



**RESETTLEMENT POLICY FRAMEWORK (RPF) FOR PROPOSED
340KM MBEYA –TUNDUMA–SUMBAWANGA 400KV TRANSMISSION
LINE AND ~4KM TUNDUMA SUBSTATION TO TANZANIA-ZAMBIA
BORDER 330KV TRANSMISSION LINE AND ASSOCIATED
SUBSTATION AT TUNDUMA AND SUMBAWANGA**



VOLUME I: MAIN RPF REPORT

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LIST OF ACRONYMS

CDO	Community Development Officer
DoE	Division of Environment
EAPP	East Africa Power Pool
EIA	Environmental Impact Assessment
ESIA	Environmental and Social Impact Assessment
ESMF	Environmental and Social Management Framework
FS	Feasibility Study
GDP	Gross Domestic Product
GRM	Grievance Redress Mechanism
HIV/AIDS	Human immunodeficiency virus and Acquired Immune Deficiency Syndrome
Km	Kilometres
kV	Kilovolt
LGA	Local Government Authority
M	Metres
M&E	Monitoring and Evaluation
MEO	Mtaa Executive Officers
MVA	Mega Volt Ampere
MW	Mega Watt
MKUKUTA	Mkakati wa Kukuza Uchumi na Kupunguza Umaskini Tanzania
NEMC	National Environment Management Council
NHSDP	National Human Settlements Development Policy
NGOs	Non-Governmental Organisations
NWG	North West Grids
OP	Operational Policies
PAPs	Project Affected Persons
PCR	Physical Cultural Resources
PMU	Program Management Unit
RAP	Resettlement Action Plan
RCC	Resettlement and Compensation Committee
REA	Rural Energy Agency
ReAP	Remedial Action Plan
RoW	Right of Way
RPF	Resettlement Policy Framework
SAPP	South African Power Pool
TANESCO	Tanzania Electric Supply Company Limited
TAZARA	Tanzania Zambia Railway Authority
TanZam	Tanzania-Zambia border
ToR	Terms of Reference
TL	Transmission Line
URT	United Republic of Tanzania
VEO	Village Executive Officer
WB	World Bank
WB OP	World Bank Operational Policy

DEFINITIONS

Unless the context dictates otherwise, the following terms will have the following meanings:

“Census” means a field survey carried out to identify and determine the number of Project Affected Persons (PAP) or Displaced Persons (DPs). The meaning of the word shall also embrace the criteria for eligibility for compensation, resettlement and other measures emanating from consultations with affected communities.

Project Affected Person(s) (PAPs) are persons affected by land use or acquisition needs of the project. These person(s) are affected because they may lose, be denied, or be restricted access to economic assets; lose shelter, income sources, or means of livelihood. These persons are affected whether or not they must move to another location.

“Compensation” means the payment in kind, cash or other assistances given in exchange for the acquisition of land including fixed assets thereon as well as other impacts resulting from proposed project activities.

“Cut-off date” is the date of commencement of the census of PAPs or DPs within the project area boundaries. This is the date on and beyond which any person whose land is occupied for sub-project use, will not be eligible for compensation.

“Displaced Persons” mean persons who, for reasons due to involuntary acquisition or voluntary contribution of their land and other assets under the project will suffer direct economic and or social adverse impacts, regardless of whether or not the said Displaced Persons are physically relocated. These people will have their: standard of living adversely affected, whether or not the Displaced Person must move to another location, lose right, title, interest in any house, land (including premises, agricultural and grazing land) or any other fixed or movable assets acquired or possessed, lose access to productive assets or any means of livelihood.

“Involuntary Displacement” means the involuntary acquisition of land resulting in direct or indirect economic, physical and social impacts caused by: loss of benefits from use of such land; relocation or loss of shelter; loss of assets or access to assets; or loss of income sources or means of livelihood, whether or not the Displaced Persons have moved to another location; or not.

“Involuntary Land Acquisition” is the repossession of land by government or other government agencies with or without compensation, for the purposes of a public project against the will of the landowner. The landowner may be left with the right to negotiate the amount of compensation proposed. This includes land or assets for which the owner enjoys uncontested customary rights.

“Land” refers to agricultural and/or non-agricultural land and any structures thereon whether temporary or permanent and which may be required for the project.

“Land acquisition” means the repossession of or alienation of land, buildings or other assets thereon for purposes of the Project.

“Rehabilitation Assistance” means the provision of development assistance in addition to Compensation such as land preparation, credit facilities, training or job opportunities needed to enable Project Affected Persons and Displaced Persons to improve their living

standards, income earning capacity and production levels; or at least maintain them at pre-project levels.

“Resettlement and Compensation Plan”, also known as a “Resettlement Action Plan (RAP)” or “Resettlement Plan” - is a resettlement instrument (document) to be prepared when program locations are identified. In such cases, land acquisition leads to physical displacement of persons, and/or loss of shelter, and /or loss of livelihoods and/or loss, denial or restriction of access to economic resources. RAPs are prepared by the party impacting on the people and their livelihoods. RAPs contain specific and legal binding requirements to resettle and compensate the affected party before implementation of the TANESCO program activities.

“Replacement cost” means replacement of assets with an amount sufficient to cover full cost of lost assets and related transaction costs. The cost is to be based on **Market rate (commercial rate)** according to Tanzanian law for sale of land or property. In terms of land, this may be categorized as follows; (a) “Replacement cost for agricultural land” means the pre-TANESCO project or pre-displacement, whichever is higher, market value of land of equal productive potential or use located in the vicinity of the affected land, plus the costs of: (b) preparing the land to levels similar to those of the affected land; and (c) any registration and transfer taxes;

“Replacement cost for houses and other structures” means the prevailing cost of replacing affected structures, in an area and of the quality similar to or better than that of the affected structures. Such costs will include: (a) transporting building materials to the construction site; (b) any labor and contractors’ fees; and (c) any registration costs. No deductions for depreciation will be made.

“Resettlement Assistance” means the measures to ensure that TANESCO Project Affected Persons and Displaced Persons who may require to be physically relocated are provided with assistance during relocation, such as moving allowances, residential housing or rentals whichever is feasible and as required, for ease of resettlement.

“The Resettlement Policy Framework (RPF)” has been prepared as an instrument to be used throughout the TANESCO Project implementation. The RPF will be disclosed to set out the resettlement and compensation policy, organizational arrangements and design criteria to be applied to meet the needs of the people who may be affected by the program. The **Resettlement Action Plans (“RAPs”)** for the TANESCO Program will be prepared in conformity with the provisions of this RPF. This RPF will provide guidance for the preparation of the RAP for proposed TL project.

EXECUTIVE SUMMARY

General Introduction

The Government of Tanzania through Tanzania Electric Supply Company Limited, TANESCO intends to construct 400kV overhead power transmission line from Mbeya to Sumbawanga (a distance of between 320km and 340km depending on the final routing) and ~4km of segment of TL from Tunduma Substation to TanZam border with objective of interconnection with Zambia. Also, the transmission line will connect the North West regions of Tanzania to the national grid. The general objective of the project is to increase transit capacities and flexibility of operation of the grid and to improve sustainable electricity supply in Zambia, Tanzania, Kenya and the South African Power Pool (SAPP) as well as East Africa Power Pool (EAPP) countries.

By implementing this project which will be connected to the national grid TANESCO will stop using diesel generator at Sumbawanga for power generation as it is very expensive and it is not environmental friendly. The project will reduce cost of generating electricity that are incurred by TANESCO.

Objective of the Resettlement Policy Framework

The objective of this Resettlement Policy Framework (RPF) is to set out guidelines and principles to be followed during the land acquisition process and to prepare Resettlement Action Plan(s) (RAP) once the exact design and feasibility study are finalized for that stretch of the transmission line, and to prepare a full Remedial Action Plan (ReAP) for Mbeya Substation. Both a full ReAP for Mbeya Substation, and when specific planning information/feasibility study becomes available, Resettlement Action Plan(s) (RAP) will be subsequently prepared consistent with this policy framework and will be submitted to the Bank for approval before any further land acquisition, resettlement, or any other impact on livelihood occurs.

This RPF while anchored under the Tanzania constitution and requisite laws of the land also takes cognizance of the World Bank's Involuntary Resettlement Policy (i.e. WB OP 4.12).

Methodology used to prepare the RPF

The RPF expert's team adopted a combination of several methodologies in the process of gathering information used in the formulation of this RPF. The choice of methodology was dependent on the type and nature of information required. The key methods included, Literature reviews of key documents related to land acquisition and consultations with key informants and community groups of people living along the proposed TL.

The preparation of the RPF is one of the requirements by the World Bank to be fulfilled by the Government of Tanzania before the loan for the proposed Mbeya-Tunduma-Sumbawanga 400 kV TL and ~4km of segment of TL from Tunduma Substation to TanZam border is approved. The RPF is a strategic (programmatic) document that provides broad principles and directives to guide TANESCO, where necessary, for more detailed assessments of activities that are likely to have resettlement / land acquisition issues and for preparation of the Resettlement Action Plans (RAP) and ReAP.

The preparation of the document was undertaken as per scope and tasks outlined in the TOR (**Annex 8**) involving a review of the relevant literature and a thorough process of consultations with Dar es Salaam stakeholders. The disclosure of the RPF will be both in Tanzania where it can be accessed by the public and at the World Bank's website and the

date for disclosure must precede the date for appraisal of the project.

Resettlement Policy Framework

Consistent with the World Bank Operation Policy 4.12 on involuntary resettlement this resettlement policy framework establishes the resettlement and compensation principles and objectives governing resettlement of affected people which will be applied in all TANESCO projects and activities. The OP 4.12 principles will be applied in conjunction with Tanzania national laws and regulation guiding compensation and resettlement. In cases where the WB policy and the Tanzania laws are not in full accord, the higher standard and more stringent of the two will prevail as it satisfies the requirements of the lesser standards.

Project Impacts

Once impact location is known TANESCO will be fully responsible for preparation of RAP for the proposed project including ~4km of segment of TL from Tunduma Substation to TanZam border with support of the planning authorities and other stakeholders following the guidelines outlined in this RPF. TANESCO is also responsible to prepare a Remedial Action Plan (ReAP) for Mbeya substation to address the identified gaps in the resettlement process and compensation payments as identified in the Separate Resettlement Audit and Corrective Action Plan Report (Executive Summary for Resettlement Audit and Correction Action Plan is attached in **Annex 10**, the full document is available as a standalone report). Before submitting RAP and ReAP to the World Bank for approval, TANESCO will ensure that such RAP and ReAP comply with the requirements of this RPF.

RAP(s) Preparation

Prior to implementation of the Mbeya-Tunduma-Sumbawanga 400kV transmission line and ~4km of segment of 330kV TL from Tunduma Substation to TanZam border, TANESCO will need to prepare and implement the project RAP(s) during which assets and categories of people and groups that will be affected and their entitlement to compensation will be established. Two general methodologies will be applied to value land and unexhausted improvements: estimation of the market value and/or estimation of the replacement costs. Method for estimating various kinds of allowances will be in accordance with OP 4.12 in conjunction with the Tanzania Land (Assessment of the Value of Land for Compensation) Regulations, 2001. Forms of payments will be in cash, in kind, and/or through assistance. This RPF recommends compensation at full replacement value added with allowances paid to all affected groups - regardless of the legality of land tenure - according to PAPs preference and no deductions for depreciation of assets and structures will be made. Mechanisms available to affected people for complaints about aspects of their resettlement treatment will be through mediation and if unsuccessful, affected people will seek recourse/appeal through land tribunals and the court of law system.

ReAP Preparation

Prior to the involvement of the WB in the project, TANESCO acquired the land needed for the construction of the Mbeya substation. An Audit was done and a Corrective Action Plan was prepared to determine the gaps between such legacy land acquisition and the requirements of OP 4.12. Prior to starting any works or securing the land needed for the Mbeya substation, TANESCO will need to fully implement the Corrective Action Plan (Executive Summary for Resettlement Audit and Corrective Action Plan is attached in **Annex 10** and the full document is available as a standalone report) and prepare and implement a ReAP that reflects the requirements and principles of this RPF. The ReAP will address the identified gaps in the legacy land acquisition process, in order to comply with the WB policy requirements on involuntary resettlement per OP 4.12.

RAP(s) and ReAP Implementation

TANESCO will deliver compensation following entitlements and procedures that take full consideration of public participation, formal/informal notification and documentation. The taking of land and civil works activities will be affected only after compensations have been paid. An indicative budget of about **TShs. 10,000,000,000.00 (USD 4.4 Million)** is provided basing on experience from the RAP of Iringa-Mbeya Transmission line project. But exactly amount will be known during RAP study and valuation exercise. Consultations with, and participation of displaced persons in planning, implementation, and monitoring will be on-going throughout the process of preparing the RAP. Local government system shall be main channel of activities. The budget for the ReAP preparation is estimated to be **TZS 50million.**

Monitoring Evaluation

Evaluation and monitoring shall be fundamental components of the RAP and ReAP preparation and implementation built into the overall monitoring framework of the entire Mbeya-Tunduma-Sumbawanga 400kV transmission line project. This should involve various stakeholders and independent monitoring by a mandated national agency e.g. NEMC.

CHAPTER 1: INTRODUCTION

1.1 General Introduction

The Government of Tanzania through Tanzania Electric Supply Company Limited, TANESCO intends to construct 400kV overhead power transmission line from Mbeya to Sumbawanga (about 320-340km) and ~4km of segment of 330kV TL from Tunduma Substation to TanZam border with objective of interconnection with Zambia. Also, the transmission line will connect the North West regions of Tanzania to the national grid. The general objective of the project is to increase transit capacities and flexibility of operation of the grid and to improve sustainable electricity supply in Zambia, Tanzania, Kenya and the South African Power Pool (SAPP) as well as East Africa Power Pool (EAPP) countries.

An interconnected grid system not only allows peak swapping of surplus power with energy deficient countries, but also results in improved quality and reliability, and reduced price of electricity. Currently, the supply of electricity between Mbeya, Tunduma, Sumbawanga and the towns between these major centers is erratic with insufficient capacity available for business and economic growth in that part of Tanzania. Subsequently, the purpose of the proposed 400kV transmission line between Mbeya and Sumbawanga is to provide reliable and cost effective electricity to users in the west and north-west part of the country. It is expected that with the successful completion of this project, reliable, consistent electricity will be available for economic growth in the western and north-western part of the country.

By implementing this project which will be connected to the national grid TANESCO will stop using diesel generator at Sumbawanga for power generation as it is very expensive and it is not environmental friendly. So the project will reduce cost of generating electricity that are incurred by TANESCO.

1.2 Objective of the Resettlement Policy Framework

The objective of this Resettlement Policy Framework (RPF) is to set out guidelines and principles to be followed during the land acquisition process and to prepare the Resettlement Action Plans (RAPs) and Remedial Action Plan (ReAP) for Mbeya substation. In addition, the RPF facilitated the estimation of the magnitude of impact as a result of the proposed project land take and the likely financial implications which is vital input into the estimation of the total cost for the proposed 400kV and 330kV Transmission Line Project.

The resettlement framework will be used as practical tool to assist TANESCO and other project implementing agencies in designing and implementing strategies that would assist in appropriately handling any anticipated issues related to involuntary resettlements, and/or acquisition of land and restriction of access to assets and resources during the implementation of the proposed transmission line project. The ReAP for Mbeya Substation, and when specific planning information/ feasibility study becomes available and the land areas are identified, Resettlement Action Plan(s) (RAP(s)), will be subsequently prepared consistent with this policy framework and will be submitted to the Bank for approval before any further land acquisition, resettlement, or any other impact on livelihood occurs.

This RPF has been prepared to ensure safeguards are in place to address and mitigate the impoverishment risks identified above. The purpose of the RPF (as distinct from a RAP) is to define a set of guiding principles which will ensure a consistent approach to resettlement

across proposed TL project and its components as it endeavors to build a world class national grid.

Specific RAP(s) will then be developed for this proposed TL project and its components, on the basis of the RPF principles defined herein. The scope and level of detail of the RAP (i.e. whether detailed or abbreviated) will be dependent on the magnitude of displacement and the complexity of the measures required in mitigating adverse social and economic impacts. The project components that will lead to land acquisition and subsequently affect people include:

- Construction of the 400kV double circuit transmission line from Mbeya-Tunduma-Sumbawanga,
- Construction of ~4km 330kV TL from Tunduma Substation to TanZam border
- Construction of Mbeya, Tunduma and Sumbawanga substations;
- Clearing of RoW; and,
- Construction of access roads, workers' camps and storage for project materials.

These activities will lead to loss of land and property, loss of crops and trees, loss of burial grounds, limited access to water supply, increased pressure on health facilities, loss of income/means of livelihood, and emergence of potentially vulnerable people.

The land requirements for the project are in three categories;

- Land for construction of the transmission line;
- Land for the construction Tunduma and Sumbawanga sub-stations, and,
- Land required temporarily for construction purposes.

There will be one or more RAP studies for the whole stretch from Mbeya-Tunduma-Sumbawanga TL and the segment of ~4km 330kV TL from Tunduma Substation to TanZam border.

This RPF while anchored under the Tanzania constitution and requisite laws of the land also takes cognizance of the World Bank's Involuntary Resettlement Policy (i.e. WB OP 4.12).

Another objective of this Resettlement Policy Framework (RPF) is to establish the principles, procedures, entitlements and eligibility criteria, the organizational arrangements and provisions for monitoring and evaluation, the framework for participation as well as the mechanisms for redressing grievances which will be applied to the proposed transmission project.

1.3 Methodology used to prepare the RPF

The RPF expert's team adopted a combination of several methodologies in the process of gathering information used in the formulation of this RPF. The choice of methodology was dependent on the type and nature of information required. The key methods included:

1.3.1 Literature reviews

Several legal documents were reviewed particularly those relevant to land acquisition, compensation and grievance handling procedures. These included most of the legal documents (Bills, Acts and policies including the different sector resettlement policy frameworks for purposes of harmonization and incorporation of lessons learnt from other projects). Tanzania land policies such as National Constitution, 1977; Land Policy, 1996; Land Acquisition Act, 1967; Land Acts No.4 and No. 5 of 1999 and associated Regulations; Unit Titles Act, No 16 of 2008; and Local Government Acts of 1982 were reviewed and the

aim was to determine the legal requirements relevant to the TL project. Key among these are land ownership, tenure rights, user rights; taking of land and other assets i.e. valuing assets, compensation procedures, and grievance mechanism.

Apart from reviewing the Tanzania national policies, the team also reviewed the Bank's Safeguard Policies to (i) determine the policies that are likely to be triggered as a result of implementing the proposed TL project (ii) identify similarities and gaps between the Safeguard Policies and the national legislation and make recommendations as to how to close these gaps, if any; and (iii) make recommendations as to how to implement the relevant Safeguard Policies in the context of the RPF.

Also team reviewed number of studies completed for the proposed line including the Environmental and Social Impact Assessment (ESIA) and previous Feasibility Study (FS) for proposed line from Mbeya – Tunduma – Sumbawanga and ~4km of segment of 330kV TL from Tunduma Substation to TanZam border. These documents were used as source of input during preparation of this RPF.

1.3.2 Consultations

Consultations with key informants and groups of people were mainly used for purposes of informing different stakeholders about the project objectives and activities and data triangulation. This enabled the RPF experts to verify and confirm some of the information gathered from other data sources. In depth discussions were held with key stakeholders at the Regional, Municipal/District, Ward and village levels (at least three villages were sampled in each of District/Municipal authorities where TL passes) in order to hear their views and concern about the 400kV and 330kV proposed project.

1.3.3 Checklist

Stakeholder consultations using a checklist of questions was used in order to get some of the information from the District land officers, District Valuers, village leaders and some of the PAP's concerning land issues such as land ownership, availability of land to relocate PAP's, land conflicts and resolution, economic activities, cultural sites areas, livelihood activities, best way to relocate people and grievance handling procedures. The checklist used during field work for the RPF is attached in **Annex 7**.

CHAPTER 2: PROJECT DESCRIPTION

2.1 Project Background

The demand for electric power in Tanzania has been on the increase due to the rapid rate of urbanization, economic growth, and improved social services in most of the country, especially in urban areas. Electricity is essential in the running of daily domestic activities and operation of factories and industries. As a service and productive sector, electric energy plays a catalytic role in stimulating investments and higher levels of productivity. Energy supply and energy access have, therefore, be integrated into the National Development Strategy. Country-wide, the focus is to ensure sufficient, reliable, as well as cost-effective and environmentally friendly energy supply in Tanzania (both renewable and non-renewable energy sources).

To date, a limited supply of energy services in most parts of the country is the bottleneck for attaining sustainable development. For Tanzania, this means increasing the access to electricity to its citizens for economic activities. The Rural Energy Agency (REA) carried out a comprehensive Energy Access Survey in 2016. The results of the survey indicate that overall, 32.8% of Tanzanians are connected to some form of electricity. The survey results further indicated that only 16.9% of the rural households in Tanzania Mainland were connected to electricity of any form compared to 65.3% of their counterparts in urban areas. For example, in the Rukwa region where the proposed transmission line project traverses, only 3% of the rural populations were electrified with any form of electricity. In order to provide its citizens with affordable consistent, reliable modern energy services, the Government of Tanzania proposes to construct and operate a high voltage transmission line from Mbeya to Tunduma to Sumbawanga. Given that this project will attract a large investment, the Government needs to identify a large number of customers to cover the costs associated with the project.

To deal with this challenge the Ministry of Energy and TANESCO has decided to connect several regions in Western and North-Western Tanzania to the national grid. The project involves the construction of 400 kV transmission line (TL) from Mbeya to Sumbawanga (about 320 km) and associated substations at Ihanga-Iganjo in Mbeya City, Nkangamo in Momba District and Makazi mapya in Sumbawanga Municipal. Also it will include ~ 4km of segment of 330kV TL from Tunduma Substation to TanZam border. Funds to implement the project are sought from the World Bank.

The project will provide a ring feeder to the grid and possibly connect the grid to neighboring countries such as Zambia for both export and import of electricity. Additionally, the project will promote a sustainable development of the rural areas in Western and Northern Tanzania. Rural electrification through grid power supply can promote productive activities in an environmentally sustainable way that generate more income for the local population and thus reduce poverty. The proposed project passes through Mbeya City, Mbeya District, Mbozi District, Momba District, Tunduma Town Council, Sumbawanga District and Sumbawanga Municipal Council.

2.2 Project location

The proposed 400kV power transmission line from Mbeya – Tunduma – Sumbawanga is located in the south-western part of Tanzania and will also include the segment of ~4km 330kV TL from Tunduma Substation to TanZam border as shown in figure below.



The way leave corridor for a transmission line includes land set aside for the transmission line and associated facilities, land needed to facilitate maintenance, and buffer areas to avoid risks of fires and other accidents. The way leave corridor provides a safety margin between the high-voltage lines and surrounding structures. No agricultural activities will be allowed after acquiring wayleave corridor for constructing Transmission Line. The proposed transmission line will have 52m wide corridor for the alignment of 400kV transmission line and 330kV for the segment of ~4km 330kV TL from Tunduma Substation to TanZam border, whereby permanent land acquisition will take place, TANESCO will pay full compensation for land acquisition. The proposed way leave corridor size considers tower geometry, conductor swing-out, span length, induction interference and tower falling range. No activity including cultivation of short crops will be allowed in the power line corridor.

2.3 Objectives of the policy on involuntary resettlement (OP 4.12)

Although the final route location for the proposed project are not confirmed at this stage, it is envisaged that the implementation of the TL and associated substation are likely to involve involuntary resettlement, and/or acquisition of land and restriction of access to assets and resources issues. The World Bank Operational Policy 4.12, Involuntary Resettlement has been triggered because the project activity causes land acquisition, namely: a physical piece of land is needed and people may be affected because they may have buildings on that land, and in semi-urban and rural setups they may be cultivating on that land, they may use the land for water and grazing of animals or they may otherwise access the land economically, culturally or any other way which may not be possible during and after the project is implemented. Therefore, when the policy is triggered people are compensated for their loss (of land, property or access) either in kind or in cash. TANESCO will be required to follow

procedures stipulated by the World Bank OP 4.12 while acquiring land from people. Find attached World Bank requirements for RPF in **Annex 1**.

The objectives of the policy on involuntary resettlement (OP 4.12) are the following;

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

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

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

Scope of Resettlement Policy Framework

The Mbeya-Tunduma-Sumbawanga 400kV transmission line including ~4km of segment of 330kV TL from Tunduma Substation to TanZam border is part of the regional interconnector power line stretching from Iringa – Mbeya – Tunduma - Sumbawanga covering a total distance of 632km. The power line has been divided into three sections:

- i. Iringa-Mbeya section covering 292kms including 3 substations of Iringa, Kisada and Mbeya.
- ii. Mbeya-Tunduma-Sumbawanga section covering 340 km starting from Mbeya substation to Tunduma and Sumbawanga substations and,
- iii. 330kV for the segment of ~4km 330kV TL from Tunduma Substation to TanZam border

The line route for the Iringa-Mbeya section has been identified and approved therefore a full RAP has been prepared for this section. The land for Mbeya Substation (Iganjo) has already been acquired. An audit of acquisition process of this substation and proposed remedial measures are described in a separate document titled “**Resettlement Audit and Corrective Action Plan for Mbeya substation.**” (Executive summary of Resettlement Audit and Corrective Action Plan for Mbeya Substation is attached in **Annex 10**). Further more for Mbeya Substation, it is agreed that TANESCO will prepare a Remedial Action Plan (ReAP) for Mbeya Substation that will follow the principles outlined in the RPF and the findings and recommendations for corrective measures described in the Audit Report.

Therefore this RPF is for the Mbeya-Tunduma-Sumbawanga and segment of ~4km 330kV TL from Tunduma Substation to TanZam border whose route footprint has not yet been established and for the Mbeya substation remedial measures in order to comply with the WB policy requirements on involuntary resettlement (OP4.12). After the feasibility studies, separate RAPs will then be prepared.

2.4 Guiding principles for resettlement of people displaced by the project

As stated above, it is likely that the transmission project and associated substations will involve involuntary resettlement and related issues which will need to be managed through resettlement instruments. The policy framework sets out the following principles to guide the resettlement of affected people:

- **Broad application of the resettlement policy**

- The policy applies to transmission line and associated substations
- The policy applies to all affected persons regardless of the severity of impact and whether or not they have legal title to the land.
- The policy covers direct economic, physical and social impacts caused by the involuntary taking of land and other assets resulting in i) relocation or loss of shelter; ii) loss of assets or access to assets; iii) loss of income sources or means of livelihood, whether or not the affected persons must move to another location.

- **Resettlement measures planned and implemented according to Resettlement Action Plans (RAPs)**

Because land acquisition has to be done in a way that satisfies the required transmission line and substations design standards the people and livelihoods would be impacted and resettlement cannot be avoided in all cases. The policy requires that before the implementation of the TL and associated substations, resettlement action plan (RAP) should be in place. This means that where relocation or loss of shelter occurs, the policy requires that measures to assist the displaced persons are implemented in accordance with the resettlement and compensation plan.

- **Consultation and participation of affected communities**

The RPF seeks to ensure that affected persons, communities and local authorities (e.g. municipalities/districts) are regularly informed and consulted, they are encouraged to participate in the resettlement planning and implementation process; and displaced people are adequately compensated to the extent that their pre-displacement incomes have been restored and that the process is a fair and transparent one. It should be noted that during RPF field work, consultation was initiated on Regional, Municipal/District, Ward and village levels (at least three villages were sampled in each of District/Municipal authorities where TL passes) to know the land acquisition process with project areas. The consultation will be an ongoing process throughout the RAP preparation and implementation phases.

