

**THE FEDERAL DEMOCRATIC REPUBLIC OF ETHIOPIA****ETHIOPIAN ROADS AUTHORITY****Consultancy Services for Review and updating of RAP for****LOT 3: Zeway–ArsiNegeleDesign and Build Road Project****DESIGN AND BUILD DIRECTORATE****Ethiopia. Lot 3 Zeway – Arsi Negele Road Project****January 16, 2015**

## Updated Resettlement Action Plan

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## List of Associated Reports

Item No.	Description of Report	Source	YEAR
1	RAP	Techniplan	2012

**Acronyms and Abbreviations**

AfDB	African Development Bank
ARCCH	Authority for Research and Conservation of Cultural Heritages
HIV/AIDS	Human Immune Virus / Acquired Immune Deficiency Syndrome
ASLNP	Abjata Shalla Lakes National Park
BoA	Bureau of Agriculture
BoH	Bureau of Health
COMESA	Common Market for Eastern and Southern Africa
CSA	Central Statistical Agency
CSF	Children Supplementary Food
DS	Design Standard
EIA	Environmental Impact Assessment
EPA	Environmental Protection Authority
EEP	Ethiopian Electric Power
EPU	Ethiopian Power Utility
EMU	Environmental Management Unit
EMP	Environmental Management Plan
ERA	Ethiopian Road Authority
ESIA	Environmental & Social Impact Assessment
ESDP	Education Sector Development Plan
ESMP	Environmental & Social Management Plan
ESMT	Environmental & Social Management Team
ETB	Ethiopian Birr
ETP	Education and Training Policy
EWCA	Ethiopian Wildlife Conservation Authority
FDRE	Federal Democratic Republic of Ethiopia
GCRC	Gross Current Replacement Cost
GEF	Global Environmental Facilities
GTP	Growth and Transformation Plan
ha	hectare
HSDP	Health Sector Development Plan
IBD	Institute of Biodiversity
IEC	Information Education and Communication
KG	Kindergarten
Km	Kilo meter
m	meter
M&E	Monitoring & Evaluation
MoA	Ministry of Agriculture
MoFED	Ministry of Finance & Economic Development
MoT	Ministry Of Transport
MoWE	Ministry of Water & Energy
NGO	Non-Governmental Organization

OBoLEP	Oromia Bureau of Land & Environmental Protection
ONRS	Oromia National Regional State
OP	Operational Policy
PAP	Project Affected Person
PIA	Project Influence Area
PLC	Private Limited Company
qt	Quintal
RAP	Resettlement Action Plan
RPF	Resettlement Policy Framework
RSDP	Road Sector Development Plan
RoW	Right of Way
RVLB	Rift Valley Lakes Basin
SIA	Social Impact Assessment
SM	Social Management
SMP	Social Management Plan
SNNPRS	Southern Nations Nationalities and Peoples Regional State
SHDW	Shallow Hand Dug Well
STD	Sexually Transmitted Diseases
WAD	Women Affairs Directorate
WB	World Bank

## 1 EXECUTIVE SUMMARY

### A. General

This Resettlement Action Plan (RAP) is prepared to avoid and minimize the impoverishment of Project Affected Persons (PAP) and ensure that they receive appropriate compensation and rehabilitation measures. The RAP presents the number of Project Affected Persons, size of affected properties and the income restoration measures to be made for the PAPs, and establishes methodologies for compensation estimate and payment.

The construction of the project road will improve the livelihood of the local populations and will contribute to the growth and development of trade and urban centers, improvement of crop and livestock production and its marketing network. The natural resource and human resource potentials are also highly important in contributing to the development of the project area.

In terms of impact, the project road is expected to have both positive and negative impacts in the direct Project Influence Area (PIA), as well in the indirect influence area. The potential social impacts will be quicker felt in the direct influence area. The adverse (or negative) social impacts are very minimal and could not make significant impacts that will impede the life of the local population.

This RAP is a review of a previous RAP prepared in 2012 by TechniPlan, which is the design consultant. This review service has been undertaken by Ethio-Infra Engineering plc and the existing RAP document for Lot 3 Zeway-Arsi Negele have been examined and thoroughly reviewed in line with the revised concept design. The review process included updating data and information collected in the preparation of the RAP for its consistency and appropriateness; and also amended or supplemented new data and information where necessary through review of relevant documents, collection of up-to-date data from wereda administration offices and intensive field surveys of the PAPs. In addition, public and stakeholders' consultations were conducted to incorporate the views and opinions of PAPs and Wereda administration and its sector offices.

The review process also included checking the previous RAP for its completeness and conformity with the policies, procedures and guidelines of the Federal Democratic Republic of Ethiopia (FDRE) and that of World Bank. .

This RAP builds on ERA's Resettlement/Rehabilitation Policy Framework and World Bank's policy on involuntary resettlement (OP/BP 4.12). The WB policy on involuntary resettlement addresses the need for the treatment of project impacts, which cannot be avoided. The policy objectives are either to avoid or minimize involuntary resettlement; if carried out to execute as sustainable development programme and to provide assistance to displaced persons so that they could be able to restore or improve their livelihood. The policy also sets eligibility criteria, resettlement instruments and monitoring, and other provisions.

The preparation and content of this RAP is within Ethiopia's existing legal and administrative framework and World Bank's policy on involuntary resettlement (OP4.12). In case of conflicts or gaps between the Federal Democratic Republic of Ethiopia (FDRE) law and that of the WB Policy, the Bank policy will prevail as the final and this RAP will be an international credit agreement between the Government of Ethiopia and WB.

### B. Description of the project

The Modjo-Hawassa; Lot 3: Zeway - Arsi Negele road project is designed to a 4 lane dual carriageway highway with area separated median 9.0 meter width (sweal ditch) and will have controlled access with grade-separated intersections to establish link with the existing roads and upgrading of the link roads is part of the project to facilitate easy flow of traffic and enhance the connection with the major urban centres. Lot 3 has a total length of 57.1 km. The route starts west side of Zeway town at km 92.896 and ends at km 150 before Arsi Negele town.

This section of the Modjo- Hawassa project road is located on flat and rolling terrain through which the road alignment traverses through an elevation between 1590 meters and 1790 meters respectively with a topographic difference on average of 200 meters. The terrain is mostly flat lying to rolling with hilly section at the end of the project.

The project route corridor predominantly contains volcanic rock such as tuff, pyroclastics, pumice ash and associated sedimentary deposits of lacustrine and alluvial sediments.

The project road will intercept three link roads that connect with the nearest towns. The intercepted link roads will be improved by the project in order to offer the users a similar level of service as before.

### **C. Objective**

The objective of this Resettlement Action Plan (RAP) is to minimize the risks from the Modjo-Hawassa; Lot 3: Zeway - Arsi Negele project road by avoiding displacement of people. The RAP designs compensation procedures and relocation, establishes compensation measures for losses incurred and it also establishes income restoration measures and resettlement assistance.

Right of Way assessment was undertaken for 90 meter band width of the road alignment with the objective of quantifying and valuing the impacts on the local people and their properties with a view to propose measures that compensate for any impacts as a result of the project. The project road traverses two administrative weredas namely, Adami Tulu and Arsi Negele weredas.

### **D. Approach and Methodology**

The approach and methodology followed in the preparation of this RAP include the following:

- Review of national environmental policies, strategies, legislations and guidelines,
- Review of data and information from secondary sources,
- Detailed field investigations along the entire section of the proposed road alignment,
- Baseline data collection of project affected persons and identification of affected properties and assets,
- Conducting consultations with project affected persons, local population and with key stakeholders in the project area.

### **E. Public and Stakeholders' Consultation and Community Participation**

Public and stakeholders' consultation is carried out in a number of locations crossed by the project road with the objective of incorporating the views of the local community, PAPs and Government officials and experts; and also that of Non Government Organizations (NGO) working in the project area. The consultations were conducted in the two weredas and four kebeles crossed by Lot-3 project road. The PAPs and the public participated in the consultations reported that they are highly supportive of the construction of the new highway and think as a good opportunity that will have a considerable impact for the development of the project influence area in the future.

During the public consultation the participants have reached a consensus and agreed to cooperate and to take actions that will contribute to the speedy implementation of the project road construction works and implementation of this RAP. Similarly, wereda authorities have also agreed and committed to facilitate the implementation of the RAP and provide all necessary support needed to the construction of the road. ERA also agreed to mitigate any adverse social and economic impacts from land acquisition by providing adequate and timely compensation for loss of assets at replacement cost and will restore livelihood for PAPs affected by the project as well as improve conditions for the vulnerable persons impacted by the project.

As part of the review, public consultations were undertaken four times between the months of March 2014 - November 2014. The objective of conducting repeated consultation was to clarify different issues raised by the public and also to incorporate the voice of as many people as possible. The details of the consultations with PAPs, community, different stakeholders and government officials are discussed under chapter 8.

### **F. Policy and Legal Framework**

The section on policy and legal framework discusses those policies and legal issues that are pertinent in the preparation and implementation of RAP. Since loss of land is one of the major impacts observed in the construction of the new highway Lot3 Zeway - Arsi Negele, FDRE policy on land ownership and expropriation and compensation is discussed in detail. As per the constitution of the Federal Democratic Republic of Ethiopia, land is a public property and that no individual person has the legal right to ownership. Since there is no private ownership of land in Ethiopia, and hence,



rural or urban land could not be sold or mortgaged or transferred; citizens have only usufruct right only over land. A usufruct right gives the user of the land the right to use and the right to benefit from the fruits of her/his labour which may be crops, trees, etc. found on the land or any permanent works such as buildings etc.

In the expropriation of land for public use, the Federal Democratic Republic of Ethiopia (FDRE) has issued two proclamations. The first one being Proclamation No. 455/2005, which deals with the expropriation of land holdings for public purposes and payment of compensation and second one is the Council of Ministers Regulation No.135/2007, which details the basis regarding payment of compensation for property situated on land holdings expropriated for public purposes.

## **G. Institution and Administrative Framework**

The preparation of RAP for road projects and its implementation, the Ethiopian Roads Authority (ERA) is responsible and has the legal mandate. In ERA, the Environmental & Social Management Team (ESMT) is directly responsible for the review, monitoring and implementation of this Resettlement Action Plan. ESMT is also in charge for the identification of adverse environmental and social impacts and its mitigation measures.

The Right of Way (ROW) management team of the Regional Directorate is accountable for the implementation of the expropriation/compensation operations, registration of PAPs, establishment of compensation committees, assessment and establishment of compensation rates and payment of compensation.

The content of this RAP is within Ethiopia's existing legal and administrative framework and that of the World Bank's (WB) policy on involuntary resettlement (OP4.12). In case of conflicts or gaps between the Federal Democratic Republic of Ethiopia (FDRE) law and Bank Policy, Bank policy will prevail as the final and this RAP will be an international credit agreement between the Government of Ethiopia and WB.

The weredas crossed by the project road have the responsibility in the RAP implementation and play a critical role in establishing Resettlement committees, property valuation and in grievance redress. Currently, the above committees were established during the preparation of this RAP and ERA will activate these committee in collaboration with the wereda administration during the implementation of the RAP. The RAP committees will comprise of representatives from sector offices, representatives from project affected persons (PAPs) and the ERA right-of-way agent. The management and coordination of relocation and payment of compensation for PAPs will be the major responsibility of the RAP Committees. Funds for payment of the compensation will be made available by the ERA through the Regional Directorate RoW management team. The RAP Committees will prepare monthly and quarterly progress reports which will be delivered to the Resident Engineer office, ERA's Regional Directorate RoW management team and the wereda administration office.

## **H. Grievance Redress Mechanism**

In case dispute arises between the RAP Committees and PAPs the preferred option to settle the dispute will be through amicable means using traditional and cultural methods as well. This will save time and resources as opposed to taking the matter to court. To ensure that the PAP have avenues for redressing grievances related to land acquisition and resettlement, procedures for the redress of grievances has been established for the project. The objective of establishing the grievance redress committees is to respond to the complaints of the PAP promptly and in a transparent manner. The mechanism is designed to be easily accessible, transparent and fair; and that grievances and appeals are to be addressed through arbitral procedures.

Arbitral tribunals will be formed in Adami Tulu and Arsi Negele Weredas and will settle disputes arising in the respective kebeles. The arbitral tribunals will be established from the outset instead of leaving the appointment of the arbitrators to the disputants. This is the preferable option since it might take a lot of time to appoint arbitrators if left to the disputing parties. If any of the parties disagree, the aggrieved party has the right to appeal to the ordinary courts.

## **I. Summarized Project Impacts**

The potential positive and negative social impacts created by the construction of the project road are identified through field surveys, consultation meetings and discussions held with Project Affected Persons (PAPs), Government officials and experts.

A socio economic study is carried out to identify potential impacts, identification of affected households and properties located along the route has been carried out; and also measurement of affected properties and assets was conducted.

In the Lot-3 project road corridor, there will be 651 household heads to be dispossessed from their farmland and house. Most of the affected households (79.88%) are farmers that will lose strip of their land and despite of that these farmers could continue to farm their land since what they lost is not much. This is to say that what is left could be sufficient and will allow them to continue their livelihood in the remaining plot of land; however they will be compensated for losing their crops, trees, and some other crops as per the law and the replacement cost. To compensate PAPs who have lost strip of their farmland and for the forgone benefits from farmland cash compensation is the preferred option. For those PAPs who may have lost their businesses and income sources, establishing livelihood restoration measure is required. Table below shows the list of PAPs partially and fully displaced.

Road Section	Total PAPs		People to be Displaced		Partially Affected <sup>1</sup> People	
	Number of House Hold	PAPs	Number of House Hold	PAPs	Number of House Hold	PAPs
Zeway- Arsi Negele (Lot 3)	651	4,103	33	200	618	3,903
Total	651	4,103	33	200	618	3903

Among the identified PAPs the majority (90%) are male headed households while 10% are women headed households. The total family size of project affected persons are 4103 out of which the majority 2257 (55%) are male and the remaining 1846 (45%) are female. The name for each household head and list of affected properties , and those who may lose their businesses and income sources requiring establishing livelihood restoration measure are provided in Appendix 1 and 6 respectively.

The socio-economic survey has also identified 173 vulnerable PAPs. Vulnerable PAPs constitute of elderly men, women heads of households without labor, severely ill person, HIV/AIDs positive persons, Child headed families, the disabled, landless, etc. The names of project affected vulnerable households heads are given in Appendix 5. This project will improve their living condition through provision of access to services and facilities and livelihood restoration measures.

## J. Budget Requirement for RAP

The cost estimate and budget required for the implementation of this RAP are summarized herein below. The total estimated cost including 10% contingency will be 116,517,504.40

The cost and budget estimate is prepared on the basis of the requirement as compensation payment for PAPs, for rehabilitation measures for PAPs and also the budget required for Administrative costs in the implementation of this RAP.

<sup>1</sup> Partially affected people include those losing strip of farm land, but able to continue living with the remaining land holding after being compensated for loss of crops, trees, forgone benefit, etc.

Table 1-1: Summary of Total Budget Requirement

<b>A. Compensation Costs</b>	<b>Estimated Cost</b>
Compensation cost for House	4,376,244.00
Compensation cost for Fence	903,000.00
Compensation cost for Crop	86,834,000.00
Compensation cost for Trees	6,318,760.00
Compensation cost for Public utility	29,000.00
Sub Total	98,461,004.00
<b>B. Rehabilitation Measures</b>	
Vulnerable Households Assistance	365,000.00
Livelihood & income Restoration	1,060,000.00
Removal of grave yards & Reburial process	500,000.00
Relocation and Rehabilitation Assistance	655,000.00
Legal & Administrative costs	500,000.00
Sub Total	3,080,000.00
<b>C. Project Management &amp; Other costs</b>	
HIV/AIDS support Activities	2,000,000.00
Cost for property Valuation committee	384,000.00
Cost for Resettlement (compensation) committee	500,000.00
Monitoring & Evaluation Cost	1,500,000.00
Sub Total	4,384,000.00
Total (A+B+C)	105,925,004.00
Contingency 10%	10,592,500.40
<b>Grand Total</b>	<b>116,517,504.40</b>

#### K. Monitoring and Evaluation of the RAP process

Internal and External monitoring and evaluation process has been designed as an integral part of the RAP with the objective of ensuring the RAP implementation complies with the recommendations set out in the RAP. Internal monitoring activities will be handled by the Environment and Social Management Team (ESMT) of the Employer's Representative (Engineer) office. ERA's Regional directorate ROW management team will monitor and supervise the RAP implementation on daily basis and report the progress in the monthly and quarterly progress reports that will be submitted to ERA.

External Monitoring will also be conducted by an independent consultant who will be hired by ERA. The independent consultant will monitor and evaluate the RAP in consultation with the Employer's Representative (Engineer) and if necessary with Wereda and kebele administration offices, and with the PAP by adopting the process and output indicators.

All Monitoring and Evaluation Reports including Monthly and Quarterly Implementation Status Reports will be submitted to the World Bank on regular basis.

Figure 1-1: Project Location Map



## **2 INTRODUCTION**

### **2.1 Background**

The primary objective of the RAP is to restore the income and living standards of the affected persons within a short period of time after resettlement and with as little disruption as possible. Particular attention will be given to the needs of the poorest and most vulnerable groups.

On the basis of the socio economic survey, the construction of the new 4 lane dual carriageway road will have impacts mainly in the rural sections due to the new alignment predominantly traverses rural section of the Right of Way and will force some farmers to lose strip of their farm land for the construction works. The loss of strip of farmlands by farm households will not force them to be permanently dispossessed from their farmland. The loss of strip of land by farm households will not also require for resettlement outside of their present location because the impact will be minimal for each household, since the loss is partial. Hence, there will not be physical displacement or households who will be require to resettle outside of their current location. However, some PAPs will have to move back in their present location, compensated and assisted in rebuilding their houses. In addition, the project will affect income and livelihood activities and have prepared this RAP to improve or at least restore the income or livelihood of the affected households that will lose strip of their land, who could in some cases continue their livelihood in the remaining plot of land; however they need to be compensated as per the law for losing their farmlands, crops, timber trees, perennial crops, cash crops and affected farm structures; and also be provided with appropriate livelihood and income restoration for loss of businesses and incomes.

In addition to loss of farmland and residential houses, there will also be loss of public utilities, such as, telephone lines and poles, electricity lines and poles located along the project road corridor. All the affected houses are located in the rural sections of the project road and organized in small cluster villages.

The preparation of this RAP will be based on the Federal Democratic Republic Ethiopia laws, policies and procedures pertaining to involuntary resettlement; and also that of World Bank policies on involuntary resettlement.

In the long term, the construction of Lot-3 Zeway Arsi Negle road is hoped to contribute for the improvement of the livelihood of the local populations and development of the project area. Generally, with the construction of the project road, it expected that there will be improvement in agricultural activities, particularly in the area of crop and livestock production and in its marketing network. Similarly, there could be high potential for growth and development in trade and businesses activities; and also growth and improved linkages between urban and rural areas.

