues being covered under the internal monitoring will also assess/evaluate:

- Adequacy of compensation
- Capacity and adequacy of project staff and training programmes
- Effectiveness of the grievance mechanisms.
- Transparency of entire process
- Consultation and participation with stakeholders, especially vulnerable PAPs
- Employment opportunities created and availed of
- Access to social services like water, health care, housing and education
- Changes in livelihoods, standard of living, and incomes among PAPs
- Specific opportunities for vulnerable groups
- Effectiveness of livelihood measures undertaken

7.3 Evaluation

There will be a mid-term and final evaluation of the implementation of the RAP. On both occasions, a comprehensive socio-economic monitoring of the PAPs will be conducted. The results of these surveys will be compared to the baseline information obtained from the census survey to gauge the effectiveness of the resettlement process over time and livelihood standards. The Consultant will provide recommendations if any further actions are needed. Socio-economic monitoring will verify, among others:

- Effectiveness of the Rehabilitation assistance
- Income and living standards of PAPs (before and after rehabilitation)
- Effectiveness of various institutional arrangements made for the project
- Quality of interaction between implementation agency and affected communities
- Opinions and perception of local communities regarding the project and resettlement
- Issues such as change in quality of life among affected PAPs, disruption in lifestyles, etc.
- General issues related to the adequacy of the compensation and resettlement exercise.

External Audit shall be commissioned and funded by the implementing agency to evaluate the implementation of the resettlement action plans in routine annual audits. Without undue restrictions, the audits may include assessment of:

- Resettlement conditions where relevant;
- Consultation on compensation options, process and procedures;
- Adequacy of compensation; and
- Adequacy of specific measures targeting vulnerable people.
- Audit will provide recommendations and mitigation measures, where needed, to ensure PAPs are not worse off.

7.4 Grievances Redress Mechanism

In Tanzania, there is an administrative procedure to sort out problems by using existing government structures starting with ten cell leaders⁶ at a grassroots level to the national level. The affected people will select a representative to represent them in grievance committee, and resettlement and compensation committee.

⁶ Village administration is comprised of ten cell leaders from hamlets/sub-villages, which collectively makes up a village. The ten cell leaders are part of the existing administrative system in Tanzania and are residents who were democratically elected to represent others residents grouped as a street or ten households.

PAPs should be notified (e.g. handed a letter of notification that is explained to those who cannot read by a trusted person) about such a mechanism. Under the grievance procedure, a dissatisfied PAP is informed about the procedure to register a complaint in the first instance to the ten cell leader, through a designated local representative. The project-affected people will select their own representatives to voice their dissatisfaction of their entitlements.

There is ten cell leader who is closer to the households, any aggrieved person is supposed to report his /her problem to the ten cell leaders. In case the ten cell leader is not able to sort out the problem then the aggrieved person will approach the hamlet leaders, if the hamlet leader fails the case will be taken to the village leaders. At this stage there is a village Council made of 25 five members (seven women and the rest are males). This committee has several sub committees who have different functions such as land, natural resources, planning/ finance, infrastructure, social services. The aggrieved person will be sent to the relevant committee, which the problem is more relevant. In case the village government cannot solve the problem the aggrieved person will be directed to go to the Ward Development Council. If the ward cannot help within 14 days then the complainant will seek assistance of the District Executive Director or to the District Commissioner and if he fails to solve the problem, the complainer can go ahead and see the Regional Secretariat.

When the complaints reach the district office, the REGROW PA focal person who liaise with the LGAs, will receive the grievances and report them in the REGROW grievance mechanism indicated in the Process Framework. All grievance reported and progress of addressing them are to be reported to the World Bank safeguard advisor and the MNRT's project implementation unit for REGROW.

In case the Regional Secretariat does not solve the problem, the matter will be taken to the PO-RALG through MNRT's steering committee. If the complaint is not solved by the PO-RALG, the complainant can take the matter to the court of law. It is recommended that the parties take the matters to a Court of law using the provisions of the Land Acquisition Act 1967 (Act No. 47). The Act stipulates inter alia, that if such disputes or disagreement is not settled by the parties concerned within 6 weeks from the date of the publication of the notice that the land is required for public purpose, the Minister or any person holding or claiming any interest in the land may institute a suit in the Court of law for the determination of the dispute [Section 13 (1)]. In case of disputes and disagreements that cannot be settled by the parties using the administrative structures. The RPF grievance redress mechanism is building on the existing legal procedures and processes and does not intend to replace existing legal processes but will be based on consensus, seek to resolve the issues quickly in order to expedite the receipt of compensation, without resorting to expensive and time-consuming legal actions.

While this will be REGROW's grievance redress mechanism, an aggrieved person is free to use other mechanism including placing his/her grievance at the World Bank's website.

7.5 Consultations and Disclosure

The RPF was presented and discussed with different stakeholders from the Ministerial level to the local government level (Region, District) on July 24 and 25 in Morogoro, at the Tanzania Tree Seed Agency venue and on August 03 with Civil Society Organisations and private sector stakeholders at MNRT headquarters.