- **Provision of resettlement measures to affected persons and entities with recognized property rights**

Resettlement measures shall be provided to persons and entities with recognized property rights in accordance with the country (Tanzanians) land and compensation laws and practices as a minimum. Wherever necessary they will be supplemented with additional measures to meet the WB OP 4.12 requirements. Eligible displaced persons will be provided with such assistance as: moving allowances where physical relocation is involved; and transitional support such as a disturbance allowance and accommodation to enable them to restore their livelihoods and standards of living.

- **Provision of resettlement measures to affected persons and entities without recognized property rights**

OP 4.12 requires that displaced persons without recognized rights to compensation (non-land owners e.g. tenants and unlawful land users or occupiers) should be provided with resettlement measures that are similar to those that lawful land owners are entitled to, although the form of the measures may differ:

- Cash compensation for the loss of permanent structures, trees and crops that belong to them personally;
- Land lords are required to serve tenants with at least three months notice to vacate the premises. In those instances where their tenants have paid rents in advance (e.g. for the coming year) the land lord is required to refund the amount of the unused advance payment. Cases where a land lord refuses to return rental deposits and advance payment to tenants should be handed through the well-established community systems involving local leaders.
- Person who encroaches or illegal land users are not compensated for the land only the assets that have on the land will be compensated. But Person who encroaches on the area after the cutoff date is not entitled to compensation or any form of resettlement assistance.

- **Consideration for the needs of vulnerable groups**

Particular attention should be paid to the needs of vulnerable groups among those displaced; especially those below the poverty line; the landless, the elderly, women headed family, disabled persons, household headed by children and the ethnic minorities who may not be protected through Tanzania land compensation legislation.

- **Preference for cash compensation**

Compensation for lost assets can be monetary, in-kind or both. Preference should be given to land- based resettlement (land to land) to PAPs whose livelihood is land-based. Preference shall be to provide displaced persons with compensations in cash for the loss of assets (housing and other structures), for loss of access to assets, for damage caused to assets and for loss of business profits or income earning opportunities. However, displaced persons should be offered replacement plots which they can purchase and develop with the cash compensation received. During the field work for RAP study, identified PAPs should be asked on preferable mode of compensation to assess in term of percentage and recommend. However, it is a common practice in Tanzania to provide cash compensation for lost land.

- **Taking of land /displacement take place after completion of compensation and other assistances**

The policy required that resettlement measures include provision of compensation and of other assistance required for relocation and preparation and provision of resettlement sites with adequate facilities (where required) prior to displacement. In particular, the taking of land and related assets or the denial of access to assets may take place only after compensation has been paid in full and where applicable, resettlement sites, new homes, related infrastructure, public services and moving allowances have been provided to displaced persons. No person or entity will be required to vacate acquired land until resettlement entitlements have been delivered in full. The civil works cannot commence until all Resettlement actions are completed.

- **Compensation determined on basis of market value or replacement cost**

The value of compensation shall be determined on the basis of the markets value or replacement cost and should include necessary additional costs incurred to achieve full restoration and there will be no deduction for depreciation.

- **Participation of project impacted persons in the project activities.**

It is particularly important to neutralize to the extent possible any socio-economic pressures in the communities that are likely to be caused by involuntary resettlement, by facilitating the participation of those impacted in the project activities. Therefore, impacted communities must be consulted and are part of the planning process. Offering opportunity for employment to impacted people during the construction or of providing services such as supplying water or food etc provides an additional income-generating opportunity to a significant number of persons who may be affected in the targeted areas. Therefore, this opportunity for local employment is being taken advantage of in this resettlement policy framework (RPF), by including it for discussion in the consultative process with the affected communities. This RPF suggest that the contractor should give priorities of employments opportunities to the project-affected persons (PAP's). One way of promoting this would be for the project to train displaced persons to acquire the skills needed by these contractors.

- **Availability of complaints, dispute registration and resolution mechanisms**

Displaced persons should be informed about their options and rights pertaining to resettlement and about easily accessible complain and dispute registration and resolution mechanisms available to them.

CHAPTER 3: LAND ACQUISITION AND LIKELY CATEGORIES OF IMPACTS

3.1 Project Objective

The main objective of the proposed 400kV transmission line between Mbeya and Sumbawanga and ~4km of segment of 330kV TL from Tunduma Substation to TanZam border is to provide reliable and cost effective electricity to users in the west and north-west part of the country. It is expected that with the successful completion of this project, reliable, consistent electricity will be available for economic growth in the western and north-western part of the country. Currently, the supply of electricity between Mbeya, Tunduma, Sumbawanga and the towns between these major centers is erratic with insufficient capacity available for business and economic growth in that part of Tanzania.

3.2 Project Components that May Require Resettlement

The proposed Mbeya – Tunduma – Sumbawanga transmission line project is part of the TANESCO identified North West Grids (NWG) transmission lines project. This project involves the construction of a 340km long 400kV transmission line between Mbeya, Tunduma and Sumbawanga in Tanzania and associated substations in Mbeya, Tunduma and Sumbawanga. The proposed transmission line will have 52m wide corridor for the alignment of 400kV and 330kV transmission line, whereby permanent land acquisition will take place. The proposed way leave corridor size considers tower geometry, conductor swing-out, span length, induction interference and tower falling range. No activity including cultivation of short crops will be allowed in the power line corridor.

A brief description of the proposed transmission line route between (i) Mbeya and Tunduma, (ii) Tunduma and Sumbawanga and (iii) Tunduma Substation – TanZam border TL are given below.

3.2.1 Transmission Line

Mbeya –Tunduma TL portion

The proposed Mbeya substation is situated at an altitude of about 1834m above sea level (masl). From here, the proposed TL will be routed southwards away from Mbeya town and moves westwards. The line runs parallel to the base of the Poroto Ridge Forest Reserve to the south of Mbeya. For about 74km from Mbeya, the TL remains on the left hand side of the A104 highway (Mbeya to Tunduma) where it crosses this road and the TAZARA railway line and moves to the right hand side. The line then stays on the right hand side of the A104 highway up to the proposed Tunduma substation. The proposed Tunduma substation is located at an elevation of approximately 1580masl and is situated on the right hand side of the Tunduma – Sumbawanga highway in a sparsely populated area. TANESCO and Consultant for Feasibility Study in 2018 will confirm the final route selection where by detailed RAP study with valuation will take place.

Tunduma – Sumbawanga TL portion

There is a proposed substation to be constructed at Tunduma which is situated at an elevation of about 1592masl. From the proposed substation, the TL is routed north-west towards Sumbawanga. The TL will runs almost parallel to the Tunduma – Sumbawanga highway and generally stays on the right hand side for about 43km when it crosses to the left hand side of the highway. For the next 54km, the line then stays on the left hand side of the highway before crossing over to the right hand side. For the next 47km, the line stays on the right hand

side of the highway and skirts to the left of Lake Rukwa as it enters Sumbawanga town. For the next 50km, the line stays on the right hand side and crosses the highway for the last time before being routed into the proposed Sumbawanga substation located 10km from this point. The Sumbawanga substation is located at an elevation of 1888masl. TANESCO and Consultant for Feasibility Study will confirm the final route selection where by detailed RAP study with valuation will take place. TANESCO and Consultant for Feasibility Study will confirm the final route selection where by detailed RAP study with valuation will take place.

Tunduma Substation – TanZam border TL

There is a proposed substation to be constructed at Tunduma which is situated at an elevation of about 1592masl. From the proposed substation, the TL is crossing the Tunduma – Sumbawanga highway and shift left hand side of the road near to Nkangamo weighbridge at Nkangamo village about 3km to reach the TanZam border which is located at an elevation of 1602masl. The total length of this TL is about 4km long.

3.2.2 Substations

For the construction of the proposed 400 kV line, three new substations will be constructed at Mbeya, Tunduma and Sumbawanga. TANESCO will acquire land in the two locations (Tunduma and Sumbawanga) for the purposes of building the substations. For the proposed Mbeya substation TANESCO has already acquired 17.1 Hectares (42.3 Acres) of land in April, 2017. Because the land acquisition for this substation followed the national legal requirements and did not have a Resettlement Action Plan in place, a Resettlement Audit and Corrective Action Plan for Mbeya Substation were prepared as a free-standing document during the project preparation (an Executive Summary for Resettlement Audit and Corrective Action Plan for Mbeya Substation is attached in **Annex 10**.) As outlined in the Audit and Corrective Action Plan, TANESCO will prepare a full Remedial Action Plan (ReAP) for the Mbeya substation area in order to meet the identified gaps in the resettlement process and compensation paid to the PAPs to meet the WB policy requirements on involuntary resettlement (OP 4.12). The ReAP will follow the requirements outlined in this RPF. A Resettlement Action Plan and ReAP will be prepared in accordance with the Tanzanian national law on land acquisition and Bank Operation Policy 4.12 on Involuntary Resettlement whose requirement to minimize resettlement impacts will be met by examining all possible project route alternatives. OP 4.12 will be considered by making sure that there is avoidance and minimization of relocation or loss of shelter; loss of assets or access to assets, loss of income sources or means of livelihood, and the involuntary restriction of access to legally designated parks and protected areas resulting in adverse impacts on the livelihoods of the displaced persons. The RAP and ReAP will detail the process of land acquisition and associated mitigation measures. The substation will be securely fenced off to avoid electrocution of people and animals.

Mbeya substation

The area of the proposed Mbeya substation is approximately 17.1 Hectares (42.3 Acres) and is assumed to be constructed within this present project in order to be able to connect the 400 kV line to Tunduma. Space for control and protection cubicles will be allocated in the main control building.

The substation is proposed to be constructed with two 400/220kV 200MVA power transformers and one 220/33kV 40 MVA power transformer. Rated power of transformers shall cover the estimated demand as well as the expected future load increase. It is proposed to install one line shunt reactor on the line towards Tunduma. The proposed substation area is

located at Ihanga-Iganjo Street in Mbeya City. See Google map (2017) for Mbeya Substation in **Annex 9**.

Tunduma substation

As the proposed 400kV to Zambia is not to be connected to this substation but will only pass on the outskirts of it, there is redundancy in the network due to multiple feeders. Subsequently, it is proposed to build the substation with a single busbar system.

The size of this substation is planned to be 16.0 Hectares (39.5 Acres) and will be constructed with one 400/220 kV 120 MVA power transformer and one 220/33 kV 20 MVA power transformer. Rated power of transformers shall cover the estimated demand as well as the expected future load increase. The proposed substation area is located at Nkangamo village in Momba District. See Google map (2017) for Tunduma Substation in **Annex 9**.

Sumbawanga substation

The proposed Sumbawanga Substation will be strategic as major transmission lines are expected to meet there. For example the proposed 120 – 240MW coal power plant with an associated 400kV transmission line is expected to be connected to the Sumbawanga substation as is the existing 66kV line from Zambia.

The size of the Sumbawanga substation is planned to be 13.0 Hectares (32.0 Acres) and will be constructed with one 400/220kV 120MVA power transformer, one 220/66kV 40MVA power transformer and one 66/33kV 40MVA power transformer. The rated power of transformers shall cover the demand and the expected future load increase. The proposed substation area is located at Makazi Mapya in Sumbawanga Municipal. See Google map (2017) for Sumbawanga Substation in **Annex 9**.

3.2.3 Access Roads

Access road will be required during construction and maintenance of transmission line and may be paved or gravelled. Additionally, existing access roads leading to the three proposed substations are narrow in some sections for mobilization of construction plant and equipment and may need to be widened to enable safe transport of construction materials. The widening will be minimal and will utilize the ROW, avoiding any impact on adjacent land. The Resettlement Action Plan (RAP) will address any potential impact on land acquisition.

3.3 Project Impacts

As a first step in RAP preparation, the TANESCO will screen a selected site earmarked for location of the transmission line to identify the land/areas that potentially will cause resettlement. Impacts of the Mbeya-Tunduma-Sumbawaga 400kV TL, 330kV from Tunduma Substation to TanZam border and substation projects will vary in nature and degree depending on the situation at the site. Site screening could encounter various types of potential impacts/loss including social, economic, and administrative or effects on environmental equilibrium as a result of land acquisition. Likely categories of impacts/loss are indicated in the below entitlement matrix.

3.3.1 Types of Loss Due to Land Acquisition

3.3.1.1 Loss of Assets or Access to Assets

Loss of land and/or property are the most likely impacts both in urban and rural setups where the TANESCO will acquire land as in most cases the land in question will be under use of some sort, communally, or individually. Thus, upon the involuntary removal from the

proposed project sites people will suffer loss of rights to pieces of land, and/or un-exhausted improvements on the land i.e. built structures and crops.

3.3.1.2 Land

Land could belong to private individuals, local institutions, village land or public land. The land could either be grown with crops, or built with structures or open land used for recreation or not developed/used. Ownership could mainly be under either statutory rights of occupancy or customary rights of occupancy and the affected people will lose these land rights.

3.3.1.3 House structures

The built structures could be residential houses, residential and commercial houses, house annexed structures (e.g. kitchens, fences, pit latrines, house foundations, stores, cottage industries, livestock pens/sheds etc.) or commercial structures.

3.3.1.4 Agriculture

Farm properties mainly constitute permanent crops, trees, seasonal crops and vegetable gardens.

3.3.1.5 Natural Assets:

These are unused farmland and natural forests - these sections are usually not inhabited however the benefits accrued will be lost to the communities that use them.

3.3.1.6 Public services and recreational grounds

These include areas used by people permanently or periodically for activities that do not require built structures.

Loss of structures, residential or business premises may occur in instances where people have intentionally or unknowingly built on land earmarked for transmission line project. RAP will identify public structures that will be affected by the proposed project.

3.3.1.7 Loss of Rental Accommodation or Loss of Business Premises

Residential or business tenants will incur loss of rental accommodation or loss of business premises as in many places in Tanzania especially in urban area people rent premises for business or residential purposes.

3.3.1.8 Loss of Structures only (not land)

Encroachers and squatters may suffer loss of fixed structures but not land on which they are built.

3.3.1.9 Project Affected People (PAPs)

Since the exact locations of the TL that may cause resettlement are not yet known, at this stage it would not be possible to attempt to quantify the estimated likely number of people who may be affected due to the implementation of the Mbeya-Tunduma-Sumbawanga 400kV TL project. The likely project affected people (PAP) can be categorized into four groups, according to the nature of their loss namely;

- i) **Affected Property Owners** – are owners of land or owner of structures for business, residential, agricultural or other purpose.
- ii) **Affected Tenants:** these are people who do not own property but rent house, premises or land for the respective purposes; This category of PAPs is classified in different subcategories including residential tenants, business tenants, or farm tenants
- iii) **Affected Encroachers and other opportunistic land occupiers** – are persons who

do not own land that they occupy or use and non-bona fide occupants and intruders of lands reserved for public or other uses. Encroachers in rural area occupy land for agriculture while in urban area may occupy land for residential / commercial purposes.

- iv) **Affected Squatters** - include persons or groups who have settled in place or in urban area, with and without official title to their land.

The affected properties, people and entities will be further detailed in the RAP once TANESCO's project locations are specifically known.

CHAPTER: 4 SOCIO-ECONOMIC STUDIES

4.1 Introduction

This section summarizes the findings of the initial socio-economic studies in the project area. A baseline that describes the Social, Cultural and Economic characteristics of the key districts covered by the proposed Mbeya-Tunduma-Sumbawanga 400kV transmission Line and segment of ~4km from Tunduma Substation to TanZam border is provided in table 4-1 below. The purpose of the socio-economic study was to collect generic baseline data within the project targeted areas which will enable the social assessment of the potential affected populations/communities during detailed RAP study.

4.2 Methodology

The information in this section of the report is derived mainly from literature review and results from field work on sampled villages where proposed TL traverses by use checklist prepared.

The literature reviewed was got from;

- The updated Environmental and Social Impact Assessment report (ESIA) that was undertaken in 2018 for the proposed project;
- 2012 National Population and Housing Census of Tanzania (Statistics of the Project regions),
- District Socio-economic Profiles of the proposed transmission line project area;
- Review of Terms of Reference (TOR) for this RPF approved by WB; and
- Information gotten from the public/stakeholder consultation meetings held on March, 2018 along the Mbeya – Tunduma – Sumbawanga transmission line route.

4.3 Area of influence

The socio-economic baseline description is focused at a local level about 1km on either side of the proposed transmission line corridor. This is because it is expected that although the proposed project may result in macro-economic benefits at a national level through establishment of the transmission line, the primary socio-economic impacts of the project will be experienced at a district, ward and village level. The socio-economic area of influence has been divided into the Direct Area of Influence (RoW) and the Indirect Area of Influence. Community members living within the 52m wide ROW and extending 1km on either side of the proposed transmission line project including those living immediately adjacent to the substations have been considered within the Direct Area of Influence. A sample of 3 villages per each district were selected depending on the professional judgment of the RPF team. Altogether a total of 18 villages were consulted through community meetings using a prepared checklist which were reviewed and approved by WB of questions to guide the discussion. Aim of checklist is to determine the socio-economic activities found in the sampled villages, See annex 7.

4.4 Administrative structure

The proposed Mbeya to Sumbawanga 400kV power transmission line traverses three regions namely; Mbeya, Songwe and Rukwa regions.

The administrative structure in Tanzania is governed by Part I, Article 2.2 of the Constitution of Tanzania. Administratively, Tanzania is divided into thirty-one regions (*mkoa* in Swahili); each region is subdivided into districts (*wilaya* in Swahili); the districts are sub-divided into divisions (*tarafa* in Swahili) and further into local wards (*kata* in Swahili). Wards are further subdivided for management purposes: for urban wards into streets (*mitaa* in Swahili) and for

rural wards into villages (*kijiji* in Swahili). The villages may be further subdivided into hamlets (*vitongoji* in Swahili).

A Region is headed by a Regional Commissioner; District by a District Commissioner; Division by a Divisional Officer, Ward by a Ward Executive Officer and a Village by a Village Executive Officer. There are also local authorities that generally deal with local service provision led by appointed director under the Local Government Regional Administration. For example, all development issues at district level are managed by the District Executive Director after the approval of the District Council led by the Council Chairperson elected among councilors. The District Councils with its relevant officers have the mandate to manage and supervise developmental activities under various sectors representing the sector ministries. Some of the services provided by the local authorities include water and sewerage, health, education which are supported by the Central Government through its Ministries of Water, Health and Education respectively.

The proposed 400kV transmission line project from Mbeya – Tunduma – Sumbawanga will be undertaken under the administrative structure described above. During the public/stakeholder consultation meetings, the Village Executive Officer (VEO), Village Chairperson and Ward Executive Officer (WEO) at the grassroots were engaged. Leadership at this level will also be important for the Project Contractor during project construction for recruitment of workers from the community.

The proposed transmission line project traverses the regions, districts and villages shown in table 4-1.

Table 4.1: Regions, Districts and Wards where the proposed transmission line passes

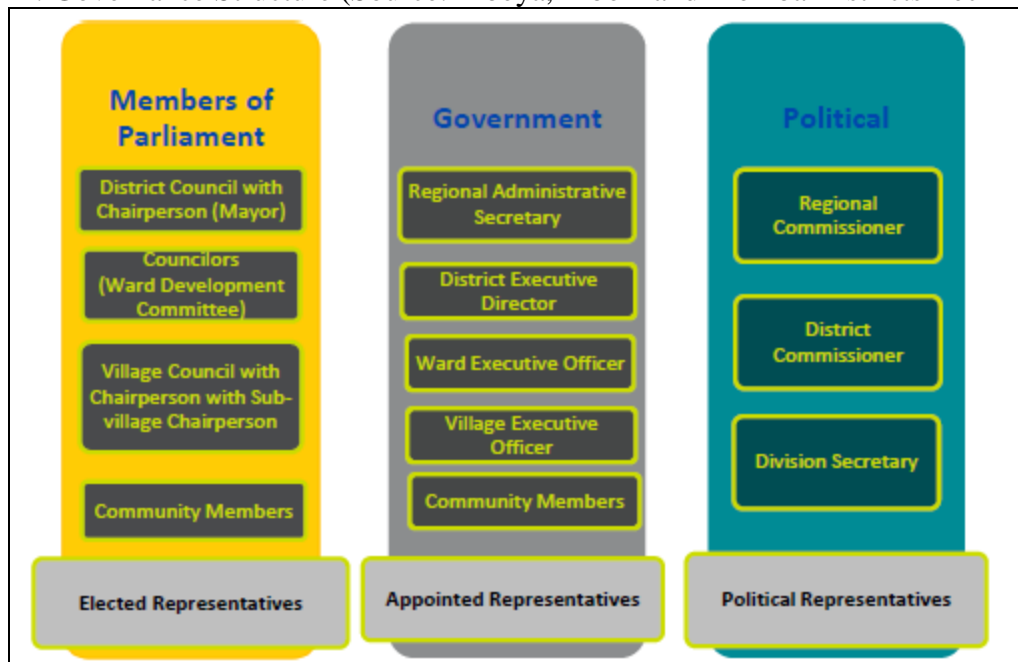
Region	Districts	Villages
Mbeya	Mbeya City Council	Ivumwe, Ituha, Ijombe, Mwahala, Igawilo and Iganjo.
	Mbeya District	Idiga, Songwe, Nguvu kazi, Isangara, Windi, Inshara, Mbalizi, Izumbwe, Kiwaga, Mbilanyana Hill, Swaya, Lupeta, Ivanga, Matanga, Lusungu Juu, Songwe, Ifiga, and Iwindi.
Songwe	Mbozi District	Isangu, Sakamwela, Malonji, Mbimba, Nambala, Sezule, Igunda, Ikunda, Ichesa, Welu II, Igale and Mbozi.
	Momba District	Momba, Lwasha, Mpui, Msungwe, Nyengele, Ikana, Nakawale, Ndalambo, Chalaikozi, Kakozi, Isanga, Chiwanda and Nkangamo.
	Tunduma Town Council	Chipaka, Katete, Namole and Saweya.
Rukwa	Sumbawanga Municipal Council	Makazi Mapya, Milanzi, Urinji, Molo, Maronje, Msandamvungano, Sandurula, Jangwani Makuzani and Mpwapwa.
	Sumbawanga District	Mpuwi, Malolwa, Mkima, Mpui, Kitete, Ikozi, Kalambazite, Mshani, Lusaka, Ndelema, Laela, Tunko, Mkutano and Nzoka.

A map showing the above regions and districts that the proposed line traverses through is given in figure 4-1.

4.5 Governance Structure

The governance structure in the project area (Mbeya, Mbozi and Momba Districts) is similar to the one adopted in the whole of Tanzania. Three parallel governance structures co-exist as shown in the figure 4-2 below. There is elected leadership comprised of local government representatives facilitating parliamentary functions, central government appointees and positions appointed by the President to ensure implementation of the political manifesto of the ruling party.

Figure 4-2: Governance Structure (Source: Mbeya, Mbozi and Momba Districts Technical Staff)



The three structures are meant to complement each other by functioning collaboratively to ensure optimal administration and achievement of outcomes of the respective region's development goals at different levels. The government appointed District Executive Directors and their technical teams with ward/village sectoral extension workers facilitate the bottom-up development planning process. The District Councilors advocate for projects prioritized in their wards and lobby for funds to be allocated to them during District Full Council Meetings. They also liaison with Members of Parliament to seek finances from Central Government, Development Partners (Donors) and other prudent sources.

It was noted from the stakeholder consultations that, some project area tribes still have traditional leaders whose roles are ceremonial with no active functions in governance structure but rather consulted regarding introduction of new development projects, and requested to participate in relevant community sensitization activities.

4.6 Land ownership and land tenure

All land in Tanzania, including that in the project area is a public property vested in the president of Tanzania as a trustee on behalf of citizens. Whilst it is only the President's Office that can issue formal land rights through long term 33 or 99 years leases and rights of occupancy.

Land tenure falls under three categories, namely reserved land (Under the jurisdiction of the Land Commissioner), village land and general land. Reserved land is set aside for wildlife, forests, marine parks, etc., and the way these areas are managed is explained in the laws regarding each sector (*e.g.* Wildlife Conservation Act, National Parks Ordinance, Marine Parks and Reserves Act, etc.). Specific legal regimes govern these lands under the laws used to establish them. Village land includes all land inside the boundaries of registered villages, where the Village Councils and Village Assemblies are given power to manage. The Village Land Act gives the details on how this is to be done. General land is neither reserved land nor village land and is therefore managed by the Commissioner. The Land Act is governing this land.

Most land in the project area is village land and is under customary ownership either by inheritance, allocation by village leaders and village assembly. Land is owned both by people originating from the basin and migrants. However, the majority owners are locals. While both men and women are allowed access to land through allocation by villages, inheritance and rental, traditions and customary values have made most land being owned by men. Land can be referred to as family land but the recognized owner is a man head of a household. In urban areas however, land is owned through statutory rights involving either by lease agreement of certain period of time or by inheritance.

4.7 Land acquisition

The land acquisition system in the project area is based on customary right of occupancy and statutory certificate right of occupancy. Both acquisition systems are recognized by local people and the state. Land acquisition practices include inheritance, village allocation and leasing / renting. Except for land renting which is acknowledged by villagers only, the rest of arrangements and practices are recognized by both people and state.

4.8 Land use

The rural parts of the project area uses land for agriculture, settlements, animal grazing, conserved forests, water catchment areas, water bodies and forest reserves. Some pieces of land have single use; for instance, single crops production or forests, while others have multiple uses like mixed farming, livestock rearing and grazing, catchment area and settlements with numerous functions. Land uses in urban areas include: commercial, urban agriculture, cottage industries, institutional and planned and unplanned residential areas.

The predominant land use (about 90%) along the transmission line routing between Mbeya and Tunduma and Sumbawanga is agricultural. The remaining sections of the transmission line routing (about 10%) would be considered part of built up environment such as cities and towns (*e.g.* Mbeya City, Tunduma and Sumbawanga) and their environs where the land use is residential, commercial or industrial.

Below is data and information on land use for the project affected Regions; Mbeya, Songwe and Rukwa, as derived from the District Socio-economic profiles.

4.8.1 Mbeya region – Land Area, Land Use Pattern and Administrative Units

Mbeya Region covers a total 35,954km², which is 4.1% of the total area of the United Republic of Tanzania excluding sea area of 883,343km². Out of the Region's total surface area, 35,201km² is dry land and 753km² is covered with water bodies of Lake Nyasa and rivers Kimani, Chimala, Igurusi, Kiwira, Lufilyo, Mmbaka and Zira. The distribution of land and water area by councils in Mbeya region is given in table 4-2. The proposed transmission line project passes through Mbeya district and Mbeya City Council.

¹Table 4-2: Distribution of Land Area and Water Area by Councils in Mbeya Region, 2016

Council	Dry Land Area (km²)	Percent of Land Area (km²)	Water Area (km²)	Percent of Water Area (%)	Total Surface Area (km²)	Percent of Surface Area (%)
Chunya	13,143	37.0	0	0	13,143	36.6
Mbeya District	2,432	6.9	0	0	2,432	6.8
Kyela	872	2.5	450	97.6	1,322	3.7
Rungwe	1,231	3.5	11	2.4	1,242	3.5
Mbarali	16,632	46.9	0.1	0	16,632	46.3
Busokelo	969	2.7	0	0	969	2.7
Mbeya City	214	0.6	0	0	214	0.6
Total	35,493	100	461	100	35,954	100

4.8.2 Songwe region – Land Area, Land Use Pattern and Administrative Units

Songwe Region covers 27,656 km². This region occupies about 3.1% of Mainland Tanzania total land area of 883,343 km². Table 4.3 shows that, Songwe Region has a surface area of 27,656 km². The largest surface area is found in Songwe Council (16,069 km²; 96.2%), followed by Momba Council with 5,856 km² (21.2%) and Tunduma Council has the smallest surface area of 419 km² (1.5%). In addition, the largest part of the regions surface area (26,595 km²; 96.2%) is and area and only 1,061 km² (3.8%) is covered with water. The Council with the largest proportion of water area is Songwe with 57.3% (608 km²), followed by Momba with 33.1% (351 km²) and Mbozi with 9.6% (102 km²) other areas have no water bodies. The proposed transmission line project passes through Mbozi, Momba districts and Tunduma Town Council.