### **2.2 Project location and description**

The Modjo-Hawassa road project is part of the Trans-African Highway n°4, the Cairo-Gaborone-Cape Town highway, the longest amongst the Trans-African highways, covering more than 10,000km and linking Addis Ababa with Kenya and the port of Mombasa within its central part. The Kenyan section, from Moyale to Isilo and Nairobi, is under rehabilitation and thus the new 4 lane dual carriageway highway of the Ethiopian part will enhance fast and free flow of traffic to Mombasa. The Modjo– Hawassa road project is a continuation of Government efforts to improve the standard of Trans-East African Highway as a member of Common Market for Eastern and Southern Africa (COMESA) countries and its import-export corridors to minimize the cost of its transit traffic.

Lot-3 Zeway-Arsi Negele section of the Modjo – Hawassa project is entirely located in the Oromia Regional State in the south central part of the Country. The project is designed to a 4 lane dual carriageway highway with area separated median 9.0 meter width (sweal ditch) and will have controlled access with grade-separated intersections to establish link with the existing roads and upgrading of the link roads is part of the project to facilitate easy flow of traffic and enhance the connection with the major urban centres. Lot-3 Zeway-Arsi Negele section has a total length of 57.1 km. The route starts west side of Zeway town at km 92.896 and ends at km 150 before Arsi Negele town.

The Modjo-Hawassa road will be financed by the Government of Ethiopia and four external financiers, the African Development Bank (AfDB), China EXIM Bank, the Korea EXIM Bank and the World Bank, each supporting a discrete section of the road. The World Bank will be responsible for the safeguard compliance of the road section financing, from Zeway to Arsi Negele. The EIA, SIA and RAP prepared for the section to be financed by the World Bank are being reviewed by the Bank safeguards team to confirm consistency with the Bank's safeguard policy. In order to ensure

project sustainability and address the overall safeguard issues, the World Bank safeguards team has reviewed the EIAs, SIAs, and RAPs prepared for the other three sections and provided recommendations to ERA to make these instruments consistent with the Bank's safeguards policy. The safeguard instruments for all sections will be disclosed before appraisal. AfDB has reviewed the ESIA and RAP prepared for the section it will be financing and found them to be consistent with its safeguard policies, which are similar to the World Bank safeguard policies. ERA will ensure that all financiers will adopt and implement the reviewed safeguard instruments prepared for the respective sections of the road.

Zeway-Arsi Negele section is located on flat and rolling terrain through which the road alignment traverses at an elevation between 1590 meters and 1790 meters above sea level with a topographic difference on average of 200 meters. The terrain is mostly flat lying to rolling with hilly section at the end of the project.

The project road will intercept three link roads that connect with the nearest towns. The intercepted link roads will be improved by the project in order to offer the users a similar level of service as before.

The road corridor traverses two weredas that are located in two administrative zones of Oromia National Regional State (ONRS). The two weredas crossed are Adami Tulu and Arsi Negele. Table below shows administrative zones and weredas crossed and its area in km<sup>2</sup>.

**Table 2-1: Weredas crossed and area in Km<sup>2</sup>**

Administrative Zone	Wereda	Area (km <sup>2</sup> )
Misrak shewa	Adami Tulu (Jido Kombolcha)	1,269
West Arsi	Arsi Negele	1,400

### 2.3 Scope of the RAP Study

The RAP quantifies and values the impacts of the project and proposes measures to address the adverse impacts.

The Ethiopian Roads Authority has signed a contract with Ethio-Infra Engineering P.L.C. to undertake Consulting Services for Review of Environmental Impact Assessment, Review of the Social Impact Assessment and Review of Resettlement Action Plan Documents for Modjo– Hawassa express way Road Project; in particular for LOT 3, Zeway - Arsi Negele section, which were prepared by Techniplan.

As per the TOR the scope of the review study includes the following:

- Review of the previous (EIA, SIA and RAP) reports produced by Techniplan and evaluate its completeness and conformance with the TOR provided for the study;
- Review of the existing policy, legal and institutional framework of the government and the donors;
- Undertake site visits to the project sites and communities in the ROW. The Consultant must verify the information provided in the safeguards instruments (RAP, SIA) against on-site observation. During the verification process the Consultant must consider all pertinent safeguarding issues that are necessary to achieve the objectives including:
  - a) First checking the existing conditions of the road in accordance with the document prepared by the design consultant;
  - b) Secondly, to carry out consultation with selected groups of the society which includes project affected persons, local administrations (Zonal, Wereda and Kebele) and communities along the road, active NGOs, religious leaders, government leaders and elders;
  - c) During the consultation, the consultant shall identify or check the presence of replacement land for land take or any arrangement made for the Households (HH) who will lose their housing, etc
  - d) Special arrangement made for disabled and Women heads of HH;
  - e) The consultant shall remind the local administration about the cut of date;
  - f) Look at the design and check how to integrate environmental concerns/matters into design;
- The consultant shall review and update, SIA and RAP of the project under consideration based on the field observation and as per the World Bank requirement and policy.

This study is part of the above contract in which the previous Resettlement Action Plan has been reviewed and updated.

## 2.4 Objectives of the RAP

RAP is an important activity in any development project to avoid and minimize the impoverishment of Project Affected Persons (PAP) and ensure that they receive appropriate compensation and rehabilitation measures.

The objectives of the RAP is to minimizes the risks by avoiding displacement of people without a well-designed compensation procedures and relocation, establishes compensation measures for losses incurred and it also establishes livelihood and income restoration measures and resettlement assistance.

The key objectives of the RAP are related to;

- review of the existing policies and development strategies, legal and institutional frameworks pertaining to the project,
- carry out public consultation regarding the potential social benefits accruing from the construction of the project road,
- conduct survey to identify affected properties & assets, and estimate compensation costs;
- Identification of the most appropriate social management and monitoring framework, which will ensure that reinforcement measures for the positive impacts and the mitigation of adverse social impacts are fully addressed.
- Define the eligibility criteria for identification of Project Affected persons and entitlements

Ethio-Infra Engineering plc (review consultant) has carried out the review of this RAP document of Lot-3 Zeway-Arsi Negle section which was previously prepared by TechniPlan, the design consultant. This review focused in analysing the data, identifying the gaps and any deficiencies with a view to enhance the document.

The review of the document also included reviewing relevant national environmental policies, laws and regulations and also that of the World Bank Policies such as OP4.12 to check whether the prepared document comply with the principles that are stated in the operational policy and Bank procedures.

Site visit to the project area was carried more than couple of times with the objective of identifying and assessing the potential impacts., During the field survey, inventory of affected properties that are located within the 90m width for ROW was carried out.

This RAP is prepared on the basis of socio economic survey (household survey) and field level data and information gathered. In addition, public and stakeholder consultations were conducted with PAPs, local communities, and with local authorities (wereda and kebele). It is also complemented by a Social Impact Assessment that includes the processes of analyzing, monitoring and managing the intended and unintended social consequences, both positive and negative, of the projects and any social change processes invoked by the project interventions, with the primary purpose of bringing about a more sustainable and equitable biophysical and human environment.

The project's Environmental Impact Assessment (EIA) addresses physical environment and social impacts and will be applied together with this RAP. The project implementers are responsible for identifying and implementing investment activities. This RAP document is to be used by all implementers of the project in order to ensure that all environmental and social safeguards are adequately addressed and that the relevant capacity and training needs are established in order for the recommended measures are implemented effectively.

It should be noted that in order to minimize and avoid massive resettlement and its impact on the environment, the project made extensive design changes between Bulbulla and Arsi Negele section, the corridor is constrained by the Abijata Shalla Lake National Park (ASLNP) on the west side and Langano Lake on the east side. It is also constrained

by the existing road. The corridor narrows from about 10 km at Bulbulla between 4-5 km at Arsi Negele. The original route clipped the ASLNP at the north east corner. To minimize impact on the ASLNP, the alignment was shifted to the east of the existing road and away from the park. The crossover point at Bulbulla was also shifted a few kilo meters north to avoid intruding on the park. As a result, the proposed Route will have minimal direct impact on the Park.

To accommodate movement of people, animals and tourist traffic to Lake Langano, a number of underpasses and over passes have been proposed to cross the Expressway. The exact numbers of under and over passes are being evaluated. The Project will construct the passes to facilitate the movement of people and animal and tourist traffic.



### 3 SOCIO-ECONOMIC BACKGROUND AND DESCRIPTION OF THE PROJECT ROAD

#### 3.1 Geographic and Administrative Location

Lot-3 Zeway-Arsi Negele section of the Modjo – Hawassa project is entirely located in the Oromia National Regional State in the south central part of the Country. The road corridor traverses two weredas that are located in two administrative zones of Oromia National Regional State (ONRS). The two weredas crossed are Adami Tulu and Arsi Negele.

Lot-3 Zeway-Arsi Negele section of the Modjo- Hawassa project road is located on flat and rolling terrain through which the road alignment traverses through an elevation between 1590 meters and 1790 meters respectively with a topographic difference on average of 200 meters. The terrain is classified mostly flat lying to rolling and with hilly section at the end of the project.

The project is designed to a 4 lane dual carriageway highway with area separated median 9.0 meter width (sweal ditch) and will have controlled access with grade-separated intersections to establish link with the existing roads and upgrading of the link roads is part of the project to facilitate easy flow of traffic and enhance the connection with the major urban centres. Lot-3 Zeway-Arsi Negele section has a total length of 57.1 km. The route starts west side of Zeway town at km 92.896 and ends at km 150 before the town of Arsi Negele.

The project road will intercept three link roads that connect with the nearest towns. The intercepted link roads will be improved by the project in order to offer the users a similar level of service as before.

#### 3.2 Demographic Characteristics

##### (i) Population in the Project Area

According to Central Statistical Agency (CSA) 2013 Population projection of Ethiopia for all regions at wereda level from 2014-2017; the total population in the project affected weredas is 493,033 and out of which the majority (79.4%) lives in the rural areas. Tables below provide the latest information available on population size of weredas by place of residence and sex.

**Table 3-1: Population of weredas along the project road**

Wereda	Urban + Rural			Urban			Rural		
	Both sexes	Male	Female	Both sexes	Male	Female	Both sexes	Male	Female
Adami Tulu Jido Kombolcha	172649	86643	86006	29304	15021	14283	143345	71622	71723
Arsi Negele	320384	158131	162253	72200	35563	36637	248184	122568	125616
Total Project Area	493033	244774	248259	101504	50584	50920	391529	194190	197339

Source: CSA Projected population for 2013.

##### (ii) Sex composition

The sex ratio of the affected weredas is 100 which indicate a balanced proportion of male/female population. The distribution of sex ratio among the weredas is uneven. The lowest sex ratio (99) is observed in Arsi Negele wereda (rural and urban); while a higher ratio is observed in Adami Tulu Jido Kombolcha wereda (105).

##### (iii) Urban Area Population

In the project area, there are five towns located in the weredas crossed by the project road, and the total population of the towns is 116,118 (59,363 are male and 56,755 are female). Table 3-2 shows the population residing in the towns traversed by the project road.

**Table 3-2: Population data of towns along the project road**

Name of Wereda/Town	Population		
	Both sexes	Male	Female
<b>Adami Tulu Jido Kombolcha-Wereda</b>			
1. Abomsa	2,411	1,193	1,218
2. Adami Tulu	9,081	4,619	4,462
3. Bulbula	7,631	4,062	3,569
4. Jido	1,800	937	863
<b>Arsi Negele-Wereda</b>			
1. Arsi Negele	47,292	23,418	23,874
2. Golije	4,243	2,178	2,065
<b>Total Project Area Urban Population</b>	<b>116,118</b>	<b>59,363</b>	<b>56,755</b>

Source: Compiled data obtained from each wereda (2012)

#### (iv) Population Density

The population density along the project road ranges between 173 to 186 persons per square km in Adami Tulu Jido Kombolcha and Arsi Negele weredas as shown in Table 3-3.

**Table 3-3: Crude Population Density for weredas along the project road**

Wereda	Area sq km	Density per km sq
Adami tulu Jido Kombolcha	1269	173.7
Arsi Negele	1400	186

Source: Compiled data obtained from each wereda(2012)

#### (v) Ethnic composition

The Ethnic composition of the weredas crossed by the project road shows high percentage of Oromo ethnic group. The Oromo are also the largest ethnic group in the country who speak Affan Oromo as their language. In East Shoa and Arsi administrative zones the majority (73% and 88%) of the population belong to the Oromo ethnic group followed by the Amhara population (15% and 4%); there are also other numerous ethnic groups in the zone but have very small population size.

#### Language

Affan Oromo is the main language and that is widely spoken by the majority population residing in the East Shoa and West Arsi administrative zones affected weredas (69% and 87%) followed by Amharigna (31% and 13%) respectively. Affan Oromo is the official and working language of the Regional State and that of weredas traversed by the project road.

#### (vi) Religion

The majority of the population of the project affected weredas is composed of Muslims (46.6%), followed by Orthodox Christians (34%) and Protestant Christians (19.4%). The spatial distribution of the population following the three faiths is uneven among the affected weredas.

#### (vii) Household size

The average household size in the affected weredas is 4.4 persons per household, in urban and rural parts 3.7 and 5.1 respectively. Thus the proportion of small size households is higher in urban areas.

#### (viii) Age distribution

In ONRS the age structure is characterized by a high proportion of young individuals, reflecting the high fertility rate. Population below 15 years makes up 43% of the total whereas persons above 64 only constitute 3.5%. The proportion of population aged 15 to 64 is 53.5%. Unfortunately differentiated age distribution data for the project affected weredas was not available.

#### (ix) Dependency ratio

The age structure of the population in the project area implies a high level of dependency. Overall dependency ratio for the region is 86.8 with dependency ratios of 80.3 for the young and 6.5 for the old, respectively.

#### (x) Unemployment Rate

According to the 2007 Population and Housing Census, the term economic activity status refers to persons aged ten years and over who were available to be engaged in the production of economic goods and services during a given reference period, while those who were neither engaged nor available to be engaged in the production of economic goods and services during a given reference period were considered as economically non-active.

The average unemployment rate in the project influence area is estimated to be 1% ranging between about 1% in the rural areas to 8 present in urban areas (Table 3-4).

**Table 3-4: Unemployment Rate in the Area of Influence**

Variables		North Shoa Zone		West Arsi Zone		Total	
		No	%	No	%	No	%
Urban + Rural	Male	14,706	2%	13,097	2%	41327	1%
	Female	18,785	3%	12,283	1%	40628	1%
	Total	669,897		848,070		2,914,367	100%
Urban	Male	10,958	7%	6,617	6%	21638	7%
	Female	14,674	10%	8,524	8%	26942	8%
	Total	153,227		107,352		326624	100%
Rural	Male	3,748	1%	6,480	1%	19689	1%
	Female	4,111	1%	3,759	1%	13686	1%
	Total	516,670		740,718		2587743	100%

Source: CSA Abstract

### 3.3 Education

#### (i) School Enrolment

There are 244 schools in the project affected weredas and of which 34 kindergarten, 219 primary schools and 11 secondary schools. In the year 2012, the total students population was 81,223 of which the students in grades 1 to 8 comprise the highest proportion (88%), followed by students in grades 9 to 10 (10%), and 11 to 12 (2%) (see Table 3-5).

**Table 3-5: No. of schools and students along the project road**

Wereda	No of Schools					No of students								
	KG	1-8	9-10	11-12	Total	1-8			9-10			11-12		
						Male	Female	Total	Male	Female	Total	Male	Female	Total

AdamiTulu	3	79	2	-	84	17516	17235	34751	1468	1312	2780			0
Arsi Negele	31	120	6	3	160	18970	17980	36950	2611	2610	5221	874	647	1521
<b>Total</b>	<b>34</b>	<b>219</b>	<b>8</b>	<b>3</b>	<b>244</b>	<b>36 486</b>	<b>35215</b>	<b>71701</b>	<b>4079</b>	<b>3922</b>	<b>8001</b>	<b>874</b>	<b>647</b>	<b>1521</b>

Source: Compiled data obtained from each wereda (2012)

School enrolment rates in the affected weredas have shown very good progress in the last 10 years. In the year 1994 the gross enrolment rate in the project weredas was 48% for grades (1-4) and 11% for grades (5-8) (CSA 1994). In 2012 gross enrolment rate is above 100% for grades (1-4) and over 40% for grades (5-8) in all affected weredas.

This is the reflection of the high number of schools constructed and of increased educational benefits awareness. On average in the affected weredas the teacher / student ratio has reached 1:50. It has been reported that the issue now is to improve the quality of education.

The proportion between females and males is more balanced in grades (1-8) and proportion of female students is around 49% in grades (9-10) and to 42.5% in grades (11-12). This trend is to be attributed to the prevalence of early marriage of females due to cultural reasons.

### 3.4 Access to Health Institutions

In the project affected rural weredas there are 86 Health posts, 38 clinics, 11 health centers and no hospital in the project weredas (refer to Table 3-6).

**Table 3-6: Health Institutions in the Project Affected Weredas**

Wereda	Health centre	Heal Post	Clinics	Drug store
Adami Tulu	5	43	20	4
Arsi Negele	6	43	18	-
Total	11	86	38	4

Source: Wereda socio economic profile (2012)

Health personnel/population ratios show that the number of qualified doctors is insufficient. At least one clinical nurse and health assistant are available in each health center or clinic and there are at least 2 community health agents in each kebele. (Table 3-7).

**Table 3-7: Health Personnel in the Project Affected Weredas**

Wereda	Nurses	Health Officer	Health extension workers	Lab technicians	Pharmacy technicians	Sanitarians	Total
Adami Tulu	45	6	92	6	6	3	158
Arsi Negele	78	6	94	11	10	8	207
Total	<b>123</b>	<b>12</b>	<b>186</b>	<b>17</b>	<b>16</b>	<b>11</b>	<b>365</b>

Source: Compiled data obtained from each wereda (2012)

### 3.5 Access to Water Resources

In the project affected weredas, population has very limited access to potable water supply. Particularly rural households that have access to clean water are very limited ranging from 51% to 71% (see Table 3-8). Access to unprotected water supply sources is also difficult and the supply level varies significantly by season. Almost all towns traversed by the project road have better access to potable water. Zeway, Bulbula and Arsi Negele have piped schemes.

**Table 3-8: Water Supply Coverage in the Project Affected Weredas**

Weredas	Hand Dug/ Shallow Well	Spring	Motorized	Coverage
Adami Tulu	31	12	16	71%
Arsi Negele	2	5	10	51.4%

Source: Compiled data obtained from each wereda (2012)

### 3.6 Road Network in the Affected Weredas

The road network in the two weredas crossed by the project road shows 102 km of Asphalt road, 324 km of all weather road and 455 km of dry weather road. Community roads length in the affected weredas was 172km in 2009. The density of community roads per 1000 sq km is around 119. The road length for each wereda by road type is presented on Table 3-9.

**Table 3-9: Road Network in the Project Affected Weredas (km)**

Weredas	Asphalt	All Weather	Dry Weather
Adami tulu Kombolcha	59	84	354
Arsi Negele	43	240	101
Total	102	324	455

Source: Compiled data obtained from each wereda (2012)

### 3.7 Economic Activities

#### (i) Agriculture

The area of influence is characterized by intensive cultivation with low productivity. The shortage of arable land is a key factor leading to average household landholdings as low as 1.2 ha. In most of the weredas a large proportion of the households cultivate less than 1 ha of land, which is greater than 0.5 ha of land that represents the minimum requirement to fulfill the food needs of an average household for a year.