The stakeholder consultations provided valuable information about the regulatory requirements and previous experience with involuntary resettlement processes in the vicinity of the PA. Any subsequent Resettlement Action Plans prepared under this RPF will need to take these issues into account.

The minutes as well as a summary of issues raised in the consultations is provided in Annex 9.

The RPF document, after the approval from the World Bank and GoT, it will be made available to the district authorities covering the priority PAs who will distribute the document to the local administration level including the relevant wards. The ward will pass over the information to the village government of the affected communities. Other interested parties like existing NGOs, CBOs and Faith organisation and Civil Society, will also access the document. In addition, the RPF will be disclosed in country office; at regional and district level covering each of the four PAs; and World Bank info shop.

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URT (1999). Village Land Act No. 5, 1999

Other policies includes

World Bank Operational Policy (OP 4.12) on Involuntary Resettlement

9 ANNEXES

9.1 Summary of stakeholder consultations

The summary table presented below outlines the range of issues and concerns raised by consulted stakeholders in conjunction with the REGROW interventions intended to address these and the corresponding environmental and social performance frameworks. This is with the aim of overviewing the responsiveness of REGROW to existing, stakeholder-reported challenges within the project area, and identifying the frameworks set to provide for sound environmental and socioeconomic management of the various project interventions. Whereas most of the issues noted by engaged institutions, LGAs and communities are directly covered by the three project components, a few of the cited concerns – specifically those over unassociated land acquisition – are beyond the scope of REGROW. The safeguards instruments prepared for REGROW - Environmental and Social Management Framework (ESMF), Resettlement Policy Framework (RPF) and Process Framework (PF) serve to guide subsequent, intervention-specific assessment and planning to ensure the project is implemented in due conformance with national and international legal requirements, and with pertinent WB safeguard policies.

Topics	Issues/Concerns	Stakeholder who raised concern	REGROW Mitigating Measures	Relevant Framework
Boundary Conflicts	Lack of clear border demarcations	UMEMARUA	<p>1) REGROW has not been designed to demarcate or enforce boundaries, it will focus on strengthened capacity at TANAPA/TAWA and wildlife-based tourism development. It will also strengthen TANAPA's and TAWA's outreach efforts, in order to facilitate community relations and communications. It will further engage with priority villages classified as "hotspots" in the identification and implementation of alternative livelihoods. REGROW is also implementing a grievance redress mechanism to be applied in all project areas.</p> <p>2) As part of TANAPA's and TAWA's institutional mandates, they will continue their advocacy labor on community engagement, and will exercise transparency in the identification and/or verification of PA boundaries, and clear demarcation.</p>	PF, RPF
	Lack of proper cooperation/coordination and information sharing among institutions, government and communities involved	Kilombero-Dc;		
	Poor/lack of community engagement in boundary identification/verification and demarcation processes	UMEMARUA		
Land use conflicts	Lack of political will in addressing issues raised/concerns by stakeholders (ie communities and Institutions)	Kilombero-Dc;	<p>1) Capacity-building to enable environmentally sustainable livelihoods amongst natural resource reliant "hotspot" communities around the PAs.</p> <p>2) More broadly, and not constituting part of REGROW, there should be an enforcement of Village Land-Use Plans (VLUP) and relevant permitting; broader stakeholder dialogue for participatory and well-informed decision-making in local land-use planning.</p>	ESMF, PF
	Impacts of climate change ie Long droughts causes pastoralists to move in search for water and grazing land resulting in land conflicts	Mbarali DC-AIO; Iringa Regional-NRO;		
	Rapid population increase (people and livestock)	Morogoro Regional-RAS-ERM;		
	Unsustainable pastoralism. Pastoralism is practiced for cultural prestige of having large herds of cattle and not for economic gains.	Kilombero-Dc; Morogoro-Rural DC-DEMO; Kilosa DC-NR Officer		
	Illegal immigration of pastoral communities in villages (some enter with their cattle at night). Pastoralist are required to	Kilosa DC-DCDO; Morogoro Regional-		