²Table 4-3: Distribution of Land Area and Water Area by Councils in Songwe Region, 2015

Council	Land Area (km²)	Water Area (km²)	Surface Area (km²)	Percent of Land Area (%)	Percent of Water Area (%)
Songwe	15,461	608	16,069	96.2	3.8
Ileje	1,908	0	1,908	100.0	0
Mbozi	3,302	102	3,404	97	3.0
Momba	5,505	351	5,856	94	6.0

¹Source: Regional Commissioner's Office, Mbeya Region, February 2016

²Source: Regional Commissioner's Office, Songwe Region, February 2015

Tunduma	419	0	419	100	0
Total	26,595	1,061	27,656	96.2	3.8

4.8.3 Rukwa region – Land Area, Land Use Pattern and Administrative Units

Rukwa region has a total surface area of 27,765km² out of which 21,160km² (76.21%) is land area, the remaining 6,605 km² (23.79%) is covered with water bodies. Rukwa region is among biggest region in Tanzania Mainland and occupies about 3.14% of Tanzania Mainland's total land area of 883,343km². Table 4-4 shows that the distribution of the region's area among the districts is largely in favor of Nkasi District which covers 47.27% of the total area of the Region followed by Sumbawanga District 36.74%. Kalambo District has the smallest area and accounts for only 15.99% of the Region's total area. The proposed transmission line project passes through Sumbawanga district and Sumbawanga Municipal Council.

³Table 4-4: Distribution of Land Area and Water Area by Councils in Rukwa Region, 2016

Council	Dry Land Area (km²)	Percent of Land Area (km²)	Water Area (km²)	Percent of Water Area (%)	Total Surface Area (km²)	Percent of Surface Area (%)
Sumbawanga Municipal Council	1,329	100	0	0	1,329	4.79
Sumbawanga District Council	8,203	92.5	668	7.5	8,871	31.95
Kalambo District Council	3,937	88.7	504	11.3	4,441	15.99
Nkasi District Council	9,375	71.4	3,749	28.6	13,124	47.27
Total	22,844	82.3	4,921	17.7	27,765	100

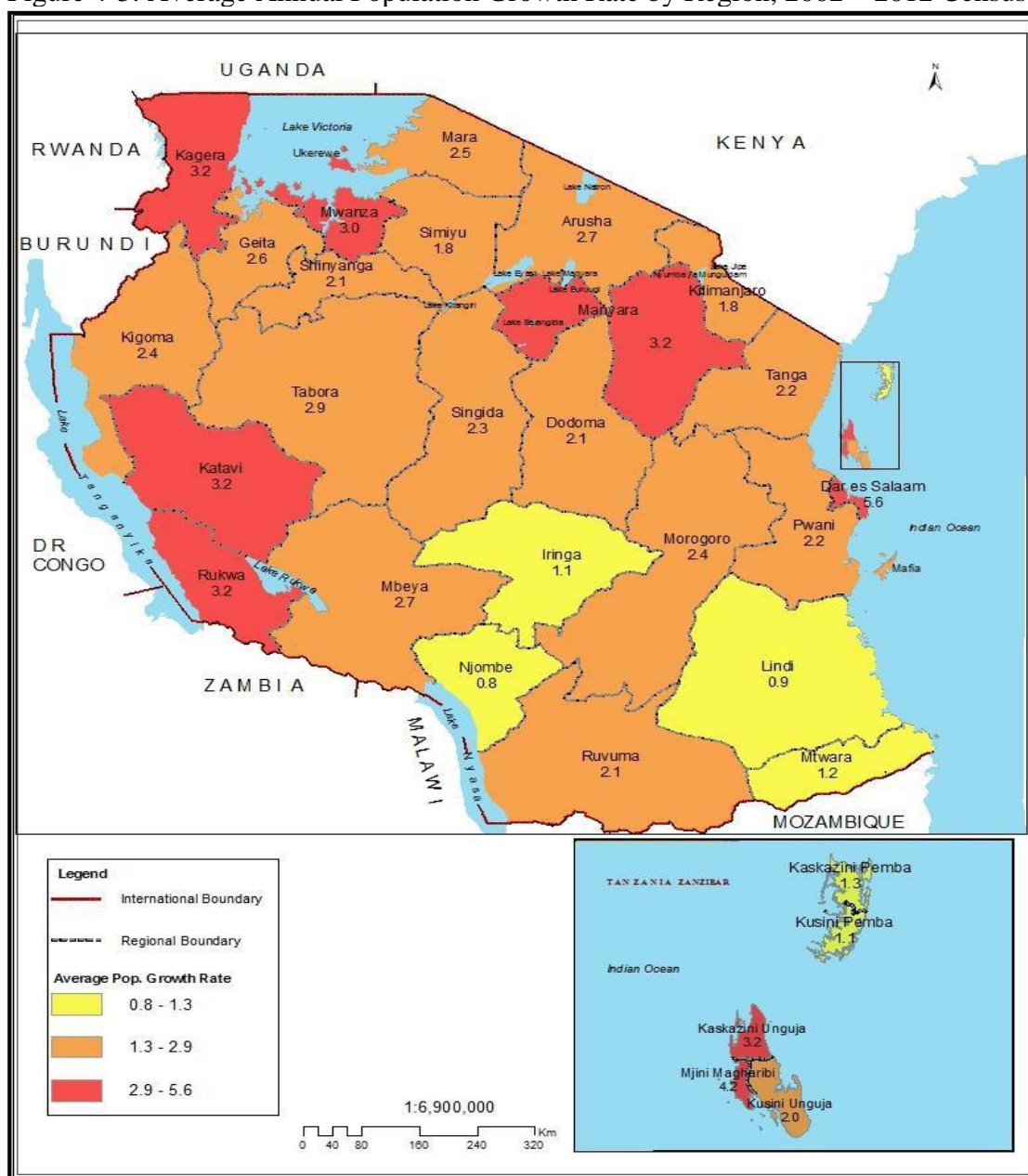
4.9 Population

4.9.1 Existing population

According to the 2012 census in Tanzania, the total population in the mainland was 43,625,364. The proposed transmission line project traverses three regions namely Mbeya, Songwe and Rukwa in census 2012 Songwe region was within Mbeya Region hence the data for Mbeya region included the population of the newly established Region of Songwe. The two regions had a population growth rate of 2.7% and 3.2% respectively over the period 2002 – 2012 as shown in figure 4-3. According to the 2012 census, the population of Mbeya region was 2,707,410 (including Songwe region) while that of Rukwa region was 1,004,539. The population growth and positive net migration the number of residents in the three mentioned regions, the current population is higher than 2012 census stated (See Table 4-6 of population projection for 2017).

³ Source: Regional Commissioner's Office, Rukwa Region, 2016

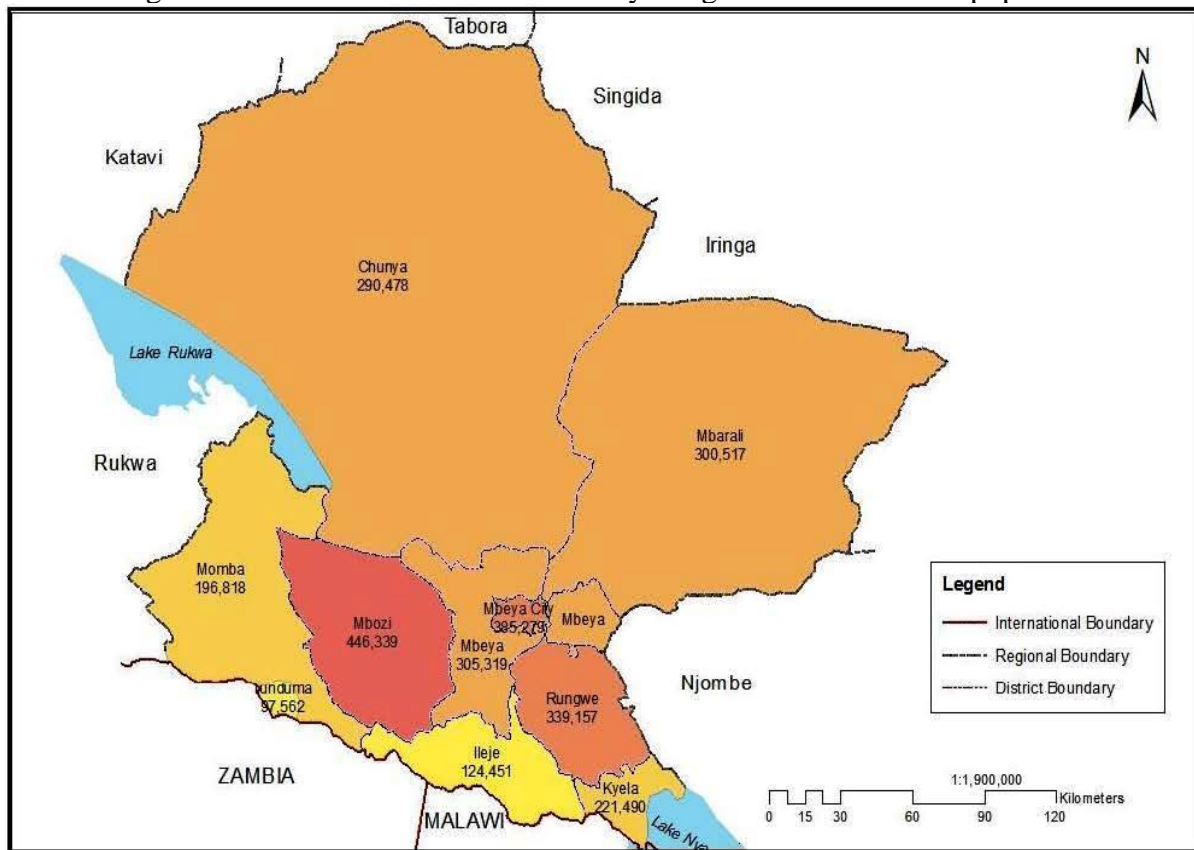
⁴Figure 4-3: Average Annual Population Growth Rate by Region, 2002 – 2012 Censuses



In Mbeya and Songwe region, the proposed transmission line will pass through the districts of Mbeya City, Mbeya Rural, Mbozi, Tunduma and Momba. The districts and their respective population in 2012 is shown in figure 4-4.

⁴ Source: 2012 Population And Housing Census – Tanzania

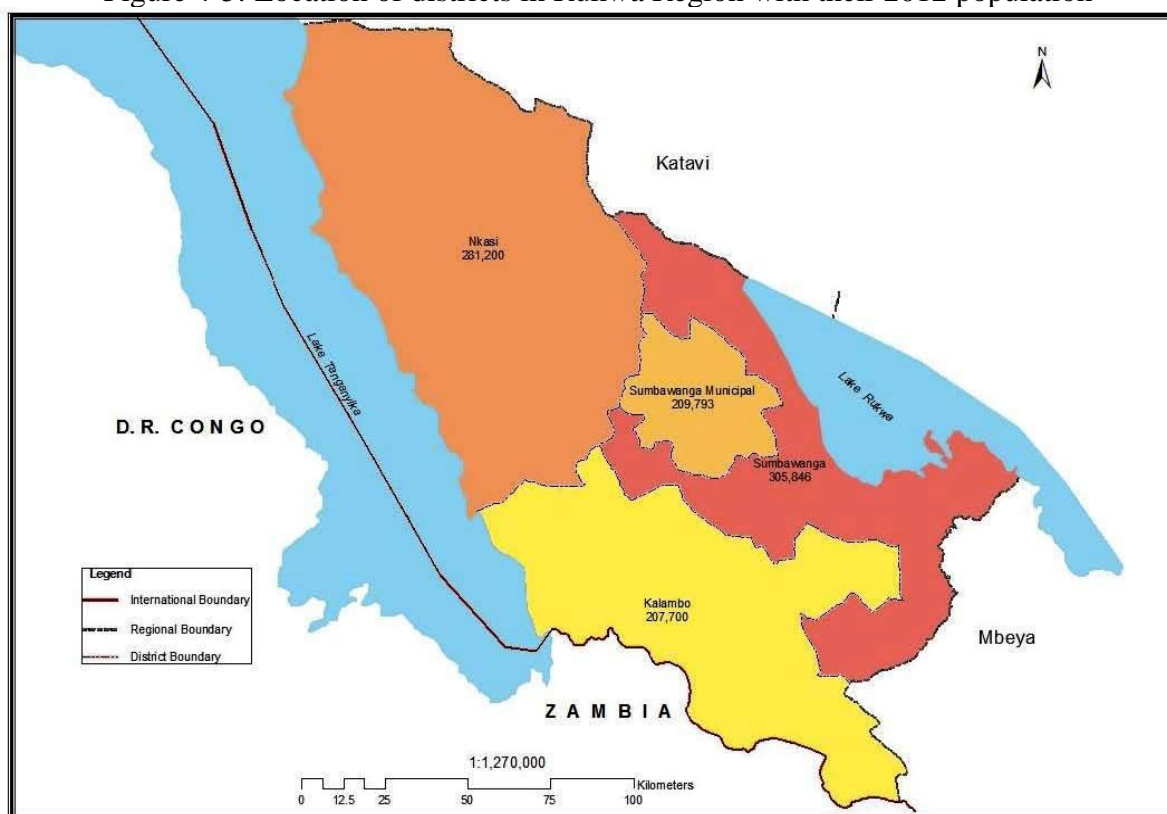
⁵Figure 4-4: Location of districts in Mbeya Region with their 2012 population



In Rukwa region, the proposed transmission line will traverse through two districts known as Sumbawanga District and Sumbawanga Municipal. A map showing the location of the two districts relative to the entire region is given in figure 4-5.

⁵ Source: 2012 Population And Housing Census – Tanzania

⁶Figure 4-5: Location of districts in Rukwa Region with their 2012 population



Based on the above maps and data extracted from the 2012 census, given in table 4-5 is the population within the various districts through which the proposed transmission line project traverses.

Table 4-5: Population of persons living in districts crossed by the transmission line

District	Ward	Population in 2012		
		Male	Female	Total
Mbeya city	Igawilo	7,931	9,369	17,300
Mbeya rural	Tembela	4,982	5,728	10,710
Mbeya rural	Igale	5,183	5,681	10,864
Mbeya rural	Lwindi	8,740	9,657	18,397
Mbeya city	Lyunga	7,188	7,838	15,026
Mbeya rural	Bonde la Songwe	8,733	9,754	18,487
Mbeya rural	Swaya	4,434	5,043	9,477
Mbeya city	Uyole	5,344	6,199	11,543
Mbeya city	Mwakibete	11,094	12,225	23,319
Mbeya city	Ilomba	16,001	18,020	34,021
Mbozi	Mlowo	17,978	20,038	38,016
Mbozi	Ihanda	10,088	11,267	21,355
Mbozi	Ruanda	4,136	4,468	8,604

⁶ Source: 2012 Population And Housing Census – Tanzania

District	Ward	Population in 2012		
		Male	Female	Total
Mbozi	Myovizi	7,591	8,547	16,138
Mbozi	Isandula	6,592	7,957	14,549
Mbozi	Chiwezi	12,006	13,054	25,060
Mbozi	Vwawa	26,372	29,884	56,256
Momba	Ndalambo	5,532	6,161	11,693
Momba	Myunga	5,631	5,960	11,591
Tunduma	Tunduma	46,854	50,708	97,562
Sumbawanga	Miangalua	6,923	7,496	14,419
Sumbawanga	Laela	11,244	12,485	23,729
Sumbawanga	Sandulula	9,133	9,622	18,755
Sumbawanga	Mpui	7,216	7,615	14,831
Sumbawanga	Kalambazite	9,949	10,837	20,786
Sumbawanga	Mollo	7,640	8,067	15,707
Sumbawanga	Kizwite	7,662	8,525	16,187
Sumbawanga	Malangali	3,270	3,473	6,743
Sumbawanga	Old Sumbawanga	11,128	12,170	23,298

4.9.2 Population density and trend

Based on the 2012 census, the average population growth rate over the period 2002 – 2012 in Mbeya (including Songwe region) and Rukwa regions was 2.7% and 3.2% respectively. Using these population growth rates, the projected population in 2017 that could potentially be affected by the proposed transmission line is given in table 4-6.

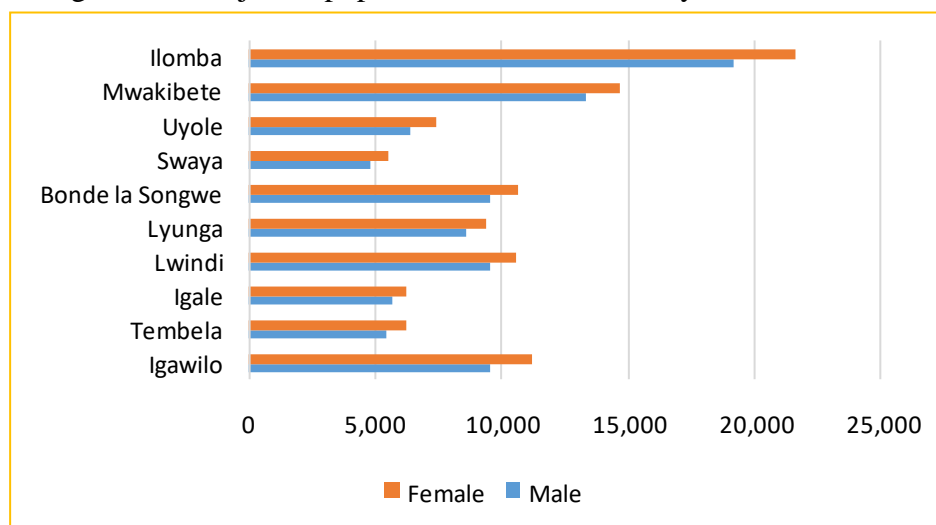
Table 4-6: Projected population in 2017 of the wards affected by the project

District	Ward	2012 Population	Avg. HH size	Pop. Growth rate (%)	2017 projected population		
					Male	Female	Total
Mbeya city	Igawilo	17,300	3.9	2.7%	9,061	10,704	19,765
Mbeya rural	Tembela	10,710	4.0	2.7%	5,692	6,544	12,236
Mbeya rural	Igale	10,864	4.0	2.7%	5,922	6,490	12,412
Mbeya rural	Lwindi	18,397	4.1	2.7%	9,985	11,033	21,018
Mbeya city	Lyunga	15,026	4.3	2.7%	8,212	8,955	17,167
Mbeya rural	Bonde la Songwe	18,487	4.0	2.7%	9,977	11,144	21,121
Mbeya rural	Swaya	9,477	3.9	2.7%	5,066	5,762	10,827
Mbeya city	Uyole	11,543	4.1	2.7%	6,105	7,082	13,188
Mbeya city	Mwakibete	23,319	4.2	2.7%	12,675	13,967	26,642
Mbeya city	Ilomba	34,021	4.4	2.7%	18,281	20,588	38,869
Sub-total					90,976	102,269	193,245
Mbozi	Mlowo	38,016	4.0	2.7%	20,540	22,893	43,433
Mbozi	Ihanda	21,355	4.1	2.7%	11,525	12,872	24,398
Mbozi	Ruanda	8,604	4.1	2.7%	4,725	5,105	9,830

District	Ward	2012 Population	Avg. HH size	Pop. Growth rate (%)	2017 projected population		
					Male	Female	Total
Mbozi	Myovizi	16,138	4.3	2.7%	8,673	9,765	18,437
Mbozi	Isandula	14,549	4.2	2.7%	7,531	9,091	16,622
Mbozi	Chiwezi	25,060	4.2	2.7%	13,717	14,914	28,631
Mbozi	Vwawa	56,256	4.2	2.7%	30,130	34,142	64,272
Sub-total					96,841	108,782	205,623
Momba	Ndalambo	11,693	4.2	2.7%	6,320	7,039	13,359
Momba	Myunga	11,591	4.3	2.7%	6,433	6,809	13,243
Tunduma	Tunduma	97,562	4.0	2.7%	53,530	57,933	111,464
Sub-total					66,284	71,781	138,065
Sumbawanga	Miangelua	14,419	4.7	3.2%	8,104	8,775	16,878
Sumbawanga	Laela	23,729	4.6	3.2%	13,162	14,615	27,777
Sumbawanga	Sandulula	18,755	5.2	3.2%	10,691	11,263	21,954
Sumbawanga	Mpui	14,831	4.6	3.2%	8,447	8,914	17,361
Sumbawanga	Kalambazite	20,786	4.8	3.2%	11,646	12,685	24,332
Sumbawanga	Mollo	15,707	5.2	3.2%	8,943	9,443	18,386
Sumbawanga	Kizwite	16,187	4.7	3.2%	8,969	9,979	18,948
Sumbawanga	Malangali	6,743	4.6	3.2%	3,828	4,065	7,893
Sumbawanga	Old Sumbawanga	23,298	4.7	3.2%	13,026	14,246	27,272
Sub-total					86,816	93,985	180,801
Total population of the wards affected by the project					340,917	376,818	717,734

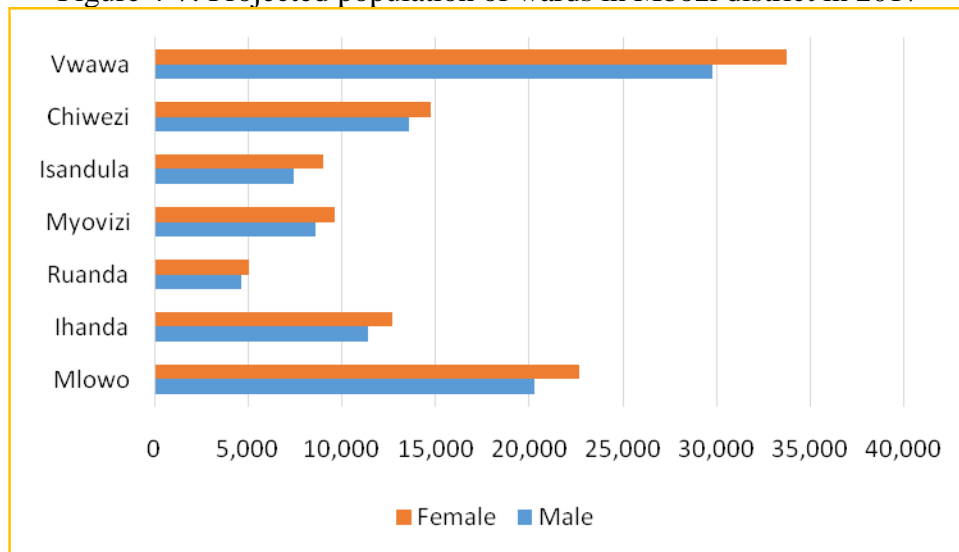
Shown graphically, the projected population of the four districts through which the proposed transmission line traverses is shown in figure 4-6 to figure 4-9.

Figure 4-6: Projected population of wards in Mbeya district in 2017



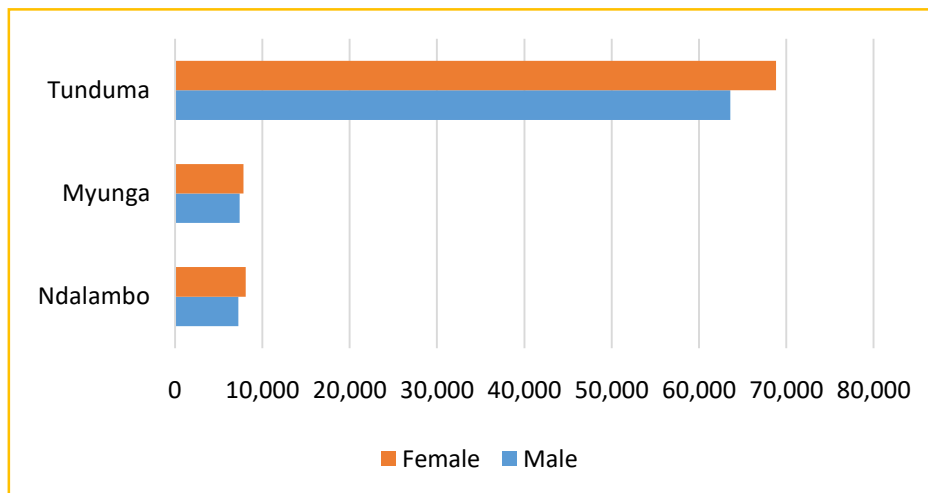
Source: ESIA study for Mbeya-Sumbawanga, 2018

Figure 4-7: Projected population of wards in Mbozi district in 2017



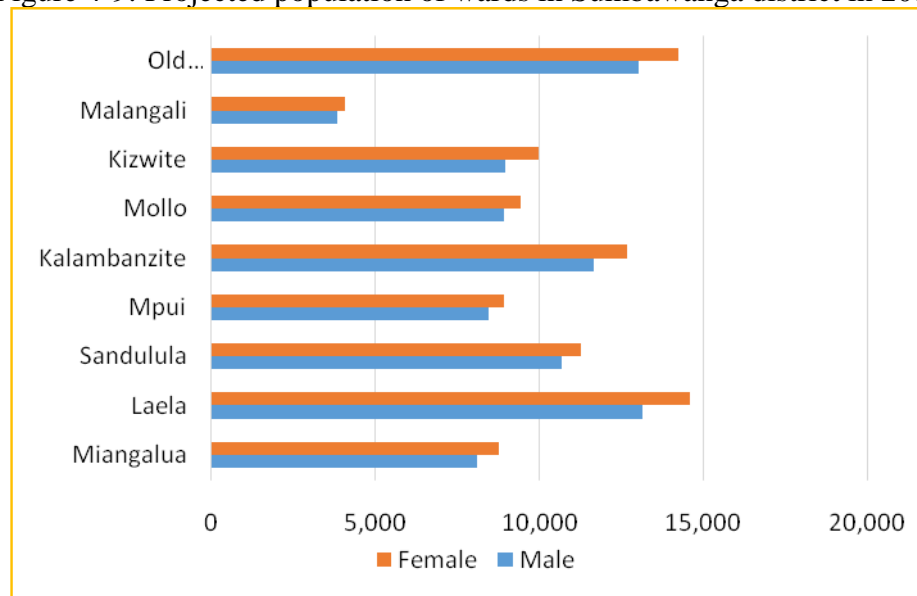
Source: ESIA study for Mbeya-Sumbawanga, 2018

Figure 4-8: Projected population of wards in Momba district in 2017



Source: ESIA study for Mbeya-Sumbawanga, 2018

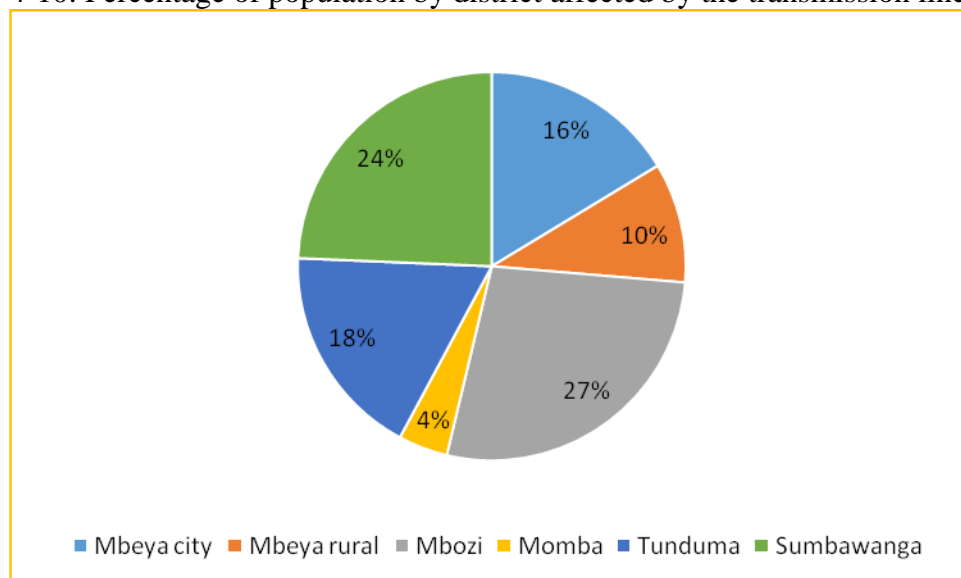
Figure 4-9: Projected population of wards in Sumbawanga district in 2017



Source: ESIA study for Mbeya-Sumbawanga, 2018

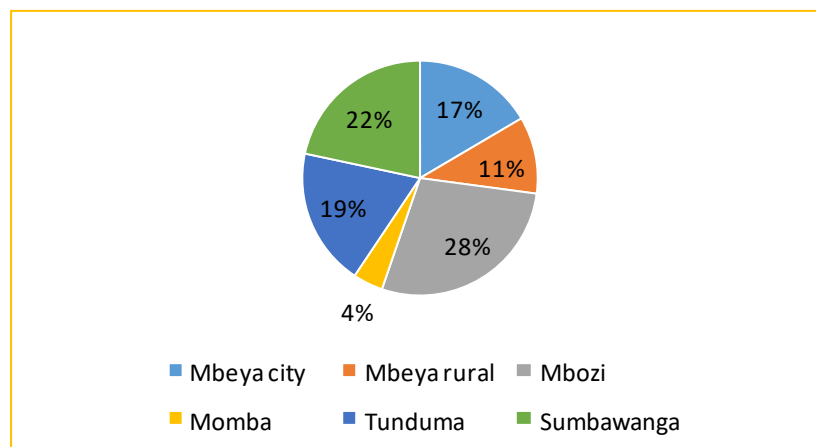
The proposed transmission line project will affect the population of the various districts as indicated in table 4-6. Given in figure 4-10 is a breakdown of the percentage of population by district affected by the proposed project while figure 4-11 shows the percentage of households by districts that could be affected by the proposed project. The data for average household size was gotten from the 2012 Census for each district which has remained consistent over the period 2002 – 2012.