Virtually all the agricultural production in the project area is rain fed and single season cropping is practiced. Land preparation is carried out by oxen drawing, sowing of most crops is by broadcasting seed, and subsequent cultivation is all done by hand. The farmers mostly grow combinations of crops mainly consisting in cereals, pulses and oil crops in order to achieve food self-sufficiency.

The total cultivated area in the project affected weredas 119,545 hectare and the total volume of crop production was around 5,159,376 million quintals in the year 2012 (refer Table 3-10). In the year indicated about 44,268 quintals of chemical fertilizer and 12,221quintals of improved seeds were distributed to the farmers in the area.

**Table 3-10: Crop Production and Cultivated Land in the Affected Weredas (2012)**

Wereda	Cultivated Land (ha)	Total Crop produced (quintal)	Irrigation	Fertilizer	Improved seed
Adami tulu Jido Kombolcha	62,313	1,971,727	4340	14,316	4167
Arsi Negele	57,232	3,187,649	-	29,952	8054
	119,545	5,159,376		44,268	12221

Source: Compiled data obtained from each wereda (2012)

#### (ii) Food Aids, Food Self- sufficiency and Situation of Droughts

The project area is considered as food self-sufficient area, yet there are households that experience food insecurity in some pocket areas located in Arsi Negele wereda due to poor crop harvest and other associated problems. The severity of the problem varies from year to year depending on rainfall situation. It also varies from village to village as a result villages are not equally vulnerable to drought. In order to assist the above food insecure HH the government carries out emergency/relief food distribution for few months in a year. The amount of food distributed by governmental and non-governmental organization and the population benefited (2012) is presented in Table 3.11.

**Table 3-11: Food Aid and Beneficiaries in Arsi Negele wereda**

Year	Amount of aid by type				No. of beneficiaries
	Grain(qt)	Pulses (qt)	CSF(qt)*	Oils(Dez)	
2011/2012	3224	258	145	23.1	24342
2012/2013	2549	10.3	73.2	15.6	7790

Source: Obtained from Arsi Negele wereda

### (iii) Livestock rearing

Livestock is an integral part of the farming system in the project area and are economically complementary to crop production. It provides fertilizer for crops and, to a lesser degree, it supplies milk, meat, cash income and serve as an investment against risk for rural households. In times of famine, livestock is sold to purchase grain. The livestock population in the weredas traversed by the project road is shown in Table 3-12.

The official animal population estimate in the affected weredas amounts to about 1.1 million, of which 495,988cattle, 216,492 sheep, 170,460 goats, 5,754 mules, 26,455donkeys,26,525horses, 220,541poultry and 14,814 beehives in 2012. This livestock pattern follows the following order: cattle-goat-sheep-donkey. 44% of the livestock population is located in Adami Tulu Jido Kombolcha wereda, while 56% is located in Arsi Negele Wereda.

**Table 3-12: Livestock Population in the Project Affected Weredas**

Wereda	Cattle	Sheep	Goat	Mule	Donkey	Horse	Poultry	Beehive
Adami Tulu	218,083	126,080	124,420	2820	13,540	10,720	143,740	2300
Arsi Negele	277,905	90,412	46,040	2934	12915	15,805	76,801	12,514
<b>Total</b>	<b>495,988</b>	<b>216,492</b>	<b>170,460</b>	<b>5754</b>	<b>26,455</b>	<b>26,525</b>	<b>220,541</b>	<b>14,814</b>

Source: Compiled data obtained from each wereda (2012)

## 4 Policy & Legal Framework

This chapter reviews relevant Government policies, legislative frameworks both at Federal and Regional level. Likewise a review is also made for International Financier policies in particular for the World Bank.

### 4.1 Environmental Policy of Ethiopia

The Environmental Policy of the Federal Democratic Republic of Ethiopia was approved by the Council of Ministers in April 1997. Its overall policy goal can be summarized in terms of the improvement and enhancement of the health and quality of life of all Ethiopians and the promotion of sustainable social and economic development through the adoption of sound environmental management principles. The policy is integrated with the overall long-term strategy of the country - agricultural led industrialization and other key national policies. It sets out its specific objectives and key guiding principles, contains sectoral and cross-sectoral policies and provisions necessary for the appropriate implementation of the Policy itself.

With respect to environmental impact assessment (EIA) the Policy sets out specific policies, key elements of the policy are summarized hereunder;

- The need to address social, socio-economic, political and cultural impacts in addition to physical and biological impacts and to integrate public consultation within the EIA procedures.
- Incorporation of impact containment measures into the design process of public and private sector development projects and inclusion into EIA of mitigation measures and accident contingency plans.
- Development of detailed technical and sectoral guidelines for EIA and environmental auditing.
- Establishment of an interlinked legal and institutional framework for the EIA process to ensure that development projects are subjected to environmental impact assessment, audit and approval in a coordinated manner.
- Development of EIA and environmental auditing capacity within the Environmental Protection Authority, sectoral ministries and agencies as well as regions.

The Policy has been developed as a national instrument enhancing the objectives of the Constitution and setting out clear cut directions with respect to environmental concerns particularly in terms of regulatory measures adopted as well as in the process of design, implementation and operation of development projects. Its recognition of the significance of addressing cross-sectoral environmental issues in the context of a national approach to environmental assessment and management integrates the efforts of a wide range of institutions across the country. It provides a sound and rational basis for addressing the country's environmental problems in a coordinated manner.

### 4.2 Land ownership policy in Ethiopia

Land in Ethiopia is a public property and that no individual person has the legal right of ownership, and hence, rural or urban land could not be sold or mortgaged or transferred; citizens have usufruct right only over land. A usufruct right gives the user of the land the right to use and the right to benefit from the fruits of her/his labor which may be crops, trees, etc. found on the land or any permanent works such as buildings etc. In Ethiopia, land ownership is basically a constitutional issue.

According to the Constitution of Federal Democratic Republic of Ethiopia (FDRE) article 40.3, land is a public property that no individual person has the legal right of ownership. There is no private ownership of land in Ethiopia, as per FDRE constitution Article 40 (the Right to property) No.2, *"Land is a common property of the Ethiopian Nations, Nationalities and Peoples of Ethiopia and shall not be subject to sale or to other means of exchange"*.

The Constitution states that the Government has the right to expropriate private property for public use subject to payment in advance of compensation commensurate to the value of the property. The FDRE Constitution (Article 40, No. 8) states that the Government has the right to expropriate private property for public purposes by providing the appropriate compensation.

FDRE Constitution lays down the basis for the property to be compensated in case of expropriation as a result of State programs or projects in both rural and urban areas. Persons who have lost their land as a result of acquisition of such

land for the purpose of public projects are entitled to be compensated to a similar land plus the related costs arising from relocation; assets such as buildings, crops or fruit trees that are part of the land etc.

Hence, Article 40 No.7 FDRE Constitution states the right of citizens to develop the land and to have immovable property and make permanent improvements. "Every Ethiopian shall have the full right to the immovable property he builds and to the permanent improvements he brings about on the land by his labour or capital. This right shall include the right to alienate, to bequeath, and, where the right use expires, to remove his property, transfer his title, or claim compensation for it. Particulars shall be determined by law".

Article 40, No. 8 of the Constitution, states that if the land that is used by an individual is expropriated for public use, the person is entitled for compensation; "... the Government has the right to expropriate private property for public purposes subject to payment in advance of compensation commensurate to the value of property".

Regarding displacement of the public due to development projects, the FDRE Constitution of Article 44 (Environmental Rights) No.2 states that:

*"All persons who have been displaced or whose livelihoods have been adversely affected as a result of state programs have the right to commensurate monetary or alternative means of compensation, including relocation with adequate state assistance".*

### **4.3 Legislation on Expropriation of Land and Compensation Proclamation No. 455/2005**

The Government of FDRE has issued legislation in July 2005 for the expropriation of landholdings, which is known as "Expropriation of Land Holdings for Public Purposes and Payment of Compensation (Proclamation No. 455/2005)." The objectives of the proclamation are to minimize and mitigate the impacts due to the expropriation of landholdings for public purposes.

The proclamation clarifies and defines who has the power to expropriate landholdings either in urban or rural sections of the country. As per the proclamation, the power of expropriation of landholdings mainly rests on Wereda or urban administration authorities. Article 3 No.1 of the proclamation states that: "A Wereda or an urban administration shall, upon payment in advance of compensation in accordance with this proclamation, have the power to expropriate rural or urban landholdings for public purpose where it believes that it should be used for a better development project to be carried out by public entities, private investors, cooperative societies or other organs, or where such expropriation has been decided by the appropriate higher regional or federal government organ for the same purpose."

A land holder whose land has been expropriated for public use by the concerned government authorities is entitled for compensation for his property situated on the land and for the permanent improvements he made on the land.

The amount compensation to be paid for the property situated on the expropriated land will be determined or calculated on the basis of full replacement cost. For houses in urban areas, the amount of compensation will not be less than the current market value of construction.

Wereda or urban administration once received details on land acquisition for the construction works from ERA has to notify in writing to the entity (which is either an individual or an organization) to be expropriated indicating the time not less than 90 days when the land has to be vacated and the amount of compensation to be paid. The PAPs once notified will be immediately compensated for lost assets and properties prior to their relocation or vacating the land.

A rural land holder, where his land does not have any crop or other property on the expropriated land should hand over within 30 days.

The proclamation also clarifies how utility lines that are owned and provided by Federal or Regional government offices, or by a public enterprise should be treated and compensated. Utility lines could only be removed from expropriated land by payment of compensation. The project owner has the responsibility to inform the utility provider in writing by indicating the exact location of the lines that will be removed.



The utility provider is responsible in determining the amount compensation which is required for replacing the lines within 30 days of notice; and the body which requested the removal of utility line has also to pay compensation within 30 days from the date of the receipt of the valuation.

Any expropriated property; in addition to the amount of compensation payment it will also receive a provision for cost of removal, transportation and erection.

Concerning displacement compensation for rural land holdings; A rural landholder whose land holding has been permanently expropriated shall, also be paid displacement compensation equivalent to ten times the average annual income he secured during the five years preceding the expropriation of the land (Part 3, article 8).

The above proclamation also states that the valuation of property shall be determined on the basis of valuation formula to be adopted at national level by the Ministry of Federal Affairs. However, until such time valuation of properties will be carried out by property valuation committees to be established both in rural and urban areas as stated in article 10 of the proclamation.

#### **4.4 FDRE Council of Ministers Regulation No. 135/2007**

FDRE Council of ministers issued a regulation on July 2007, regarding the payment of compensation for property situated on land holdings expropriated for public purposes. The regulation provides the basis for compensation of affected properties and to assist the displaced or affected persons to restore their livelihood.

The regulation sets the methods for the assessment of compensation, provision of land for land replacement and payment of displacement compensation.

The methodology followed by the regulation for the assessment of compensation establishes the basis and formula for compensation that will be made for the different types of assets and categorizes into ten parts.

The regulation recognizes that land replacement should be made for urban and rural lands. In rural areas if land replacement is not possible for permanently affected land, PAPs will be compensated for the affected perennial crops ten times of the annual production. For temporary impact the amount of compensation will be calculated by the number of years the land is occupied by the project.

#### **4.5 Proclamation on Rural Land Administration and Land Use**

This Proclamation, Proc. No. 456/2005, came into effect in July 2005. The objective of the Proclamation is to conserve and develop natural resources in rural areas by promoting sustainable land use practices. In order to encourage farmers and pastoralists to implement measures to guard against soil erosion, the Proclamation introduces a Rural Land Holding Certificate, which provides a level of security of tenure.

Ministry of Agriculture is charged with the responsibility of executing the Proclamation by providing support and coordinating the activities of the regional authorities. Regional governments have an obligation to establish a competent organization to implement the rural land administration and land use law.

According the Proclamation where land which has already been registered is to be acquired for public works, compensation commensurate with the improvements made to the land shall be paid to the land use holder or substitute land shall be offered. The Proclamation imposes restrictions on the use of various categories of land, for example wetland areas, steep slopes, land dissected by gullies, etc.

#### **4.6 Proclamation on Research and Conservation of Cultural Heritage**

Proclamation No. 209/2000 provides legal framework for Research and Conservation of Cultural Heritage. The Proclamation establishes the Authority for Research and Conservation of Cultural Heritage (ARCCH) as a government institution with a juridical personality. In addition, it has provisions for management, exploration, discovery and study of Cultural Heritage and miscellaneous provisions.

The Proclamation defines the objectives, powers and duties of the Authority (ARCCH). It also has provisions on Management of Cultural Heritage. Among these are provisions on Ownership and Duties of Owners, Classification, Registration, Conservation and Restoration, Removal, the Use, and Expropriation of Cultural Heritage, Preservation of Cultural Heritage Situated on Land given in Usufruct, and Establishment of Museum.

Furthermore, the Proclamation provides Articles on Exploration, Discovery and Study of Cultural Heritage. Article 41 is on Fortuitous Discovery of Cultural Heritage and Sub-Article (1) states that, any person who discovers any Cultural Heritage in the course of an excavation connected to mining explorations, building works, road construction or other similar activities or in the course of any other fortuitous event, shall forthwith report same to the Authority and shall protect and keep same intact, until the Authority (ARCCH) takes delivery thereof. Connected to this, Sub-Article (2) states that, the Authority shall, upon receipt of a report submitted pursuant to Sub-Article (1) hereof, take all appropriate measures to examine, take delivery of and register the Cultural Heritage so discovered.

Under Miscellaneous Provisions, the Proclamation states that, any person who holds permit to conduct construction works in a reserved area [an area declared to be containing an assemblage of immovable Cultural Heritage or an archaeological site] and who discovers Cultural Heritage in the course of construction activities shall stop construction and shall forthwith report same in writing to the Authority.

#### **4.5 National HIV/AIDS Policy**

The HIV/AIDS pandemic is spreading worldwide and heating hard poor countries mainly. Sub Saharan Africa, with only 10% of the world population is having 80% of the world HIV infection and AIDS cases.

Among the Sub Saharan African countries, Ethiopia is one of the countries that is facing HIV/AIDS pandemics, and HIV/AIDS is no more a health problem alone, it is now a challenge to the socio- economic development of the country.

HIV/AIDS surveillance reports also show a steady increase in HIV infections among rural communities in Ethiopia. The movement of people from place to place, either voluntarily or involuntarily contributes to the spread of HIV/AIDS. HIV/AIDS now is no more health or clinical problem only; it has now become a major social and economic problem of a country.

Having understood the magnitude of the problem as well as the huge resource needed to combat HIV/AIDS, the Ethiopian Government issued a policy, which calls for an integrated effort of multi-sectoral response to control the epidemic. The Federal Democratic Republic of Ethiopia published a Policy on HIV/AIDS in 1998. The National HIV/AIDS Policy urges communities at large, including government ministries, local governments and the civil society to assume responsibility for carrying out HIV/AIDS awareness and prevention campaigns.

The general objective of the policy is “to provide an enabling environment for the prevention and control of HIV/AIDS in the country”.

##### Specific Objectives

The specific objectives of the policy are stated as follows:

- To establish effective HIV/AIDS preventative and control strategies in order to curb the spread of the epidemic
- To promote a broad multi-sectoral response to HIV/AIDS epidemic, coordination of the activities of different sectors and the mobilisation of resources for the control of the epidemic
- To encourage government sectors, non-governmental organisations, the private sector and communities to take measures in order to alleviate the social and economic impact of HIV/AIDS
- To promote proper institutional, home and community based health care and psychological support for people living with HIV/AIDS, orphans and surviving dependents
- To safeguard the human rights of people living with HIV/AIDS and avoid discrimination against them

- To promote and encourage researches and studies on HIV/AIDS and make use of the outcomes for preventative, curative and rehabilitative purposes.

In 2000, National AIDS Council was established under the Chairmanship of the FDRE President; and in 2002 HIV/AIDS Prevention and Control Office (HAPCO) was established to address the problem.

The policy introduces and outlines the large social, psychological, demographic and economic impact that HIV/AIDS will be having and introduces a number of issues relating to HIV/AIDS. These are:

- That HIV/AIDS is not only a health problem but also a developmental problem,
- That gender inequality contributes to the further spread of HIV/AIDS,
- That women, including women living with HIV/AIDS, need access to information and services regarding HIV/AIDS and to family planning provision to help them make reproductive choices and decisions,
- That the magnitude of the problem will need considerable resources and a multi-sectoral effort to control the HIV/AIDS epidemic,
- That there is a need for a holistic approach in the provision of care to people living with HIV/AIDS,
- That the human rights of people living with HIV/AIDS needs to be recognized,
- That HIV/AIDS has the potential for catastrophic impact.

#### **4.6 National Policy on Women**

The National Policy on women was issued in March 1993 emphasizing that all economic and social programs and activities should ensure equal access for both men and women to the country's resources and in the decision making process so that women can benefit equally from all activities carried out by the Federal and Regional Institutions. Among the main policy objectives is that laws, regulations, systems, policies and development plans that are issued by the government should ensure the equality of men and women and that special emphasis should be given to the participation of rural women.

#### **4.7 Health Policy**

Ethiopia's health policy was issued in 1993, with the aim of giving special attention to women and children, to neglected regions and segments of the population, and to victims of manmade disasters.

The priority areas of the policy are in the field of Information Education and Communication (IEC) of health to create awareness and behavioural change of the society towards health issues, emphasis on the control of communicable disease, epidemics, and on diseases that are related to malnutrition and poor living condition, promotion of occupational health and safety, the development of environmental health, rehabilitation of health infrastructures, appropriate health service management system, attention to traditional medicines, carrying out applied health research, provision of essential medicines, and expansion of frontline and middle level health professionals.

The Government in its Growth and Transformation Plan has reaffirmed its commitment to accelerate progress on maternal and child health and to reduce in child and maternal mortality rates by expanding the provision of essential health and nutrition services to the poor.

To translate the health policy into action the Ministry of Health has developed every five year a Health Sector Development Programme (HSDP). Currently it is implementing HSDP IV. HSDP lays an emphasis on service delivery and the quality of service, health facility rehabilitation and expansion, human resource development, pharmaceutical services; Information, Education and Communication (IEC), strengthening health sector management and management information system, monitoring, evaluation and research.

#### **4.8 Education and Training Policy**

Ethiopia's Education and Training policy (ETP) aims to achieve universal education by the year 2015. The general objective of the policy is to develop physical and mental potential of individuals who can take care of and utilize their resources, to bring up citizens who respect human rights.

The overall strategy of the ETP is to prepare curriculum with the participation of teachers, and other professionals based on the objectives of the policy, and also creating integrated educational research.

The education service in Ethiopia has several problems and some of the serious problems are: low enrolment ratio, failure to serve rural areas and girls, low educational quality, inefficient system, inadequate funding, and weak capacity for planning and management.

The educational structure is divided into kindergarten, primary (2 cycles), secondary (2 cycles), and higher education at diploma and degree levels. It also focuses on non-formal education and diversified technical and vocational training for school leavers from any level of education, and provides special training for people with special needs.