	report to village leadership /VEO to get permission to stay and use land for grazing.	RAS-PI;		
	Conflicts between pastoralists and agriculturalists are over exaggerated. Some of the conflicts are personal but they are reported as pastoralist versus farmers.	Morogoro Regional-RAS-PI;		
	Transition of land from village land governed by Village Land Act No. 5 to Township governed under Land Act No. 4 is not trickled down to local level authorities. Villages are still governed by village council and their land use plans limiting the Township's ability to plan.	Ifakara TC- Town Director;		
	The district does not conduct M&E of resettlement impact. The DC cannot conduct M&E due to budget constraints.	Iringa Rural DC- District Valuer;		
	Once a village is registered, they prepare a village land use plan that is approved via the district council and the Land Use Planning Commission, then mapped by the mapping division.	MLHHSO Officer (Mapping Division)		
	National Land Use Plans in place are; The Land Use Framework; Land Tenure Support Program; Uhuru Corridor; Eastern Selous Project;	National Land Use Plan Commission (NLUPC) Officer;		
	Land speculators holding large plots of land. Some plots are left unattended.	NLUPC Officer;		
Encroachment on PAs	Increased drought that draws pastoralists in catchment and PAs	Barabeg Elders; Morogoro-Rural DC; Kilosa DC-NR Officer; Mbarali DC-Livest' Officer	Delivery of capacity-building initiatives intended to sensitize and educate PA-encroaching communities on sustainable livelihoods and to aid their entry into legitimate tourism/wildlife economies.	ESMF, PF
	People don't act according to the law and resort to informal and illegitimate access to PA territory resources	Morogoro Regional- a RAS-Infrastructure; MBOMIPA Chairman; Iringa Regional-NRO; Mbeya Regional Secretariat	Alternative livelihoods for communities classified as High Potential for being "hotspots"	
	Village leaders have allowed pastoral communities to settle near the Pas and hence increases poaching.	Kilombero DC;	Investments on increased efficiency in irrigation, in areas upstream of the Ruaha National Park, targeted towards water savings and also increased productivity	

Illegal fishing along Usangu/Ihefu plain, which is under RUNAPA	Mbeya Region-Fisheries Officer;	Farmer Field Schools upstream of the Ruaha National Park to facilitate agricultural production and reduce water usage
Socio-economic conditions of people around protected areas needs to be carefully considered	NLUPC Officer;	
Water catchment degradation triggered by unregulated agricultural expansion activities (paddy-fields) and pastoralism	RBWO-Water Officer; Kilombero DC-DGO	
Water use conflicts and increasing demands/users; competing water uses along the Great Ruaha River eg Irrigation activities, livestock, wildlife, HEP, industrial and domestic uses	RBWO-Water Officer;	
Poor infrastructure in irrigation schemes. Majority adapts traditional systems, some of which lack proper outlets for returns flows. Livestock also destruct irrigation schemes during dry season by destroying some of infrastructure.	Iringa-Rural DC-AIO; RBWO-Water Officer; Mbeya zonal irrigation Officer;	
Uncontrolled irrigation activities along the river banks	Mbarali DC-Livest' Officer;	
There must be creative programs that ensure protection of water sources for river Ruaha ie diversification of economic activities including bee-keeping	Mbeya Region- FO;	
TANESCO has a representative in water basin boards and assist in their budgets and provide their views on sustainable water use and management.	MEM Officer	
Management and protection of water resources are divided according to 9 river basins. Rufiji Basin (Mikumi, Udzungwa and Ruaha NPs) and Ruvuma and Southern Coast Basin (Selous GR)	MoWI Officer	
MoWI representatives will engage on component 3 (planning and supervising implementation)		
Construction of 'Lugoda Multipurpose-Dam' that will mediate river flows during dry season		

	<p>There are power generation projects that are privately owned/operated. Hence selling the product to TANESCO.</p> <p>Establish sustainable water use management plan for all users/actors during dry season.</p> <p>Monitor and control water use. Budget support to RUBADA in combating illegal water use (basket funding).</p> <p>Funding is a major issue for the National Irrigation Commission (NIC) – it affects improvements of irrigation schemes (e.g. linings), provision of education, and capacity building and awareness creation among farmers on sustainable water management and modern farming methods that ensures sustainable water use such as System of Rice Intensification (SIRI).</p>	<p>TANESCO Officer;</p> <p>NIC</p>		
<p>Inconsistences in Resettlements and Eviction exercises</p>	<p>There are no specific areas assigned to resettle evicted communities which will also restore their livelihoods.</p>	<p>Kilombero DC-Agricultural Officer;</p>	<p>The REGROW project, by design, is not expected to cause or influence the need for any kind of resettlement. If, however, there is a case of involuntary resettlement under REGROW, or, on a voluntary basis, in case of involuntary resettlement as a result of other activities carried out by the implementing agency inside the priority PAs or priority villages, which are directly related to Protected Area management needs of the PAs, then the Government will apply the principles highlighted in the Resettlement Policy Framework prepared independently.</p> <p>The RPF propounds the administrative set-up for potential implementation of RAPs and sound approaches/ modalities for the conduct of asset inventories and household censuses, eligibility criteria, and other context-specific considerations concerning entitlement units, compensation and cut-off dates. The framework, basing on underpinnings from stakeholder engagements, guides public consultation and grievance redress mechanisms which are to serve as a platform for community feedback in the course of the project.</p>	<p>RPF, PF</p>
	<p>Lack of efficient control mechanism to monitor the eviction exercise, hence ends-up shifting risks in different communities Eg Kilombero Ramsar site eviction/ Ihefu wetlands evictions.</p>	<p>Mbarali DC-Land Valuer;</p>		
	<p>History of unsound resettlement operations due to faulty resettlement mechanisms in place. Past exercises have demonstrated poor community participation, contentious valuation, insufficient compensation and selection of comparatively inadequate relocation areas.</p>	<p>Iringa Rural DC-District Valuer;</p>		
	<p>PAPs don't fully understand their entitlement for compensation thus complains about differences in compensation packages.</p>	<p>Kilolo DC</p>		
	<p>Pitfalls in districts' existing resettlement mechanisms; Once the valuation report is signed off by the Chief Government Valuer, the report is then signed from top-down (RC, DC then to VEO/MEO or WEO). The problem is that the valuation report proceeds to community members after the whole signatory process has been completed and finalized. The community members are not involved in approving it before the CGV approves it or signed by Village/Mtaa, District or Regional leadership.</p>			