Figure 4-10: Percentage of population by district affected by the transmission line project



Source: ESIA study for Mbeya-Sumbawanga, 2018

Figure 4-11: Percentage of households by districts affected by the transmission line project



Source: ESIA study for Mbeya-Sumbawanga, 2018

Based on the field consultations undertaken on March, 2018 in the village offices along the proposed transmission line by using checklist for the RPF (See annex 7) and data collected during ESIA study in November, 2017, it was observed that a higher population density is located close to the roads and trading centers of the urban parts of the project areas, while the rural segments are characterized by much density at the central locations of the villages. As explained in section 4.3 above of area of influence, the mentioned percentage of populations can be positive and/or negative affected by the project during all project implementation phases. The positive and negative impacts of the proposed project during all project implementation phases are well explained in ESIA study of 2018.

4.9.3 Population migration

Migration is a complex demographic variable involving uncertainty. The measurement and analysis of migration however, are important in the preparation of population estimates and projections for a region.

Mbeya Region is one of the regions in the country that have experienced persistently positive net migration. There are several reasons that cause positive net migration in these Regions. Among them are water and food availability at all times, strong industrial and commercial base, large scale plantations, and availability of social services including school facilities and health infrastructures. As the Mbeya Region has fertile agricultural land, it attracts seasonal workers from neighbouring regions and districts such as Sumbawanga. Another reason for migration is availability of electricity in these regions. Most people are attracted to places that have better light and hence enabling them to carry out several economic activities even at night. However, these areas are characterized with high electrification rates Mbeya Region having the highest about 86%, Songwe and Rukwa Regions with 45.2% and 43.8% respectively. Therefore, it is expected that the construction of the transmission line will to some extent lead to reduction in electricity tariffs.

Another factor related to migration will be the influx of migrant labour to work during the construction of the power transmission line. For the proposed transmission line project, it is

envisaged that the Project Contractor will engage the services of skilled, semi-skilled and unskilled workers. The approximate staff strength required for the proposed project is shown in table 4-7. Most skilled workers will likely be expatriate workers and therefore immigrant to the areas where the proposed project will be constructed of semi-skilled and unskilled labor will likely from the local areas (wards and villages) where the project will be undertaken. Where semi-skilled and unskilled workers are unavailable, such workers may come from other parts of Tanzania.

The risks related to worker/community interactions and labor influxes for the proposed project are being detailed analyzed in the ESIA report whereby appropriate mitigation measures are proposed.

Table 4-7: Approximate staff strength for the construction and commissioning phases

Project phase	Expatriate workers	Tanzanian workers	%age Expatriate workers	%age Tanzanian workers
Mobilization	76	100	43	57
Construction	220	660	25	75
Commissioning	180	260	41	59

Source: ESIA study for Mbeya-Sumbawanga, 2018

4.10 Agricultural activities

Agriculture is the largest sector of the economy in Tanzania. According to the 2012 Population and Housing Census, the majority of the population (about 70%) lives in rural areas where their livelihood depends on agriculture either directly or indirectly. It contributes about 25% of Gross Domestic Product (GDP) and accounts for half of the employed labor force. Agriculture is the largest source of foreign exchange earnings and it feeds both the rural and urban populations.

In Mbeya and Songwe, agriculture is the back bone of residents of which about 80% depend on as their main source of livelihood. Agriculture is dominantly peasantry farming with a small number of commercial scale farming of tea in Rungwe, coffee in Mbozi and Momba and rice in Mbarali Districts. Agriculture contributes about 69% of the Region's GDP. Weather conditions continue to be the major determinant of agriculture performance in the Region. The Region has about 3,810,441 hectares (59.8% of the total Regional land area) suitable for cultivation of both cash and food crops. The major food crops grown in the Region are maize, paddy, sorghum, beans, round potatoes, sweet potatoes, cassava, bananas, groundnuts, simsim, fruits and vegetables. Main cash crops are coffee, tea, tobacco, pyrethrum, wheat, sunflower, and palm oil.

Agriculture in Rukwa region is dominated by small-scale subsistence farming, with approximately 68% of the cultivated land used by smallholder farmers who operate between 0.5 and 2.0 ha. The crops produced include maize, sunflower and paddy. During field visit conducted on March, 2018 it was observed that most of the communities where the transmission line traverses from Mbeya to Tunduma to Sumbawanga practice peasant and/or small scale farming as shown in figure 4-12. They tend to grow crops such as maize, beans, bananas, coffee, sunflower, ground nuts and other vegetables such as tomatoes, carrots etc. Also in some of project areas such as Mbeya and Mbozi districts, communities owned planted tree farms.



Maize farm



Sunflower farm



Carrot farm



Coffee farm

Figure 4-12: Typical food crops grown in project area (Source: RPF field work, March 2018)

4.11 Livestock keeping

Livestock keeping is the second most predominant economic activity in the Mbeya, Songwe and Rukwa Regions. The sector plays a significant role in the rural economies of the project areas. In Mbeya region and Songwe dairy cattle rearing are highly practiced in Rungwe District with 56% of the total cattle population in the region. Other livestock kept include pigs, chicken, ducks and pigeons. Based on 2014 statistics from the Ministry of Agriculture, Livestock and Fisheries, the census of livestock is shown in table 4-8. Cattles are typical livestock kept in project area as shown in figure 4-13.



Figure 4-13: Typical livestock kept in project area (Source: RPF field work, March 2018)

Table 4-8: Livestock population in 2014 in Mbeya and Rukwa Regions

District	Cattle	Goats	Sheep	Pigs	Chicken
Mbeya	88,455	39,983	6,368	33,146	471,222
Mbozi and Momba	117,558	84,503	14,466	26,623	290,030
Sumbawanga	229,052	90,574	14,088	35,997	277,015

4.12 Socio-economic factors

4.12.1 Occupation

During the /stakeholder consultation meetings held between 15th to 20th March, 2018 at village level from Sumbawanga to Mbeya, it was established that most men living in the project area practice subsistence and cash crop farming and the main crops grown include maize, beans, bananas, mangoes and groundnuts. For cash crops, few farmers were observed to be growing coffee, sunflower and finger millet; they also sell maize and beans as a cash crop. As an occupation, the men in rural areas also partake in animal husbandry of cows, goats, sheep, chicken, pigs, donkeys, ducks and guinea fowl.

Women in the rural areas practice farming of maize, beans and potatoes coupled with daily duties like chicken rearing, fetching water and taking care of children and household chores.

In the towns of Mbeya, Tunduma, Sumbawanga and their environs, predominant occupations for men include formal and informal trade and formal employment in the government and private sector. The urban women mainly engage in readymade food vending, fruits, soft drinks, fish, potatoes, rice, beans, vegetables trade and taking employments as bar attendants and house maids.

4.12.2 Education

Education services in Tanzania are provided through different levels. These are pre-primary level, primary level, secondary level and tertiary levels. Pre-primary education is for children of

age between five and six years. It lasts for two years with no examinations for promotion purpose. The primary education is a seven years education cycle after pre-primary. It is universal and compulsory to all children from the age of seven years. The formal secondary school education consists of two sequential cycles. The first cycle is a four year ordinary level (Form I to Form IV). The second cycle is a two year program of advanced level (Form V to Form VI). According to the 2015 Tanzania Statistical Abstract the total numbers of schools (public and private) in Mbeya and Rukwa regions are shown in table 4-9 and ⁷table 4-10.

Table 4-9: Number of public and private schools in Mbeya, Songwe and Rukwa Regions

Region	2008	2009	2010	2011	2012	2013	2014
Mbeya and Songwe	1126	1059	1060	1065	1082	1076	1084
Rukwa	512	513	507	514	518	157	364

Table 4-10: Total enrolment in public and private primary schools in Mbeya, Songwe and Rukwa Regions ('000s)

Region	2008	2009	2010	2011	2012	2013	2014
Mbeya and Songwe	566	578	558	557	541	529	537
Rukwa	300	290	307	290	280	202	201

The proposed transmission line will go through the districts of Sumbawanga, Tunduma, Mbozi, Momba, Mbeya Rural and Mbeya City respectively. According to the ⁸Rukwa Investment Profile, in 2014, there were a total of 150 public and private pre-primary schools in Sumbawanga District having a total student population of 10,019. In the same year, the district had 161 primary schools with a total enrolment of 102,160 students. In 2014, the numbers of secondary schools in Sumbawanga Municipal Council were 27, while those in Sumbawanga Rural were 20.

4.12.3 Health

In Tanzania, health services are provided by a number of complementary institutions. These institutions are dispensaries, health centers, district/regional hospitals and referral consultant hospitals. The dispensaries are staffed by clinical officers and clinical assistant with one or two helpers and in some cases a nurse and/or midwife is also provided. The clinical assistant receives a 3 - year training course in anatomy, physiology and hygiene with good training in diagnostic methods and treatment of common diseases.

Supporting the dispensaries are health centers. These give priority to preventive measures and hygiene but in practice they are extensively used for the treatment of common diseases. Most health centers have a room for minor surgery and have 20-30 beds for in-patients including maternity cases. A health center is run by a clinical officer, with a secondary school education and more elaborate education in diagnosis and treatment as well as training in minor surgery. He/She is of higher grade than clinical assistant. The clinical officer is usually assisted by one or

⁷ 2015 Statistical Abstract, Tanzania

⁸ Rukwa Investment Profile, 2014

two clinical assistants, a nurse/midwife with one or two maternal and child health aids, a health aid and a health assistant.

Above the health center, there is the district hospital. It is the base for staffing and supplying medical provision to all dispensaries, health centers and a hospital (mostly private or faith based) where difficult or serious cases are referred to. Generally there is one district hospital per administrative district but in certain cases a district may have more than one district hospital. District hospitals are provided with medical doctors (one or more according to size), stores for drugs and equipment, a diagnostic laboratory, x-ray, operation facilities and beds for referred patients. Table 4-11 shows the types of health facilities in Mbeya and Songwe region which have been increasing over the years from fiscal year 2012/2013 to 2015/2016.

⁹Table 4-11: Number of health facilities and services has been increasing per years

No.	Health facility type	2012/2013	2013/2014	2014/2015	2015/2016
1	Hospitals	20	20	20	20
2	Health centers	36	36	38	37
3	Dispensaries	374	374	365	412

In Rukwa region, the proposed transmission line passes through the districts called Sumbawanga Municipal and Sumbawanga Rural. The health facilities available in these two districts are shown in the table below.

Table 4-12: Number and ownership of health facilities in Rukwa region

District	Hospital			Health Center			Dispensary			
	Govt.	V.A.	Total	Govt.	V.A.	Total	Govt.	V.A.	Pr.	Total
Sumbawanga Municipal	1	1	2	1	2	3	19	4	6	29
Sumbawanga District	0	0	0	6	1	7	54	2	1	57
Total	1	1	2	7	3	10	73	6	7	86
Govt.=Government	V.A.=Voluntary Agency					Pr.=Private dispensary				

4.12.4 Gender issues

4.12.4.1 Women employment status

Respondents from village leaders reveal that, majority women in urban areas of the project are employed in agricultural production; trade: readymade food vending, fruits, fish, rice, chicken; pig husbandry; poultry farming and local brews preparation and supplying.

In the rural areas most women are mainly involved in maize, beans, groundnuts and sunflower farming. Women are also employed in growing, taking care of and harvesting coffee.

4.12.4.2 Level of control over earnings

According to respondents from village leaders, women have controls over income earned through bean, sunflower, groundnuts, chicken, pigs and turkeys sales but not coffee, cows and

⁹ Source; Regional Medical Doctor's Office, 2016

goats sales which are traditionally kept and used by men. Statistics relevant to the above assertions are not in place.

4.12.4.3 Women level of participation in decision making

Respondents from village leaders also reveal that, women's decisions making over family matters are limited. Men are the main decision makers in the households. At government level however; women are compelled to participate in village council and development committees decision making processes. Encouraging participation by women in government matters is currently observed following government and other stakeholder's equal gender participation sensitization initiatives. Such makes women participation in decision making at the public matters higher than at household level. During RAP preparation, all efforts will be to include women in the decision making process on resettlement and compensation payments. In addition, consultations will be held separately with men and women to freely voice their opinion.

4.13 Burial Sites

Recent burial sites are among the surviving built heritage found within the project area. Most of these graves are located within family or clan land and village cemetery. Though graves are the bulk of the built heritage found in the proposed project area but their locations are secured because they are mostly located around present settlements, an area which the project avoids. More details on location of graves found in the line route will be provided during socioeconomic surveys of RAP.

CHAPTER 5: TANZANIA POLICY AND LEGAL FRAMEWORK

5.1 Introduction

Tanzania has a good policy, legal and institutional framework for management of social issues related to land and property acquisition and compensation enshrined in the National Constitution, the Land Policy and Land Acts as well as supporting local laws and by-laws. However the operation of the transmission line will follow the Bank's policies when it comes to OP 4.12 (see section 4.4.1 below)

This chapter (5) presents overview of Tanzania policy, legal and institutional framework of relevance to this RPF. Currently there is no specific-resettlement policy in Tanzania. However, Tanzania has a good policy, legal and institutional framework for management of social issues related to land and property acquisition and requirements for full, fair and prompt compensation enshrined in the National Constitution, the Land Policy and Land Acts of 1999 as well as supporting laws and regulations – operating at various levels including local laws and by-laws.

5.2 Overview of Policies and Laws Governing Land and Related Matters

The following policy and legal instruments provide guidance for acquisition of land and associated properties and compensation and resettlement procedures in Tanzania.

5.2.1 Constitution of the United Republic of Tanzania (1977 - as amended)

The Constitution also provides for the protection of the rights and interest of citizens in matters concerning their property and acquisition. Under article 24 (1), every person is entitled to own property, and has a right to the protection of his property held in accordance with the law. Sub-article (2) prescribes that it is unlawful for any person to be deprived of property for any purposes without the authority of law, which makes provision for fair and adequate compensation.

5.2.2 National Land Policy (1997)

The overall aim of the National Land Policy among other things is to promote and ensure a secure land tenure system in Tanzania that protects the rights in land for all its citizens. The policy provides that a dual system of tenure, which recognizes both customary and statutory rights of occupancy as being equal in law be established. The Land Policy directs that land be graded as a Constitutional category and that the following basic land policy tenets be entrenched in the Constitution to ensure continuity:

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

The compensation should be paid to any person whose right of occupancy or recognized long-standing occupation or customary use of land is revoked or otherwise interfered with to their detriment by the state and the Acts or is acquired under the Land Acquisition Act Cap 118. In principle the Minister responsible for land matters is the sole authority in land issues. To address the problem of multiple land allocations, and its resultant disputes, the Commissioner for

lands is the delegated sole authority for administration of land. However, the policy stipulates involvement of the public and private institutions whose functions are associated with land i.e. local authorities, communities, non-governmental organizations and community based development organizations-to participate and cooperate with the Minister at different levels during the implementation of the policy and utilization of land.

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

5.2.3 The Land Acquisition Act, 1967 (Act No 47/1967)

The Land Acquisition Act of 1967 stipulates the power and procedures for acquiring land and the required degree of compensation. Section 3 and 4 of the Act gives the President of Tanzania powers to acquire any land for any estate or term where such land is required for public purpose such as exclusive government use, general public use, any government scheme, development of social services or commercial development of any kind including declamation. The act makes provision for the procedures and method of compulsory acquisition of land for public purposes whether for temporary or permanent use. The Minister responsible for land may authorize any person to enter upon the land and survey the land to determine its suitability for a public purpose. The Government of Tanzania is supposed to pay compensation to any person who suffers damage as a result of any action. Any dispute as to compensation payable is to be referred to the Attorney General or court for decision.

The Land Acquisition Act does not go beyond compensation. It is not required under the Act to provide alternative land for the affected people by the project. Each affected person entitled to be compensated; on receipt of his/her compensation is expected to move and has no further claim. Once they are promptly and adequately compensated, then the obligations stop there. This act also sets out the legal process for payment of compensation.

5.2.4 The Land Act, 1999 (Act No 4/1999)

The Land Act is the principle land legislation on all land matters. The Land Act signifies that land in Tanzania is public land and remain vested in the President as trustee for and on behalf of all citizens of Tanzania. For the purposes of the management of land under the Land Act and all other laws applicable to land, public land is in the following categories: (1) general land; (2) village land and (3) reserved land. The transfer of land from one category to another is provided in the Act.

The Act specify that an interest in land has a value and that value is taken into consideration in any transaction affecting that interest. The recognized land ownership is the granted right of occupancy and customary ownership. The act states that where persons with a right of occupancy (including land which is occupied by persons under customary law) are to be moved or relocated, they must be compensated for loss of interest in the land and for other losses. They also have the right to reap crops that are sown before any notice for vacating that land is given. According to the Land Act, assessment of compensation on land acquired shall be based on the following: i) Market value of the real property; ii) Disturbance allowance; iii) Transport

allowance; iii) Loss of profit or accommodation; iv) Cost of acquiring or getting the subject land; v) Any other cost loss or capital expenditure incurred to the development of the subject land, iv) Interest at market rate will be charged,

5.2.5 The Village Land Act, 1999 (Act No.5/1999)

The act provides that the Village Council, the organ upon which the President has delegated powers to manage village land is obliged to ensure that the villages prepare an appropriate village land use plan for sustainable development, to enter into agreement with neighboring villages, to ensure that joint Village Land use plans are prepared for areas which are used jointly. Preparation of such plans among other things includes setting aside areas for community uses including areas for schools, dispensaries, water catchments, water supply utilities, market places, burial areas, offices etc. Therefore, the Land Acts, especially the Village land Act No. 5 provides a basis for ensuring that resettlement is avoided completely or a few people as possible are resettled in the implementation of sub projects. Adherence to the Village Land Act No. 5 will facilitate minimization or avoidance of resettlement problems, costs and grievances.

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

Land (Assessment of the Value of Compensation) Regulations, 2001 were made under section 179 of Land Act no. 4 of 1999. Regulation 3 of the Land (Assessment of the Value of Land for Compensation) Regulations, 2001 and Part III of the Village Land Regulations, 2002 provide for practical guidelines on assessment of compensation. The full and fair compensation is assessed by including all components of land quality and the market value should be used as basis for valuation of land and properties. Presently in assessing the value of the unexhausted improvements for compensation purposes, the law emphasizes that the value should be the price that which the said improvements can fetch if sold in the open market.

According to the regulation, the valuation of the affected properties must be done by a qualified and authorized Valuer.

5.2.7 The Land (Compensation Claims) Regulations, 2001

The regulations apply to all application or claims for compensation against the government or Local authority or any public body or Institution and they also cover compensation which may be claimed by occupier.

5.2.8 The Land (Schemes of Regularization) Regulation, 2001

Under the Land Act, 1999 Section 60(1) an area can be declared to be a regularization area.

Regularization of an area involves the following:

- Arrangements for the survey, adjudication and recording of interests in land claimed by those persons occupying land in the regularization area.
- Arrangements for the readjustment of boundaries of plots of land.
- Better planning and layout of the land including pooling, sharing and redistribution of rights in land.
- Arrangements for the involvement of the local authorities having jurisdiction in the regularization area in the implementation of the scheme.
- Arrangement for involvement of the people whose land is the subject of the scheme of regularization in the implementation of the scheme.

- Arrangement for the assessment and payment of any compensation that may be payable in connection with the implementation of the scheme.

Section 60(3) emphasizes that-For avoidance of doubt, no scheme or regularization shall be implemented until occupation and use of land by those persons living and working in the area have been recorded, adjudicated, classified and registered.

5.2.9 The Land Disputes Court Act, 2002 (Act No.2/2002)

This act provides the respective courts and their functions. Before implementation of sub projects, any land conflicts existing in the areas shall be resolved through the appropriate land courts to ensure that harmony prevails in the intended undertaking. Project beneficiaries will therefore be bounded by these Acts.

5.2.10 The Land Use Planning Act, 2007 (Act No.6/2007)

The Act provides for the procedures for preparation, administration and enforcement of land use plans; to repeal the National Land Use Planning Commission and to provide for related matters. Clearly the Act has distinctive authorities of land use planning in Tanzania laid down with their functions and powers. The power vested to authorities which give them teeth to bite is to enforce approved land use plans including taking defaulters to court of law.

5.2.11 The Urban Planning Act, 2007 (Act No. 8/200 7)

The Urban Planning Act No 8 of 2007 provides power for creating plans in advance of development and a comprehensive system of development control. It provides for the declaration of planning urban areas by the Minister responsible for Urban Planning in consultation with Local Authorities and constituting area Urban Planning committees and procedures for preparation of schemes and the approval by the Minister. The general planning schemes which came to be known popularly as master plans continued to be the primary planning and management tool for guiding urban development in Tanzania for more than forty years. These provided for overall planning of planning are facilitating preparation of detailed schemes and project plans.

5.2.12 Sector Policies and Laws on Access, Use, and Management of Natural Resources

Land-based natural resources that could be affected by land acquisition include agriculture resources (arable land), forests and contained biodiversity and beekeeping, non-renewable mineral resources (including construction materials such as gravel); surface and underground water resources. Each category is governed by one or a set of laws and regulations but all invariably has taken measures to ensure access to use and enjoyment of all Tanzania citizens.

5.2.13 The Graveyard Act, 1969 (Act No. 9/1969);

Graveyard Removal Act of 1968 refers directly to grave removal and requirement for compensation. Section 3 of this Act, informs that where any land on which a grave is situated is required for a public purpose the Minister may cause such grave and any dead body buried therein to be removed from the land and, in such case, shall take all such steps as may be requisite or convenient for the reinstatement of the grave and the reinstatement of the dead body in a place approved by him for the purpose. The act says the owners of graves should be compensated and paves way for development interventions.

Others include;

- The Local Government (District Authorities) Act, 1982 (Act No. 7 /1982);
- The Local Government (Urban Authorities) Act, 1982 (Act No. 8 /1982);
- The National Environment Policy, 1997;
- The Environment Management Act, 2004 (Act No. 20 /2004).

5.2.14 The National Human Settlements Development Policy (2000)

The overall objective of the National Human Settlements Development Policy (NHSDP) is to promote the development of sustainable human settlement and to facilitate the provision of adequate and affordable shelter to all people, including the poor. The policy outlines a number of objectives including environmental protection within human settlements and protection of natural ecosystems against pollution, degradation and destruction. The NHSDP recognizes planning and management of human settlement areas as one of the broad human settlement issues. Within this regard, the NHSDP identifies environmental protection as one of the strategic issues in human settlement planning and development.

5.2.15 National Cultural Policy (1997)

The policy framework for culture in Tanzania includes the rather broad general Cultural Policy dating back to 1997, which covers heritage, arts and craft and other cultural sectors of activity. The National Strategy for Growth and Reduction of Poverty for Tanzania, MKUKUTA II, recognize the importance of culture in the national development strategy. Its Goal 5 indicates that “National culture and identity are at the heart of development policy”. The results targeted within this goal are:

- Social cohesion, belonging, and national identity promoted and enhanced;
- Attitude toward hardworking, self-confidence, and self-esteem, creativity, innovation and
- Moral integrity promoted and enhanced;
- Culture and heritage of the country preserved and promoted;
- Principles of cultural diversity and inter-cultural dialogue upheld.”

5.2.16 Antiquities Policy of 2008

Antiquities Policy of 2008 defines Physical Cultural Resources (PCRs) as any tangible material that represent contemporary, historic, and pre-historic human life ways. Antiquities Policy (2008) section 2.1 points out that already discovered PCRs shall be preserved and conserved in the National Museum of Tanzania as stipulated in Museum Act of 1980. In addition, the Antiquities Policy of 2008, sections 4.2.1 to 6, elaborates on how other stakeholders including government institutions, private sectors and public as a whole should be involved in all activities of conservation and management of PCRs.

5.2.17 Agriculture and Livestock Policy (1997)

The Agriculture and Livestock Policy of 1997 addresses changes that affect the agricultural sector in Tanzania, specifically restrictions to agricultural practices stemming from the national Land Use Policy of 1997. The Agriculture and Livestock Policy also addresses the needs of women in agriculture and the needs for agricultural practices to evolve to ensure protection of the environment. The policy promotes good husbandry and increased agriculture production.

According to this policy, the land under the power transmission lines becomes wholly owned and managed by TANESCO and is exclusively for energy uses. Neither farming nor settlement is permitted on such land. However, cultivation of seasonal crops below the power line is common and TANESCO should make sure that no any activity is allowed under the transmission line corridor.

5.2.18 Women and Gender Development Policy, 2000

The objective of this policy is to promote gender equality and equal participation and opportunities for men and women. The developer is therefore expected to do likewise while undertaking the development initiatives.

5.2.19 Land Acquisition and Resettlement Policy

There is no Resettlement Policy in Tanzania. The resettlement process at TANESCO is guided by the Land Regulations of 2001. The draft National Resettlement Program Management Unit (PMU) which was prepared in 2003 based on the World Bank's OP 4.12 on Involuntary Resettlement requires that:

- Involuntary resettlement should be avoided or minimized where feasible by seeking viable alternative designs;
- If not feasible, resettlement activities should be conceived and executed as sustainable development programs to benefit the PAPs;
- Displaced persons should be fully consulted and participate in planning and implementing resettlement programs; and
- Displaced persons should be assisted in improving their livelihoods and standards of living to at least pre-displacement.