The policy also stresses on providing education to children in their mother tongue and developing career structure to teachers of all levels, decentralized management, and finally making available educational finance for students' of higher education. The policy aims on expanding equitable access to primary and vocational education to meet the demands of the country and economy.

To translate the policy statement into action the Government has developed Education Sector Development Program (ESDP), which is a 20-year programme divided into 5 year programme each time. The ESDP was launched in 1997/98. The emphasis of the Sector development program are in improving educational quality and expand access to education with special emphasis to primary education, and promotion of education for girls.

#### **4.9 ERA's Resettlement/Rehabilitation Policy Framework**

Apart from the broad policy frameworks at national level, the main reference behind the preparation of a Resettlement Action Plan (RAP) is ERA's guiding principles as stipulated in its Resettlement and Rehabilitation Policy Framework. The principles in the framework are adopted basically from the World Bank's policy on resettlement and rehabilitation.

A threshold has been set whether or not to proceed with a detail RAP once a social screening is done on any proposed road development project. Road development that entails the relocation of more than 200 individuals or about 40 households is expected to draw up a detailed resettlement action plan. Those road projects that would displace less than 200 individuals are not expected to come up with a detailed/full scale RAP and instead appropriate compensation measures for lost assets, arrangements for logistical support and a relocation grant have to be determined.

The Resettlement/Rehabilitation Policy Framework clarifies the principles of social impact mitigation in the process of addressing social impacts induced by project operations. It provides guidelines to stakeholders participating in the rehabilitation/resettlement operations to ensure that project affected persons (PAPs) will not be impoverished by the adverse social impacts. The basic principles imply that PAPs should be compensated for loss of assets at replacement costs; be given opportunities to share project benefits and be assisted in case of relocation or resettlement. Focus is on restoring the income earning capacity of the affected persons by improving or at least sustaining the living conditions prior to project operations or to resettlement.

The policy framework sufficiently places emphasis both on the compensation issues and the process required for the implementation of resettlement/ displacement. According to this policy framework a resettlement action plan (RAP) needs to be prepared only if the project affects more than 200 persons.

The ERA/RPF Policy Framework is in line with the eligibility criteria contained in OP 4.12 of the World Bank's operational manual on involuntary resettlement applied in determining eligible persons for compensation. Accordingly, compensation for lost assets and replacement costs is made for both titled and untitled land holders and property owners. In this project the absence of formal titles will not be a barrier to resettlement assistance and rehabilitation.

All PAP losing farmland, buildings/houses, businesses or sources of income will be compensated or rehabilitated according to the types and amount of their losses (permanent or temporary) at replacement cost.

#### **4.10 Ethiopian Roads Authority Policy for HIV/AIDS**

The transport and construction sectors are among the most the susceptible sectors for the spread of HIV/AIDS. It is due to this that ERA has issued a policy for HIV/AIDS in the workplaces and a three-year strategic work plan for HIV/AIDS prevention and control in June 2004. The policy acknowledges that HIV/AIDS pandemic is a reality in the workplace, which may have detrimental effects on its work force. The policy is prepared with the objective of developing and implementing an effective workplace programme.

Some of the objectives of ERA's HIV/AIDS policy are to create awareness among its employees and promote effective ways to managing HIV/AIDS, and to create supportive environment for those affected.

The principles of the policy are to ensure that employees living with HIV/AIDS have the same rights and obligations; to avoid discrimination and stigmatization of employees with HIV/AIDS to receive equal treatment; seek to minimize the social, economic and developmental consequences, provide support, counselling and educational services to infected and affected employees; establish and maintain an employee assistance programme, and ensure sustainable resources for the prevention and control.

#### **4.11 World Bank Operational Policy on Involuntary Resettlement (OP) 4.12**

World Bank operational Policy describes:

- Bank policy and procedures on involuntary resettlement as well as the conditions that borrowers are expected to meet in operation involving involuntary resettlement
- Planning and financing resettlement components or free-standing projects are an integral part of preparation for projects that cause involuntary displacement.
- Any operation that involves land acquisition or is a category A or B project resettlement requirements early in the project cycle (para,20)

Development projects that displaces people involuntarily generally give rise to economic, social and environmental problems: production systems are dismantled; productive assets and income sources are lost; people are relocated to environments where their productive skills may be less applicable and the competition for resources greater; community structures and social networks are weakened kin groups are dispersed, cultural identity, traditional authority and the potential for mutual help are diminished. Involuntary resettlement may cause severe long-term hardship, impoverishment and environmental damage unless appropriate measures are carefully planned and carried out.

The World Bank's requirements regarding involuntary resettlement are detailed in Operational Policy 4.12. The Policy outlines the following principles:

- Acquisition of land and other assets and resettlement of people will be minimized as much as possible by identifying possible alternative project designs and appropriate social, economic, operational and engineering solutions that have the least impact on populations in the Project area.
- The populations affected by the Project are defined as those who may stand to lose as a consequence of the Project, all or part of their physical and non-physical assets, including homes, homesteads, productive lands, commercial properties, tenancy, income-earning opportunities, social and cultural activities and relationships and other losses that may be identified during the process of resettlement planning.
- All PAPs who will be identified in the project impacted areas as of the date of the updated census and inventory of losses, will be entitled to be compensated for their lost assets, incomes and businesses at full replacement cost and provided with rehabilitation measures sufficient to assist them to improve or at least maintain their pre-project living standards, income earning capacity and production levels.

- All affected populations will be equally eligible for compensation and rehabilitation assistance, irrespective of tenure status, social or economic standing and any such factors that may discriminate against achieving the objectives outlined above.

The rehabilitation measures to be provided are:

- Cash compensation for houses and other structures at replacement cost of materials and labor without deduction for depreciation or salvageable materials.
- Full title to replacement agricultural land for land of an equal productive capacity acceptable to the PAP.
- Full title to replacement residential and commercial land of equal size acceptable to the PAP or at the informed decision of the PAP, cash for replacement land at replacement cost at current market value.
- Cash compensation for crops and trees at current market value and Relocation allowances and rehabilitation assistance.
- Sufficient time will be allowed for replacement structures to be built before construction begins.
- Temporarily affected land from the construction of access routes or earth-moving activities will be restored to pre-project condition.
- The compensation and resettlement activities will be satisfactorily completed and rehabilitation measures in place and all encumbrances removed before the respective Governments and World Bank will approve commencement of civil works for that contract area.
- Existing cultural and religious practices shall be respected and to the maximum extent preserved.
- Adequate budget support will be fully committed and be made available to cover the costs of land acquisition and resettlement and rehabilitation within the agreed implementation period.
- Special measures shall be incorporated in the RAP and complementary mitigation and enhancement activities to protect socially and economically vulnerable groups such as women-headed families, children and elderly people without support structures and people living in extreme poverty.
- Grievance procedures shall be established and put in place and PAPs needs to informed of them before any resettlement activities begin.
- Details of the RAP shall be distributed to the PAPs by the Client and placed in relevant stakeholder offices for the reference of PAPs as well any interested groups.
- Appropriate reporting, monitoring and evaluation mechanisms will be identified and set in place as part of the resettlement management system and an external monitor hired before commencement of any resettlement activities.

In the next table comparisons of the National Legal Provisions with that of the World Bank Operational Policies are presented as follows. Where there is a difference between national law and OP 4.12, the higher standard shall prevail:

Table 4-1: Comparison of Ethiopian Legislation and World Bank's Operational Policy

Theme	World Bank Op 4.12	Ethiopian Legislation	Comparison	Recommendations to Address Gaps
<b>Policy Objectives</b>	World bank OP4.12 has overall policy objectives, requiring that: Involuntary resettlement should be avoided wherever possible, or minimized, exploring all alternatives. Resettlement program should be sustainable, include meaningful consultation with affected parties and provide benefits to the affected parties Displaced persons should be assisted in improving livelihoods etc or at least restoring them to previous levels	Proclamation No 455/2005 (Article 3(1)) gives power to Wereda or urban administrations to “expropriate rural or urban landholdings for public purpose where it believes that it should be used for a better development...”This is supported by Article 51(5) and Article 40(8) of the 1995 Constitution. Proclamation No 455/2005 (Article 7(5) states that” the cost of removal, transportation and erection shall be paid as compensation for a property that could be relocated and continue to serves as before.”	The World Bank requirement for avoidance or minimization of involuntary resettlement is not written into Ethiopian legislation. Proclamation No 455/2005 does not indicate consultation with displaced persons throughout the resettlement process, rather only allows for a complaints and grievance process. Although Proclamation No 455/2005 allows for some form of support to the displaced persons, it does not explicitly state that livelihoods should be restored to previous levels or improved.	World Bank OP 4.12 overall objectives shall be applied to avoiding or minimizing involuntary resettlement to ensure resettlement program is sustainable and includes meaningful consultation.
<b>Notification period /timing of displacement</b>	Article 10 of World Bank OP4.12 requires that the resettlement activities associated with a sub -projects are linked to the implementation of development program to ensure displacement or restriction of access does not occur before necessary measures for resettlement are in place. In particular, 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 displaced persons.	Article 4 of Proclamation No 455/2005 requires notification in writing, with details of timing and compensation, which cannot be less than 90 days from notification. It requires that land should be handed over within 90 days of payment of compensation payments. If there is no crop or other property on the land, it must be handed over within 30 days of notice of expropriation. It further gives power to seize the land through police force should the landholder be unwilling to hand over the land	There is a gap in Proclamation No 455/2005 to allow land to be expropriated before necessary measures for resettlement take place, particularly before the displaced person has been paid. This can have serious consequences for those affected, as they may be displaced without shelter or livelihood.	Displaced person should always be paid compensation and support before the land is handed over, as per World Bank OP4.12.

Theme	World Bank Op 4.12	Ethiopian Legislation	Comparison	Recommendations to Address Gaps
<b>Eligibility for Compensation</b>	World Bank OP4.12 gives eligibility to: Those who have formal legal rights to the land; Those who do not have formal legal rights to land, but have a claim to such land; and Those who do not have recognizable legal right or claim to the land	Proclamation No 455/2005, Article 7(1) allows 'landholders' to be eligible for compensation, where the term "landholder" (Article 2(3) means" and individual, government or private organization or any other organ which has legal personality and have lawful possession over the land to be expropriated and owns property situated thereon"	According to World Bank OP4.12, eligibility for compensation is granted to "affected parties". Ethiopian Legislation only grants compensation to those with lawful possession of the land, and as per Proclamation No 456, those with traditional possession i.e. Communal lands. It therefore does not recognize those without a legal right or claim as eligible for compensation.	The requirements of World Bank OP4.12, as described in Column 1 of this table, expected to be applied,
<b>Compensation</b>	World Bank OP4.12 Article 6(a) requires that displaced persons are provided with prompt and effective compensation at full replacement cost for losses of assets attributable directly to the project. If physical relocation is an impact, displaced persons must be provided with assistance during relocation and residential housing, housing sites and /or agricultural sites to at least equivalent standards as the previous site. Replacement cost does not take depreciation into account. In term of valuing assets. If the residual of the asset being taken is not economically viable,	Article 7 of Proclamation No. 455/2005 entitles the landholder to compensation for the property on the land on the basis of replacement cost; and permanent improvements to the land, equal to the value of capital and labour expended.  Where property is on urban land, compensation may not be less than constructing a single room low cost house as per the region in which it is located. It also requires that the cost of removal, transportation and erection will be paid as compensation for a relocated property continuing its service as before. Valuation formula are provided in Regulation No. 135/2007	The World Bank requirement for compensation and valuation of assets it that compensation and relocation must result in the affected person must have property and a livelihood returned to them to at least equivalent standards as before. This is not clearly stated in local Proclamations. It is expected that the regulations and directives will provide more clarity and clearer guidance in this regard.	The World Bank requirements for compensation must be followed, as per OP4.12 footnote 1, which states, "Where domestic law does not meet the standard of compensation at full replacement cost, compensation under domestic law is supplemented by additional measures necessary to meet the replacement cost standard"
<b>Responsibilities of the project proponent</b>	According to OP4.12, Article 14 and 18), the borrower is responsible for conducting a census and preparing, implementing, and monitoring the appropriate resettlement instrument. Article 24 states that the borrower is	Article 5 of Proclamation No 455/2005 sets out the responsibilities of the implementing agency, requiring them to gather data on the land needed and works, and to send this to the appropriate officials for permission. If	The process required for the project proponent / implementing agency lacks descriptive processes in local legislations...	As per the World Bank requirements, project processes included screening, a census, the development of a plan, management of compensation payments and monitoring and



Theme	World Bank Op 4.12	Ethiopian Legislation	Comparison	Recommendations to Address Gaps
	also responsible for adequate monitoring and evaluation of the activities set forth in the resettlement instrument. In addition, upon completion of the project, the borrower must undertake an assessment to determine whether the objectives of the resettlement instrument have been achieved. This must all be done according to the requirements of OP4.12. Article 19 requires that the borrower inform potentially displaced persons at an early stage about the resettlement aspects of the project and takes their views into account in project design.	also requires them to pay compensation to affected landholders.		evaluation of success. It must also include proper consultation with the affected parties throughout the process.

## **5 Institutional and Administrative Framework**

### **5.1 Ethiopian Roads Authority (ERA)**

The Ethiopian Roads Authority (ERA) is an autonomous Federal Government office and is accountable to the Ministry of Transport. It is re-established for the second time by the council of Minister's regulation No. 247/2011. ERA is managed by a Board whose members are assigned by the Government and its day to day management is carried out by a Director General that is assigned by the Government.

The objectives for its reestablishment are to develop and administer roads, create conducive conditions for the coordinated development of road networks; and ensure the maintenance of standards in road construction.

The construction of roads requires land acquisition and expropriation for the ROW, Access road construction, Campsites, Quarry sites; borrow pit and other similar activities. According to the reestablishment of proclamation of ERA; it is responsible for the preparation of RAP for road projects and to initiate land acquisition and expropriation. As stated in its powers and duties ERA is responsible for the following activities that are directly related to land acquisition and many others.

- Prepare or cause the preparation of designs and feasibility, environmental and other related studies required for road works;
- determining the extent of land required for its activities in the adjacency of roads;
- cause the use of, free of charge, land and quarry substances required for the purpose of road works, camp, offices, storage of equipment and other related services;
- acquire land required for road works by paying compensation for land possessors and property owners in accordance with the law;
- to take necessary measures to protect the environment whenever road works are undertaken.

Following its reestablishment, ERA has now become a regulatory body which has a number of regional offices. Its previous, organizational setup is restructured and the own force account has become an independent public enterprise agency.

### **5.2 ERA's Environmental and Social Management Team (ESMT)**

ERA has established an Environmental and Social Management Team (ESMT) within the Planning and Program Management Directorate to address environmental and social issues arising from the road development program. The main responsibilities of the unit will include:

- Advising senior management and assisting in the decision-making process on all road sector environmental and social issues;
- Ensuring that environmental and social issues are adequately addressed in connection with the activities of all ERA departments and divisions;
- Carrying out or supervising EIAs and RAPs for road sector projects.

### **5.3 Right-of-Way Management Teams (ROWMT)**

Following ERA's restructuring which took place in 2010 five Right-of-Way Management Teams, have been organized under each Regional Directorate. The ROW Management teams under ERA's Design and Build Contract Management Directorate is responsible for making available the required land for road/highway construction and maintenance, the establishment of materials sources (borrower pits and quarries) and camp sites and for implementation of Resettlement Action Plans (RAP).

The Right-of-Way Management Teams are responsible to identify and register all the PAPs and measure all affected properties and assets and also estimate its costs in liaison with the respective Wereda compensation and property valuation committees. Once the identification and registration of PAPs and their affected properties and assets is completed the ROW agent will review and send ERA's Design and Build Contract Management Directorate to effect the payment.

The Design and Build Contract Management Directorate is under the Legal Affairs Service Division which is accountable to the Director General of ERA. Some of the activities and responsibilities assigned for the division consist of drafting, reviewing, analyzing and approving construction contract documents. Contract awarding with other assigned members of committee is the other responsibility of the division in the authority. The legal affairs service division develops and implements strategies for claims and dispute resolutions which serve as inputs to the ROW Management Teams and regional legal advocates.

#### **5.4 ERA's Legal Affairs Service Directorate**

The Legal Affairs Service Directorate is accountable to the Director General of ERA. Some of the activities and responsibilities assigned for the Directorate consist of drafting, reviewing, analyzing and approving construction contract documents. Contract awarding with other assigned members of committee is the other responsibility of the Directorate. The Directorate develops and implements strategies for claims and dispute resolutions which serve as inputs to the ROW Management Teams and regional legal advocates.

#### **5.5 Oromia Regional State**

Since this road project is fully located inside Oromia region, the regional state has an important and significant role to play in the implementation of this RAP by giving guidance and in coordinating the Administrative zones and weredas crossed by the project road. According to the Constitution of FDRE, Regional States have the duties and responsibilities for planning, directing and developing social and economic programs, as well as the administration, development and protection of resources of their respective regions.

Hence, the ORNS is the major stakeholder in the coordination and implementation of this RAP and other associated activities.

#### **5.6 Wereda Administration**

Wereda administration offices that are located along the project road corridor will have a major role and responsibility in the planning and implementation of the resettlement activities in their respective localities. The wereda administration will be the main contact and is also responsible to facilitate the relocation of PAPs and work closely with ERA's ROW Agents. The wereda will be responsible in establishing Resettlement and Implementation Committee and the Property valuation committees; in coordinating the valuation process and facilitate compensation for PAP; in facilitating land for land compensation, facilitating the relocation sites and the restoration of services, and maintain data of properties removed from expropriated land.

Wereda level sectoral offices, such as, agriculture, environment, justice and water play important roles in the implementation of this RAP in participating in compensation, property valuation and grievance committees.

#### **5.7 Kebele Administration**

Kebele administration units are the smallest unit of administration in Ethiopia and that has its own elected council and executive body. Kebele administration provide advice on the fairness in relocation process and valuation of compensation and coordinate on the support to be made for vulnerable groups. They work closely wereda resettlement/compensation committee and property valuation committee. Kebele administration has the direct contact with PAPs and the focal point to address the problems issues to be raised by PAPs.

## 6 Eligibility Criteria and Project Entitlement

The ERA/RPF Policy Framework is in line with the eligibility criteria contained in OP 4.12 of the World Bank's operational policy and Bank's procedures on Involuntary Resettlement. Accordingly, compensation for lost assets and replacement costs is made for both titled and untitled land holders.

All PAPs and organizations losing land, buildings/houses, crops or sources of income will be compensated or rehabilitated according to the types and amount of their losses (permanent or temporary) at replacement cost.

The cut-off date for compensation eligibility has been set at March 10, 2014. A careful count and identification of the existing properties and affected persons has been conducted together with local officials. The consultant had given the full list of PAPs to each respective kebeles. Any person who constructs a house or a structure in the right-of-way after the cut-off date will not be eligible to compensation or subsidies. The date has been made public to the people and to the local officials. The kebele have also informed the people. Compensation will not be paid for any structures erected or trees planted purely for the purposes of gaining additional compensation after the cut-off date.