	Geological Society of Tanzania (GST) does geological surveys countrywide to indicate the potential of minerals in different areas including, if possible, in protected areas.	MEM Officer;		
Boundary tensions between PAs and vulnerable communities	Members of the community consulted expressed that boundaries between MINAPA and Kiduhi village are constantly changing, and that MINAPA does not want to show original boundaries which were set in 1954. It was cited that the land which currently has a Campsite in MINAPA belonged to the village and was used as a Maasai camp in 1974. The community members are adamant that they do not benefit much from MINAPA since there are several restrictions – they cannot get inside the park to collect firewood, forest products or graze their cattle although it is near from their village.	Kiduhi Village, Kilosa DC	<p>The prioritization exercise for engagement with villages within the REGROW area did not classify Kiduhi as either High Potential or Medium Potential. Thus, it will not be part of REGROW alternative livelihoods component at this stage.</p> <p>However, TANAPA, independently and as part of their mandate, has traditionally been engaging with Kiduhi for joint reconnaissance of boundaries, identification of avenues for collaboration, and implementation of community projects (such as water supply), and will continue to engage with the village to resolve tensions.</p>	RPF, PF
	<p>Consulted residents of Iwalanji Village indicated that RUNAPA is encroaching their land since they moved from Tindigani, which is about 30 kms away from village headquarters, to make way for Usangu Game Reserve. Currently, there are people living and engaging in own activities (pastoralism and agriculture) within the PA. They indicated that this has created uncertainties – community members complain of periodic raids by park rangers who seize cattle within the area. The village government indicated that community members' complaints are never considered or taken into account.</p> <p>The indicated that, on occasion, park rangers fired shots into the air during confrontation with pastoralists in order to spread fear.</p>	Iwalanji Village Community, Mbarali DC	<p>For RUNAPA, REGROW will work with farmers, in inefficient irrigation schemes upstream the PA, implementing efficiency measures so that more produce can be obtained in less area, and less water is consumed in the process. Iwalanji village has not been selected as a village for engagement under REGROW.</p> <p>However, it has been proven that the Farmer Field Schools that REGROW will implement have a number of spillover effects and peer-to-peer learning. In addition, other REGROW activities in the upper catchment of the Great Ruaha River related to watershed management, will allow for better use of resources downstream and alleviation of pressures over resources.</p> <p>Independently from REGROW, TANAPA will continue their mandate to proactively engage with villages, improve dialogue and relationships, and contribute through community development projects.</p>	

9.1.1 Meeting Attendance

Preparation of the Environmental and Social Impact Assessment (ESIA) and Associated Framework for the Resilient Natural Resources Management for Growth (REGROW) Project

RPF Consultation Sheet

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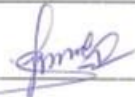
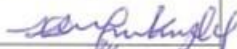