5.3 Institutional Framework

Tanzania has no policy on involuntary resettlement, but has elaborate policies and acts on acquisition of land, access, use and management of public resources. The acts stipulate the various actors in land and natural resources administration and management. Taking this and requirement of the World Bank OP 4.12 into consideration, three institutional frameworks comes into play in the development and implementation of the RPF:

- Central Government Ministries, Department and Agencies
- Local Government Authorities

5.3.1 Ministry of Lands, Housing and Human Settlement Development

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

Minister for Lands was established under the Land Policy and the Land Act (Section 8) as the sole authority over all land matters in the country. The Land Act provides the Minister of Lands with the duty of policy formulation and implementation. The Ministry is directed to

perform a number of functions (delegated to the Commissioner for Lands) including issuing permits for using land (other than village or reserved land). The Minister is empowered to designate a Body or Organ as a planning authority (Section 7 (4)) and to declare any area of land to be a planning area (Section 8 (1)).

5.3.2 Commissioner for Lands

Commissioner for Lands was established under the Land Policy and Land Act as the sole authority responsible for land administration. Land Act (Section (9-11)) stipulates that the Commissioner for lands is the Principal Administrative Officer, Professional Officer and Advisor to Government in land matters i.e. Land allocation, acquisition, registration and land management in general at all levels. All instances of acquisition of land for public purposes and the need for resettlement and/or compensation have to be referred to the Commissioner. The Commissioner may appoint officers at the appropriate levels of government to administer land other than Village land. Has a power to delegate the powers to officers at Local authority of Public organization all who work and comply to the directives of the Commissioner.

5.3.3 National Land Use Planning Commission

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

5.3.4 Survey and Mapping Division

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

5.3.5 National Land Advisory Council

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

5.3.6 Land Allocations Committee

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

5.3.7 Chief Government Valuer

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

5.3.8 Qualified (Registered) Valuer

Land (Assessment of the Value of Land for Compensation) Regulations, 2001 (Regulation 5) directs that every assessment of the value of land and unexhausted improvement is done by a

qualified Valuer. Valuers are government employees or individuals or companies registered as service providers in the lands sector and conduct surveys, property valuation etc.

5.3.9 Local Government Authorities

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

Administratively, Tanzania is divided into three levels of Local Governments whereby each level has statutory functions with respect to development planning. The three levels are; District/Municipal/City Councils; Town Councils and Ward; Village/Mtaa Councils. Districts are LGA's that are found in rural or semi-rural settings. Each district is subdivided into Wards, that in turn are divided into Villages and these consists of Hamlets (Vitongoji). Municipal Councils are subdivided into Municipal Wards followed by sub-wards or Mtaa. The District Councils are responsible for planning, financing and implementing development programmes and the law within their areas of jurisdiction. The Council is comprised of:

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

Committee	Responsibilities	Members
Resettlement and Compensation Committee	<ul style="list-style-type: none"> • Oversight management and coordination of RAP implementation activities • Coordination with municipalities, districts, government agencies and other stakeholders • Review of periodic progress monitoring reports on RAP implementation in accordance with RAP guidelines • Coordinate management of compensation 	<ul style="list-style-type: none"> • Regional Commissioner (Chair) • Representative of District Commissioner • Representative of respective district Authorities: District Land officer, District Valuer, Community Development

	process including providing compensation payments, awareness/training on managing compensation <ul style="list-style-type: none"> • Ensure compensation is consistent with RAP guidelines • Overseeing establishment and preparation of resettlement sites/homes and other relocation assistance agreed • Maintaining records of PAPs, compensation payments, and monitoring reports • implements measures to prevent land speculation or influx of ineligible persons 	Officer, Town Planning <ul style="list-style-type: none"> • Representative of a local leaders (Ward executive officer, village chairman and village executive officer)
Grievances Redress Committee	<ul style="list-style-type: none"> • Address entitlement issues and other disputes and concerns among PAPs and other stakeholders. • Advise PAPs and other stakeholders on redress mechanisms which cannot be resolved • Refer unresolved disputes to Community Social Committee (CSC) 	<ul style="list-style-type: none"> • District Commissioner (Chair) • Representative of respective district Authorities: district lands, planning and community development departments • Representative from implementing agency • Representative of PAPs (nominated by residents to represent the PAPs).

It should be noted here that, in these committees, gender balance is maintained; a good representation of women is required. Local governments are not replicated at the regional level. Regional authorities provide technical advice and support and exercise supervision to the Municipal councils. Regional and District Commissioners are responsible for co-coordinating and managing central government affairs.

5.4 Others

5.4.1 Private Service providers in the lands sector

These are individuals/Consultants or Companies that conduct surveys, property valuation and socio-economic studies etc.

5.5 Natural Resources and Social Management Agencies

5.5.1 Vice President's Office (National Environment Management Council (NEMC) and Division of Environment (DoE)

NEMC is vested with overall responsibility for screening (allocating the appropriate level of the impact assessment) and reviewing big investments and projects of national significance. NEMC constitutes multi-disciplinary, multi-sectoral Technical Review Committees to review adequacies of environmental impact statements (incl. Environmental Social Management Plans/ Environmental Social Monitoring Plans). NEMC issues recommendations to the

government for approval of the project. DoE issue approval (EIA Certificates) for the project to proceed. Mitigation of impacts arising from land acquisition and fulfillment of compensation procedures constitute key project approval criteria.

5.5.2 Units within Sector Ministries/ Institutions

These have been established to oversee social matters including supervision and monitoring of implementation of project social management plans, and gender issues.

Table 5-1: Comparison between Tanzanian Laws and the World Bank OP4.12 on Elements of Resettlement

Resettlement Aspects	Tanzanian law	World Bank OP/BP 4.12	Comparison/Gaps	Comments/Bridging Gap
Land Owners	<p>The 1967 Land Acquisition Act, the 1999 Land Act, and the 1999 Village Land Act state clearly that landowners, with or without formal legal rights, are entitled to full fair and prompt compensation. They also get a disturbance allowance, transport, allowance accommodation allowance, and loss of profit if they were in actual occupation of the appropriated property. Lost assets are limited to “unexhausted improvements,” that is, the land and developments on the land.</p> <p>The law does not cover economic and social impacts of relocation, and as such, socioeconomic surveys are not part of the land appropriation process.</p>	<p>Displaced persons are classified into three groups: (i) Those who have formal legal rights including customary and traditional rights; (ii) Those who do not have formal legal rights to the land, but have a claim to such land or assets provided that such claims are recognized under the law of the country; and (iii) Those who have no legal rights they are occupying. Landowners under categories (i) & (ii) are among the PAPs entitled to full, fair, and prompt compensation as well as other relocation assistance.</p> <p>Socioeconomic impacts to PAPs are taken into consideration during RAP preparation.</p>	<p>There is no gap between Tanzania law and OP/BP 4.12 as far as those with formal legal rights and those without formal legal rights, but have a claim to such land under customary practices, are concerned</p> <p>However, the lost assets in Tanzania are restricted to land and developments on land, and, where relevant, loss of profits. The lost assets under OP/BP 4.12 are much broader than land and include loss of access to livelihoods and standard of living and the policy seeks to improve them or at least to restore them to pre displacement levels.</p>	<p>All eligible owners of land and unexhausted improvements are subject for compensation</p>
Land Tenants	<p>The law does not cover economic and social impacts of relocation and as such, socio-economic surveys are not part of the land acquisition process.</p>	<p>Renters and tenants of residential properties are eligible for relocation assistance. Renters of businesses are also eligible for relocation and other assistance. In addition, they are also eligible for compensation for the loss of income during transition.</p>	<p>OP/BP 4.12 recognizes a wider spectrum of PAPs. The Tanzania spectrum is limited to those who can prove proprietary rights and does not include tenants.</p>	<p>WB OP4.12 takes precedence. The tenants will have to be paid as they are reorganized by the WB OP4.12 Policy</p>

Land Squatters	Squatters may be paid compensation on the whim of the government. In addition, those occupying land for over certain amount of time are entitled to compensation. In some cases, however, they are not paid.	Land users within legal rights to that land, including squatters fit in category (iii) above and are provided resettlement assistance as well as other relocation assistance in lieu of compensation for the land they occupy.	OP/BP 4.12 includes those occupying land without legal title to that land among the PAP entitled to resettlement assistance as well as other assistance in lieu of the land they occupy. Under Tanzanian law, such people are not compensated	WB OP4.12 takes precedence. The squatters area will have to be paid for their assets and structures (not land) as they are reorganized by the WB OP4.12 Policy
Land users	Not entitled to compensation for land, entitled to compensation for crops and sometime provided with other land of equal size and quality	OP/BP 4.12 includes displaced persons who have no recognizable legal right or claim to the land they are occupying, but use that land productively.	OP/BP 4.12 recognizes a wider spectrum of PAPs. The Tanzania spectrum is limited to those who can prove proprietary rights and does not include tenants.	WB OP4.12 takes precedence. The land users will have to be paid for the rent, land improvement and livelihood loss they generate from that land as they are reorganized by the WB OP4.12 Policy
Owners of permanent buildings and non-permanent buildings	<p>Tanzanian law makes no differentiation between owners of permanent and no permanent buildings. As long as ownership can be proved, compensation is payable.</p> <p>Determination of compensation is based on the market value of the property. In practice though, the depreciated replacement cost approach is used, meaning that PAP do not get the full replacement cost of lost assets.</p>	<p>Under OP/BP 4.12, permanent and non-permanent buildings need to be compensated for. Where, however, the displaced persons have no recognizable legal rights to land, they are to be provided with resettlement and other assistance in lieu of compensation for the land they occupy plus compensation for assets.</p> <p>Cash compensation levels should be sufficient to replace lost land</p>	<p>The gap between Tanzania law and OP/BP 4.12 is about eligibility and hinges upon formal/informal ownership.</p> <p>While in Tanzania compensation is based on market value, determined using the depreciated replacement cost approach for developments on land, OP/BP 4.12 requires that compensation should be sufficient to replace lost land and other assets at full replacement cost without deductions for</p>	WB OP4.12 takes precedence. OP/BP 4.12 requires that compensation should be sufficient to replace lost land and other assets at full replacement cost (without any deductions for depreciation of structures).

		and other assets at full replacement cost in local markets.	depreciation.	
Timing of compensation payments	<p>Tanzanian law requires that compensation be full, fair, and prompt. Prompt means it should be paid within six months, failure to do so incurs an interest rate equivalent to the average rate offered by commercial banks on fixed deposits.</p> <p>Legally, compensation for the appropriated land does not have to be paid before taking possession, but in current practice, it is usually paid before existing occupiers are displaced.</p>	<p>OP/BP 4.12 displaced persons are provided prompt and effective compensation at full replacement cost for losses of assets directly attributable to the project. Taking of land and related assets may take place only after Compensation has been paid and where applicable, resettlement sites and moving allowances have been provided to the displaced person(s).</p>	<p>In terms of timing, both Tanzanian laws and OP/BP 4.12 require that compensation be paid promptly.</p> <p>This, however, in Tanzania rarely happens in practice, as can be seen in many projects that have involved large-scale land appropriation.</p> <p>Furthermore, WB OP/BP is more stringent than Tanzanian law in that it requires that compensation (and where applicable allowance) be paid prior to the taking of land and related assets.</p>	<p>WB OP4.12 takes precedence. OP/BP is more stringent than Tanzanian law in that it requires that compensation (and where applicable allowance) be paid prior to the taking of land and related assets. No civil works can commence until all compensations are paid in full and PAPs have safely relocated.</p>
Calculation of compensation and valuation	<p>According to the 2001 Land Assessment of the Value of Land for Compensation Regulations as well as the 2001 Village Land Regulations.</p> <p>Compensation for loss of any interest in land shall include the value of unexhausted improvements, a disturbance allowance, transport allowance, accommodation allowance, and loss of profits.</p>	<p>OP/BP 4.12 requires that the displaced person be provided with prompt and effective compensation. Compensation at full replacement cost for losses of assets attributable direct to the project.</p> <p>The replacement cost method is used to determine the amount sufficient to replace lost assets and cover transaction costs. Depreciation is not to be</p>	<p>Tanzania law provides for the calculation of compensation on the basis of the market value of the lost land and unexhausted improvements, plus a disturbance and accommodation allowance and loss of profits where applicable.</p> <p>Since depreciation is applied under Tanzanian laws, the amount paid in most cases does not amount to that required to replace the lost assets. Furthermore, other types of</p>	<p>WB OP4.12 takes precedence. No depreciation of structures will be deducted under the project. The PAPs will be entitled for the compensation and associated allowances. Other types of assets (besides land and its developments) are not considered i.e.</p>

	<p>The basis for assessment of any land and unexhausted improvement for purposes of compensation is the market value of such land.</p> <p>The market value is arrived at by the use of comparative method evidenced by actual recent sales of similar properties, or use of the income approach, or the replacement cost method if the property is of special nature and not saleable.</p> <p>In practice, for land, an attempt is made to establish market value from recent sales, but these are usually not transparent. As for unexhausted improvements in terms of buildings and other civil infrastructure, the depreciated replacement cost approach is used.</p>	taken into account when applying this method.	assets (besides land and its developments) are not considered i.e. access to public services, customers and suppliers, or to fishing, grazing, or forest areas.	<p>access to public services, customers and suppliers, or to fishing, grazing, or forest areas should be considered.</p> <p>For losses that cannot easily be valued or compensated in monetary terms (example, access to public services, customers and suppliers, or to fishing, grazing, or forest areas), attempts are made to establish access to equivalent and culturally acceptable resources and earning opportunities.</p>
Relocation and Resettlement	Tanzanian laws do not provide for relocation and resettlement. However, there are a few cases where the government has provided both compensation and alternative land, but this has been done at its discretion. In general,	OP/BP 4.12 stipulates that where project impacts include physical relocation, measures should be taken to ensure that the displaced persons are (i) provided with assistance (such as moving allowance) during	Tanzanian law provides for a transport allowance for 3 tons of luggage for up to 20 kilometers from the appropriated land, provided the displaced person was living on that land.	PAPs should be provided with assistance per the TZ law such as moving allowance) during relocation and (ii) provided with

	however, the government feels that it has discharged its duty once compensation is paid, and it is up to the displaced persons to resettle and re-establish themselves elsewhere.	relocation and (ii) provided with residential housing, or housing sites, or as required, agricultural sites for which a combination of productive potential, location advantages, and other factors are at least equivalent to the advantage lost.	In lieu of housing, an accommodation allowance is made in the form of rent for 36 months at rates available within 20 kilometers from the appropriated land. Occasionally, in a discretionary manner, alternative land is awarded instead of cash.	residential housing, or housing sites, or as required, agricultural sites for which a combination of productive potential, location advantages, and other factors are at least equivalent to the advantage lost.
Completion of resettlement and compensation	Tanzanian laws do not provide for relocation and resettlement. However, there are a few cases where the government has provided both compensation and alternative land, but this has been done at its discretion. In general, however, the government feels that it has discharged its duty once compensation is paid, and it is up to the displaced persons to resettle and re-establish themselves elsewhere.	OP/BP 4.12 stipulates that where project impacts include physical relocation, measures should be taken to ensure that the displaced persons are: (i) provided with assistance (such as a moving allowance) during relocation and (ii) provided with residential housing, or housing sites, or, as required, agricultural sites for which a combination of productive potential, location advantages, and other factors are at least equivalent to the advantages lost.	The 1967 Land Acquisition Act allows the government to appropriate the land before paying compensation which is not consistent with OP/BP 4.12. Current practice states that endeavor to pay compensation before taking possession of the land.	Under the project, the compensation and associated allowances will be paid prior to any land take or involuntary resettlement.
Livelihood restoration and assistance	Under the law, the government can take possession of the appropriated land at the end of the notice to acquire period, before paying compensation. However, current practice is that possession usually occurs after	OP/BP 4.12 requires that the resettlement plan or policy include measures to ensure that the displaced persons are (i) offered support after displacement for a transitional period, based on a reasonable estimate of the time likely to	Tanzanian law does not cater for livelihood restoration but only caters for Payment of disturbance, loss of accommodation, loss of profit and transport allowances help the PAP to improve their livelihoods	Payment of compensation for loss of assets, allowances and other relocation assistance to restore/improve livelihoods. Livelihood restoration

	payment of compensation (including 36 months house rent), with displaced persons given time to vacate the land, which is usually as soon as possible.	be needed to restore their livelihood and standard of living and (ii) are provided with development assistance in addition to compensation measures, such as land preparation, credit facilities, and training or job opportunities.		may include activities that go beyond compensation payment and provide assistance with rebuilding and improving PAP's livelihoods
Vulnerable Groups	Tanzanian law does not make provisions requiring the government to pay special attention to vulnerable groups in the administration of compensation.	Special assistance should be provided for the vulnerable groups.	Moreover, there are no provisions that require the government to pay special attention to vulnerable groups or indigenous peoples.	WB OP4.12 takes precedence. Special assistance should be provided for the vulnerable groups.
Consultation and Disclosure	There are few provisions related to consultation/disclosure in Tanzanian law. The notice, under the 1967 Land Acquisition Act, informs landowners about the president's need to appropriate their land and their right to object. The 1999 Land Act allows displaced persons to fill in forms requiring that their land be valued and state their opinion as to what their assets are worth. Since resettlement is not provided for legally, there are no provisions about informing the displaced persons about their options and rights; nor are they	OP/BP 4.12 requires that displaced persons are (i) informed about their options and rights pertaining to resettlement and (ii) consulted on, offered choices among, and provided with technically and economically feasible resettlement alternatives.	The provisions in OP/BP 4.12 requiring consultation and disclosure have no equivalent in Tanzanian law and practice.	WB OP4.12 takes precedence. Public consultations with PAPs and stakeholders and disclosure on issues regarding resettlement should take place

	offered choice among feasible resettlement alternatives.			
Grievance Redress Mechanism and dispute resolution	<p>Under section 13 of the 1967 Land Acquisition Act, if dispute or disagreement regarding any of the matters listed below is not settled by the parties concerned within six weeks from the date of the publication of notice that the land is required for a public purpose, the minister or any person holding or claiming any interest in the land may institute a suit in the High Court of Tanzania for the determination of the dispute.</p> <ul style="list-style-type: none"> • The amount of compensation; • The right to appropriate the land; • The identity of persons entitled to compensation; • The application of section 12 to the land; or • Any right privilege or liability conferred or imposed by this act. • In practice, the government tries to resolve • Grievances through public meetings of the affected persons. 	<p>OP/BP 4.12 requires that displaced persons, their communities, and any host communities receiving them are provided with timely and relevant information, consulted on resettlement options, and offered opportunities to participate in planning, implementing, and monitoring resettlement.</p> <p>Appropriate and accessible Grievance Mechanisms must be established for these groups.</p>	<p>The law in Tanzania does not provide for the establishment of grievance resolution mechanisms specific to particular resettlement cases.</p>	<p>WB OP4.12 takes precedence. The resettlement related GRM will feed in into a broader project-level GRM.</p>

CHAPTER 6: ELIGIBILITY AND ENTITLEMENT

6.1 Introduction

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

6.2 Guiding principles of Resettlement of PAPs

The RPF follows the guiding principles for any activity that causes negative impact on affected persons in relation to right of way and way leaves land acquisition decisions with regards to the priority PAPs and communities in which TANESCO will implement resettlement. These principles should be taken into account whenever communities living in the areas to be acquired for the transmission lines may be impacted by implementing agencies' initiated activities, whether a permanent or temporary impact.

Displacement of people, property and livelihoods is to be minimized as much as possible, by employing alternative technologies of project infrastructure in such a manner so as to minimize the need to acquire land and property, and to cause as little disturbance and disruption as possible.

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

6.3 Project Affected People

Project affected people or household (PAPs), refers to people directly affected, socially and/or

economically, temporarily or permanently by a project, as a result of:

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

The exact nature and locations of projects are unknown, the following categories of PAPs will be used in identifying groups of PAPs for the purpose of determining impacts.

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

6.4 Types of losses due to land acquisition

Likely categories of impacts/loss that may occur include:

6.4.2 Loss of Assets or Access to Assets

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

Loss of land: mainly residential land or commercial land. Because urban agriculture and livestock keeping are widely practiced, affected land could also be agricultural land or grazing ground. Land could belong to private individuals, local institutions, or community/ public land. The land could either be grown with crops, or built with structures or open land used for recreation or not developed/used. Ownership could mainly be under either statutory rights of occupancy

or customary rights of occupancy and the affected people will lose these land rights (owner; lease holder; informal user of the land).

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

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

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

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

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

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

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

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

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

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

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

6.5 Eligibility

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

Land Act of 1999 confers eligibility for compensation to:

- i. The holder of the granted right of occupancy, which is compulsorily acquired by the President for public purposes. So where the President acquires a piece of land that was granted to an occupier in order to build a road or a school or other public structures, compensation must be paid to the one who was occupying it through a right of occupancy.
- ii. The holder of a granted right of occupancy which has been revoked;
- iii. The holder of a granted customary right of occupancy in respect of land which is declared

- to be hazardous land;
- iv. The occupier of land in any peri-urban area where the President acquires such land.
- v. The Land (Compensation Claims) Regulations, 2001 provides further that any person occupying land is eligible to apply for claim for compensation. This recognizes that when making a decision as to who is eligible to get compensation it must be borne in mind that there are people who may not have the title to a piece of land but have acquired interests and rights over that piece of land because of the following reasons:
- vi. A person has occupied land which legally belongs to another person for more than twelve years under the Law of Limitation Act, 1971 acquires all the rights over that piece of land, and therefore also has the right to compensation;

The adjudication function on village lands is assigned to the village government. The village government has administrative control over village land and acts as a liaison between the government and village residents. Within villages, various committees of the village government control land use. Taxation is the prerogative of local authorities. Villagers hold rights of occupancy and use for an indefinite (that is, unlimited) period. Village lands do not have to be titled for rights of users and occupants to be recognized and are not subject to rental payment. For details, refer to Table 4.1 Comparison of the Tanzania Laws and World Bank OP4.12. WB policy further states that any person occupying land, whether they have legal title, have been granted customary use rights, or have no title or customary use but occupy land prior to cut off date, they are entitled to compensation.

6.6 Unit of entitlement

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

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

The entitlements require a process of public consultation and disclosure. The WB OP 4.12 emphasizes that displaced people must be informed of their rights and consulted on options. It specifically states to “Consult project-affected persons, host communities and local nongovernmental organizations, as appropriate. Provide them opportunities to participate in the planning, implementation, and monitoring of the resettlement program, especially in the process of

developing and implementing the procedures for determining eligibility for compensation benefits and development assistance (as documented in a resettlement plan).

6.7 Cut-off date

There is no clear guidance on the cut-off date in the national legislation, normally they consider the cut-off date as the date that valuation has been conducted and the PAP is given form number 69. However, OP 4.12 on Involuntary Resettlement requires that in the absence of host government procedures on cut-off dates, the borrower or client establishes a cut-off date for eligibility that is acceptable to the Bank. Therefore the cut-off date will be the first date of the census.

PAPs shall be provided resettlement assistance in lieu of compensation for the land they occupy, and other assistance, as necessary if they occupied the project area prior to a cut-off date established. Persons who encroach on the area after the cut-off date will not be entitled to compensation or any other form of resettlement assistance.

6.8 Type of Compensation

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

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

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

6.9 Replacement Cost

The rate of compensation for lost assets must be calculated at full replacement cost, that is, the

market value of the assets plus transaction costs. With regard to land, structures, and businesses, the replacement costs are:

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

Table 6-1: Entitlement Matrix in the RAPs

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

	<ul style="list-style-type: none"> Assets used for business severely affected If partially affected, the remaining assets become insufficient for business purposes 	Business owner is lease holder	<ul style="list-style-type: none"> Loss of Profit (Net profit/p.m. x 36 months)
		Title holder/business owner	<ul style="list-style-type: none"> Land for land replacement or compensation in cash according to PAP's choice. Land for land replacement will be provided in terms of a new parcel of land of equivalent size and market potential with a secured tenure status at an available location which is acceptable to the PAP. Transfer of the land to the PAP shall be free of taxes, registration, and other costs. Relocation assistance (transport + disturbance allowance) Loss of Profit (Net profit/p.m. x 36 months)
		Business person is a lease holder	<ul style="list-style-type: none"> Loss of Profit (Net profit/p.m. x 36 months)
Residential Land	<ul style="list-style-type: none"> Land used for residence partially affected, limited loss Remaining land viable for present use. 	Title holder	<ul style="list-style-type: none"> Cash compensation for affected land
		Rental/lease holder	<ul style="list-style-type: none"> Relocation assistance (disturbance allowance)
	<ul style="list-style-type: none"> Land and assets used for residence severely affected Remaining area insufficient for continued use or becomes smaller than minimally accepted under 	Title holder	<ul style="list-style-type: none"> Land for land replacement (normal for non-linear project i.e. Substation areas) or compensation in cash according to PAP's choice. Land for land replacement shall be of minimum plot of acceptable size under the zoning law(s) or a plot of equivalent size, whichever is larger, in either the community or a nearby resettlement area with adequate physical and social infrastructure systems as well as secured tenure status. When the affected holding is larger than the relocation plot, cash compensation to cover the difference in value. Transfer of the land to the PAP shall be free of taxes, registration, and other costs.

	zoning law(s)		<ul style="list-style-type: none"> Relocation assistance (transport, accommodation and disturbance allowance)
		Rental/lease holder	<ul style="list-style-type: none"> Refund of any lease/rental fees paid for time/use after date of removal Assistance in rental/lease of alternative land/property Relocation assistance (transport, accommodation and disturbance allowance)
Buildings and Structures	<ul style="list-style-type: none"> Structures are partially affected Remaining structures viable for continued use 	Owner	<ul style="list-style-type: none"> Cash compensation for affected building and other fixed assets Cash assistance to cover costs of restoration of the remaining structure
		Rental/lease holder	<ul style="list-style-type: none"> Cash compensation for affected assets (verifiable improvements to the property by the tenant). Disturbance allowance
	<ul style="list-style-type: none"> Entire structures are affected or partially affected Remaining structures not suitable for continued use 	Owner	<ul style="list-style-type: none"> Cash compensation for entire structure and other fixed assets without depreciation, or alternative structure of equal or better size and quality in an available location which is acceptable to the PAP. Right to salvage materials without deduction from compensation Relocation assistance (transport, accommodation and disturbance allowance) Rehabilitation assistance if required (assistance with job placement, skills training)
		Rental/lease holder	<ul style="list-style-type: none"> Cash compensation for affected assets (verifiable improvements to the property by the tenant) Relocation assistance (transport, accommodation and disturbance allowance) Assistance to help find alternative rental arrangements Rehabilitation assistance if required (assistance with job placement, skills training)
		Squatter/informal dweller	<ul style="list-style-type: none"> Cash compensation for affected assets (verifiable improvements to the property by the squatter)

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

CHAPTER 7: METHODS OF VALUING AFFECTED ASSETS AND COMPENSATION PAYMENTS

7.1 Introduction

The Bank policy on resettlement and compensation requires varying types of compensation provisions to displaced persons the nature and extent of which differ according to their legitimate claims, the type and extent of negative impacts incurred. OP 4.12 makes no distinction between statutory and customary rights. Thus under this RPF not only assets and investments will be compensated for, but also land. Thus compensation items include:

- value of the land;
- value of unexhausted improvements (dwelling house, other house structures, trees, crops, hedges/fences and other properties).

Compensation will be effected for any loss of interest on land and includes various kinds of allowances: disturbance, transport, accommodation and loss of profit. Incidences requiring compensation include:

- Compulsory acquisition under the Land Acquisition, 1967.
- Transfer of categories of land under section 4(7) & 5(7) of the Land Act, 1999.
- Where land is declared to be hazardous land under section 7(8) of Act No. 4 of 1999
- Where land is declared to be under regularization as per section 60(7)(f) & 60(3)(b) of the Act No. 4 of 1999.
- Where revocation of a Right of Occupancy under section 49(3) of Act No. 4 of 1999.