Compensation will be paid for public buildings as well as private house owners. Also due compensation will be paid for public utilities, telephone and electricity poles. All transitional and moving allowances and compensation for temporary land loss will be directly paid to those affected. Compensation, both small and large amounts will be paid either in cash or by cheque, following the agreement with the individual PAP's. Disbursements will be ensured by ERA and will take place in the presence of the compensation committee as well as the spouse or spouses of the individual PAPs.

Based on Ethiopian laws and World Bank OP 4.12, the following is the entitlement matrix for the project:

Table 6-1: Project Entitlement Matrix

Land & Assets	Types of Impact	Person(s)Affected	Compensation/Entitlement/Benefits
Agricultural land	Cash compensation for affected land equivalent to market value. Less than 20% of land holding affected Land remains economically viable.	Farmer/ title holder	Cash compensation for affected land equivalent to replacement value, taking into account market values for the land.
		Tenant/ lease holder	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.
	Greater than 20% of land holding lost Land does not become economically viable.	Farmer/ Title holder	Land for land replacement where feasible or compensation in cash for the entire landholding according to PAP's choice, taking into account market values for the land. 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 (costs of shifting + assistance in re-establishing economic trees + allowance up to a maximum of 12 months while short- term crops mature ) Relocation assistance (costs of shifting + assistance in re-establishing economic trees + allowance up to a maximum of 12 months while short- term crops mature )
		Tenant/Lease holder	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 (costs of shifting + assistance in re-establishing economic trees + allowance up to a maximum of 12 months while short- term crops mature ) Relocation assistance (costs of shifting + assistance in re-establishing economic trees + allowance up to a maximum of 12 months while short- term crops mature ) Relocation assistance (costs of shifting + allowance).
Commercial Land	Land used for business partially affected  Limited loss	Title holder/ business owner	Cash compensation for affected land, taking into account market values for the land. Opportunity cost compensation equivalent to 5% of net annual income based on tax records for previous year (or tax records from comparable business, or estimates where such records do not exist).
		Business owner is lease holder	Opportunity cost compensation equivalent to 10% of net annual income based on tax records for previous year (or tax records from comparable business, or estimates where such records do not exist)
	Assets used for business severely affected  If partially affected, the remaining assets become insufficient for business	Title holder/business owner	Land for land replacement or compensation in cash according to PAP's choice; cash compensation to take into account market values for the land. 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,

Land & Assets	Types of Impact	Person(s)Affected	Compensation/Entitlement/Benefits
	purposes		registration, and other costs. Relocation assistance (costs of shifting + allowance) Opportunity cost compensation equivalent to 2 months net income based on tax records for previous year (or tax records from comparable business, or estimates)
		Business person is lease holder	Opportunity cost compensation equivalent to 2 months net income based on tax records for previous year (or tax records from comparable business, or estimates), or the relocation allowance, whichever is higher. Relocation assistance (costs of shifting) Assistance in rental/ lease of alternative land/ property (for a maximum of 6 months) to re-establish the business.
Residential Land	Land used for residence partially affected, limited loss Remaining land viable for present use.	Title holder	Cash compensation for affected land, taking into account market values for the land
		Rental/lease holder	Cash compensation equivalent to 10% of lease/ rental fee for the remaining period of rental/ lease agreement (written or verbal)
		Title holder	Land for land replacement or compensation in cash according to PAP's choice; cash compensation to take into account market values for the land. 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 (costs of shifting + allowance)
	Land and assets used for residence severely affected Remaining area insufficient for continued use or becomes smaller than minimally accepted under zoning laws	Rental/lease holder	Refund of any lease/ rental fees paid for time/ use after date of removal Cash compensation equivalent to 3 months of lease/ rental fee Assistance in rental/ lease of alternative land/ property Relocation assistance (costs of shifting + allowance)
Buildings and structures	Structures are partially affected  Remaining structures viable for continued use	Owner	Cash compensation for affected building and other fixed assets, taking into account market costs of structures and materials Cash assistance to cover costs of restoration of the remaining structure
		Rental/lease holder	Cash compensation for affected assets, taking into account market costs for assets and materials (verifiable improvements to the property by the tenant). Disturbance compensation equivalent to two months rental costs
	Entire structures are affected or partially affected	Owner	Cash compensation, taking into account market rates for structures and materials, for entire structure and other fixed assets without depreciation, or alternative structure

Land & Assets	Types of Impact	Person(s)Affected	Compensation/Entitlement/Benefits
	Remaining structures not suitable for continued use		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 (costs of shifting + allowance) Rehabilitation assistance if required (assistance with job placement, skills training)
		Rental/lease holder	Cash compensation for affected assets, taking into account market rates for materials (verifiable improvements to the property by the tenant) Relocation assistance (costs of shifting + allowance equivalent to four months rental costs) Assistance to help find alternative rental arrangements Rehabilitation assistance if required (assistance with job placement, skills training)
		Squatter/informal dweller	Cash compensation for affected structures without depreciation, taking into account market rates for materials Right to salvage materials without deduction from compensation Relocation assistance (costs of shifting + assistance to find alternative secure accommodation preferably in the community of residence through involvement of the program) 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)	Opportunity cost compensation equivalent to 2 months net income based on tax records for previous year (or tax records from comparable business, or estimates), or the relocation allowance, whichever is higher. Relocation assistance (costs of shifting) 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)	Cash compensation equivalent to average of last 3 years market value for the mature and harvested crop.
Trees	Trees lost	Title holder	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)	Cash compensation for any assets affected, taking into account market values for materials (e. g. boundary wall demolished, trees removed)

## 7 Livelihood and Income Restoration Measures

Livelihood and income restoration refers to reestablishment of income levels for the PAPs prevalent at the time of displacement. Income restoration is an important component for the resettlement of PAPs who have lost their productive base, businesses, jobs, or other income sources, regardless of whether they have also lost their houses. It is a dynamic plan or action that is used and required to re-establish the income streams overtime.

In livelihood and income restoration, issues such as, source of livelihood (monetary and non-monetary), availability of land for replacement, existing skills of PAPs, employment opportunities and income restoration options will be provided.

For PAPs who have lost their assets, livelihood and income restoration plans or programs may require government support and services in the short and long term basis. In this RAP a number of short and long term livelihood restoration measures/projects are proposed.

The short term support plans for PAPs may include compensation payment made for lost assets and properties before relocation, allowances for transportation and moving agricultural extension and other related supports until the income level of PAPs is restored. This short term support also involves provision of employment opportunities at project construction site.

The long-term support is measures may include non-land-based economic activities that will provide a sustained source of income over a longer period of time. Some of the different types of plans identified from experiences in different projects include income generating activities, micro enterprise development and small businesses, etc. The proposed livelihood restoration measures are expected to enable PAPs and contribute to the improvement in their standard of living.

In the livelihood restoration of PAPs, ERA has the responsibility in coordinating Regional and wereda level government authorities to provide support towards the implementation of livelihood restoration measures. Regional and wereda authorities will play important roles in the livelihood restoration plans and actions of PAPs in providing advice and tailor made training, facilitating the provision and supply of credit services through micro finance institutions and, through micro and small business enterprise agency; and also avail land for those PAPs who are interested to establish businesses enterprises.

Wereda administration offices have agreed to provide support in the livelihood restoration of PAPs by facilitating credit services and in assisting them to be established through micro and small scale enterprises that provide skill training and soft loans. Micro and small scale enterprises are government agencies that provide skill training and soft loans for groups that are organized and interested to carry out small scale entrepreneurial and business activities.

During the implementation of this RAP, social development plans, such as skill trainings, business development plans associated with credit services could be provided for PAPs to re-establish their livelihood. There are a number of potential small scale business activities and skills that could be used in the livelihood restoration of PAPs. Since most of the PAPs reside mainly in rural and peri-urban areas they may require short term skill training to carry out small scale businesses or income generating activities. Some of the potential skill trainings include metal and wood work, masonry and carpentry for men; tailoring and other small businesses for women, such as, kiosks or shops that sell consumables and cloths. Since the above activities are not very common in rural sections there is high potential for its demand if we take into consideration the current economic growth in the country (10% growth rate) and change in the life style of the people, which is associated with improved delivery of social services, improved educational level, improved road network and transportation which has contributed to increased linkages between rural and urban areas.

In order to achieve the proposed livelihood restoration plan and actions, the provision of skill training and advice in entrepreneurship and financial management is highly important and critical for those PAPs who are



planning to establish small businesses or micro enterprises either as an individual or in a group. Without proper training and advice it will be difficult for PAPs to realise the planned livelihood restoration measures.

Some of the livelihood restoration measures that were indicated and suggested by PAPs during the public consultations including activities in agriculture, such as fattening, fruit and vegetable gardening using small scale irrigation, and poultry development, etc. will be considered. Other livelihood restoration measures in non-agricultural section suggested by the PAPs include skills training activities, such as carpentry, masonry and small businesses and income generating activities. Since these activities require specific skill training for PAPs who are interested, a skill training programme will be organized for the non-agricultural skills through the Zonal and Wereda Small and Micro Enterprise Development Agencies. ERA will be responsible in coordinating the skill training for the affected HH on the basis of choice of skill type. Wereda Small and Micro Enterprise development Agency will carry out the skill training before the commencement of construction works and the duration for the training will be from 1- 3 months depending on the type of skill required and the capacity of the trainees. A lump sum of Birr 1,060,000 is budgeted for 106 HH who might require livelihood restoration measures.

### **Special Restoration Measures for Vulnerable Group/PAPs**

The income restoration measures will also target the vulnerable persons to ensure that they are reasonably assisted to overcome potential economic shock from the project, and maintain the quality of life not less than their pre-project state because; they are at higher risk than others based on their vulnerability status.

The type of livelihood restoration suitable to each PAP will be identified by the resettlement committee in consultation with PAP. As minimum indicator to be considered, PAPs level of education, age and present means of livelihood should be assessed.

## **8 Public and Stakeholders' Consultation**

### **8.1 Public Consultation**

In Ethiopia, public consultation is regarded as important and mandatory that project planners and implementers required to carry out. According to the FDRE Constitution, Article 92; "People have the right to full consultation and to the expression of their views in the planning and implementation of environmental policies and projects that affect them directly".

In the project road corridor, consultations with the project affected persons (PAP) located along the project alignment was made in order to inform PAPs about the planned project, consult and obtain relevant information on existing conditions or constraints of the study area. Public consultations were carried out with the different groups of the population drawn from the kebeles/villages crossed by the project road. The locations where public consultations were carried out include Weyiso Konchera, Desta Abdjata, Daka Haro Kelo and Ada Beso kebeles.

The consultation focused on a number of issues such as, the selection of assessing social impacts and benefits of the road to the community residing in the direct influence and indirect influence zone; payment of compensation for affected properties and other related rehabilitation measures.

Similarly, information related to existing environmental and socio-economic features of the project influence area, as well as the views and opinions of the consulted people towards the planned road project were obtained during the consultation meetings.

The participants of the public consultation included;

- Project Affected Persons,
- Elders and informal leaders,
- School Teachers, Health and Agricultural extension workers
- Representatives of Women and Youth Associations,
- Kebele Administration representatives,

A total of 9 (nine) public consultations were held with more than 200 PAPs and communities attending consultation meetings. Among the total public consultation participants 34 were vulnerable female household heads without labor and low economic position.

During public consultations with PAPs and community groups that lasted for 1 to 2 hours each, a number of important points were raised and discussed. Key agenda points that were forwarded for discussion from PAPs and community groups included impacts of the project both positive and negative on local community members, issues regarding property registration and valuation for compensation, presentation and discussion of compensation options available to PAPs.

### **8.2 Objectives of Public and Stakeholders Consultation**

Public and Stakeholders consultations were held with PAPs, community elders and local officials with the following key objectives among others:

- To inform PAPs and discuss about the nature and scale of adverse impacts of the project on their livelihoods in a more transparent and direct manner and seek their Participation in the project cycle.
- To give PAPs and communities a chance to have a say and express their views in the planning and implementation of the project that affect them directly.
- To obtain qualitative as well as quantitative information on viable income generation and livelihood interventions which PAPs could engage themselves in order to restore their income and livelihoods in a self-sustaining manner.
- To inform local authorities of the impacts, agree on a cut-off date, solicit their views on the project and discuss their share of the responsibility for the smooth functioning of the overall operation of the project.

- To identify the fears, expectations and concerns of the population about the project road and the potential impacts due to the construction of the proposed project road; and also identifying the impacts and its mitigation measures.

### 8.3 Stakeholders' consultation

Different stakeholders' who have either direct or indirect responsibility, and stake with the construction of the project road were consulted. The primary stakeholders that have major role to play and consulted included wereda administrators, experts drawn from wereda sector offices and political leaders and NGO representatives operating in the project area. In the project road corridor, consultation with stakeholder were held twice in Adami Tulu and Arisi Negele weredas with 17 participants drawn from wereda sector offices (experts and wereda cabinet members).

The stakeholders were consulted to provide their expert opinion and views towards the impacts to be created due to the project road corridor, their role and involvement in the planning and implementation of this RAP and their contribution and expected participation they will have at the different stages.

### 8.4 Major Findings of Public and Stakeholders' Consultations

Both the public and stakeholders consultation participants consider that the construction of the road to be highly beneficial and important to improve the socio economic situation of the population in the project road corridor and that its construction is also critical for the socio economic development and growth of the Administrative zone and Weredas; and the community in general crossed by the project road. The public has high expectations with the construction of the project road corridor and are of the opinion that they will have improved and easy access to transportation and that their livelihood also will be improved following the construction of the road. They also assume that delivery of social services will be enhanced and that the wereda and country level Growth and Transformation Plan (GTP) could be realized and that the poverty situation of the local population to be improved.

Since the details of the consultations are too wide-ranging and too broad to be presented here, only a summary of key issues discussed and major findings are sub divided into relevant categories and presented in the section below. These broader categories into which key findings of the consultations are include anxiety, expectation, fears, uncertainties, hopes, needs, aspirations and general comments.

### 8.5 Findings of Consultations with PAPs and Community Groups

#### A) Anxiety, Fears and Concerns:

- We do not know how much we are going to receive as a compensation payment for loss of assets.
- Fear of homelessness for the whole family.
- What will happen if the cash compensation turns out to be inadequate to replace lost assets?
- Some of us will lose partly or all farmland dwellings. If there is no land available in rural areas where can we be relocated?
- We cannot afford to access urban land either. Where are we supposed to go?
- We do not know the dates when compensation payments commence so that we can't plan self-relocation.
- How will we know that our affected land and property is measured accurately and recorded or registered appropriately?
- Some of the affected property is not registered by oversight. What are the chances for correcting mistakes in registration of affected property?
- What if the impact of the road affects farmers beyond the often-mentioned 90 meters RoW?
- Those of us who are of old age, no matter how much money we receive as compensation, is not going to help us as we are unable to do much with it.

- What is the plan for someone who lost both a residential house and farmland or if the remaining land is economically unviable?
- Land expropriation and compensation payment should be planned synchronized in such a way that is in harmony with the local agricultural calendar.
- We, PAPs need to be made aware of land expropriation ahead of time so that we can plan and prepare for self-relocation.

#### **B) Preferences and Additional Demands**

- We do not want “land for land” compensation, just cash compensation.
- Ten years’ equivalent compensation is too little to compensate for a farmer who lost his/her farmland for good,
- We trust that all affected property are included and registered accurately.

#### **C) Expectations, Hopes, Aspirations and Needs:**

- We elderly people expect to be provided by special assistance.
- Project affected persons should be given a special consideration in all available employment opportunities both short-term and long-term.
- We hope and aspire to help ourselves through using compensation payments for useful and productive purposes such as building dwellings, opening retail shops and business, opening restaurants to serve the demand that might come with the project, engaging in agricultural goods trading, organize ourselves into groups and engage in services such as ground transport (vehicular) and grain milling.
- If the road project helps us to form associations, we can support ourselves with different income generating activities like oxen fattening, small scale irrigations and vegetable crop productions.

#### **D) Appreciation and Positive Comments:**

- We agree on and pledge to observe the cut-off date as per the project request,
- We commit ourselves to support the implementation of the various components of the project in every way we can.

#### **E) Questions and Clarifications:**

- As the farming season has already approached we need to know the verdict of affected land. Can we use the land until we receive compensation?
- What are the plans for family graves that will be affected?
- Can we use the affected farmland temporarily to grow annual crops?
- What about the indirect impact of the road component on farmers residing close to it as they will be affected adversely by dust, noise and rolling stones during civil works.
- What are the procedures put in place to effect compensation payments?
- Is it before or after receipt of compensation payments that we are supposed to give our land and all affected property?
- What is a person supposed to do if that person has a house under construction at the moment?

### **8.6 Findings of Consultations with Local Officials**

Consultations were held at Adami Tulu and Arisi Negele weredas. Local officials with the intention of informing them on the nature and scale of impacts and their roles and responsibilities in the project, and discussing viable options and strategies for income and livelihoods restoration including the availability of government land for resettlement of PAPs.

Local officials have a key role to play in the project including the power to expropriate landholdings and the responsibility to actively participate in the designing, planning and implementation of various sustainable development initiatives devised to restore income and livelihoods of PAPs,

- Local officials have pledged to ensure that the cut-off date will be observed by PAPs and other community members,
- Local officials will continue supporting the project at all stages and participate in various committees that may have to be formed for the execution of the RAP,
- Compensation, valuation and grievance and redress committee also formed on wereda officials consultations,
- Members from the project affected people, religious leaders, women wereda offices experts and agricultural experts are also included in the wereda Committee.
- Women and project affected persons representatives also included in the committee.
- Officials understand the problems that vulnerable groups are likely to face. Therefore, every effort will be made to provide them with special assistance throughout the project.
- Representatives of PAPs need to be involved in Kebele Resettlement Committee.
- All the consultations meeting minutes also signed by the participants and the wereda administration stamps also put on the minutes.