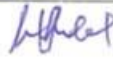
**Preparation of the Environmental and Social Impact Assessment (ESIA) and Associated Framework for the Resilient
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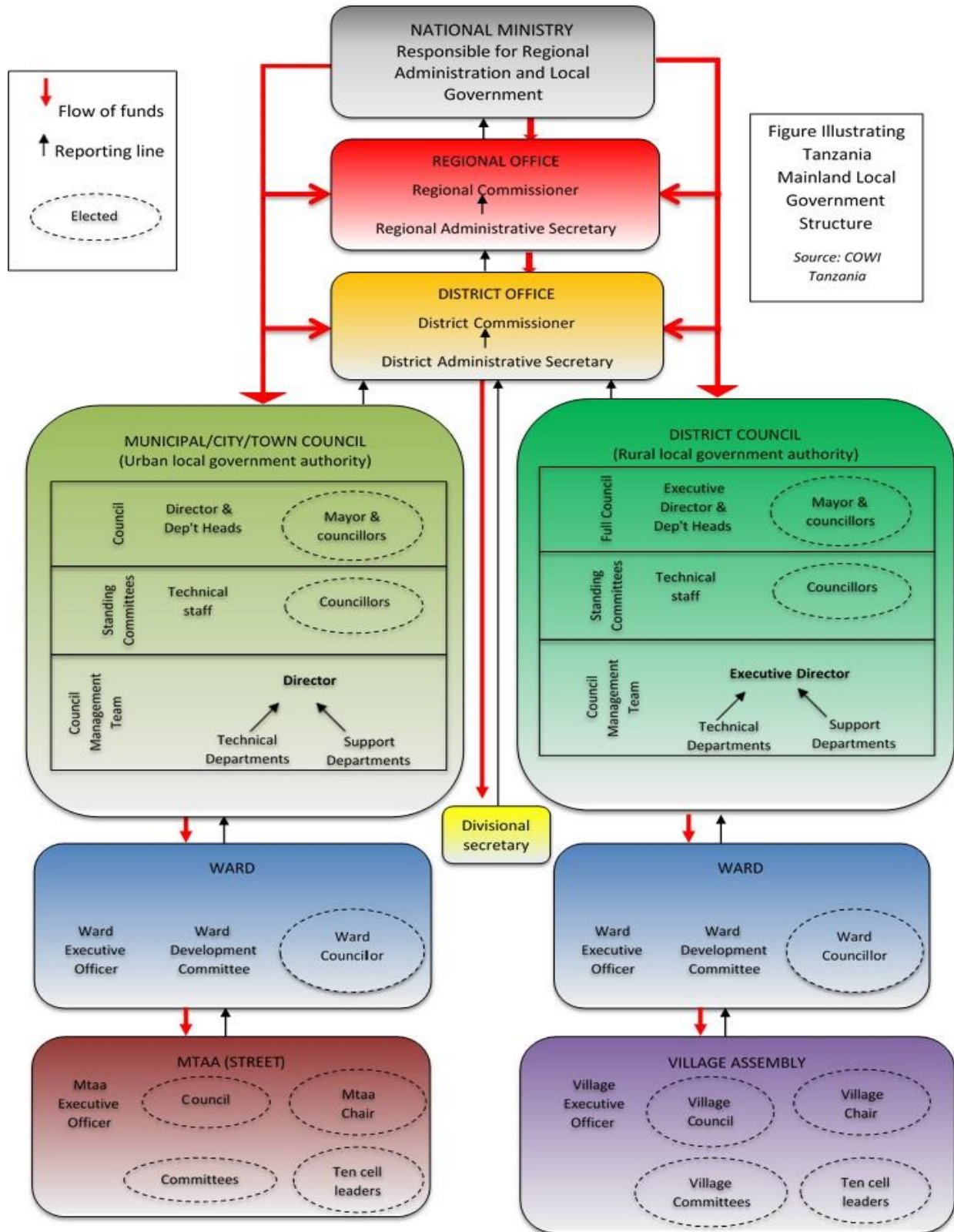
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9.2 Existing Local Government administrative structure and responsibilities

Figure 9-1 below depicts all local government institutions, their key positions, their responsibilities, and reporting and funding flows.

Figure 9-1 Local Government Administrative Structure



Both the municipal and the district have a number of departments involved with the day-to-day running of activities. The departments can be divided into support and technical departments. While these may differ slightly between different municipals and districts, they typically consist of the following:

Support departments	Technical departments
Human Resources	Community development
IT	Planning
Finance	Health and Social Welfare
Procurement	Agriculture, Irrigation and Cooperatives
Legal	Livestock and Fisheries
	Education (sometimes divided into primary and secondary)
	Culture
	Land and Natural resources
	Water
	Engineering and Works

These departments need to be informed about on-going activities relating to their domain, and they can be involved where deemed appropriate and useful. At the district level, moreover, Standing Committees are established under the district council to enable efficient management of development issues. The standing committees typically consist of elected councillors and relevant District Heads of Departments. The following committees exist under the district council:

- Finance, Administration and Planning
- Education, Health and Water
- Economic Affairs, Works and Environment

Other standing committees (a maximum of three) may be formed subject to specific needs of a district.

Table 9-1 summarizes the key local government institutions, the main positions, if these are elected or appointed (administratively or politically), and their main responsibilities.

Table 9-1 Tanzania mainland local government structure summary

Level	Office/Title/ Position	Elected / Political Appointed / Administrative appointed	Function/Responsibilities
Regional	Regional Commissioner	Politically appointed by President	Principal representative of govt. in region Oversees coordination of all development and admin services
	Regional Administrative Secretary	Politically appointed by President	Regional head of civil service
District	District Commissioner	Politically appointed by President	Govt. Representative at district level Ensuring maintenance of law and order in district
	District Administrative Secretary	Politically appointed by President	District head of civil service
Local Government Authority	Mayor/ District Council Chairman	Elected by fellow councillors in council	Conduct the full council meetings
	District Executive Director/Municipal Director	Administratively. appointed by President	Secretary to District/Municipal Council