7.2 Methods of Valuing Affected Assets

The **Asset Inventories** will be used to determine and negotiate entitlements, while the census information is required to monitor homestead re-establishment. For each individual or household affected, the Ward¹⁰ official in collaboration with the Valuer and project management team will complete a compensation dossier containing necessary personal information on the affected party and those that s/he claims as household members, total landholdings, inventory of assets affected, and information for monitoring their future situation. This information will be confirmed and witnessed by the village leader, and Compensation and Resettlement Committee. Dossiers will be kept current and will include documentation of lands surrendered. Each individual will be provided a copy of the dossier at the time of negotiations. This is necessary so that the resettlement process pertaining to each individual PAP can be monitored over time. All claims and assets will be documented in writing. The information obtained from the inventories and census will be entered into a computerized database to facilitate resettlement/relocation planning, implementation and monitoring.

Throughout **Earnings Approach** is to be used to assess market value for compensation in compliance with the Regulations made under S 179, the Land (assessment of the value of land for compensation) Regulations, 2001. The earnings approach, estimates the production capacity of an averaged tended crop that is normally found in the area. Adjustments are made to arrive at fair market value. Compensation will cover lost production until crop is again producing at same level when impact occurred.

For buildings, **Direct Comparison Method** will be applied to arrive at the market values of the different housing. The resultant income will be compared with results of a Replacement Cost. The highest value will be taken as a base for compensation. The basic principle governing compensation is that of none of the PAPs should be made worse but be better off. The element of compulsory acquisition of land is well

¹⁰ This is part of the current administrative role in their area of jurisdiction.

treated in most legislation worldwide including Tanzania emphasizing the right to receive a fair compensation to those who occupy land that is subject to acquisition by the state for declared objectives. In case there is an affected land or asset(s) belonging to a woman (and not to the head of the household), in households with both man and woman present, such land or asset(s) should be registered under the woman's name and she will be entitled to compensation separate from other household asset(s).

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

7.3 Residential Buildings, Structures and Fixtures

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

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

7.4 Annual and/or Seasonal Crops

The field observations revealed that there are seasonal and or annual crops in and around the priority PAPs area. These crops include rice, maize, beans, millet and groundnuts. These crops are not permanent; Tanzanian laws do not consider such crops to be compensated. The farmers will be given notice and allowed to harvest their crops before construction starts.

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

7.5 Perennial Crops and Trees

Trees have recognized local market values, depending upon the species and age. Compensation for trees is calculated based on the growth stage of the tree, using the local current price per m³. Subsistence trees (predominantly mango) are to be compensated on a combined replacement market/subsistence value. Trees are classified into three categories: small (saplings), medium (mature trees), and large (for poles). For trees that have already started giving yields, compensation is to be calculated considering the annual production of each tree, multiplied by the current local market price and the total number of plants, as well as including the costs for the development of the perennial trees. If households are resettled, they will be compensated for the commercial/food value of the trees they leave behind. Owners will be allowed to take the plantation of trees within the time limit granted according to the proclamation and

those that cannot be moved will be compensated.

7.6 Land

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

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

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

7.7 Reserved Grazing Land

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

7.8 Transportation of Removable Property

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

7.9 Cemeteries

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

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

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

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

7.10 Businesses or Employment

During the actual relocation process there could be a small amount of disruption to businesses required to relocate over very short distances. Such disruption can be minimized or eliminated if the businesses are allowed to build the replacement structure before abandoning the old structures. In case of businesses and commercial structures that may suffer temporary loss of income in the relocation process, they will be compensated through payment of disturbance allowance for the period required for re-establishing their businesses. In highly unlikely cases where, PAPs suffer permanent loss of income they become eligible for cash compensation equal to 36 months of average affected income from the establishment and skill enhancement and income restoration programme.

As a part of their local government responsibility, the District Community Development department, whose current administrative role in assisting communities in their jurisdiction, will be asked to support the PAPs who will be affected by the project. With assistance from the Resettlement field staff, they will take a responsibility of supporting affected people in developing their skills in entrepreneurship and managing compensation money. Compensation for businesses (such as flourmills, kiosks, coffee shop and local eating and drinking places) will be estimated based on the daily or monthly income of the affected parties if any.

7.11 Damage Caused during construction work

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

7.12 Community Facilities

Community facilities such as churches, wells, mosques, dispensaries, and water pump and sanitary facilities may need to be relocated to allow an intervention to be effectively implemented. The implementing agency will ensure that the local community derives maximum value from the subsequent re-construction works, preference ought to be given to local labour in order to help PAPs and other local people the opportunity to benefit from wages for their labour. Precaution has to be taken during the agreement and payments to minimize conflict among the beneficiaries. As PAPs will be relocated at short distances from the project sites, they may continue to have access to social and public services and facilities that they currently use, which exist in the project area. This applies to water supplies, schools, health services, shops, transport services and other community services, such as religious groups. PAPs should continue

to use the available social services in the project area, the implementing agency will ensure comparable community facilities will be available.

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

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

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

NOTE:

- Many of the affected businesses could be small enterprises without proper records so the Valuer could substitute the loss of profit allowance with loss of accommodation allowance.
- Loss of income or food sources in respect of small plot farmers could be covered by cash compensation paid for standing crops and trees.

7.14 Relocation allowances

i. Disturbance allowance:

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

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

The Valuer calculate disturbance allowance accordingly by multiplying the assessed value of the affected "estate" (i.e. land not assets) by the average percentage rate of interest offered by commercial banks on twelve month fixed deposits. These amounts, in cash, are to be paid to each property owner.

ii. Accommodation allowance

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

iii. Transport allowance

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

covers for PAPs transporting to and from their banks to collect compensation money. The allowance will be calculated as part of transport allowance.

7.15 Vulnerable Groups

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

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

The project will provide customized support [to vulnerable PAPs] based on the nature of their vulnerability and the impact of the project.

7.16 Compensation Process

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

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

The implementing agency will implement the RAP, in association with the District Resettlement and Compensation Committee (RCC identified in section 4.4.2). If the implementing agency does not have internal capacity, they shall procure a Consultant to provide these services. The cost of RAP implementation will be borne by the implementing agency. The implementing agency is to prepare a time schedule that indicates how the resettlement activities are linked to the implementation of the overall project. The schedule should also include target dates for the achievement of expected benefits to PAPs, resettlement sites and terminating the various forms of assistance.

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

Each PAP is to be presented with a contract listing all property and land being surrendered/acquired, and the types of compensation (cash and/or in-kind) selected and expected timeframe to vacate/relocate. A PAP selecting in-kind compensation will have an order form, which is signed and

witnessed. The compensation contract will be read aloud in the presence of the affected party and the representative of the Implementing Agency, Ward Officer and Village Executive Officer prior to signing. Then based on the payment schedule the affected people will be paid.

Current practice in Tanzania is that the compensation payments are deposited into bank accounts to avoid speculations, theft, amongst others, to ensure safety of households' compensation money. The PAPs without bank accounts will be required to open one. For households with both man and woman present, they will be required to open a joint bank account. The potential PAPs will be sensitized to open joint accounts during sensitization meetings and that the institution responsible for triggering OP4.12 will be required to have an individual to follow up on the opening of joint accounts. The government, through institutions responsible, will facilitate the opening of the bank account.

The compensation package payable to the PAPs should be able to cover for opening of bank account fees by assistance from TANESCOs. The PAPs should be have a choice on what bank to use. The implementing agency will be responsible for payment. The payment will be done in two forms. Those whose entitlement is less than 300,000 Tshs will be paid in cash while those who are entitled to more than 300,000 Tshs will be paid through a cheque deposited into their bank account. The Community Development Officer (CDOs) will provide training on how to properly use compensation money and arrange for training sessions, which will bring bank officials to provide education on how to operate a bank account.

After receiving their compensation, the PAP will be required to vacate the area before the contractors can start the construction activities or implement the desired interventions. Therefore, the implementation schedule prepared needs to be incorporated in the contractor's and project implementation schedules. The contractor will be required to demolish all the structure and PAPs will be allowed to salvage materials prior to demolition.

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

7.18 Resettlement sites and relocation

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

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

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

CHAPTER 8: IMPLEMENTATION RESPONSIBILITIES

8.1 Introduction

The preparation and implementation of the resettlement strategies will require the participation of several institutions at different levels. Coordination of the participating institutions is a critical requirement to a successful resettlement program. It is always preferred to have this addressed early into the project cycle, so that all participating parties are made aware of each other's responsibilities, lines of reporting, communication channels, expectations and authority limits.

8.2 Inter-Agency Coordination

The overall responsibility for the land acquisition process lies with the Ministry of Lands, Housing, and Human Settlements, through the Commissioner of Lands. However, for this particular project, TANESCO will be the lead government body applying for the creation of way leaves or acquisition of land for a public purpose and will work in close coordination and collaboration with the Ministry of Lands, Housing and Human Settlements during the land acquisition process. TANESCO will also be responsible for overseeing the proper implementation of the RAP and monitoring of resettlement activities, including proper and timely payment of the compensation money.

For the practical execution of the land acquisition activities, TANESCO will work closely with the District Valuers, Village councils, Village assemblies of the affected villages, and the affected households or institutions during the compilation of the compensation schedule and the preparation of the Resettlement Action Plan (RAP).

The Valuation report will be submitted to the Chief Government Valuer for approval. The compensation schedule will be submitted to the Regional and District Commissions for verification and approval prior to compensation payments, while the RAP will be reviewed and approved by TANESCO.

Table 8-1: Expected Responsibilities of the Participating Agencies

Agency	Responsibilities
Ministry of Lands, Housing and Human Settlements	<ul style="list-style-type: none">• Regulation of the land acquisition process• Overseeing of the land acquisition process• Review and processing of TANESCO's land acquisition application• Notifications of all parties along the proposed way leave of the required land• Through the office of the Chief Government Valuer review and verify the valuation process and compensation schedule• Through advisory services, support TANESCO on matters relating to compensation, land acquisition and expropriation• Overseeing the compensation payments and land re allocation for the likely affected households• Transfer of land• Land registration

TANESCO	<ul style="list-style-type: none"> • Lead agency for the project land acquisition process and preparation of the RAP and ReAP • Financing of the resettlement, compensation and livelihood restoration activities as identified in RAP and ReAP • Delineation of required land /way leaves boundaries and route • Responsible for the notification of the affected communities about the proposal for land acquisition • Spearhead consultations with the affected communities prior to conception of the plan of acquisition • Conduct land survey and mapping of affected land for purposes of identifying affected households, land boundaries and establishing magnitude of impact on land for households and villages • Together with the District Valuers, conduct property valuation in accordance with the Land Act, 1999 • Establish PAP baselines for purposes of informing future monitoring and development of appropriate compensation packages • Compile a compensation schedule for submission and verification by the Chief Valuer of Government for approval and endorsement. • Establish a Community Liaison Unit to manage the interaction between the project and the affected communities and work closely with the village councils • Together with the Ministry of Land, housing and human settlements implement the compensation plan and deliver compensation packages • Together with the village land council and other institutions at higher levels, attend to all grievances as a result of the land acquisition process • Overall responsibility for reporting on the process of land acquisition • Monitoring and reporting • Together with the Ministry of Land, Housing and Human settlement, coordinate the land transfer and registration process
World Bank Technical/ safeguards Advisory	<ul style="list-style-type: none"> • Review, comment and endorse RAP(s) and ReAP for disclosure both at the World Bank website and in country.
Regional and District Authorities	<ul style="list-style-type: none"> • Notification of affected Wards and Village councils • Advise the Village Land Councils within their area of jurisdiction on the management of village land • Through the District land and housing tribunal attend to all grievances that could not be resolved by the Ward Tribunals • Determine the compensation rates for agricultural products and land within the project area • Surveying and mapping of acquired land • Participate and or closely supervise the property valuation process • Review and approval of the compensation schedules by the Regional and District Commissioner • Advise the Ministry of Lands, Housing and Human settlements on issues regarding land acquisition and transfer • Advise TANESCO on issues regarding livelihood restoration
Ward Tribunal	<ul style="list-style-type: none"> • Attend to all grievances of civil nature, in regard to land, that could not be resolved by the Village Land Council and not exceeding a monetary worth of 3 million shillings. • Advisory services to the Village council

Village Land Councils	<ul style="list-style-type: none"> • Participate in all the project information disclosure meetings • Mobilize affected households • Give feedback/notification to PAPs on project related issues • Participate in the identification of affected households • Participate and witness the process of land survey and mapping of affected land • Participate and witness the property valuation exercise • Support the PAPs during the preparation and submission of their compensation claims • Witness the compensation payment process • Offer technical support and guidance to all affected households • Attend to all grievances within the village territory in regard to land required by the project • Support TANESCO in the transfer of land ownership • Support TANESCO during the registration of the project land
Resettlement and Compensation Committee	<ul style="list-style-type: none"> • Oversight management and coordination of RAP and ReAP implementation activities • Coordination with municipalities, districts, government agencies and other stakeholders • Review of periodic progress monitoring reports on RAP and ReAP implementation in accordance with RAP guidelines • Coordinate management of compensation process including providing compensation payments, awareness/training on managing compensation • Ensure compensation is consistent with RAP and ReAP guidelines • Overseeing establishment and preparation of resettlement sites/homes and other relocation assistance agreed • Maintaining records of PAPs, compensation payments, and monitoring reports • implements measures to prevent land speculation or influx of ineligible persons
Grievances Redress Committee	<ul style="list-style-type: none"> • Address entitlement issues and other disputes and concerns among PAPs and other stakeholders. • Advice PAPs and other stakeholders on redress mechanisms which cannot be resolved • Refer unresolved disputes to Community Social Committee (CSC)

8.3 Capacity needs

- TANESCO has an 18-people designated safeguards unit. Much as TANESCO has staff in charge of environmental and social safeguards at the Head Office, their capacities in preparation of RAPs and ESIA's needs to be enhanced by sponsoring them in World Bank safeguard oriented training. It can be organized in Country or patterning with other Regional countries. This will help to increase capacity to TANESCO staff on resettlements issues as per WB OP 4.12.
- The consultant carried out a discussion with officers in the visited districts, the results shows that the district officers have limited experience on RAP development and implementation. Technical advisory services to the District needs to be provided to ensure that the requirements of the OP4. 12 are fulfilled. Financial support to enable them to cover additional administrative costs should be budgeted for.
- The district Community development department to have an active participation in the RCC with budgeted finances to support PAPs in developing their skills in entrepreneurship and managing the compensation.
- The respective Ward office will need to be supported with financial assistance to assist the Valuer and

project management team will complete a compensation dossier containing necessary personal information on the affected party and those that s/he claims as household members, total landholdings, inventory of assets affected, and information for monitoring their future situation.

- Respective village council will need financial support, a suitable office space with stationary and means of transport to assist in organizing village assemblies, meetings, coordinate verification of affected assets and act as local liaison during the compensation process.

CHAPTER 9: PREPARATION OF THE RESETTLEMENT ACTION PLAN AND REAP

9.1 Resettlement planning

Although the final route location for the proposed project are not confirmed at this stage, it is envisaged that the implementation of the TL and associated substation will involve involuntary resettlement, and/or acquisition of land and restriction of access to assets and resources issues. Project Affected People need to be compensated for their loss (of land, property or access) either in kind or in cash. TANESCO will be required to prepare Resettlement Action Plans and a ReAP consistent with the World Bank OP 4.12. Find the Annotated Table of Contents for RAP is attached in **Annex 2**.

9.2 Resettlement Action Plan

When the exact aligning is finalized a comprehensive ReAP and Resettlement Action Plan will be prepared for the respective project including the segment of ~4km of TL from Tunduma Substation to TanZam border. The RAP and ReAP shall, among others:

Preparation of the socio-economic survey:

- (i) A socio-economic survey will be completed to determine scope and nature of resettlement impacts.
- (ii) The socio-economic study will be carried out to collect data in the affected project sites.
- (iii) The socio-economic assessment will focus on the affected communities and households, including demographic data, description of the area, livelihoods, the local participation process, and establishing detailed baseline information on livelihoods and income, landholding, and any other losses due to the project activities, etc.

Annex 2 describes the requirements for the RAP in detail. In general, the RAP contains the following information:

- (i) Baseline Census;
- (ii) Socio-Economic Survey of the PAPs based on the eligibility criteria outlined in this RPF;
- (iii) Specific Compensation Rates and Standards based on the valuer assessment and in line with the entitlement matrix and compensation guidelines included in this RPF;
- (iv) Entitlements related to any additional impacts based on the entitlement matrix outlined in this RPF;
- (v) Site Description;
- (vi) Programs to Improve or Restore Livelihoods and Standards of Living, in cases where loss of livelihood occurs;
- (vii) Detailed cost estimates and Implementation Schedule.

In the case of the ReAP, prior compensation paid would need to be taken into account. The Audit and Corrective Action Plan already contains some of the elements described in this section but would need to be supplemented with the additional information and measures set forth in this RPF to meet the requirements of OP 4.12.

The following guidelines are used when a RAP is developed.

Step 1: Consultation and participatory approaches: The program investment activities to be undertaken and the locations of the investments will undergo preliminary evaluation on the basis of the objectives of the program. A participatory approach is adopted to initiate the compensation process. The consultations must start during the planning stages when the technical designs are being developed, and at the land selection/screening stage. The process therefore seeks the involvement of PAPs through the census for

identifying eligible PAPs and throughout the RAP preparation process.

Step 2: Disclosure and notification: The TANESCO will approach the communities impacted through the local government authorities with the view to arriving at a consensus on possible sites for the type of facility to be adopted. All eligible PAPs will be informed about the TL project and the RAP process. A cut-off date is established as part of determining PAPs eligibility. In special cases where there are no clearly identifiable owners or users of the land or asset, the RAP team must notify the respective local authorities and leaders. A “triangulation” of information – affected persons; community leaders and representatives; and an independent agent (e.g. local organization or NGO; other government agency; land valuer) – may help to identify eligible PAPs. The RAP must notify PAPs about the established cut-off date and its significance. PAPs must be notified both in writing and by verbal notification delivered in the presence of all the relevant stakeholders.

Step 3: Documentation and verification of land and other assets. The government authorities at both national and local levels (village councils, parish/sub-county county and district development committees); community elders and leaders; representatives from the TANESCO will arrange meetings with PAPs to discuss the compensation and valuation process. For each individual or household affected by the project, the RAP preparation team will complete a Compensation Report containing necessary personal information on the PAPs and their household members; their total land holdings; inventory of assets affected; and demographic and socio-economic information for monitoring of impacts. This information will be documented in a Report, and ideally should be “witnessed” by an independent or locally acceptable body (e.g. Resettlement Committee). The Reports will be regularly updated and monitored.

Step 4: Compensation and valuation. All types of compensation will be clearly explained to the individual and households involved. These refer especially to the basis for valuing the land and other assets. Once such valuation is established, the TANESCO will produce a Contract or Agreement that lists all property and assets being acquired by the project and the types of compensation selected. RAP report will provides a sample of entitlements that are eligible for compensation. These options include in-kind (e.g. replacement housing) and cash compensation. All compensation should occur in the presence of the affected persons and the community local leaders.

Step 5: Community payments. Although most projects do not normally take land and other assets belonging to a community, such as a community centre, school, or sacred site, if this occurs in a project, the community (as a whole) will be compensated. This compensation will be in the form of reconstruction of the facility (in case of damages) or replacement at least the same standard or equivalent or better standard required by local planning regulation. Examples of community compensation expansion of grazing grounds; rehabilitation of school buildings, public toilets, health facilities; installation of wells or pumps; creation of market places; and reconstruction of community roads.

Step 6: Grievance mechanism. The project RAP team will establish an grievance mechanism that will feed in in the project-level GRM operated by TANESCO (the principles of the GRM are set up in the ESIA prepared under this projet). This may be set up through Local Authorities, including a Resettlement or Land Committee and through community leaders. All PAPs will be informed about how to register grievances or complaints, including specific concerns about compensation and relocation. The PAPs

should also be informed about the dispute resolution process, specifically about how the disputes will be resolved in an impartial and timely manner. The RAP Team will produce a Report containing a summary of all grievances. If needed, the dispute resolution process should include Courts of Law, but traditional institutions can be an effective first step in both receiving and resolving grievances.

Step 7: Defining Entitlements and Preparing an Entitlement Matrix

The basis of what is to be paid as compensation will be determined by identifying the most appropriate entitlement for each loss. Based on the entitlements, options for resettlement would be selected in accordance with Bank Policy OP 4.12 (6a (ii)) and the merits of the option.

The RAP planner will utilize the entitlement matrix outlined in this RPF with the focus on the type of PAPs identified during the census. This exercise will set the measure for the payment for all losses or impacts. It will also list the type of loss, criteria for eligibility and define entitlements as presented in Table 6-1 above.

As a general guide the RAP and ReAP must:

1. Build on the principles outlined in this RPF
2. Sufficiently justify resettlement as unavoidable.
3. Be based on the baseline study reports and inventory of assets.
4. Uphold the principle of fairness in compensating affected persons.
5. Contain deliberate activities and mechanisms to enhance capacity to efficiently manage the resettlement process. This must include strengthening existing capacity of TANESCO and local Councils to handle the process where necessary.

The RAP and ReAP will be prepared by the TANESCO through a Consultant by using Terms of Reference prepared by TANESCO and approved by World Bank.

CHAPTER 10: GRIEVANCE REDRESS MECHANISMS

10.1 Introduction

During consultation processes and at various fora, the extent of damages to properties should be made known. When the amount of compensation to be paid is made known, the affected people have the right to appeal if not satisfied. The grievances could be various but commonly concerning:

- Non-fulfillment of contracts;
- Levels of compensation i.e. inadequacy of compensation paid; or
- Seizure of assets without compensation; etc.

10.2 Mediation through Committees at Local and District Levels

When grievance entails any of the above, the grievance procedure shall be simple, administered as far as possible at the local level to facilitate access, flexible and open to various proofs taking into cognizance of the fact most people are illiterate and poor requiring a speedy, just and fair resolution of their grievances. The Local Government Authorities system not being a party to the contracts would be the best offices to receive handle and rule on disputes.

All attempts would be made to settle grievances. Those seeking redress and wishing to state grievances would do so by first notifying their Local Government and Ward offices. If not resolved the matter would be sent to higher local authorities - the District Commissioner (DC) and/or the Municipal/District Executive Director (DED). The DC/DED may constitute a valuation/compensation committee that will consult with the Developers and respective local governments (Ward/Village/Mtaa), the Value assessors and other records to determine claims validity.

If valid, through the local government administration will notify the complainant and she/he will be settled. If a complaint pattern emerges, involving several cases the DC/DED and the valuation/compensation committee will discuss possible remediation. The local leaders will be required to give advice concerning the need for revisions to procedures. Once the District level leadership has agreed on necessary and appropriate changes, then a written description of the changed process will be made. The lower level government offices (Ward and Village/Mtaa) will be responsible for communicating any changes to the population.

The PAPs will be informed of the different grievance mechanisms in place for them to lodge their complaints and dissatisfactions through sensitization meetings. The grievance procedure will be simple and administered as far as possible at the local levels to facilitate access, flexibility and ensure transparency. All the grievances will be channelled through the Grievance Resolution Committees. Complaints will be filed in a Grievance Resolution Form. After registration of the complaint, an investigation will be carried out by the committee members to verify its authenticity thereafter a resolution approach will be selected based on the findings. The decisions of the action to be taken will be communicated to all involved parties mainly in written form.

10.3 Grievance Resolution Process

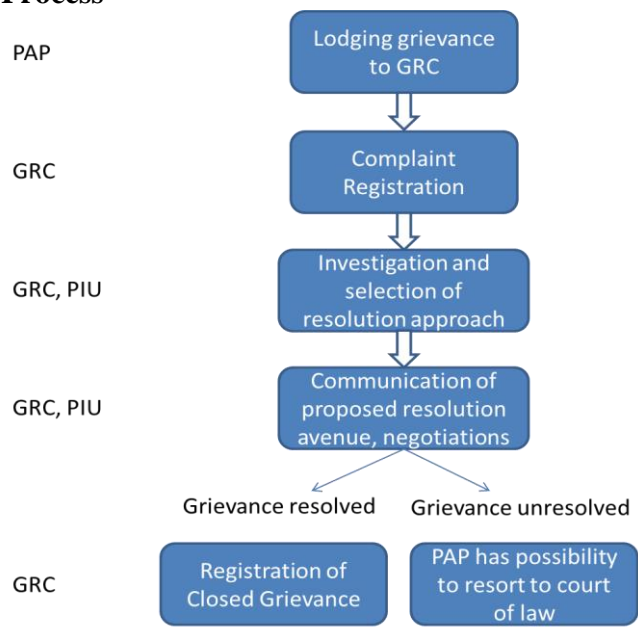


Figure 9-1: Grievance Resolution Process

10.4 Appeals through Tribunals / Court System

Failure of the Councils to settle the disputes will be addressed to the existing tribunals and/or local courts system of administration of justice in the Districts. A sample of a Grievance and Resolution Form is attached as **Annex 3**.

CHAPTER 11: CONSULTATIONS AND PARTICIPATION

11.1 Rationale for Consultation with Displaced Persons

Consultation with affected persons is the starting point for all activities concerning resettlement. As a matter of strategy, public consultation shall be an on-going activity taking place throughout the entire project cycle. The justifications for consultations are:

- In principal, the socioeconomic situation in Tanzania makes public consultation with the communities, indispensable.
- The land in question will be under use of some sort, communally, or individually.
- It is the local communities who will be host communities for the displaced people
- Local communities have a wealth of knowledge of local conditions - an invaluable asset to the Developer.

In recognition of this, particular attention would be paid to public consultation with potentially affected individuals/households when resettlement and compensation concerns are involved.

11.2 Key Aspects Requiring Consultations

Consultation with displaced persons will take place early in the process of RAP preparation. The participation strategy would evolve around the provision of a full opportunity for involvement. This process would not be an isolated one because of the very nature of the project, which through its implementation and design ensures continuous public participation and involvement at the local level. For example, public consultation would also occur during

- Initial site selection and
- Preparation of the socio-economic study;
- Resettlement and compensation plan and
- Drafting and reading of the compensation contract.

11.2 Means and Channels

Public participation and consultation would take place through meetings, radio programs, request for written proposals/comments, filling in of questionnaires/forms, public readings and explanations of project ideas and requirements, making public documents available at the District, Town, Division, Ward and Mtaa/Village levels at suitable locations like the Municipal Hall, District Council Hall, official residences/offices of local leaders. These measures would take into account the low literacy levels prevalent in these communities by allowing enough time for responses and feedback.

Notwithstanding, the best guarantor for public interest are Local Councilors who are responsible members of their local communities and can inadvertently be part of the potentially displaced individuals/households either in part or in whole. Monitoring of this process would be through the Potential Developer Coordinators and District Environment Management Officer³ as part of the individual resettlement and compensation plans and overall the monitoring and evaluation mechanism of the entire project. This requirement is line in with the Bank policy on disclosure. Find the sample of table of contents for consultation reports in **Annex 4**.

11.3 Stakeholder Consultation during the Preparation of this RPF

An effective resettlement requires regular and thorough consultation with a wide range of project stakeholders in the general areas of the project. Projects involving the community owe their success to community participation and involvement from planning to implementation stage. Consultation included individuals and groups who will be positively or negatively affected by the project including potential host communities. During RPF consultation was conducted with different stakeholders in order to provide project information, and allow stakeholders to share their views with regard to the proposed project. For

the proposed project consultations have been held with various stakeholders and the project affected persons from the initial stages of ESIA study.

Consultations were carried out in all districts where our proposed TL project passes and the proposed substations areas. The main purpose was;

- To have an insight on how resettlement and land acquisition issues are handled in such projects.
- And also get a fair understanding of the social economic baseline indicators of the project areas.
- To establish how grievances have been handled in the past project implementation and also ascertain if there is sufficient capacity to handle Social safeguards at the District level.