#### **8.7 Consensus and agreement reached with PAPs and Stakeholders**

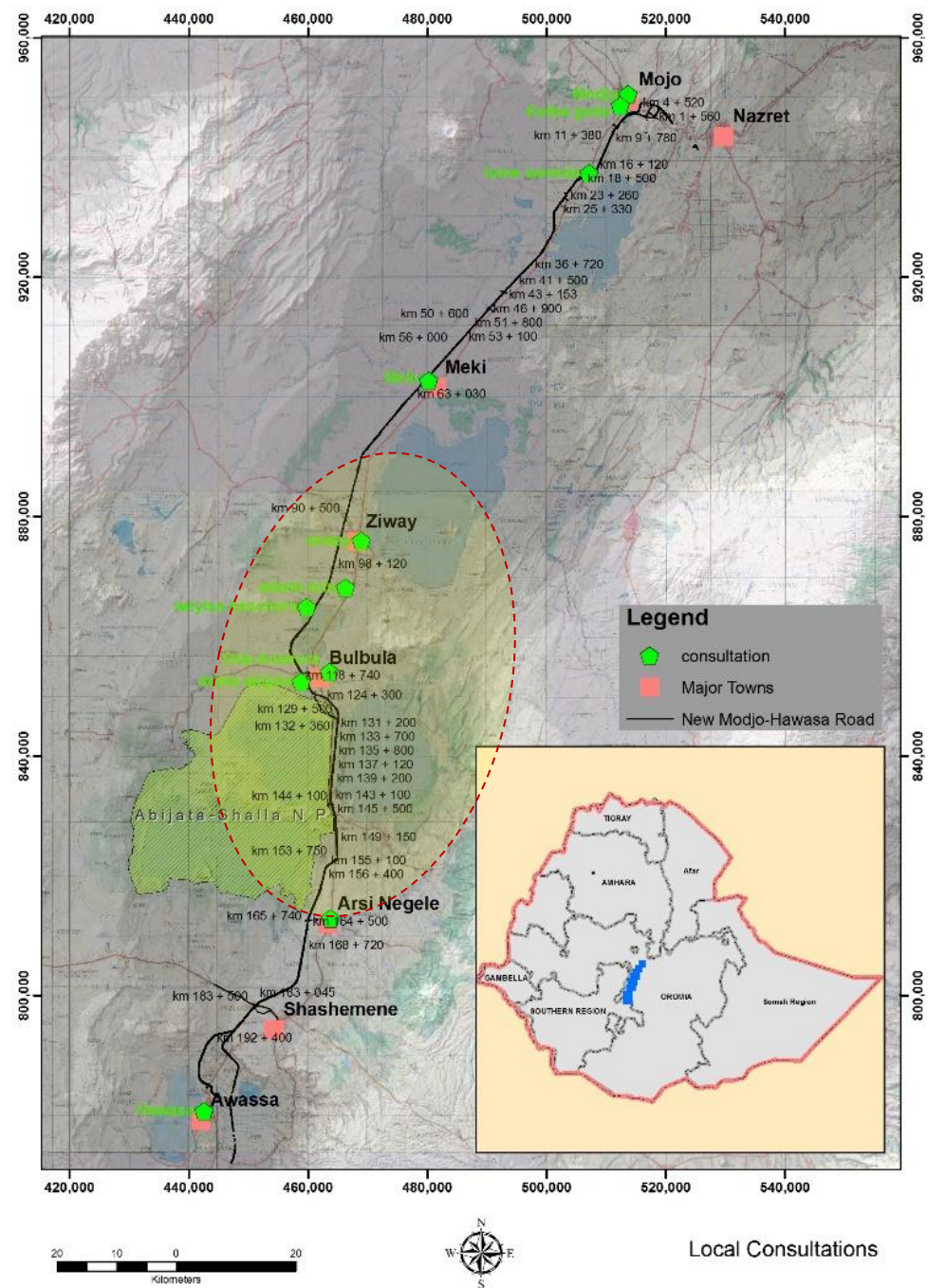
The following are the summarized consensus reached at the public consultation:

- An understanding has been reached that local officials will provide all require support in the implementation of the RAP and all support for households that may lose their land and assets.
- Compensation payments will be issued in the names of both spouses or heads of households, and other resettlement assistance, such as skills training, and job opportunities, will also be provided to both men and women according to their needs.
- Compensation will be based on replacement cost and will be sufficient to replace assets, plus necessary transaction costs associated with asset replacement. To ensure compensation at replacement cost, planned compensation rates may be recalculated if the payment period is delayed due to inflation.
- The wereda will provide support in planning and implementing livelihood restoration measures for PAPs. This could be done by organizing them through micro and small scale enterprises in a form of cooperatives or associations based on the interest and willingness of PAPs.
- The wereda agrees to provide special support and care for vulnerable households identified in this RAP and assist them in re-establishing their livelihood.
- At wereda level, a special task force will be formed to oversee and assist the day to day implementation of the project in a timely and proper manner.
- The wereda will facilitate and coordinate the establishment of the various committees required in this study at all levels and as indicated in FDRE Government proclamations.
- The wereda administration agrees that it will monitor the implementation of the RAP is carried out as per the law and ensure that PAPs are compensated for lost assets and properties as per the proclamation and as indicated in this RAP.
- PAPs consulted in all the kebeles that are crossed by the project road have agreed to provide all their support towards the implementation of the RAP.
- In places where family grave yards will be affected due to the construction works, the kebele authorities and the public have reached understanding to relocate the grave yards to new locations. The kebele administration has also agreed to coordinate its removal and reburial to new locations in line with the cultural and religious practices of the communities. In the project area there are more

than one communal grave yard sites and some graveyards are even located in nearby homesteads. Hence, the actual number of graveyards might increase during the construction of access road and detour as well.

- The ceremony and other costs to transfer the corpses will be covered by the kebele administration and it is included in the RAP document.
- The amount of compensation for a burial ground is determined on the basis of estimated costs to be incurred for removing the grave stone, preparing other burial ground, transferring, relocating the corpse, and for conducting religious and ritual ceremonies in relation thereto. It is calculated based on current market price as it is indicated in the Council of Ministries Regulation No.135/2007 for payment of Compensation for properties Situated on Landholding expropriated for public purpose, Article 12(1). The amount of costs stipulated under sub Article (1) of this Article shall be determined on the basis of the current local market prices of materials, transport services and labor Article 12(2).
- PAPs have agreed and committed not to carry out any construction activities inside the ROW after the agreed cut-off date.
- In some locations, such as, Bulbula where cattle cross the road regularly on daily basis to the river for drinking water, the project will construct cattle crossings in order to facilitate traffic movement.

Figure 8-1: Public consultation locations



## 9 SOCIO ECONOMIC SURVEY OF PAPs

### 9.1 Number of PAPs

A total of 651 household heads will be affected by the construction works of the project road. the majority of them, **568 (88.6%) are male headed households**, 10.6% are women headed and 0.8% institutions. The total family members of the project affected households are 4103 out of which, 2046 (49.9%) are male and the remaining 2057 (51.1%) are female. Appendix 1 provides the names of the household and institutions identified during the field survey.

**Table 9-1: Distribution of Project Affected Household heads by Wereda**

Sex	Adami Tulu		Arsi Negele		Total	
	No.	Percent	No.	Percent	No.	Percent
Male	390	89	187	88.6	577	88.6
Female	50	11	19	9	69	10.6
Institutions			5	2.4	5	0.8
Total	440	100	211		651	100

Source: Consultant's field survey

**Table 9-2 Project Affected People**

Total PAPs		People to be displaced		Partially Affected people	
Number of HH	PAPs	Number of HH	PAPs	Number of HH	PAPs
651	4103	33	200	618	3903

Partially Affected People include those losing strip of farmland, but able to continue living with the remaining land holding after being compensated for loss of crops, trees, foregone benefit, etc.

### 9.2 Religious background of PAPs

The majority (89.9%) of the HH heads are Muslim while 7.5% of the affected HH population are Christians and 1.5% are followers of traditional religion and 0.3% are Behai. The spatial distribution of the HHs following the four faiths shows some variation between the weredas.

**Table 9-3: Religion of Affected Household heads by Wereda**

Religion	Adami Tulu		Arsi Negele		Total	
	No.	Percent	No.	Percent	No.	Percent
Christian	25	5.68	24	11.4	49	7.5
Muslim	409	92.95	176	83.4	585	89.9
Behai	2	0.45			2	0.3
Not Avialabale			5	2.4	5	0.8
Traditional	4	0.91	6	2.8	10	1.5
<b>Total</b>	<b>440</b>	<b>100.00</b>	<b>211</b>	<b>100.0</b>	<b>651</b>	<b>100.0</b>

Source: Consultant's field survey

### 9.3 Ethnicity of PAPs



The majority of the affected HH heads (96.8%) belongs to the Oromo ethnic group and other ethnic groups comprise 0.6% and 2.6% not available.

**Table 9-4: Ethnicity of HH Heads**

Ethnic Group	Adami Tulu		Arsi Negele		Total	
	No.	Percent	No.	Percent	No.	Percent
Oromo	432	98.1	198	94	630	96.8
Kembata			2	1	2	0.3
Gurage	2	0.5			2	0.3
Not Available	6	1.4	11	5	17	2.6
<b>Total</b>	<b>440</b>	<b>100</b>	<b>211</b>	<b>100</b>	<b>651</b>	<b>100</b>

Source: Consultant's field survey

#### 9.4 Occupation

The overwhelming majority (95.7%) of the project affected HH heads are reported to be farmers. This is an expected situation since the project road traverses predominantly in rural areas where farming is the main economic activity.

**Table 9-5: Occupation of Household heads by wereda**

Occupation	Adami Tulu		Arsi Negele		Total	
	No.	Percent	No.	Percent	No.	Percent
Farmer	425	96	198	94	623	95.70
Other	8	2	3	1	11	1.69
Not Available	8	2	9	4	17	2.61
<b>Total</b>	<b>441</b>	<b>100</b>	<b>210</b>	<b>100</b>	<b>651</b>	<b>100</b>

Source: Consultant's field survey

#### 9.5 Marital status

The majority of the affected HHs (84%) are reported to be married. 10% have dissolved their marriages mainly by widowhood. The proportion of widows is slightly more and this places women heads of households in a more vulnerable situation. Singles constitute 4% among the affected HHHs.

**Table 9-6: Marital status of HHHs**

Marital status	Adami Tulu		Arsi Negele		Total	
	No	%	No	%	No	%
<b>Single</b>	17	4%	7	3%	24	4%
<b>Married</b>	372	85%	178	84%	550	84%
<b>Divorced</b>	1	0%	0	0%	1	0%
<b>Widowed</b>	46	10%	16	8%	62	10%
<b>NA</b>	4	1%	10	5%	14	2%
<b>Total</b>	<b>440</b>	<b>100%</b>	<b>211</b>	<b>100%</b>	<b>651</b>	<b>100%</b>

Source: Consultant's field survey

#### 9.6 Education

The majority (or 38%) of the affected Household heads (HHHs) are illiterate and followed by 22% of HHs who can only read and write, 19% have either attended or completed primary schools, and likewise, 10% have either attended or completed secondary schools. HHs with college background constitute only 1%. In general, the educated and literate population are the majority when compared to the illiterate among the PAPs in the project road corridor.

Table 9-7: Education of PAPs

Education	Adami Tulu		Arsi Negele		Total	
	No	%	No	%	No	%
<b>Illiterate</b>	183	42%	63	30%	246	38
<b>Read &amp; Write</b>	94	21%	50	24%	144	22
<b>Primary</b>	74	17%	47	22%	121	19
<b>Secondary</b>	52	12%	15	7%	67	10
<b>College</b>	5	1%	3	1%	8	1
<b>Not Available</b>	32	7%	33	16%	65	10
<b>Total</b>	<b>440</b>	<b>100%</b>	<b>211</b>	<b>100%</b>	<b>651</b>	<b>100</b>

Source: Consultant's field survey

### 9.7 Vulnerable Households

The socio-economic survey identified 173 vulnerable HHs. The vulnerable PAPs are constituted of elderly men (above the age of 60) (85) and (88) women heads of households. The names of project affected vulnerable households heads are given in Appendix 5.

At the time of implementing the compensation and the resettlement action plan of the project special attention, support and care should be given to female-headed households and to the elderly. The support will be made in rebuilding their houses, transferring and transporting their household items and materials to the newly constructed residential houses or houses used for business purpose.

## 10 Methodology in valuing losses

In this RAP, the methodology for valuing assets will be based on at Full Replacement Cost. Compensation will be based on Replacement cost and will be sufficient to replace assets, plus necessary transaction costs associated with asset replacement

Replacement costs are taken as a minimum estimate of the value of measures that will reduce the damage or improve on-site management practices and thereby prevent damage.

The replacement cost approach involves;

- direct replacement of expropriated assets and covers an amount that is sufficient for asset replacement,
- net depreciation,
- moving expenses and
- other transaction costs.

World Bank's OP 4.12 defines replacement cost, *"method of valuation of assets that helps determine the amount sufficient to replace lost assets and cover transition costs. In applying this method of valuation, depreciation of structures and assets should not be taken into account."*

The replacement cost to land and structures is defined as shown in the following table for the different land use type, such as, agriculture, urban and rural land.

### 10.1 Replacement Costs for Land, Houses & Public Infrastructures

**Table 10-1: Replacement cost by type of impact**

No.	Agricultural Land	For Public Infrastructure	For Houses
I.	It is the pre-project or pre-displacement, whichever is higher	It is the pre-project or pre-displacement, whichever is higher with similar or improved public infrastructure facilities and services and located in the vicinity of the affected area	It is the market cost of the materials to build a replacement structure (house) with an area and quality similar to or better than the affected house, or to repair a partially affected house
II.	Market value of land of equal productive potential or use located in the vicinity of the affected land	The cost of any registration and transfer taxes	The cost of transporting building materials to the construction site
III.	The cost of land preparation to levels similar to those of the affected land	The cost of transporting building materials to the construction site	The cost of any labour and contractors' fees
IV.	The cost of any registration and transfer taxes	The cost of any labour and contractors' fees	The cost of any registration and transfer taxes

### 10.2 Basis for Valuation

The basis for the valuation of affected assets and properties is Gross Current Replacement Cost (GCRC). ERA's RPF defines Gross Current Replacement Cost as 'the estimated cost of erecting a building as new having the same gross external area as that existing with the site works and services on a similar piece of land'. The valuation process will also consider the use of "compensation value" for affected properties.

The valuation of affected assets and properties will be carried out by experienced and skilled valuers. According to Proclamation 455/2005, *"The valuation of property situated on land to be expropriated shall be carried out by certified private or public institutions or individual consultants on the basis of valuation formula adopted at the national level."*

In order to provide PAPs with adequate compensation for assets & properties they will be losing, proper valuation will be undertaken by the valuation committee & reviewed by the resettlement/compensation committee. The valuation committee, in close consultation with PAPs and in collaboration with wereda administration will prepare the unit rates for the affected assets to be determined on the basis of market value.

### 10.2.1 Valuation for Loss of Houses

Compensation procedures for loss of houses are established in consultation with the Resettlement / Implementation committees established at Wereda level. The ROW Team executes the expropriation/compensation procedures in concert with the ERA's Regional Directorate.

In determining replacement cost for loss of houses, the following points are taken into consideration;

- Current construction cost and no allowance for depreciation is considered;
- 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 ;
- The unit rate (or bill of quantity) is estimated on the basis of the type of the affected houses. The cost of each house to be replaced is estimated on the basis of specification and bill of quantities prepared by the wereda and kebele administration; irrespective of the location of the area, the unit costs for the similar types of houses are taken to be identical.

Those PAPs losing portion of their house will receive full compensation payment since the remaining portion of the house will not be habitable anymore and hence, PAPs need to construct new houses, in addition, these PAPs will have the choice of retaining the remaining portion of the plot as long as it is located outside of the ROW.

PAPs losing their whole house, with no enough plot to construct new houses will be relocated to new places that are not far away from their current location or villages and will also receive full compensation payment. Most HH however, do not want to move to new locations but want to move or shift to the back side of their farmland. At the time of preparing this RAP, the exact number of PAPs that fall within these categories are been worked out and the resettlement site within their present location is been finalized.

### 10.2.2 Valuation for permanent Loss of Agricultural Land

The principle for permanent loss of agricultural land /crop loss/ is that it should be compensated with land for land compensation (or land for land replacement) in those areas where land is available for replacement. In the extent at which the agricultural land lost cannot be replaced, the principles for monetary compensation will apply.

Cash compensation will be paid for permanent loss of crops and trees; and for temporarily lost agricultural land which is acquired for the construction period only. The compensation rates for loss of trees and crops from lost agricultural land are established by the wereda agriculture offices. This include production and yield estimate and market price data collected for five years. To compensate the forgone benefit and income from agricultural land, cash compensation is the only option.

FDRE Proclamation 455/2005, Article 8 (displacement Compensation) No. 1 states that; *"A rural landholder whose landholding has been permanently expropriated shall, in addition to the compensation payable under article 7 of this proclamation, be paid displacement compensation which shall be equivalent to ten times the average annual income he secured during the five years preceding the expropriation of the land"*

The principle of compensation also follows that of income restoration of PAPs. According to the five year average crop budget and gross income is calculated and the proportion of income equivalent to land loss is determined. In the case of fruit trees, the calculation will take into account a major interruption of the income series after a tree has reached its economic limit of life and a new tree planted instead will have reached its fruit bearing age.

### 10.2.3 Valuation for Temporary Dispossession of Agricultural Land

The valuation methodology for the amount of crop loss from temporarily affected agricultural land will be identified;

- Average price per crop type (five year average price for total loss)
- Land type (irrigated and non-irrigated) and size for each type of crop
- Average production per hectare
- Number of farming season (or production season)

The average net income earned from one hectare of land will be calculated according to a farm budget by using local market prices. Taking into account the nature of the project, the extent of land expropriation is unlikely that there will be anything other than a low level of (partial) impact as far as agricultural landholders and the overall project are concerned.

Agricultural land valuation will consider the five year average annual income from the land and calculate the ten-year gross income. According to proclamation 455/2005, compensation for lost income is based on the average annual income secured during the five years preceding the expropriation of the land.

The formula adopted for calculating compensation for crops, unripe and ripe perennial crops is presented in the following table.

#### 10.2.4 Valuation formula for perennial crops

**Table 10-2: Perennial crops**

<b>Crops</b>	<b>Ripe perennial crops</b>	<b>Unripe perennial crops</b>
The total area of the land in m <sup>2</sup>	Annual yield in kg	No. of plants (legs)
Value of the crops per kg	Current price of the produce	Cost incurred to grow an individual plat
The amount of crops to be obtained per m <sup>2</sup>	Cost of permanent improvement on land	Cost of permanent improvement on land
Cost of permanent improvement of land		

A PAP whose agricultural land is expropriated for the project road will be compensated as per proclamation No. 455/2005, which provides displacement compensation for rural landholders whose lands expropriated permanently that amounts ten times the average annual income secured during the five years preceding the expropriation.

#### 10.2.5 Valuation for Public Utility Lines

Public utilities that will be affected due to the construction of the road project include telephone and electricity poles.

ERA will be responsible to notify the appropriate authorities of the relevant dates, and request completion of relocation works before the commencement of the construction works. The relocation of the affected public properties is normally carried out by the service providers upon payment of relocation cost and needs to be completed prior to commencement of the works.

## 11 Properties Affected by the Project and its cost estimate

### (i) Affected Houses and Fences within 90 meters width of ROW

The project would affect 106 housing units (4835.87 square meters). Out of the total affected houses 62 are Tukul (2733.87sqm) followed by, 37 houses constructed from Mud Wall and covered with Corrugated Iron Sheet Roof (1516sqm), 3 houses made of Hollow Cement Block (329.5sqm) and 4 made of Mud Block wall (257sqm). In addition 17 households will lose 2955 meter of fence constructed with wood and vegetation.

**Table 11-1: Houses and Fence Affected at 90m ROW**

No.	Type of affected house	No.	Area of affected house in square meter
1	Mud wall	37	1516
2	Tukul	62	2733.87
3	Hallow Concrete Block	3	329
4	Mud brick	4	257
<b>Total</b>		<b>106</b>	<b>4835.87</b>

The affected houses are estimated on the basis of the unit cost on the basis of the current market price for compensation provided by wereda Administration. The following table presents the average unit costs applied for estimating the budget of reconstructing the affected houses and fences.