			Responsible for budgetary affairs and implementation of plans in district
	Members of parliament	Elected by residents in relevant constituency	Address concerns and disputes by citizens in constituencies Represent their party at the constituency level and the constituency in parliament
	Standing Committees	Consist of elected councillors and employed Heads of Departments	Efficient functioning of District Council
	Technical Departments	Employed civil servants	The running of the day-to-day activities and implementing district work plans
	Support Departments	Employed civil servants	Support the District (and Municipal) Council and the technical departments
Division	Divisional Secretary	Politically appointed by Minister for Local Govt.	Ensuring maintenance of law and order in division
Ward	Ward Executive Officer	Administratively appointed by Municipal or District Executive Director	Secretary of the Ward Development Committee
	Ward Development Committee	Consists of elected chairmen and councillor (and MP if residing in Ward) as well as the WEO	Ensuring implementation of decisions & policies of District/Municipal Council and of development plans pertaining to ward
	Ward Councillor	Elected in Ward	Addressing citizens' concerns and bring these forwards to the District or Municipal councils Represent their party at the ward level
Mtaa	Mtaa Executive Officer	Administratively appointed by Municipal Director	Secretary to Mtaa Council
	Mtaa Chair	Elected by residents of the Mtaa (the municipal equivalent to a village)	Representative of the people, chairs the Mtaa Council and oversees all Mtaa committees
	Mtaa Council	Elected by the Mtaa Assembly	The main governing body of the Mtaa
	Mtaa Committees	Elected by Mtaa Council	Responsible for various specific issues related to Mtaa development
	Mtaa Assembly	All mtaa residents above 18 years	The supreme authority of the mtaa
Village	Village Executive Officer	Administratively. appointed by District Executive Director	Secretary to Village Council
	Village Chair	Elected by village residents	Representative of the people, chairs the Village Council and oversees all village committees
	Village Council	Elected by the Village Assembly	The main governing body of the Village
	Village Committees	Elected by Village Council	Responsible for various specific issues related to village development
	Village Assembly	All village residents above 18 years	The supreme authority of the village

9.3 Annotated Outline for Preparing a Resettlement Action Plan (RAP)

This template is extracted from OP 4.12 Annex A. Its full description can be found in the World Bank external website [[WB OP4.12 Annex A](#)].

The scope and level of detail of the RAP will vary depending on the magnitude and complexity of resettlement or displacement. The RAP is prepared based on the most recent and accurate information on the: (i) proposed resettlement and its impacts on displaced persons and other adversely affected groups; and (ii) legal issues affecting resettlement. The RAP covers elements that are specific to the project context.

A broad outline of the RAP, as applied to sub-projects covered under a RPF includes, but is not limited to, the following:

Description of the sub-project: General description of the sub-project and identification of sub-project area or areas.

Potential Impacts: Identification of the: (i) the sub-project components or activities that require resettlement or restriction of access; (ii) zone of impact of components or activities; (iii) alternatives considered to avoid or minimize resettlement or restricted access; and (iv) mechanisms established to minimize resettlement, displacement, and restricted access, to the extent possible, during project implementation.

Objectives: The main objectives of the resettlement program as these apply to the sub-projects.

Socio-economic studies: The findings of socio-economic studies to be conducted in the early stages of project preparation, and with the involvement of potentially affected people will be needed. These generally include the results of a census of the affected populations covering:

- (i) Current occupants of the affected area as a basis for design of the RAP and to clearly set a cut-off date, the purpose of which is to exclude subsequent inflows of people from eligibility for compensation and resettlement assistance;
- (ii) Standard characteristics of displaced households, including a description of production systems, labour, and household organization; and baseline information on livelihoods (including, as relevant, production levels and income derived from both formal and informal economic activities) and standards of living (including health status) of the displaced population;
- (iii) Magnitude of the expected loss, total or partial, of assets, and the extent of displacement, physical or economic;
- (iv) Information on vulnerable groups or persons, for whom special provisions may have to be made; and
- (v) Provisions to update information on the displaced people's livelihoods and standards of living at regular intervals so that the latest information is available at the time of their displacement, and to measure impacts (or changes) in their livelihood and living conditions.

There may be other studies that the RAP can draw upon, such as those describing the following:

- (i) Land tenure, property, and transfer systems, including an inventory of common property natural resources from which people derive their livelihoods and sustenance, non-title-based usufruct systems (including fishing, grazing, or use of forest areas) governed by local

- recognized land allocation mechanisms, and any issues raised by different tenure systems in the sub project area;
- (ii) Patterns of social interaction in the affected communities, including social support systems, and how they will be affected by the sub-project;
 - (iii) Public infrastructure and social services that will be affected; and
 - (iv) Social and cultural characteristics of displaced communities, and their host communities, including a description of formal and informal institutions. These may cover, for example, community organizations; cultural, social or ritual groups; and non-governmental organizations (NGOs) that may be relevant to the consultation strategy and to designing and implementing the resettlement activities.