Emphasis was placed on a fully inclusive, open and transparent stakeholder participation process in the transfer of information on the proposed Transmission Line. Stakeholders meetings were held in the week of 15th to 20th March 2018 at respective districts, municipal and village offices that were sampled out. In each district a sample of three villages were selected and consultation were conducted with Ward and village leaders. **(Annex of the minutes of consultations are prepared in separate report as Volume II).**

During the meeting an over view of the proposed project was provided and the likely social impacts were presented. Key stakeholders in the proposed project were Regional Commissioners office for Mbeya, Songwe and Rukwa Region, District Commissioners and District Executive Directors for Mbeya Town Council, Mbeya District, Mbozi District, Momba District, Tunduma Town Council, Sumbawanga District and Sumbawanga Municipal Council. Districts Councils Officials (i.e. District Land Officers, Valuers, and Community Development Officers) were also consulted and participated in the village level consultations. Sampled villages that were also consulted are as follows;

Table 11-1: List of village consulted and participated during RPF study

Name of Municipal/District	Name of the village/Mtaa	Date
Sumbawanga Municipal	Malonje	15 th March 2018
	Ulinji	15 th March 2018
	Makazi Mapya	16 th March 2018
Sumbawanga District	Laela	16 th March 2018
	Kalambazite	16 th March 2018
	Ikozi	16 th March 2018
	Mkima	16 th March 2018
Momba District	Lwasho	17 th March 2018
	Ikana	17 th March 2018
	Nkangamo	17 th March 2018
Mbozi District	Welu II	18 th March 2018
	Ichesa	18 th March 2018
	Igunda	18 th March 2018
Mbeya District	Swaya	20 th March 2018
	Ntangamo	20 th March 2018
	Itewe	20 th March 2018
Mbeya City	Ituha	20 th March 2018
	Mwahala	20 th March 2018

Most of the consulted Regional and District officials highlighted the importance of the proposed development project to the Nation, Districts and local communities. They said, the project will increase electricity supply which is sustainable as their region and districts will be connected to the national grid and our country will stop buying electricity from Zambia and generating electricity using diesel generator. Due to lack of stable electricity in Rukwa Region, most investors are afraid to invest because they are not sure if they will be in a position to run their industries throughout the time.

Focus group discussions with key informants across government levels and village levels were conducted using a checklist of questions. Major feedbacks derived from the consultations with stakeholders through checklist were as follows:

Table 11-2: Summary¹¹ of minutes of stakeholders consulted

- | |
|--|
| <ul style="list-style-type: none"> • The project is well known from the district to village level as during ESIA study they were consulted • All villages are mostly using land for agricultural activities • Farming, livestock keeping and small-scale businesses are the major economic activities carried out in all villages that were consulted. • Main crops that are grown within the affected village are maize, beans, sunflower, groundnuts, • Most of the livestock that are kept by the villagers are cows, goats, sheep and pigs. • Land is available and most of the PAP's can be relocated within the village except for Mbeya City where by the consulted leaders said it might be difficult for the PAP,s to manage buying another plot within the street because most areas are occupied but if they will be paid fair they will manage to buy within their previous area. • Most of the common land ownership in the affected village is customary right of occupancy and very few people have granted right of occupancy. • The most land challenges are the land conflicts between different people in the village and the main cause is boundary • Vulnerable groups are available in the villages and village leaders knows them so they will work close with RAP team in identifying them during socio economic baseline data of the PAP's • Most of the villages have their own land use plan which are in the process to be recognized and approved by the district. They have allocated areas such as cemetery areas, areas for building schools, markets, grazing, water sources etc. • Villages that are within the main road to Sumbawanga gave the team experiences with resettlement processes during the implementation of the road project. They said there were no complaints and PAP,s were satisfied with the compensation paid and their life is now better than it was before implementation of the road project. There were also employment opportunity for local people (for both skilled and unskilled labor) • Most of the PAP,s preferred to be paid cash compensation for both properties that will be affected such as land, house etc • All villages are receiving information mostly through radio and few are receiving through television. In some villages if they want to watch TV they pay 500-600 Tshs for watching news and football. • Vodacom network is mostly used in villages for communication |
|--|

¹¹ Minutes of the consultations should also include the answers provided to the stakeholders regarding the issues that have been raised as indicated in **Annex 5** and photos taken during stakeholders consultation is in **Annex 6**.

- All villages have their committee dealing with land disputes and its called “Baraza la ardhi la Kijiji”. It is formed by the Chairman and other members that are selected by the village assembly meeting. Gender is considered as members of the committee are men and women though number of women is minimum.

CHAPTER 12: COSTS AND BUDGETS

12.1 Introduction

Funds for implementing inventory assessments as well as land acquisition and resettlement action plans will be provided by the Government of Tanzania. In general, the cost burden of compensation will be borne by the executing agencies i.e. TANESCO after local governments have fully utilized all other options of land acquisition and based on a comprehensive Government Valuer's report.

After valuation exercise, The Chief Government Valuer who is under the Ministry of Lands, Housing and Human Settlements Development will approve the compensation rates and compensation schedules. Compensation is borne by TANESCO with assistance from the Ministry of Energy and Ministry of Finance. The Government Valuers report is prepared by registered Valuers who conducted the valuation exercise. This report indicates the name of the PAP, photo of the PAP and all affected properties with name, size and rates to be paid. The valuation report is one which used during preparation of RAP to obtain valuation data (census0 for each PAP. For this project the valuation exercise and RAP must comply with OP 4.12.

The estimate of the overall cost of resettlement and compensation would be determined. Disbursements based on budgetary requirements, established by the RAPs in consultation with PAPs/DPs and local chiefs, will made.

Since the specific sites and sub-projects are not yet determined, this RPF refers only to an estimated number of PAPs. Because costs of resettlement and compensation are based on technical designs and results of scoping, it is not possible to produce a detailed budget for RAP implementation. Once a budget is finalized, it will be subject to approval by the World Bank. An indicative RAP budget outline can be found in Table 12-1 below.

Table 12-1 Proposed RAP BUDGET

Asset acquisition	Amount or number	Total estimated cost	Agency responsible
Land			
Structure			
Crops and economic tress			
Community infrastructure			
Land Acquisition and Preparation			
Land			
Structures			
Crops areas and others			
Community infrastructure			
Relocations			
Transfer of possessions			
Installation costs			
Economic Rehabilitation			

Training of PAPs			
Capital Investments			
Technical Assistance			
Monitoring and Evaluation			
Grievance Redress Mechanism			
Resettlement Activities' Monitoring/Regular Field Visits.			
Capacity Building for safeguards Staff.			
Independent Consultant to carry out RAP Completion Audit			
Contingency 20% of the total amount			
#	Item	Costs	Assumptions
1	Compensation for loss of Land	/hectare	For land acquisition purposes, based on Tanzanian average market cost, or from similar projects
2	Compensation for loss of Crops	/hectare of farm lost	Includes costs of labour invested and average of highest price of staple food crops and Tanzanian market prices
3	Compensation for loss of access to pastoralists	If applicable	Those affected would be provided with shared access, or alternate routes (decision agreed through consultation and participation of all)
4	Compensation for loss of access to fishing resources.	If applicable	Data provided from the revised socio-economic study will determine market values of catch, fish products etc.
5	Compensation for Buildings and Structures	If applicable	This compensation may be in-kind or cash. Costs for basic housing needs should include ventilated pit latrines, outside kitchen, and storage.
6	Compensation for Trees	/year/tree	Includes costs of labour invested and average of highest price of trees (and tree products) and Tanzanian market prices
7	Cost of Relocation Assistance/Expenses	/household	This cost reflects the moving and transportation allowance
8	Cost of Restoration of Individual Income		Assumed to be higher than the GDP/capita in Tanzanian
9	Cost of Restoration of Household Income		These costs reflect the livelihood restoration program of the RAP
10	Cost of Training Farmers, pastoralists		This is a mitigation measure

	and other PAPs		involving capacity building and involves PAPs and affected communities
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12.2 Estimated costs

At this stage, it is not possible to estimate the likely number of people who may be affected. This is because TANESCO projects are yet to be designed. Details on technical designs have not yet been developed and the land needs have not yet been identified. When this information is available and after the conclusion of the site specific socio-economic study, information on specific impacts, individual and household incomes and numbers of affected people and other demographic data would be available. Such information will facilitate the preparation of a detailed and accurate budget for resettlement and compensation. In case need arises, TANESCO will prepare the resettlement budget which will range **TShs. 10,000,000,000.00 (USD 4.4 Million)** as per experience from the RAP of Iringa-Mbeya Transmission line project. But exactly amount will be known during RAP study and valuation exercise.

CHAPTER 13: MONITORING AND EVALUATION ARRANGEMENTS

13.1 Introduction

The purpose of resettlement monitoring is to measure whether the objectives of this resettlement framework (through development and implementation of project RAPs and ReAP) have been met. The design of a resettlement monitoring framework in a RAP and ReAP will include:

- (i) Mechanism to alert project authorities to the necessity for land acquisition in a proposed project,
- (ii) Mechanism to provide timely information about the valuation and negotiation process,
- (iii) Reporting on grievances that require resolution, and
- (iv) Documentation of timely completion of project resettlement obligations (i.e. payment of the agreed-upon sums, construction of new structures, etc.) for all permanent and temporary losses, as well as unanticipated, additional construction damage.

13.2 Arrangements for Monitoring

The arrangements for resettlement monitoring will be built into the overall monitoring framework of the entire Iringa-Mbeya-Tunduma-Sumbawanga Transmission line project including segment of Tunduma Substation to TanZam border, which will be through TANESCO. The Developer (TANESCO) will be responsible for periodically transferring the information compiled at Regional and District level to the Project Administration Headquarters at Dar es Salaam so that it is alerted in a timely manner to any difficulties arising at the local level. The objective will be to make a final evaluation in order to determine:

- (i) if affected people have been paid in full and before implementation of the TL project,
- (ii) if the people who were affected by the projects have been affected in such a way that they are now living a higher standard than before, living at the same standard as before, or they are actually poorer than before.
- (iii) The GRM is functioning properly

13.3 Monitoring Indicators

13.3.1 General Monitoring

A number of indicators would be used in order to determine the status of affected people (land being used compared to before, standard of house compared to before, level of participation in project activities compared to before, how many kids in school compared to before, health standards, etc). Therefore, the resettlement and compensation plans will set two major socio-economic goals by which to evaluate its success:

- Affected individuals, households, and communities are able to maintain their pre-project standard of living, and even improve on it; and
- The local communities remain supportive of the project.

In order to assess whether these goals are met, the resettlement and compensation plans will indicate parameters to be monitored, institute monitoring milestones and provide resources necessary to carry out the monitoring activities.

13.3.2 Measuring Resettlement and Compensation Plans Performance

For example the following parameters and verifiable indicators will be used to measure the resettlement and compensation plans performance;

- Questionnaire data will be entered into a database for comparative analysis at the

Developers office

- Each individual will have a compensation dossier recording his or her initial situation, all subsequent project use of assets/improvements, and compensation agreed upon and received.
- The Developer TANESCO will maintain a complete database on every individual impacted by the Transmission Line, land use requirements including relocation/resettlement and compensation, land impacts or damages
- Percentage of individuals selecting cash or a combination of cash and in-kind compensation,
- Proposed use of payments
- The number of contentious cases out of the total cases
- The number of grievances and time and quality of resolution
- Ability of individuals and families to re-establish their pre-displacement activities, land and crops or other alternative incomes
- Number of impacted locals employed by the civil works contractors
- Seasonal or inter-annual fluctuation on key foodstuffs
- General relations between the project and the local communities
- Number of grievances received and resolved in timely manner

The following indicators will be used to monitor and evaluate the implementation of resettlement and compensation plans;

Verifiable Indicators	
Monitoring	Evaluation
Outstanding compensation or resettlement contracts not completed before next agricultural season.	Outstanding individual compensation or resettlement contracts.
Developers unable to set village-level compensation after two years.	Outstanding compensation contracts.
Type of grievances received related to resettlement issues	Number of grievances rectified in a timely manner
Pre- project production and income (year before land used) versus present production and income of resettlers, off-farm-income trainees	Affected individuals and/or households compensated or resettled in first year who have maintained their previous standard of living at final evaluation.
Pre- project production versus present production (crop for crop, land for land).	Equal or improved production per household.

Financial records will be maintained by the Developer to permit calculation of the final cost of resettlement and compensation per individual or household. Each individuals receiving compensation will have a dossier containing;

- Individual bio-data information,
- Number of people s/he claims as household dependents
- Amount of land available to the individual or household when the dossier is opened.

Additional information will be acquired for individuals eligible for resettlement/compensation:

- Level of income and of production

- Inventory of material assets and improvements in land, and
- Debts.

Each time land is used by the project; the dossier will be updated to determine if the individual or household is being affected to the point of economic non-viability and eligibility for compensation/resettlement or its alternatives. These dossiers will provide the foundation for monitoring and evaluation, as well as documentation of compensation agreed to, received, and signed for. It is normal that some compensation procedures and rates may require revision at some time during the project cycle. The TANESCO will implement changes, using feedback from:

- Indicators monitored by the Local government offices to determine whether goals are being met, and
- A grievance procedure for the local community to express dissatisfaction about implementation of compensation and resettlement.

13.4 Independent Monitoring

This framework is suggesting that the office of the Ministry of Land, Housing and Human Settlements Development in collaboration with National Environmental Management Council (NEMC), in Tanzania is structured into the whole monitoring and evaluation component of the project. This would give Ministry of Land, Housing and Human Settlements Development in collaboration NEMC the mandate to carry out independent monitoring of the implementation of the resettlement and compensation plans at periodic intervals of quarterly or half yearly (as circumstances dictate) during the project life. Their report would then be sent to the project implementing institutions TANESCO and become part of the official documents of the project.

REFERENCES

1. Resettlement Policy Framework (RPF) for the Proposed Additional Financing for the Housing Finance Project in Tanzania (October, 2009 - Revised November 2014).
2. Resettlement Policy Framework (RPF) For the Resilient Natural Resources Management for Tourism and Growth Project (3rd August, 2017).
3. Updated Environmental and Social Impact Assessment for the Proposed 292km Iringa Mbeya-400kV Power Transmission and Associated Substations at Kisada (Mafinga and Iganjo Mbeya) in Iringa, Njombe and Mbeya Regions Tanzania (16th February, 2018).
4. Updated Environmental and Social Impact Assessment for the Proposed 320km Mbeya-Tunduma-Sumbawanga 400kV Power Transmission and Associated Substations at Tunduma and Sumbawanga in Mbeya, Songwe and Rukwa Regions Tanzania (2018).
5. World Bank (2004), Involuntary Resettlement Policy OP 4.12 (Revised April 2004),
6. National Bureau of Statistics, Ministry of Finance and Planning, Dar es Salaam (September, 2016). Statistical Abstract 2015
7. United Republic Of Tanzania, Prime Minister's Office, Regional Administration and Local Government (October 24, 2014). Rukwa Investment Profile
8. Regional Commissioner's Office, P.O Box 128, Sumbawanga, Rukwa (3 March 2016). Rukwa Region Strategic Plan For 2016/2017 - 2020/2021. Vote 89. Rukwa Region
9. National Bureau of Statistics, Ministry of Finance, Dar es Salaam and Office of Chief Government Statistician President's Office, Finance, Economy and Development Planning Zanzibar (March 2013). 2012 Population and Housing Census, Population Distribution by Administrative Areas
10. Songwe Region Socio-Economic Profile Report Jointly prepared by National Bureau of Statistics and Regional Commissioner's Office Songwe, November 2016
11. "Mbeya Region Socio-Economic Profile" Mbeya Regional Commissioner's Office. 2016, Retrieved 1 December 2017.

ANNEXES

ANNEX 1: World Bank Resettlement Policy Framework (RPF)

[Excerpt from the World Bank OP4.12 Involuntary Resettlement, Revised April 2004]

These policies were prepared for use by World Bank staff and are not necessarily a complete treatment of the subject. OP 4.12 (Revised April 2004) applies only to projects that are governed by OP / BP 6.00, Bank Financing - that is, those in countries with approved country financing parameters. Other operational policy statements governing Bank financing that have been amended to reflect OP/BP 6.00 also apply to these projects. Projects in countries without approved country financing parameters continue to be subject to other operational policy statements governing Bank financing.

Resettlement Policy Framework

For sector investment operations that may involve involuntary resettlement, the Bank requires that the project implementing agency screen projects to be financed by the Bank to ensure their consistency with this OP. For these operations, the borrower submits, prior to appraisal, a resettlement policy framework that conforms to this policy . The framework also estimates, to the extent feasible, the total population to be displaced, and the overall resettlement costs.

For financial intermediary operations that may involve involuntary resettlement, the Bank requires that the financial intermediary (FI) screen projects to be financed by the Bank to ensure their consistency with this OP. For these operations, the Bank requires that before appraisal the borrower or the FI submit to the Bank a resettlement policy framework conforming to this policy . In addition, the framework includes an assessment of the institutional capacity and procedures of each of the FIs that will be responsible for project financing. When, in the assessment of the Bank, no resettlement is envisaged in the projects to be financed by the FI, a resettlement policy framework is not required. Instead, the legal agreements specify the obligation of the FIs to obtain from the potential sub-borrowers a resettlement plan consistent with this policy if a project gives rise to resettlement. For all projects involving resettlement, the resettlement plan is provided to the Bank for approval before the project is accepted for Bank financing.

For other Bank-assisted project with multiple projects that may involve involuntary resettlement, the Bank requires that a draft resettlement plan conforming to this policy be submitted to the Bank before appraisal of the project unless, because of the nature and design of the project or of a specific subproject or projects (a) the zone of impact of projects cannot be determined, or (b) the zone of impact is known but precise sitting alignments cannot be determined. In such cases, the borrower submits a resettlement policy framework consistent with this policy prior to appraisal . For other projects that do not fall within the above criteria, a resettlement plan conforming to this policy is required prior to appraisal.

For each project included in a project described in paragraphs 26, 27, or 28 that may involve resettlement, the Bank requires that a satisfactory resettlement plan or an abbreviated

resettlement plan that is consistent with the provisions of the policy framework be submitted to the Bank for approval before the project is accepted for Bank financing.

For projects described in paragraphs 26-28 above, the Bank may agree, in writing that project resettlement plans may be approved by the project implementing agency or a responsible government agency or financial intermediary without prior Bank review, if that agency has demonstrated adequate institutional capacity to review resettlement plans and ensure their consistency with this policy. Any such delegation, and appropriate remedies for the entity's approval of resettlement plans found not to comply with Bank policy, is provided for in the legal agreements for the project. In all such cases, implementation of the resettlement plans is subject to ex post review by the Bank.

ANNEX 2: Annotated Outline for Preparing a Resettlement Action Plan (RAP)

This template is extracted from OP 4.12 Annex A. Its full description can be found in the World Bank external website

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

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

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

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

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

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

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

standards of living at regular intervals so that the latest information is available at the time of their displacement, and to measure impacts (or changes) in their livelihood and living conditions.

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

- (i) Land tenure, property, and transfer systems, including an inventory of common property natural resources from which people derive their livelihoods and sustenance, non-title-based usufruct systems (including fishing, grazing, or use of forest areas) governed by local recognized land allocation mechanisms, and any issues raised by different tenure systems in the project area;
- (ii) Patterns of social interaction in the affected communities, including social support systems, and how they will be affected by the project;
- (iii) Public infrastructure and social services that will be affected; and
- (iv) Social and cultural characteristics of displaced communities, and their host communities, including a description of formal and informal institutions. These may cover, for example, community organizations; cultural, social or ritual groups; and non-governmental organizations (NGOs) that may be relevant to the consultation strategy and to designing and implementing the resettlement activities.

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

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

and the mechanisms for addressing such gaps; and

- (vi) Legal steps necessary to ensure the effective implementation of RAP activities in the projects, including, as appropriate, a process for recognizing claims to legal rights to land, including claims that derive from customary and traditional usage, etc and which are specific to the projects.

The institutional framework governing RAP implementation generally covers:

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

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

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

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

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

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

- (iv) Legal arrangements for recognizing (or regularizing) tenure and transferring titles to those being resettled.

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

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

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

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

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

- (i) Consultations with host communities and local governments;
- (ii) Arrangements for prompt tendering of any payment due the hosts for land or other assets provided to PAPs;
- (iii) Conflict resolution involving PAPs and host communities; and

- (iv) Additional services (e.g. education, water, health, and production services) in host communities to make them at least comparable to services available to PAPs.

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

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

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

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

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

ANNEX 3: Sample Grievance and Resolution Form

Name (Filer of Complaint): _____
ID Number: _____ (PAPs ID number)
Contact Information : _____ (Village ; mobile
phone)
Nature of Grievance or Complaint:

<u>Date</u>	<u>Individuals Contacted</u>	<u>Summary of Discussion</u>
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Signature _____ Date: _____

Signed (Filer of Complaint): _____
Name of Person Filing Complaint : _____ (if different from Filer)
Position or Relationship to Filer: _____

Review/Resolution

Date of Conciliation Session: _____

Was Filer Present? : Yes No

Was field verification of complaint conducted? Yes No

Findings of field investigation:

Summary of Conciliation Session Discussion:

Issues _____ -

Was agreement reached on the issues? Yes No

If agreement was reached, detail the agreement below:

If agreement was not reached, specify the points of disagreement below:

Signed (Conciliator): _____ Signed (Filer): _____

Signed: _____
Independent Observer

Date: _____

ANNEX 5: Stakeholder concerns, views and responses

Issues and concerns raised by different stakeholders during focus group discussion held as part of the RPF are as indicated in table below:

Name of Stakeholder	Comments/ concerns raised	Remarks/ Responses
RC' Office Rukwa	<ul style="list-style-type: none"> ✓ We support this proposed transmission line project for the national and our peoples benefit ✓ The region needs such project because we wish to have many industries in our region but because we don't have reliable electricity to achieve that has been very difficult 	<ul style="list-style-type: none"> ✓ Noted ✓ The said project will connect the region to the national grid and the Ministry and TANESCO are in the process of securing fund for implementation of this project
Sumbawanga DED's Office	<ul style="list-style-type: none"> We are very happy to hear about the implementation of this project ✓ Currently we do not have reliable electricity as we are using electricity from Zambia so this project is of very important to us ✓ Most of our villages do not have electricity and our people are very good in agricultural activities but there are no industries in the region where they can sell their products. ✓ Investors wish to come and invest but they are affraiding because there is no assurance of having electricity throughout ✓ If community members will be involved well involved we expect that they will be very cooperative because they also need electricity 	<ul style="list-style-type: none"> ✓ Noted ✓ Noted ✓ Noted, the government together with TANESCO wish to implement this project as soon as possible so as to connect the region into the national grid and pave room to investors to come and invest. ✓ Sensitization meetings were held during ESIA study and will continue during RAP implementation and project life cycle. Villagers and Local leaders will be involved in each stage of the project
Tunduma Town Council Office	<ul style="list-style-type: none"> ✓ As the office we accept the project and we are happy to hear those news of the proposed project. ✓ In many villages there is no electricity so the Ministry, REA and TANESCO should consider electrifying 	<ul style="list-style-type: none"> ✓ Noted ✓ Noted and in this project there will be a component of rural electrification so we believe

Name of Stakeholder	Comments/ concerns raised	Remarks/ Responses
	<p>those villages.</p> <ul style="list-style-type: none"> ✓ Awareness creation is important for the people affected by project ✓ Land acquisition process should consider national laws 	<p>all the villages that will be affected by the TL will be connected</p> <ul style="list-style-type: none"> ✓ Awareness and sensitization meetings were conducted and will continue throughout the RAP implementation ✓ Noted
Municipal Director office Sumbawanga	<ul style="list-style-type: none"> ✓ We are aware of the project as we have been receiving some of TANESCO staff for the same project and we are grateful for this project as Sumbawanga will be connected to the national grid ✓ Land acquisition process should consider national laws ✓ Compensation should be paid to affected institutions, PAPS and individual 	<ul style="list-style-type: none"> ✓ Noted ✓ All relevant laws shall be considered during land acquisition processes including the WB safeguard Policies ✓ Noted and TANESCO will pay compensation according to the national laws guiding land acquisition.
Momba District Office	<ul style="list-style-type: none"> ✓ The project is of national importance we accept it but TANESCO should make sure that all project affected people are compensated ✓ Community is aware of the TANESCO projects. They don't have problem so long you compensate the PAPs on time. ✓ Basing on the fact that substation will be within our district at Nkangamo village we expect that our district will have reliable and stable electricity ✓ All project affected people should be educated about their rights before land acquisition process is done ✓ This project will create employment opportunities to our communities and I believe they will cooperate with TANESCO in making sure that this project is succeeded. 	<ul style="list-style-type: none"> ✓ Noted and TANESCO will pay compensation according to the national laws guiding land acquisition. ✓ Noted ✓ Noted and the aim of this project is to bring reliable and stable electricity in project areas including Tunduma and Momba. ✓ More sensitization meetings shall be done during RAP and PAP's will be informed on the valuation processes and what are their rights ✓ Noted and communities will be given priorities in securing these employment opportunities especially during construction phase.

Name of Stakeholder	Comments/ concerns raised	Remarks/ Responses
Mbozi District Office	<ul style="list-style-type: none"> ✓ Our office will be ready to cooperate with TANESCO in making sure this project is implemented. Do not hesitate to come to our office if you will encounter any obstacles when implementing this project ✓ Local leaders and communities should be involved in all stages of the project ✓ Compensation should be paid because our villagers depend much on that land for agricultural activities ✓ TANESCO should consider providing employment to the villagers and all affected person during project construction 	<ul style="list-style-type: none"> ✓ Noted ✓ Noted and TANESCO will make sure that all of them are involved in each stage of the project ✓ Compensation will be paid before starting construction. ✓ Priorities of securing employment opportunities to all villages that will be affected by TL and substation project will be considered by the contractors.
Mbeya District Office	<ul style="list-style-type: none"> ✓ The project is good will influence development in our district ✓ Land acquisition process should consider national laws ✓ PAPs should be compensated on time. 	<ul style="list-style-type: none"> ✓ Noted ✓ Noted and TANESCO will pay compensation according to the national laws guiding land acquisition. Noted
Malonje Village	<ul style="list-style-type: none"> ✓ We have already heard about this project because ESIA team came to our village and inform us about the project and its impacts ✓ Is TANESCO going to pay compensation for all affected properties ✓ Is TANESCO going to provide employment to the people such as youth within the village? ✓ Are we going to benefit from this project because our village is not electrified and villagers are so much in need of electricity? We have been informed that REA will implement project in our village but we are still waiting 	<ul style="list-style-type: none"> ✓ Noted ✓ Yes compensation will be paid before implementing the project ✓ Yes contractors will be required to provide employment opportunities to communities within the affected villages ✓ TANESCO will have a component of rural electrification when implementing our TL project. All villages that will be affected by the TL will benefit from this program.