**Table 11-2: Unit Cost of Replacement**

No	Description	ETB
1	Cement Block Wall / m <sup>2</sup>	1,500
2	Mud Wall Corrugated Sheet / m <sup>2</sup>	1,200
3	Tukul / m <sup>2</sup>	642
4	Wood and Vegetation Fence /m	200
5	Eucalyptus tree	280
6	Crop land compensation/ha	197,350

The total budget requirement for compensating the affected houses has been estimated to be ETB 5,279,244. In particular ETB 1,819,200 will be allotted for Mud Wall Houses with Corrugated Sheet Roof; ETB 1,755,144 for Tukul; ETB 308,400 for houses made of Mud Brick wall; ETB 493,500 for Hollow Cement Block (HCB) houses and ETB 903,000 for fence.

### (ii) Impact of the Project on Farm Lands

The findings of the fieldwork showed that the project road will affect a total of 440ha of strips of annual crop land. The main social impacts of the road project on crop land occur in Adami Tulu (249.6ha). In Arsi Negele the affected cropland is (190.4ha).

The 440ha farmlands affected by the project road will be paid at the rate of Birr 19,735.00 for one hectare of farmland per year (Birr 197,350.00 per hectare for 10 years). The total budget required for compensating farmlands affected by the road is estimated to be ETB 86,834,000..

The unit rates for loss of perennial crops and annual crops from lost agricultural land will be revised by the valuation committee and submitted for approval to the Resettlement / Implementation committee and ERA by

adopting the methodology presented for crops as per regulation No 135/2007. The revision of the unit rates by the valuation committee will be done during the implementation of this RAP and prior to the commencement of construction works.

### **(iii) Impact of the Project on Trees**

Eucalyptus is the major type of timber trees that will be affected in the project road located within the ROW along the road alignment. It is estimated that a total of 22,567 eucalyptus trees will be affected by the project and of which 10,423 in Adami Tulu and 12,144 in Arsi Negele weredas.

The compensation budget requirement for the affected eucalyptus trees is estimated to be ETB 6,318,760.00 at the rate of ETB 280 per tree. The calculation of the compensation rate for eucalyptus trees takes into account the proliferation of stems in the coming 10 years.

A single cut of trees will be replaced by planting 10 trees. The replaced trees will be planted along the right of way or at selected plot of land which is considered to be suitable for tree growing. The Contractor will be responsible for planting, watering and for its protection. At the end of the project period, the local community jointly with the wereda and kebele agriculture will take over the responsibility for its upkeep.

### **(iv) Electricity and Tele Poles Affected by the Project**

The project road will require the relocation of 56 electricity poles and 2 telephone poles. The head office of the Ethiopian Electric Power (EPE) and Ethio Telecom were requested to provide the amount for the relocation of the system. According to the authorities, the counting of the affected poles is not an adequate method for calculating the magnitude of total losses estimation since it requires on site evaluation by their experts. However, based on experiences from other similar road projects, an average cost of Birr 500 per pole can be used for preparation of relocation budget estimate. Exact cost assessment shall be done when actual relocation takes place. Based on this, the total budget required for relocating the affected 58 poles will be ETB 29,000.00.

### **(v) Impact on Grave Yards:**

In the project area there are a number of communal and private grave yards situated near homesteads and estimated to be about 200. The number of graveyards might increase more than the present estimate during the construction works of the project road, such as, access road, detour and realignment. If additional graveyards are identified ERA in consultation with wereda and kebele authorities, and community leaders will organize the reburial process as per the cultural and religious ceremonies and practices. Compensation for graveyards will be estimated on the basis of cost incurred to remove the burial stones, preparation of other burial grounds, relocating the corpses and conducting religious ceremonies and cultural practices.

## **12 IMPLEMENTATION PROCEDURE**

This section discusses on the implementation procedures, role and responsibility of organizations, and institutions that are responsible in the implementation of this RAP document both at Federal and Regional Government and also at grass root level.

The Ethiopian Roads Authority (ERA) is the main responsible body for initiating the preparation of this RAP document, execution of the compensation payment as per the Federal Government Proclamation 455/2005 and Council of Ministers Regulation No. 351/2007; and ERA's Resettlement/Rehabilitation Policy Framework (RPF). In ERA, the Environmental and Social Management Team (ESMT) are directly responsible for the review, monitoring of Resettlement Action Plans. ESMT is also responsible and is in charge for the identification of adverse environmental and social impacts and for monitoring the implementation of its mitigation measures. The ROW team from ERA's Western Regional Directorate will be responsible for the implementation and payment of compensation.

At Federal level, different Ministries and agencies play coordination and facilitation function towards the project implementation. Similarly, at Regional Government level different Bureaus play coordination and facilitation role in ensuring that PAPs are treated as per the proclamations.

The wereda administration is the main administrative body that is endowed with the power to oversee the implementation of RAP activities and which has the face to face contact with the community and PAPs. At Wereda level; the wereda Administration Offices, wereda Agriculture and Rural Development Offices, Municipalities of those towns located along the project road and Kebele administrations (Rural and Urban); and Clan and Religious leaders will play very important role in the implementation of the RAP.

ERA in consultation with the Ministry of Transport (MoT), and Ministry of Finance and Economic Development (MoFED) shall carry out the coordination work among the different actors at Federal level; and the jurisdiction between the different donor agencies shall be mainly the responsibility of MoFED and MoT.

ERA's Regional Directorate will have a major role in the coordination of the project planning, procurement and implementation.

At Regional Government level, the Regional Bureau of Land and Environment Protection will play a monitoring role while Wereda administration offices will play key role in the facilitation and implementation of the RAP by establishing Resettlement / Implementation Committees and Property valuation committees, by providing land for relocation, coordinating compensation payments, addressing grievances and related issues.

In addition to Government institutions, Representatives of PAPs will have important role to play in the planning and implementation of the project. PAPs will elect their representatives who will represent them in meetings and discussions to be held with the wereda administration, valuation committee, and resettlement/implementation committee and with the ROW Agent from ERA's Regional Directorate.

## 12.1 Organizations at Federal Government Level

Organizations that operate at the Federal Government level and have some role to play in the planning and implementation of the project include the Ministry of Transport and Communication, the Ministry of Finance and Economic Development (MoFED) and Ethiopian Roads Authority (ERA), which the implementing agency. The Ministry of Transport and Communication and Ministry of Finance and Economic Development provide the overall policy guidelines and coordination at Ministerial level and also provide adequate governance and management; and budget release for timely operation.

ERA, which is the client of the project, has extensive experience in the preparation and implementation for a number of RAPs that were prepared for road projects. In ERA, the Environmental and Social Management Team is responsible for the monitoring and evaluation of for the implementation of RAP under road projects.

The following table shows the different organizations operating at Federal level that will have the role and responsibility in the planning and implementation of the upgrading of the road project.

### List of institutions/stakeholders at Federal Government level that will have role during Planning and implementation of the RAP

No.	Organizations Responsible	Responsibility
1	Ministry of Transport	Provide overall policy guidelines and coordination at Ministerial level and also provide adequate governance and management
2	Ministry of Finance and Economic Development	Approval and signing of credit with World Bank. Release and approval of fund for compensation
3	Ministry of Federal Affairs	Follow up and ensure that the required financial supports are provided to PAPs as per the proclamation 455/2005 Prepare national valuation formula for the determination of compensation
4	Ethiopian Roads Authority	Overall Management and Budget Allocation for the project implementation;



No.	Organizations Responsible	Responsibility
		Coordinate with Federal and Regional Authorities in the planning and implementation of the project
5	Ministry of Environment and Forest	Appraisal and monitoring of the RAP
6	ERA's Regional Directorate	Re-establish Resettlement and Valuation committees at wereda level; Responsible for the implementation of this Resettlement Action Plan; Effect compensation payment for PAPs; Income restoration Provide support for Vulnerable groups; Monitor the restoration of public services / utilities affected by the construction works, such as, water supply, etc
7	ERA's Environmental and Social Management Team	Monitor and Evaluate the implementation of the RAP Provide technical support for the project office in training, and related activities etc.

## 12.2 Regional Government Level

According to the Constitution of FDRE, Regional States have the duties and responsibilities for planning, directing and developing social and economic programs, as well as the administration, development and protection of resources of their respective regions. This is also true for Wereda (or district) administrations. Each Wereda administration is governed by its own elected council. The Wereda council is more or less similar to that of the Federal & Regional Parliament in its structure; and appoints the executive committee which is responsible to run the day today activities of the Wereda.

At Regional level, it is the Wereda administration offices that are located along the project road corridor that will have a major role and responsibility in the planning & implementation of the resettlement activities in their respective localities. The Wereda administration will be the main contact and is also responsible to facilitate the relocation of PAPs and work closely with ERA's Regional Directorate.

### 13 Compensation Procedures & Approach

The strategy adopted for compensation of the affected properties / assets follows the FDRE laws and regulations, and that of WB policy and procedures.

The compensation procedures and approach in this RAP will adopt the following three steps.

Establishment of Property valuation committees: Property valuation committees will be established both in rural and urban areas that are traversed by the project road. The composition and number of the committee members will be as per FDRE law. The property valuation committee for rural and urban areas will be different. The property valuation committees will provide PAPs with adequate valuation of affected properties and assets and estimates the compensation for the assets they will be losing; proper valuation will be undertaken by the valuation committee & reviewed by the resettlement/compensation committee.

Assessment of properties & assets: All properties & assets affected by the project road will be assessed at a full replacement cost, which is based on the current value of replacement.

Establishing unit rates: The unit rates will be established for each of the affected properties and assets that are expropriated due to the construction works of the road on the basis of the current market value. In preparing the valuation average costs will have to be assumed. It should be noted that costs of construction vary from one locality to the other.

The compensation procedure and approach will be determined on the willingness and readiness of owners of a resource to give up their rights.

Compensation payment to PAPs will be effected after the property valuation committee makes the final estimate of compensation payable for the affected properties at a full replacement cost and reviewed by the Resettlement committee and finally approved by ERA's Regional Directorate.

Payment to affected properties and assets will be effected before the commencement of the road construction works. The payment procedures and mechanisms to be adopted will be simple and easily understandable to PAPs also.

Compensation payment will address the following four questions.

- what to compensate for (e.g. land, structures, businesses, fixed improvements or temporary impacts, lost income);
- how to compensate;
- when to compensate; and
- amount to be compensated.

Compensation for land structures, business, fixed improvements on farmland and other temporary impacts are based on among other things on market valuation, production & productivity valuation, negotiated settlements, material and labour valuation.

Compensation for temporary impacts will be calculated on the basis of the criterion/principles;

- Compensation equivalent to lost income required for the duration of impact,
- Compensation equivalent to lost income required for loss of access, and

Physical restoration of assets (or access).

### 14 Grievance Redress Mechanism

In case disputes arise between the RAP implementation committee and project affected persons the preferred way of settlement is through amicable means. This will save time and resources as opposed to taking the matter to court.

To ensure that the PAP have avenues for redressing grievances related to any aspect of land acquisition and resettlement, procedures for the redress of grievances should be established for the project. The objective is

to respond to the complaints of the PAP speedily and in a transparent manner. The mechanism is designed to be easily accessible, transparent and fair.

As far as possible, the objective will be to avoid the need to resort to complicated formal channels to redress grievances. It is considered that by resolving grievances within the projects administrative structures, not only will the process be more effective and efficient but also the progress of the project implementation is less likely to be affected.

Arbital tribunals will be formed in Adami tulu and Arsi Negele Weredas and will settle disputes arising in the respective kebeles. The arbitral tribunals will be established from the outset instead of leaving it to the disputants to appoint the arbitrators. This is the preferable option since it might take a lot of time to appoint arbitrators if left to the disputing parties. Individual members of the RAP team should by no means be members of the arbitral tribunal since they have already taken a position.

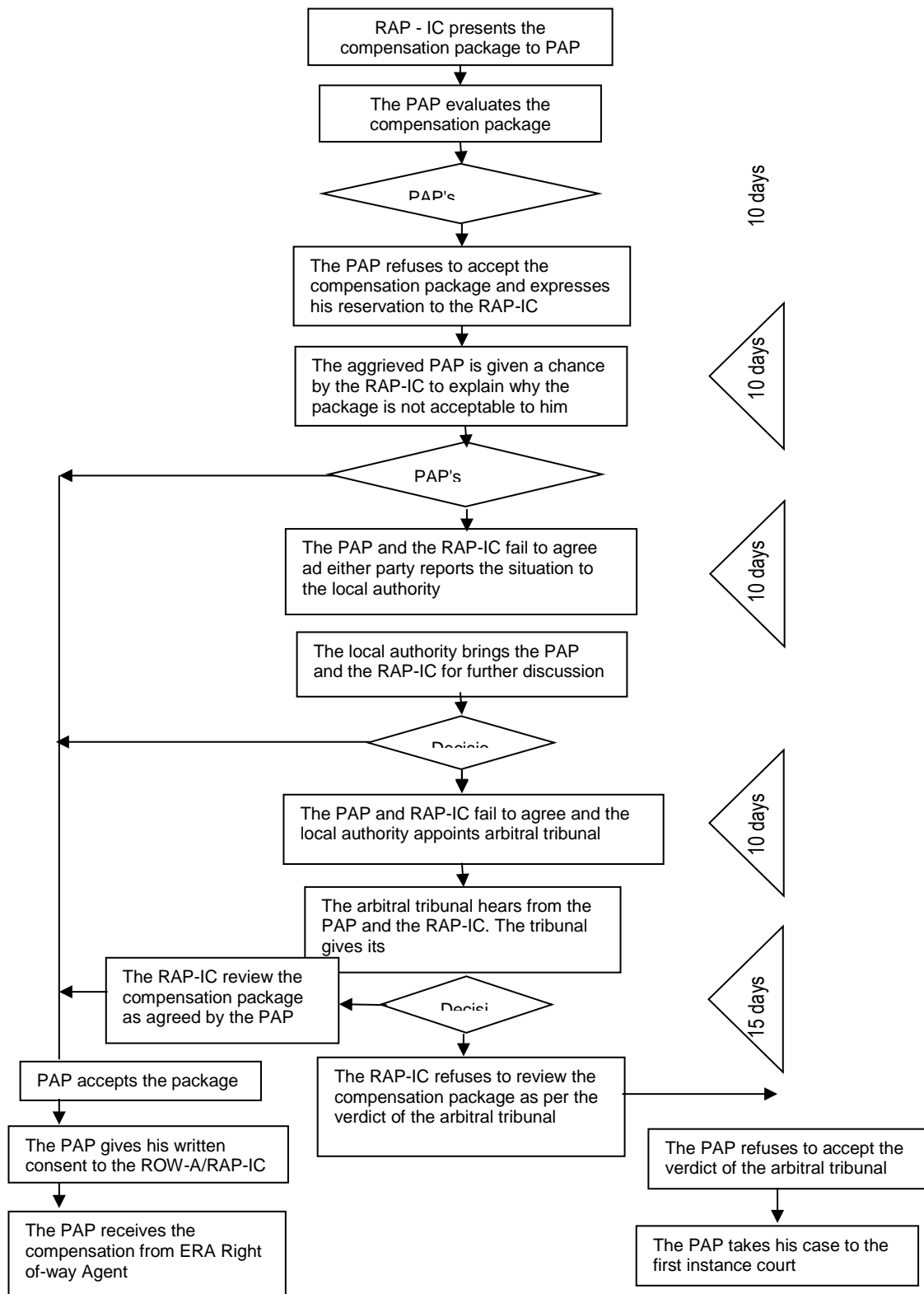
Accordingly, in Adami Tulu and Arsi Negele Weredas the following will be members of the arbitral tribunal:

1. One member from the Wereda Administration
  2. Two member from the affected kebeles
  3. Two members selected by the PAPs
- A. In Urban areas (towns)
1. One member from the Wereda Council- Chairperson
  2. One member from the Wereda Urban Development Department
  3. One member from the Kebele Administration
  4. Two members selected by the project-affected persons from the community where the resettlement/compensation is taking place. These two members are from the PAPs directly affected by the expropriation.
- B. In Rural Areas
1. One member from the Wereda Council- Chairperson
  2. One member from the Wereda Agricultural Office
  3. One member from the Kebele administration
  4. Two members selected by the project-affected persons from the community where the resettlement/compensation is taking place. These two members are from the PAPs directly affected by the expropriation.

In case the dispute is not resolved by the Implementation Committee, then the Committee will revolve to the arbitral tribunal. If any of the Parties disagree, the aggrieved party has the right to appeal to the ordinary courts of law in the region. What should be underlined here is that the preferred option of dispute settlement ought to be finding amicable solution because recourse to courts may take a very long time and even years before a final decision is made and therefore, it should not be the preferred option for both parties concerned.

Grievance Resolution Channels for the Project Affected persons are shown in Figure 14-1.

Figure 14-1: Project Affected Persons (PAPs) grievance resolution channel



## **DISCLOSURE OF RAP AND SCHEDULING**

### **14.1 Disclosure of RAP**

Public disclosure of the RAP has to be made to PAPs and other stakeholders for review and comments on entitlement measures and other issues in the implementation of the RAP. The purpose of the disclosure is to receive comments and suggestions from PAPs and incorporate appropriate suggestions.

This Resettlement Action Plan will be disclosed in a form, manner and language comprehensible to PAPs and at a place accessible to the displaced population and other stakeholders for review and comments on entitlement measures.

ERA will disclose and post this RAP in its websites and receive comments. Comments and critiques made on the RAP by PAPs and other stakeholders will be taken by ERA for consideration.

ERA will also conduct a half day workshop in the project area for the PAPs, stakeholders, representatives of civil societies, local leaders with the objective of disclosing the RAP.

The Public disclosure of this RAP will be made in Amharic and Oromiffa languages. This could be done; by publishing it in official Newspapers of both at the Federal Government Newspapers and also in the Regional Government Newspapers; depositing / posting it in a range of publicly accessible places; such as, Wereda offices, Municipalities and Kebele administration office. Once it is disclosed, the public have to be notified through administrative, community and clan structures about the availability of the RAP documents and be requested to make their suggestions and comments.

This RAP also will disclosed in the WB Infoshop to receive the opinion and suggestions civil societies, academics, other professionals as well.

### **14.2 Scheduling**

The implementation schedule discusses the major activities to be carried out in the implementation of the RAP and identifies organizations responsible to for its implementation. The implementation of the RAP will be carried out and expected to be completed before construction work commences. It is estimated that the implementation of the actual RAP activities will be completed within a period of three years.

During the implementation period of this RAP, ERA will provide adequate governance and management and financial support for timely operation.

ERA's Regional Directorate will be the main responsible body for the coordination, facilitation and implementation of this RAP. In the process of the implementation of this RAP, there will be a number of crucial and important activities to be performed to make the physical relocation of the people under this project possible. The implementation of the activities will be undertaken either through the direct involvement of the Wereda administration offices and the Resettlement / implementation committee.

Since implementation of the planned activities requires clear understanding of the specific activities of the RAP, different guidelines of the Government and WB, there is a need to familiarize and create awareness of the Resettlement / implementation committee. The awareness creation and familiarization to the Resettlement/implementation committee will be done through a workshop (2-3 days) organized by ERA. The workshop will focus on how the committee members are expected to carry out their duties diligently and properly. The committee will also be provided with all the necessary materials, equipment and financial resources. Members of the committee will be provided with daily allowances at the Governments standards or with a slightly higher amount so that they could carry out their responsibility on timely and enthusiastically.