Legal Framework: The analysis of the legal and institutional framework should cover the following:

- (i) Scope of existing land and property laws governing resources, including state-owned lands under eminent domain and the nature of compensation associated with valuation methodologies; land market; mode and timing of payments, etc;
- (ii) Applicable legal and administrative procedures, including a description of the grievance procedures and remedies available to PAPs in the judicial process and the execution of these procedures, including any available alternative dispute resolution mechanisms that may be relevant to implementation of the RAP for the sub-project;
- (iii) Relevant laws (including customary and traditional law) governing land tenure, valuation of assets and losses, compensation, and natural resource usage rights, customary personal law; communal laws, etc related to displacement and resettlement, and environmental laws and social welfare legislation;
- (iv) Laws and regulations relating to the agencies responsible for implementing resettlement activities in the sub-projects;
- (v) Gaps, if any, between local laws covering resettlement and the Bank's resettlement policy, and the mechanisms for addressing such gaps; and
- (vi) Legal steps necessary to ensure the effective implementation of RAP activities in the sub-projects, including, as appropriate, a process for recognizing claims to legal rights to land, including claims that derive from customary and traditional usage, etc and which are specific to the sub-projects.

The institutional framework governing RAP implementation generally covers:

- (i) Agencies and offices responsible for resettlement activities and civil society groups like NGOs that may have a role in RAP implementation;
- (ii) Institutional capacities of these agencies, offices, and civil society groups in carrying out RAP implementation, monitoring, and evaluation; and
- (iii) Activities for enhancing the institutional capacities of agencies, offices, and civil society groups, especially in the consultation and monitoring processes.

Eligibility: Definition of displaced persons or PAPs and criteria for determining their eligibility for compensation and other resettlement assistance, including relevant cut-off dates.

Valuation of and compensation for losses: The methodology to be used for valuing losses, or damages, for the purpose of determining their replacement costs; and a description of the proposed types and levels of compensation consistent with national and local laws and measures, as necessary, to ensure that these are based on acceptable values (e.g. market rates).

Resettlement Measures: A description of the compensation and other resettlement measures that will assist each category of eligible PAPs to achieve the objectives of OP 4.12. Aside from compensation, these measures should include programs for livelihood restoration, grievance mechanisms, consultations, and disclosure of information.

Site selection, site preparation, and relocation: Alternative relocation sites should be described and cover the following:

- (i) Institutional and technical arrangements for identifying and preparing relocation sites, whether rural or urban, for which a combination of productive potential, location advantages, and other factors is at least comparable to the advantages of the old sites, with an estimate of the time needed to acquire and transfer land and ancillary resources;
- (ii) Any measures necessary to prevent land speculation or influx of eligible persons at the selected sites;
- (iii) Procedures for physical relocation under the project, including timetables for site preparation and transfer; and
- (iv) Legal arrangements for recognizing (or regularizing) tenure and transferring titles to those being resettled.

Housing, infrastructure, and social services: Plans to provide (or to finance provision of) housing, infrastructure (e.g. water supply, feeder roads), and social services to host populations; and any other necessary site development, engineering, and architectural designs for these facilities should be described.

Environmental protection and management: A description of the boundaries of the relocation area is needed. This description includes an assessment of the environmental impacts of the proposed resettlement and measures to mitigate and manage these impacts (coordinated as appropriate with the environmental assessment of the main investment requiring the resettlement).

Community Participation: Consistent with the World Bank's policy on consultation and disclosure, a strategy for consultation with, and participation of, PAPs and host communities, should include:

- (i) Description of the strategy for consultation with and participation of PAPs and hosts in the design and implementation of resettlement activities;
- (ii) Summary of the consultations and how Papas' views were taken into account in preparing the resettlement plan; and
- (iii) Review of resettlement alternatives presented and the choices made by PAPs regarding options available to them, including choices related to forms of compensation and resettlement assistance, to relocating as individual families or as parts of pre-existing communities or kinship groups, to sustaining existing patterns of group organization, and to retaining access to cultural property (e.g. places of worship, pilgrimage centers, cemeteries); and
- (iv) Arrangements on how PAPs can communicate their concerns to project authorities throughout planning and implementation, and measures to ensure that vulnerable groups (including indigenous peoples, ethnic minorities, landless, children and youth, and women) are adequately represented.

The consultations should cover measures to mitigate the impact of resettlement on any host communities, including:

- (i) Consultations with host communities and local governments;

- (ii) Arrangements for prompt tendering of any payment due the hosts for land or other assets provided to PAPs;
- (iii) Conflict resolution involving PAPs and host communities; and
- (iv) Additional services (e.g. education, water, health, and production services) in host communities to make them at least comparable to services available to PAPs.

Grievance procedures: The RAP should provide mechanisms for ensuring that an affordable and accessible procedure is in place for third-party settlement of disputes arising from resettlement. These mechanisms should take into account the availability of judicial and legal services, as well as community and traditional dispute settlement mechanisms.