From the point of view of giving high priority to the project, Wereda officials have confirmed that implementation of the RAP will be effectively and efficiently undertaken within reasonable time.

The implementation of the resettlement/relocation process will pass through the following different stages / phases. The plan would include target dates for the achievement of expected benefits to the

resettled/relocated or re-housed PAPs. The schedule will also indicate how the resettlement/relocation activities are linked to the implementation of the overall project.

**Disclosure of RAP:** This RAP will be disclosed as per the disclosure guideline of ERA in its web sites. It will also be deposited in the public notice boards of each Wereda and municipalities that are located in the project road corridor.

**Committee Strengthening Phase:** ERA will request the Weredas traversed by the project road to activate the Property valuation committee and the Resettlement / Implementation committee to become operational and develop working document/guideline. The notification will contain the recommended list of institutions that will be involved in the committee and will clearly put the time frame given to undertake the task.

Revision of household survey and inventory of assets: From past experiences it is understood that it takes some time when the implementation of the RAP begins. Usually the implementation of the RAP is carried out after the contractor has been selected. Hence, with the lapse of time there will be a lot of changes including price change and other related changes. Following changes and new developments there is a need to revise the inventory (recording) of assets and properties and revise the associated costs for the impacts.

Revision of valuation of assets and properties: Since implementation of this RAP will take some time there is definitely a need to revise valuation of assets and properties. Hence, the property valuation will undertake the revaluation for affected assets and properties as per the guidelines established in this RAP.

#### **Awareness Creation**

At this phase, the wereda level RAP committee members will make themselves clear about the duties expected from them. Any clarification about the scope of the project should be given by the ROW Agent. The committee members in return will provide full information to the Project Affected People so that the compensation program can proceed with the full participation of the people. ERA will give all the necessary capacity building support for the formed committee. This support will include training how to implement the RAP, distribute the manuals, proclamation and regulations in connection with compensation for example proclamation 455/2005 and regulation 135/2007.

**Livelihood Restoration Measures:** Livelihood and income restoration measures will be applied as indicated in this RAP.

**Public Consultation:** There will be a continuous public consultation process with the local community and PAPs during the implementation of this RAP and during the operation phase of the project road. PAPs will be given continuous awareness on the procedures and guideline of the RAP and compensation payment.

At this phase, the Resettlement / Implementation committee members will prepare clear working guidelines and procedures. It will also elaborate the public and PAPs the criteria's for resettlement/relocation, procedures and mechanisms that are related with compensation payment for affected properties and assets. This will reduce possible complaints by PAPs and will build confidence and trust between the implementing agency and PAPs.

**Compensation Payment Phase:** The compensation payment phase is a stage whereby the compensation payment will be effected to PAPs. Compensation payment will be made to the proper owners of the assets. Compensation payment will be carried out for affected assets and properties on timely basis as per the valuation procedures set in this RAP. PAPs should be clearly informed the valuation methods and agree on the unit rates.

The payment will be effected directly to PAPs in front of representatives of PAPs or transferred through Commercial Banks or Micro Finance Institutions or Post Offices. All the compensation payments, relocation of PAPs could be completed ahead of the civil works if it is implemented as per the plan shown in the RAP.

**Reporting Phase:** Each Wereda administration offices and the Resettlement / Implementation committees will produce a report regarding their accomplishments for the implementation of the resettlement/relocation process and submit the report to ERA and copy to the Regional Government Offices.

**Monitoring and Evaluation:** There will be a regular monitoring by the supervision consultant staff and ERA. Similarly, there will be an evaluation to be carried out either by the financing institution or external consultants at least two times in the life of the project.

The following time schedule presents the proposed activities to be carried out within 3 years (36 months) and the plan is divided on quarterly basis.

Table 0-1: Proposed Implementation Process of RAP

Description of Activities	2014	2015				2016				2017			
	Quarter	Quarter				Quarter				Quarter			
	4	1	2	3	4	1	2	3	4	1	2	3	4
ERA requests MoFED budget for the implementation of this RAP													
ERA reviews and submits this RAP to WB													
WB Reviews and approves the RAP													
Disclosure of RAP													
ERA's ESMT and ROW reviews and prepares detailed revised household survey													
ROW report & detailed land acquisition plan													
Strengthening of implementation (Resettlement) Committees													
Relocation of public utilities													
Public Consultation carried out by ESMT at different locations													
Valuation of affected assets and properties													
Compensation for affected assets and properties													
Livelihood restoration measures for PAPs													
Removal of trees, houses and other assets													
Construction of affected houses													
Grievance redress measures													
Monitoring and Evaluation													
Completion Report Writing													



## 15 COSTS AND BUDGET

### 15.1 RAP Budget

An itemized budget is required for the implementation of this RAP including compensation payment for PAPs. An indicative cost and budget is prepared for compensation payment of affected properties and also budget for the implementation of the RAP including an estimated 10% contingency. The RAP budget specifies the mechanisms for transferring and channeling funds to responsible organizations and agencies, for disbursement to PAPs. Hence, the total estimated cost and budget will be a total of Birr 116,517,504.

ERA will be responsible to disburse, administer and oversee the overall budget. At Wereda level, the Wereda resettlement/implementation committee in collaboration with ERA's Regional Directorate ROW Team will be responsible for compensation payment and relocation activities. The details of the budget preparation and justifications are summarised below for each category; namely, compensation payment for affected properties and assets, rehabilitation support for PAPs, and project running & management cost.

#### 16.1.1 Compensation payment

- a. **Compensation cost for Houses:** Compensation estimates for the different types of houses such as, CIS roof house & Fences is estimated on the basis of bill of quantities obtained from the Weredas and experiences from other similar projects. The compensation estimate for houses is prepared at a replacement value and no depreciation is considered. The total estimated cost for both houses and fences is Birr 4,833,711.
- b. **Compensation for crop:** The size of farmland to be lost is estimated to be allocated as compensation for lost crop. The total estimated cost for crops will be Birr 97, 214, 610.
- c. **Compensation for Fence:** The estimated cost for fence is Birr 1,181,800.
- d. **Compensation for Trees:** The cost estimate for trees is Birr 6,318,760.
- e. **Cost for graveyard:** An estimated 200 grave yards are expected to be affected. The cost estimate for each graveyard is estimated to be Birr 2500 and the total estimated cost for removal and reburial of grave yards is Birr 500,000.

#### 16.1.2 Rehabilitation Support

- a. **Support for vulnerable Households:** The support for vulnerable households is estimated at a cost of Birr 5000 each and the total estimate is Birr 365,000.
- b. **Livelihood restoration:** This for livelihood and income restoration measures is estimated for 106 HH losing their houses and income at a cost of Birr 10,000 each and the total estimated cost will be Birr 1,060,000.
- c. **Relocation & Rehabilitation Assistance:** An estimated Birr 655,000 is allocated for relocation and rehabilitation.
- d. **Legal & Administrative costs:** This includes legal fees, administrative costs, tax, land registration and related costs. A lump sum of Birr 500,000 is estimated.

#### 16.1.3 Project Management & Running costs

- a. **Environmental & Social Management Costs & mitigation measures:** A lump sum of Birr 2,000,000 is allocated for environmental rehabilitation, and social issues such as, HIV/AIDS support activities. The above cost estimate includes cost for awareness creation, equipment, material and staffing (1 Public Health Officer, 1 Nurse, and 1 Sociologists/Social workers and animators) to be employed during construction works.
- b. **Budget for property valuation committee:** This includes costs such as, Birr 400 daily allowances for 4 persons for two months (60 days), fuel at 20 litres daily and Birr 1000 daily vehicle cost.

**Table 16-1 Budget for valuation committee**

Description	Number	No. of days	Unit cost in Birr	Total cost
Perdiem	6 (persons)	60	400	144,000
Vehicle rent	2	60	2,000	240,000
<b>Total</b>				<b>384,000</b>

A total of 384,000 Birr is budgeted for the property valuation committee to carry out the valuation of assets and properties.

**c. Budget for Resettlement/implementation committee:** It includes budget for 5 person daily allowance for 6 months for perdiem; material cost, fuel and vehicle costs, Secretarial services, and Office equipment and communication costs. A total of Birr 500,000 allocated for the project duration.

**d. Monitoring & Evaluation Cost:** There will be regular monitoring of the RAP implementation and periodic evaluation and for this a lump sum of Birr 1,500,000 is allocated for the three years.

The following table summarizes the total amount of the fund (or compensation estimate) that is required for the implementation of this RAP by its cost item. The budget is divided into main categories. The first category deals with compensation payment, the second section with rehabilitation support and the third category is for project management / administrative costs.

**Table 16-2 Detail Budget for implementation of RAP**

<b>A. Compensation Costs</b>	<b>Estimated Cost</b>
Compensation cost for House	4,376,244.00
Compensation cost for Fence	903,000.00
Compensation cost for Crop	86,834,000.00
Compensation cost for Trees	6,318,760.00
Compensation cost for Public utility	29,000.00
Sub Total	98,461,004.00
<b>B. Rehabilitation Measures</b>	
Vulnerable Households Assistance	365,000.00
Livelihood & income Restoration	1,060,000.00
Removal of grave yards & Reburial process	500,000.00
Relocation and Rehabilitation Assistance	655,000.00
Legal & Administrative costs	500,000.00
Sub Total	3,080,000.00
<b>C. Project Management &amp; Other costs</b>	
HIV/AIDS support Activities	2,000,000.00
Cost for property Valuation committee	384,000.00
Cost for Resettlement (compensation) committee	500,000.00
Monitoring & Evaluation Cost	1,500,000.00
Sub Total	4,384,000.00
Total (A+B+C)	105,925,004.00
Contingency 10%	10,592,500.40
<b>Grand Total</b>	<b>116,517,504.40</b>

The above cost and budget estimate is prepared on the basis of the requirement as compensation payment for PAPs and also the budget required for implementing this RAP.

## **16 Monitoring, Evaluation and Reporting**

### **16.1 General**

This monitoring and evaluation process should be an integral part of this RAP and will be a device for overseeing the implementation of RAP and the extent to which it complies with the recommendations set out in the RAP. Lessons learnt from the monitoring and evaluation results will be used to enhance the preparation and implementation of future resettlement action plans.

The monitoring and evaluation process should be as much as possible participatory whereby all the stakeholders namely PAPs, Wereda, Municipality and Kebele administrations are involved.

### **16.2 Internal Monitoring**

The overall objective of internal monitoring is to ensure that implementation complies with the approved RAP. The specific objectives are to:

- Check the achievement of the acquisition and resettlement process against the planned time schedule and budget;
- Ensure that the channels of communication and consolation between the administrators and affected persons have been established and are operational;
- Ensure that compensation payments for affected persons are paid in full and in a timely manner;
- verify that the processing of grievances has taken place within the given time limits;
- closely watch the adherence to lawful approved allocation of acquisition and resettlement funds so as to ensure the absence of corruption

Internal monitoring will be the overall responsibility of the resettlement implementation agency (ERA). Monitoring and evaluation will be a continuous process. The day-to-day field supervision will be conducted by the Resident Engineers and reported in the monthly and quarterly progress reports, which are subject to review by ERA. In addition, an independent consultant (social scientist) will be hired to conduct an independent monitoring of the implementation of environmental and social mitigation measures. ERA will continuously take stock of all expropriation and compensation reports and discuss them on regular basis. ERA will produce quarterly progress reports.

Municipality and Kebele level reports will be prepared on a monthly basis to be submitted to the wereda administration, so that prompt action can be taken if necessary by higher-level officials without adversely affecting the RAP execution.

### **16.3 External Monitoring**

The key indicators for external monitoring will focus on outputs and impacts. External Monitoring will be conducted by an independent consultant who will be hired to supervise the RAP and the Environmental Mitigation Plan. The consultant will conduct an evaluation of the implementation of the RAP prior to the start-up of the road construction and will continue to monitor the progress of the RAP and the Environmental Mitigation Plan during construction of the road as well as monitor the impact of the RAP using the key output indicators.

The monitoring process is an integral part of the RAP and it will oversee the re-establishment process of the Project Affected People (PAP). It will be a compliance monitoring and will assist to follow the type of measures incorporated in RAP documents and the extent to which recommendations on these matters, as set out in the RAP are complied with. It is the objective of ERA to use lessons from the monitoring and evaluation results to enhance the preparation and implementation of future resettlement action plans.

## 16.4 Monitoring Plan

The monitoring and evaluation process if possible should be Participatory Monitoring and Evaluation including all the stakeholders (PAP, Zonal, Wereda and Kebele administrations, NGOs, other Government organizations and host communities).

ERA will be responsible to monitor and evaluate the compensation and RAP in consultation with the independent consultant and if necessary with Wereda/Municipality/kebele administration offices and the PAP by adopting the following process and output indicators:

### 1. Pre-construction Phase:

- Compensation to be made according to agreement
- Appropriateness of the time schedule for RAP
- Public infrastructures and social services needs to be re-established
- Support and assistance to vulnerable groups and women

### 2. Construction Phase

- Compensation to be made for additional land requirement
- Restoration and restitution of PAP in the new site
- Contractor operates within the boundary of handed over area
- Appropriateness of grievance redress mechanism

### 3. Post Construction Phase

- Land taken temporarily is well restored and returned to PAPs
- Evaluate PAPs' socio-economic situation vs. a baseline situation

**Table 16-1: Output indicators with tentative implementation timeframe**

Indicator	Time Frame
Establish RAP Implementation Committees at all levels	Three to five months before handing over project to the Contractor (week one)
Conduct workshop for the RAP Implementation Committees and local authorities concerning the process and responsibility	Week two after committee has been established
Confirm compensation and rates and relocation options through consultation with RAP IC and the Wereda Administration	From week three to week seven
Payment of Compensation	From week four to week nine
Provision of land	From week four to week nine
Construction of new houses	From week four to week twelve
Installation of utilities for PAPs (electricity, and telephone)	From week four to week ten
Relocation of public utilities (electricity and telephone) by service providers	From week one to week five

The monitoring report by the RAP-Implementing Committee will be submitted to the local authority (wereda for rural areas and municipality for towns). A copy of this will be submitted to the Zone and Regional State Bureau of Land & Environmental Protection and by the ESMT of ERA. It will also be enclosed in the construction progress reports submitted by supervising engineers. Only in this way can RAP implementation be monitored and problems identified and quickly resolved.

The main purpose of monitoring will be to verify:

- If Actions and commitments described in the RAP are implemented.
- If Eligible project affected people receive their compensation prior to the civil work.
- The magnitude of RAP actions and compensation measures in restoring and improving pre-project livelihoods and lost incomes.

- If Complaints and grievances forwarded by project affected people are followed up and appropriate corrective measures are taken.
- If necessary changes in RAP procedures are made to improve delivery of entitlements to PAPs.
- If Compensation disbursement is made to correct parties.
- The physical progress of resettlement and rehabilitation.
- Restoration of social services and amenities.
- Special care and assistance provided to social groups in need of additional assistance.

All Monitoring and Evaluation Reports including Monthly and Quarterly Implementation Status Reports will be submitted to the World Bank on regular basis.

## **16.5 Gender Monitoring and Evaluation in RAP**

During RAP preparation both positive and negative gender related impacts were identified and gender issues have been analysed and mitigation measures to curb gender related negative outcomes put in place as well as benefit enhancement measures were identified, such as equal employment opportunities, attention to women during resettlement, targeted HIV/AIDS messages to women and girls are some of them. In order to address these and other issues that were raised, the project has to incorporate Gender Mainstreaming Plan of Action to be carried out during implementation and it should be in line with the ERA's and WB gender policies. The gender Plan of Action, among other things, will empower women through ensuring that women are encouraged to seek employment in the project and that they are not discriminated against in the recruitment process.

During ESIA a specialized service providing firm was recommended for the implementation of HIV/AIDS and Sexually Transmitted Disease (STD) program. The specialized service provider will combine the delivery of Gender Mainstreaming Plan of Action with HIV/AIDS, STD awareness and prevention program.

The day to day activities of the HIV/AIDS, STD and Gender activities will be monitored by the Environmental Management Unit of the supervision consultant. The specialized service provider will prepare monthly and quarterly reports to be submitted to the supervision consultant. The reports will provide updated information including HIV/AIDS, STD and Gender program implementations highlighting key issues and problem areas and recommended measures for resolving identified drawbacks. The supervision consultant will forward the progress reports to ERA's Women's Affairs Directorate (WAD). ERA's WAD will monitor the progress of the Gender not only through these monthly and quarterly reports but will also make at least two field visits annually to the project site.

## 17 Conclusion and Recommendations

The social impact appraisal has revealed that implementation of the planned road project will bring a number of positive as well as detrimental impacts. The positive impacts of the project will be felt at both the construction and operation stages. During construction, the benefits will be mainly related to business activities and employment opportunities. By this it is considered that persons who reside in towns and villages along the road will profit from business activities created by the contractor. Employment opportunities will probably be restricted to the hiring of unskilled labourers who will be actively involved in the construction processes and thereby gain income and knowledge. Investment activities as well as export and import will be improved as a result of improved market access.

On the contrary, execution of the proposed road project is expected to cause several adverse socio-environmental impacts. The impacts that will require due attention and mitigation measures include; impacts on land resources/land taking for the project requirements, impacts on air quality esp. dust pollution, impacts on water resources (increased sedimentation, water pollution), road and traffic safety issues/increased accident risks, impacts on water supply systems and competition for water. On the other hand, the most important impact on socio-economic life is the loss of property; in particular the loss of farmland and housing units. However, these will be mitigated by the paying fair compensation amount.

Most of the potential impacts will occur during the construction period and thus they are short-term in nature and does not have higher magnitude and significance. In addition, the impacts can be mitigated to acceptable levels with good engineering design and proper construction methods as well as through application of appropriate social and environmental mitigation measures. Therefore, it can be concluded that the planned road project can proceed to the implementation stage as long as the recommended mitigation measures are properly considered in the project implementation plan and properly implemented starting from the pre-construction through construction and operation stages.

Therefore, to ensure implementation it is strongly recommended that the relevant mitigation measures specified in this RAP document shall be included in the detailed engineering design and the contract agreement for construction.

Based on the socio-cultural assessment, the following recommendation should be implemented to ensure the sustainability of the road project: communities in the project area should be actively encouraged to participate in the construction and implementation of the project. This participation should start from provision of necessary data and information pertaining to the project activities. Such participation should take account of the contributions that can be made by women at every level. Project area communities and stakeholders should be consulted from time to time, particularly before and during the construction period, to find appropriate mitigation measures or adverse impacts and to solve them accordingly. Before the start of construction, detailed inventory of affected property and/or households should be compiled. The involvement of stakeholders is essential. The local administration, namely Wereda and Kebele administration will be very helpful in facilitating the project activities through solving problems related to land acquisition, settlement of disputes and security. The schedule of construction should be communicated to the concerned bodies at the earliest possible opportunity so as to allow affected households to prepare themselves physically and mentally to participate and co-operate with the project activities.

Furthermore, a well-organized monitoring programme should be an integral part of the project planning and implementation in order to follow up the proper implementation of the recommended social mitigation measures and their effectiveness as well as to detect incidence of any unpredicted issues.

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## **19 Appendices**