RAP implementation responsibilities: The RAP should be clear about the implementation responsibilities of various agencies, offices, and local representatives. These responsibilities should cover (i) delivery of RAP compensation and rehabilitation measures and provision of services; (ii) appropriate coordination between agencies and jurisdictions involved in RAP implementation; and (iii) measures (including technical assistance) needed to strengthen the implementing agencies' capacities of responsibility for managing facilities and services provided under the project and for transferring to PAPs some responsibilities related to RAP components (e.g. community-based livelihood restoration; participatory monitoring; etc).

Implementation Schedule: An implementation schedule covering all RAP activities from preparation, implementation, and monitoring and evaluation should be included. These should identify the target dates for delivery of benefits to the resettled population and the hosts, as well as clearly defining a closing date. The schedule should indicate how the RAP activities are linked to the implementation of the overall project.

Costs and budget: The RAP for the specific sub-projects should provide detailed (itemized) cost estimates for all RAP activities, including allowances for inflation, population growth, and other contingencies; timetable for expenditures; sources of funds; and arrangements for timely flow of funds. These should include other fiduciary arrangements consistent with the rest of the project governing financial management and procurement.

Monitoring and evaluation: Arrangements for monitoring of RAP activities by the implementing agency, and the independent monitoring of these activities, should be included in the RAP section on monitoring and evaluation. The final evaluation should be done by an independent monitor or agency to measure RAP outcomes and impacts on PAPs' livelihood and living conditions. The World Bank has examples of performance monitoring indicators to measure inputs, outputs, and outcomes for RAP activities; involvement of PAPs in the monitoring process; evaluation of the impact of RAP activities over a reasonable period after resettlement and compensation, and using the results of RAP impact monitoring to guide subsequent implementation.

9.4 Monitoring Indicators

S/N	Component	Socio-Economic Impact	Indicators		Means of Monitoring	Frequency / Timing	Responsible Team
			Quantitative Indicator	Qualitative Indicator			
1	Compensation	Timely and adequate compensation of the affected properties	All the affected people are compensated adequately	Less grievances/ complaints	Check the list of affected people and verify that all PAPs are compensated	The first 6 months of compensation	Compensation team
2	Grievances	Effectiveness of the grievance mechanisms	<ul style="list-style-type: none"> - Less grievances reported to the project office - Reported grievances resolved - Less court cases reported 	Satisfaction of the PAPs	Project reports on reported and solved grievances	Every three month during the entire project	Project management and Project working group
3	Stakeholders participation	Consultation and participation with stakeholders, especially vulnerable PAPs	<ul style="list-style-type: none"> - Number of meetings carried out in the project area - Participants according to gender 		Check the project records on the meeting minutes	Every month	Project Management
4	Assistance to vulnerable groups	Specific opportunities for vulnerable groups	<ul style="list-style-type: none"> - Of the identified vulnerable groups in the project area, percentage of those who received any form of assistance - Number of complaints from the affected vulnerable groups 		Survey on complaints	Every month during RAP implementation	Project Management
5	Impoverishment of the PAPs	Loss of income sources or productive assets (whether or not the affected person move to another location).	<ul style="list-style-type: none"> - Decreased/ Increased levels of poverty in the area - Number of income sources/productive assets moved or affected - Number of people who lost productive assets and managed to establish and/or replace new ones - New economic ventures establish in the villages 		Village development report which is compiled annually as part of their mandate	Yearly	<ul style="list-style-type: none"> - District Office - Village government

S/N	Component	Socio-Economic Impact	Indicators		Means of Monitoring	Frequency / Timing	Responsible Team
			Quantitative Indicator	Qualitative Indicator			
6	Available community groups and networks	Loss of support networks	Number of community groups available	Loss of social networks	Village development report which is compiled annually as part of their mandate	Yearly	- Consultant - Village development report
7	Land resource	Change of land use and/or loss of access to land within the project area	- Amount of land use - Amount of land available - Escalating land rent and price	- Escalating prices of land - Change of land use	Village development report which is compiled annually as part of their mandate	Yearly	- District Office - Consultant - Village government
8	Property and livelihood	Loss of properties: - Loss of shelter - Loss of assets or access to assets - Loss of income	- Number of alternative employment opportunities created and the number of affected people employed in formal/ formal sector. - Percentage of lost assets replaced - Percentage of lost structures/buildings replaced - Escalating rents of houses, shop and other business premises	- Improved people's livelihood - Living standards of PAPs	Village development report which is compiled annually as part of their mandate	Yearly	- District Office - Local government
9	Food	Food security	- Agricultural productivity - Food shortage in the community - Reported number of months with shortage of food.	Food intake (number of meals taken per day per household)	Household survey	Half yearly	- Community Development Officers - Resettlement Field Officers
10	Housing	Types of housing	- Percentage of houses replaced - Quality of houses replaced based on Tanzania National Standards	Housing situation improved or the same	- Household survey - Village government development report	Half yearly & Yearly	- Community Development Officers - Resettlement Field Officers - Village government