Name of Stakeholder	Comments/ concerns raised	Remarks/ Responses
Ulinji Village	<ul style="list-style-type: none"> ✓ We accept the project with all our hands and we request TANESCO to involve us in each stage of the project and information of the meetings should come as early as possible ✓ Is this project different from REA projects? ✓ When are you going to start construction of this project? ✓ Compensation should be fair and paid on time 	<ul style="list-style-type: none"> ✓ Noted ✓ Yes it is different from REA project, as we explained this is a transmission line project while REA project are distribution line projects but even REA projects depend on reliable and stable electricity like of this project. ✓ Construction will start after paying compensation to all affected PAP's currently TANESCO are in the process of securing funds for implementing this project ✓ Noted
Laela Village	<ul style="list-style-type: none"> ✓ The project is well known and we accept it ✓ How many meters is TANESCO going to use as ROW ✓ How is the village going to benefit from this development project ✓ We request TANESCO to pay Compensation to all affected PAP's 	<ul style="list-style-type: none"> ✓ Noted ✓ The project is intending to take only 52m width wayleave corridor ✓ There will be employment opportunities and rural electrification program etc ✓ Noted, Compensation will be paid before starting project implementation
Kalambazite Village	<ul style="list-style-type: none"> ✓ We have heard about this project from other people from TANESCO, the project is accepted ✓ Are we going to be paid compensation for the loss of our land? ✓ How many meters is TANESCO going to use as ROW because during ESIA they told us it 50m ✓ Are we allowed to say what we need to be paid for our land (Land cost) 	<ul style="list-style-type: none"> ✓ Noted ✓ Valuation will be done as per national laws and compensation will be paid for all affected properties ✓ The project is intending to take only 52m width wayleave corridor

Name of Stakeholder	Comments/ concerns raised	Remarks/ Responses
	<ul style="list-style-type: none"> ✓ Valuers should be fair and compensation should be paid on time ✓ The project should provide youths with employment opportunities 	<ul style="list-style-type: none"> ✓ Compensation rate will be determined by the Valuer and compensation will be paid following the approval by Chief Government other relevant authorities. Noted and TANESCO will pay compensation according to the national laws guiding land acquisition. ✓ The contractor will be advised to give give priorities of securing employment to affected villages
Ikozi Village	<ul style="list-style-type: none"> ✓ We appreciate TANESCO for planning to establish this project of national interest and our village and we are ready to leave our lands after compensation is made properly ✓ Wanted to know if the project has taken a large portion of the land and left with a small piece will TANESCO pay compensation for the whole piece of land or will allow PAP to utilize it? ✓ Are we allowed to utilize land after 26m in each side? 	<ul style="list-style-type: none"> ✓ Noted ✓ The Valuer will use applicable land laws and common sense to decide whether the remaining part is supposed to be included in the compensation or not taking into consideration safely issue. ✓ Yes you will be allowed since the area will be out of the project area.
Mkima Village	<ul style="list-style-type: none"> ✓ We are happy to hear about this project, we are requesting TANESCO and REA to electrify our village as there are very few houses that are connected with electricity ✓ Compensation processes should be transparent to minimize or avoid conflicts with the project 	<ul style="list-style-type: none"> ✓ Noted ✓ Compensation will be fair prompt and compensation process shall be done transparently following the laid down procedures as per Land Act and Land Regulations.

Name of Stakeholder	Comments/ concerns raised	Remarks/ Responses
	<ul style="list-style-type: none"> ✓ The project should provide employment opportunities to our villager ✓ TANESCO should involve community members in all stages of the project and not only local leaders 	<ul style="list-style-type: none"> ✓ Noted and contractor will be told to consider that ✓ Noted and involvement will be considered in all stages of the project.
Makazi Mapya street	<ul style="list-style-type: none"> ✓ We are aware about the project as we had another meeting with TANESCO official ✓ Implementation of this project will affect us as we depend much on that land for agricultural activities which enabled us to get some food. We request TANESCO to pay us fair and promptly compensation and it should be paid on time ✓ We accept the project and we are expecting to buy another land and build houses within our street because land is still available. If someone will decide to go far from the area we are now will be her/his own decision ✓ What if I have graves in my land, what are you going to do before implementing the project? 	<ul style="list-style-type: none"> ✓ Noted ✓ Noted, TANESCO will pay compensation to all PAP's before implementing the project and compensation will be paid following the approval by Chief Government Valuer. ✓ Noted ✓ Compensation for graves will be paid and graves will be relocated as per Grave Removal Act, 1969.
Lwasho Village	<ul style="list-style-type: none"> ✓ This is a big project, what are the benefits for the country? ✓ Are we allowed to utilize land after 26m in each side? ✓ Is TANESCO going to give back to communities that will be affected by this project (CSR) 	<ul style="list-style-type: none"> ✓ The country will benefit from this project because we will stop using diesel generator in Sumbawanga due to fact that operation cost is very high compared to national grid. ✓ Yes it will be allowed ✓ It is expected that villages that do not have electricity will be considered on the rural electrification program under this project
Ikana Village	<ul style="list-style-type: none"> ✓ During valuation of properties are all houses going to be paid the same? 	<ul style="list-style-type: none"> ✓ No, valuation of houses depends on the type of house, materials used to construct that houses, how many rooms etc so the Valuer will use his

Name of Stakeholder	Comments/ concerns raised	Remarks/ Responses
	<ul style="list-style-type: none"> ✓ Will the PAPs be allowed to utilize land after 26m in each side? ✓ If TL will affect the village land (owned by the village not individual person) are we going to be paid 	<ul style="list-style-type: none"> professional in valuation process ✓ Yes they will be allowed since the area will be out of the project area. ✓ Yes village land will also be paid compensation as per national laws guiding land acquisition.
Nkangamo Village	<ul style="list-style-type: none"> ✓ After being paid compensation will we be allowed to cultivate crops under the TL? ✓ Is TANESCO going to start construction of the project before paying compensation to the PAP's? ✓ Compensation should be fair according to kind of properties affected by the project and should be promptly and paid on time 	<ul style="list-style-type: none"> ✓ No, it will not be allowed to utilize TL wayleave corridor for safety reasons that is why TANESCO will pay full compensation. ✓ Compensation will be paid before starting and construction activity. ✓ Compensation will be paid as per national laws guiding land acquisition and will base on the market value.
Igunda Village	<ul style="list-style-type: none"> ✓ What will happen if the projects affect a church or mosque? ✓ Local leaders were of the opinion that project should provide employment opportunities ✓ Why compensation rates are differ from one village to another? ✓ For security purposes TANESCO should involve village leaders when implementing this project 	<ul style="list-style-type: none"> ✓ Normally for public structures TANESCO is using the contractor to build the structure before implementing the project. TANESCO is doing that in order to avoid misuse of money by few leaders who may be unfaithful. ✓ The contractor will be advised to hire project affected persons as one way of livelihood restoration measures ✓ Normally a valuation rates depends with the location and the land value in that area. Values of land also differ from one area to another. There are land values for villages that are within the town centres and these will differ to those that are outside the town centres. ✓ Noted

Name of Stakeholder	Comments/ concerns raised	Remarks/ Responses
Ichesa Village	<ul style="list-style-type: none"> ✓ We accept the project but our village does not have electricity. We are requesting TANESCO to electrify our village as most of us need electricity in our houses ✓ Compensation should be paid fairly and on time ✓ PAPs wanted to know what is a price for paying crops ✓ It was asked whether natural trees shall be compensated 	<ul style="list-style-type: none"> ✓ Noted, it will be possible for this village to be electrified by using either REA III or TANESCO electrification project and if both will not electrify your village, this proposed TL project will have rural electrification package to all villages which TL traversed. ✓ Noted, compensation will be fair and prompt. ✓ Prices are calculated by the Valuer and during RAP land valuer shall conduct sensitization meetings before embarking on site for valuation exercise so more clarification will be provided ✓ Yes trees will also be paid compensation as per land laws.
Welu II Village	<ul style="list-style-type: none"> ✓ What will happen if the project affects public structure? ✓ Hope TANESCO is less concerned about land that is beyond the 52m corridor ✓ Sensitization meetings should be conducted to all PAPs before effecting payment of compensations ✓ How is our village going to benefit from this project? ✓ If there are graves on the land that is to be acquired by TANESCO, are you going to relocate them? 	<ul style="list-style-type: none"> ✓ Normally for public structures TANESCO is using the contractor to build the structure before implementing the project. TANESCO is doing that in order to avoid misuse of money by few leaders who may be unfaithful ✓ It is only 52m wayleave corridor that will be acquired by TANESCO ✓ The land valuer will sensitize all PAPs before valuation process and payment ✓ Through rural electrification program all affected villages will be electrified and there will be employment opportunities ✓ Yes compensation for graves will also be paid and graves will be relocated as per Grave Removal Act, 1969.
Ntangamo Village	<ul style="list-style-type: none"> ✓ If there are graves on the land that is to be acquired by TANESCO, are you going to relocate them? ✓ After paying compensation how are you going to 	<ul style="list-style-type: none"> ✓ Yes compensation for graves will also be paid and graves will be relocated as per Grave Removal Act, 1969. ✓ During RAP study grievance committee will be

Name of Stakeholder	Comments/ concerns raised	Remarks/ Responses
	<p>handle complaints that will raise?</p> <ul style="list-style-type: none"> ✓ Compensation should be fair and be paid on time to avoid complaints ✓ If the land is owned by the family who will be paid compensation? 	<p>formed and they will work together with local leaders in making sure that all raised complaints are resolved</p> <ul style="list-style-type: none"> ✓ Noted ✓ Members of the family will be required to select one person who will be paid and family will be advised accordingly during valuation process
Itewe Village	<ul style="list-style-type: none"> ✓ We need our local leaders and all PAPs to be informed as early as possible during valuation exercise ✓ Sensitization meetings should be conducted to all PAPs before effecting payment of compensations ✓ Why are REA project not paid compensation? 	<ul style="list-style-type: none"> ✓ Noted and prior to valuation information shall be disseminated to all PAPs ✓ The land valuer will sensitize all PAPs before valuation process and payment ✓ REA project are aiming at providing electricity services to the community, there are no compensation package to all villages that are benefiting with REA project.
Swaya Village	<ul style="list-style-type: none"> ✓ How much is TANESCO going to pay us for 1 acre? ✓ We are requesting TANESCO official who will be coming to work in our village to report to the office before going to the site ✓ All farms and properties should recorded properly during valuation exercise ✓ This project is good, we believe through it our village will also benefit 	<ul style="list-style-type: none"> ✓ Compensation rates will be established by the Valuer, currently we do not know how much will be paid for 1 acre ✓ Noted ✓ Noted ✓ Noted
Ituha street	<ul style="list-style-type: none"> ✓ This project is well known to us and community members as it was introduced to us few years ago ✓ Valuers should be faithful when doing valuation and make sure that PAP's are paid fair ✓ We are requesting TANESCO to consider us because 	<ul style="list-style-type: none"> ✓ Noted ✓ Noted ✓ Noted

Name of Stakeholder	Comments/ concerns raised	Remarks/ Responses
	<p>most parts of our street does not have electricity</p> <p>✓ If part of my house will be affected by the project, are you going to pay me for the whole house?</p>	<p>✓ The Valuer will assess the impact accordingly and if most of the house is affected the whole house will be compensated</p>
Mwahala Street	<p>✓ What is the method that will be used to pay compensation?</p> <p>✓ Is Mwahala going to benefit from that project? Because there are some parts which have not electrified</p>	<p>✓ Compensation will be paid through cheque, no one will be paid cash.</p> <p>✓ Yes there will be some benefit from the project such as employment and rural electrification program</p>

ANNEX 6: Some photos during stakeholders consultation



Consultation meeting at Malonje village



Consultation meeting at Ulinji village



Consultation meeting at Nkangamo village



Consultation meeting at Makazi mapya street



Consultation at Ikozi village



Consultation at Kalambazite village



Consultation at Igunda village



Consultation at Mkima village



Consultation at Lwasho village

ANNEX 7: Checklist used during field work for the RPF

1. Awareness of the TANESCO transmission line (TANESCO expert: explain about the proposed TL project)
2. Explain the positive and negative impacts
3. Explain how those impacts will be mitigated
4. Explain what will be done during RAP study and inform them that study will be done later and not now.
5. What type of resettlement for land, house or business is suitable for the people?
6. If it is required to relocate people, which is the best approach?
7. Where people can be advised to relocate?
8. What is the status of land availability in the region/district/village?
9. How is land accessed in the community?
10. What is the type of land ownership? Is it legal ownership or customary ownership? And who owns the land?
11. What are the common types of land tenure in the proposed project area?
12. What are the current land acquisition challenges in this area?
13. Major economic activities that are carried out in the community?
14. What are the main types of crops in the village?
15. Is there land use plan in the area?
16. What is the major land use in the community?
17. Are there land conflicts concerning ownership of the land in the region/district/village?
18. How are conflicts especially those concerning land resolved? Where do you go if there are any conflict? Do you have grievance mechanism in your village?
19. What categories of communities do exist in the project area? Are there any vulnerable groups in the project area? What makes them vulnerable?
20. Are there cultural properties in your villages?
21. What is the best way to approach the PAPs during RAP study?
22. How are they receiving information? (Such as Radio, TV, cell phones etc
23. What is the preferred option for getting compensation? cash, land for land, cheque etc

ANNEX 8: Terms of Reference (TOR) for THE RPF

Tanzania - Zambia Transmission Interconnector

Terms of Reference (TORs)

For a Consultant Assignment to Prepare a Resettlement Policy Framework (RPF) for Iringa-Mbeya-Tunduma-Sumbawanga 400kV Power Transmission line (TL) project

1. Introduction

The Government of Tanzania through Tanzania Electric Supply Company Limited, TANESCO intends to construct 400kV power transmission line from Iringa to Sumbawanga through Mbeya and Tunduma with objective of interconnection with Zambia. Also, the transmission line will connect the North West regions of Tanzania to the national grid. The general objective of the project is to increase transit capacities and flexibility of operation of the grid and to improve sustainable electricity supply in Zambia, Tanzania, Kenya and the South African Power Pool (SAPP) as well as East Africa Power Pool (EAPP) countries.

As regard to power quality and reliability issues most of the power lines suffer from voltage depressions, surges and sometimes total outages. The situation calls efforts for construction of new power transmission lines in addition to improve the power transferring capabilities.

The construction of this transmission line will require land acquisition and resettlement. Therefore an RPF will be prepared according the World Bank OP. 4.12 and Tanzanian laws and regulations, to guide the process of land and property acquisitions, resettlement of families or businesses, compensation for crops and other income-generating assets, and loss of access to income-producing resources.

2. Background information on the power sector and grid

TANESCO, is a state owned, vertically integrated electricity supply company is the main operator in the electricity sub-sector in Tanzania. Its main core business is generation, transmission, distribution, and sale of electricity to the Tanzania Mainland and bulk power supply to the island of Zanzibar. Distribution of electricity in Zanzibar and Pemba is the responsibility of the Zanzibar Electricity Corporation Limited (ZECO).

2.1. Generation Plants and Transmission and Distribution Network

TANESCO owns and operates a number of generation plants (thermal and hydropower plants), transmission lines ranging from 66kV to 400kV and thousands kilometers of distribution lines ranging from 0.4kV to 33kV. The National Grid is connecting power generated from combination of hydro, coal, gas and biomass generation resources through network of 66kV,

July 2016_Under revision
Rev.16.1

Existing Proposed

400 kV
220 kV
132 kV
66 kV
33 kV

Hydro
Thermal
Substation

See "Details of Network in Dares Salaam & Zanzibar".

Details of Network in Dares Salaam & Zanzibar

ZANJIBAR
DARES SALAAM

The proposed Iringa Kisada - Mbeya – Tunduma - Sumbawanga 400kV transmission line is among several proposed 400kV transmission lines to be constructed in the country. The transmission line will interconnect Iringa, Mbeya, Songwe and Sumbawanga regions and will assist in evacuating power from various generation sources and facilitate power distribution in the regions and also facilitate inter-regional power trade and power exchange with Zambia in the south and with Kenya and Ethiopia in the north. The proposed transmission line will have new

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substations at Kisada, Mbeya, Tunduma and Sumbawanga and existing substation at Tagamenda Iringa.

The proposed transmission line will be 400kV Tl double circuit from Iringa to Tunduma substation. Thereafter one circuit will go to Sumbawanga substation and the other circuit will interconnect with the Zambian Grid. Therefore, the scope of this assignment covers all five substations (Iringa, Kisada, Mbeya, Tunduma and Sumbawanga), transmission segments from Iringa to Kisada, Kisada to Mbeya, Mbeya to Tunduma and Tunduma to Sumbawanga. For proposed transmission line the corridor width is 52m wide when the line stands alone and reduced width when the line goes parallel with the existing 220kV line. The transmission line transverses the districts of Iringa, Iringa Rural and Mufundi in Iringa Region; Mbarali, Mbeya rural and Mbeya in Mbeya Region; Songwe, Mbozi and Momba in Songwe Region; and Sumbawanga rural and Sumbawanga in Rukwa Region.

2.2 Conducted Studies

Between 2012 and 2016, TANESCO completed a number of studies for the proposed line segment including the Environmental and Social Impact Assessment (ESIA) Resettlement Action Plan (RAP), Resettlement Policy Framework (RPF) and Feasibility Study (FS) as follows:

- Feasibility study for the North West Grid from Mbeya – Tunduma – Sumbawanga – Mpanda – Kigoma – Nyakanazi. This feasibility study proposed locations for the substation and substation components for each substation.
- Environmental and Social Impact Assessment for Mbeya – Sumbawanga.
- Resettlement Action Plan/ Policy Framework for Tunduma – Sumbawanga
- Resettlement Action Plan/Policy Framework for Mbeya Sumbawanga
- Resettlement Action Plan/Policy Framework for Iringa – Kisada - Mbeya
- Environmental and Social Impact Assessment for Iringa-Kisada – Mbeya
- Feasibility study for Iringa – Kisada - Mbeya

These documents will be source of input to the current assignment.

3. The Assignment

This project is likely to have social impacts on land access, restriction of access to assets, displacement and loss of livelihood among others. As part of the lenders requirement for safeguards is to ensure that the project minimizes resettlement impacts and outlines principles and measures in case such impacts occur. Therefore, project will have to prepare a Resettlement Policy Framework for the whole proposed route and substations prior to Project appraisal that is applicable to the project as a whole.

Based on the available studies as outlined above complemented by site visit, the Consultant need to prepare the RPF in line with WB's OP4.12 on Involuntary Resettlement, laws of the Government of Tanzania on land acquisition and other relevant applicable policies and guidelines. The outcome of the assignment will be part of the project appraisal.

4. Objectives

The objective of this assignment is to prepare a Resettlement Policy Framework (RPF) consistent with World Bank OP 4.12 that will outline principles, institutional arrangements, processes, schedules and indicative budgets for anticipated resettlements. The RPF is to characterize types

of; potential impacts, and the affected groups according to the types of resettlement; describe legal requirements and procedures of the resettlement process, as well provide an entitlement matrix that will be applicable to the project as a whole. The RPF is to indicate relevant stakeholders responsible for resettlement-related activities such as land acquisition, resettlement, compensation, etc. The RPF is also to detail a mechanism to receive, respond and provide recourse to the grievances related to the resettlement process. This RPF will serve as the framework within which resettlement action plans will be developed as precise alignments are finalized.

5. Scope of services

The following sections of the RPF correspond to the scope of work to be completed which covers the project area from Iringa substation – Kisada - Mbeya – Tunduma to Sumbawanga substation. These sections are described in Annex A paragraphs 23-26 of the Bank's OP4.12, laws of the Government of Tanzania on land acquisition and other relevant applicable policies and guidelines. The Consultant should as part of preparation of the RPF:

- ✓ Summarize legal principles that guide resettlement in Tanzania
- ✓ Summarize gaps between national laws and OP 4.12, if they exist, and how they will be addressed.
- ✓ Outline type of anticipated impact as a result of project activities
- ✓ Identify types land tenure/ ownership of land to be acquired for the project activities
- ✓ Prepare entitlement matrix based on the anticipated resettlement impact and in line with national laws and Bank policies on resettlement compensation and relevant assistance
- ✓ Determine the method for setting a cut-off date for eligibility for compensation and also as a means for making this information (on cut-off date) reach the wider public.
- ✓ Establish institutional arrangements to carry out and coordinate resettlement activities
- ✓ Principles for calculation of compensation
- ✓ Devise a consultation process for a participatory approach to planning and implementation of resettlement that includes this RPF and subsequent RAPs
Conduct an initial social and economic survey in the area of project activities that trigger the involuntary resettlement policy.
- ✓ Formulate grievance procedures that include clear procedures for resolution of disputes taking into account traditional dispute settlement measures and judicial recourse
- ✓ Design an internal monitoring plan for regular monitoring of compensation exercise and implementation of resettlement strategies based on indicators to measure inputs, outputs and outcomes of resettlement activities.
- ✓ Provide estimates, to the extent feasible, of the total population to be displaced and the overall resettlement costs
- ✓ Set principles for preparation of a Resettlement Action Plan and provide a template for subsequent RAPs.
- ✓ Describe monitoring and evaluation process and reporting
- ✓ Develop a program for the disclosure of the RPF in an appropriate language to facilitate the work of the client on this matter (Note: the responsibility for both the disclosure and dissemination however lies with TANESCO)

6. Methodology

The consultant will propose the best approach to enable accomplish the required assignment. However, the Consultant is expected but not limited to:

- Review relevant documents including those listed above
- Conduct a field survey as deemed necessary
- Ascertain social economic surveys and fill in the gaps as necessary
- Conduct consultations as deemed necessary and filling the gaps of previous studies
- Prepare the RPF report as outlined in this ToR

7. The RPF outline

The RPF outline is as suggested below:

Description of the project: General description of the affected areas and project components.

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

Objectives: The main objectives of the project activities or components that may require resettlement.

Socio-economic studies: This section summarizes the findings of the initial socio-economic studies. The survey shall cover issues on the social structure, economic activities, social characterization of potential affected persons, and the numbers likely to be involved, the different social institutions, social capital and mechanism for social cohesion. The survey will identify future socioeconomic data needs for subsequent RAPs which generally include:

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

There may be other studies that the RPF can draw upon, as needed, including previous RAPs.

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

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

Also the institutional framework governing implementation of a RAP, when needed, would generally cover:

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

Eligibility and entitlements: Definition of potentially displaced persons and criteria for determining their eligibility for compensation and other resettlement assistance, including relevant cut-off dates. This should include a description of the rationale for resettlement or displacement.

Valuation of and compensation for losses: The methodology to be used in the RAP for valuing losses, or damages, for the purpose of determining their replacement costs; and a description of the proposed types and levels of compensation consistent with national and local laws and measures, as necessary to achieve replacement cost for lost assets. . Explanation on the methods for *inventorying* assets, *assigning values* to each type of asset, and *coming to agreements* with each affected person or group on the total profile of losses and compensation.

Resettlement Measures: A description of the compensation and other resettlement measures that will assist each category of eligible PAPs to achieve the resettlement objectives. Aside from

compensation, these measures should include programs for livelihood restoration, grievance mechanisms, consultations, and disclosure of information.

Site selection, site preparation, and relocation: If a resettlement site is an option, this section describes the alternative relocation sites as follows:

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

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

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

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

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

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

- ✓ Consultations with host communities and local governments;

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

Consultation is to be done for both the Resettlement Policy Framework, which sets many of the parameters by which resettlement will be carried out, and the individual RAPs that will be completed. For the RPF, show that meaningful consultation is being carried out with a broad array of stakeholders including both borrower officials at every level, and the types of people who may be the beneficiaries of, and affected by, typical projects. Show that the draft RPF is to be, or has been, circulated to interested parties, and that further consultations will take place before finalization. Insert a record of all such consultations as an annex to the RPF. For the individual RAPs, show how the people affected by the particular projects will be consulted throughout the process of RAP formulation, as prescribed by OP 4.12.

The consultation process shall be gender sensitive and inclusive, and is designed to identify aspects and needs of vulnerability within the project area.

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

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

Implementation Schedule: An implementation schedule covering all resettlement related activities from preparation, implementation, and monitoring and evaluation should be included. These should identify the target dates for delivery of benefits to PAPs and hosts and a clearly defined closing date. The schedule should indicate how these activities are linked to the implementation of the overall project.

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

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

8. Duration and schedule

This assignment is for the duration of 35 days from a day of agreements to both parties. The Consultant will conduct consultations as necessary with relevant stakeholders pertaining to this project to suit the current assignment (e.g. government, NGO's, local leaders and potential project affected persons) on the RPF and incorporate their views. After the review of the draft RPF by the World Bank, the Consultant is expected to make the necessary changes to the RPF and address the suggested comments as necessary.

9. Deliverables

The Consultant is to prepare a Resettlement Policy Framework documents to the World Bank acceptable standard including all relevant sections as outlined above. The Consultant will submit 5 copies of hard and soft copies in both word and PDF files.

The implementing agency (TANESCO) will provide to the Consultant with available documents that would facilitate completion of the assignment as necessary. Any data or documents prepared by the Consultant under this assignment should be shared with and become the property of TANESCO, to be stored by TANESCO and used for preparation of RAP(s) or any other resettlement-related documents.

10. Institutional arrangements and budget

The Consultant will be supervised by the (TANESCO's Environment unit) and will submit all documents to this unit. The Consultant shall provide overall management of all aspects of the work / services and ensure internal quality control and assurance procedures during the execution of the Contract.

WB will be responsible for all costs for hiring an independent Consultant who will prepare RPF for entire TL i.e. Iringa-Kisada - Mbeya-Tunduma-Sumbawanga according to existing national legislations and WB safeguard requirements.

11. Required qualifications

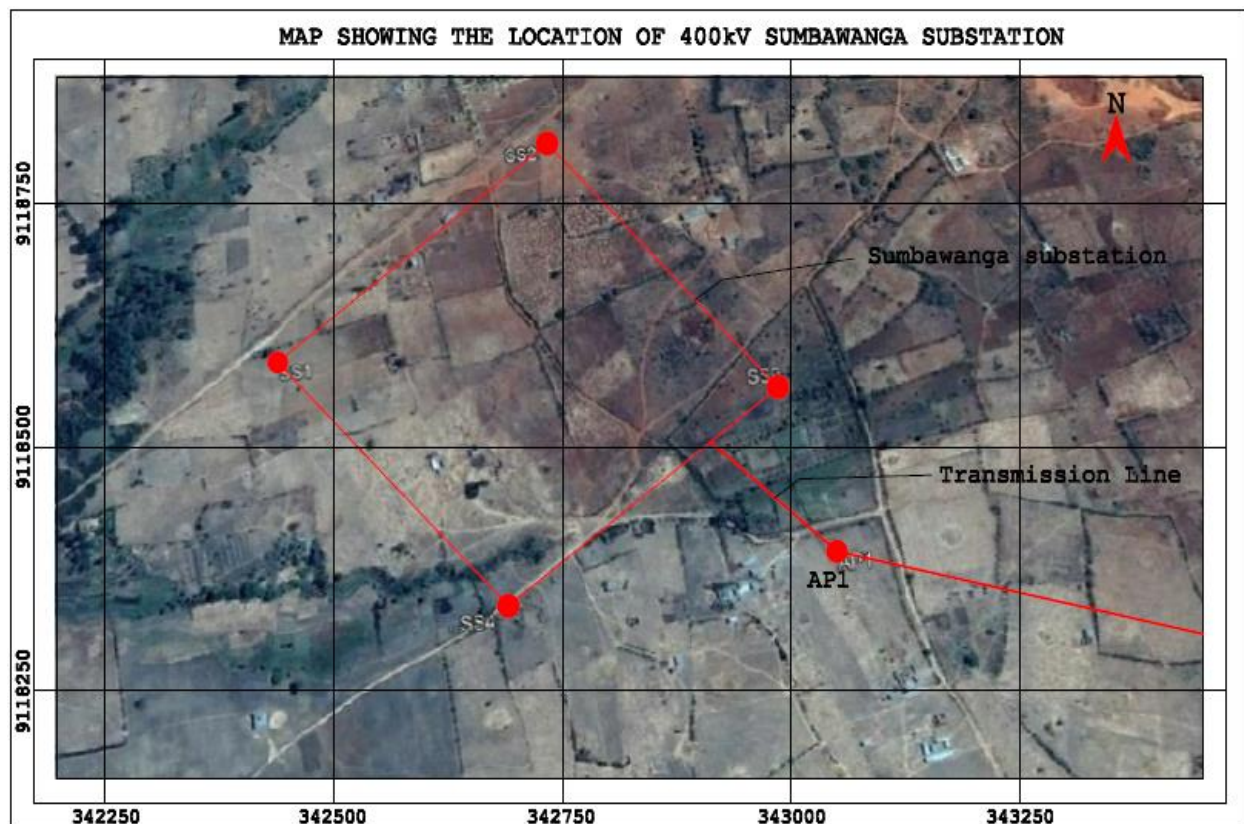
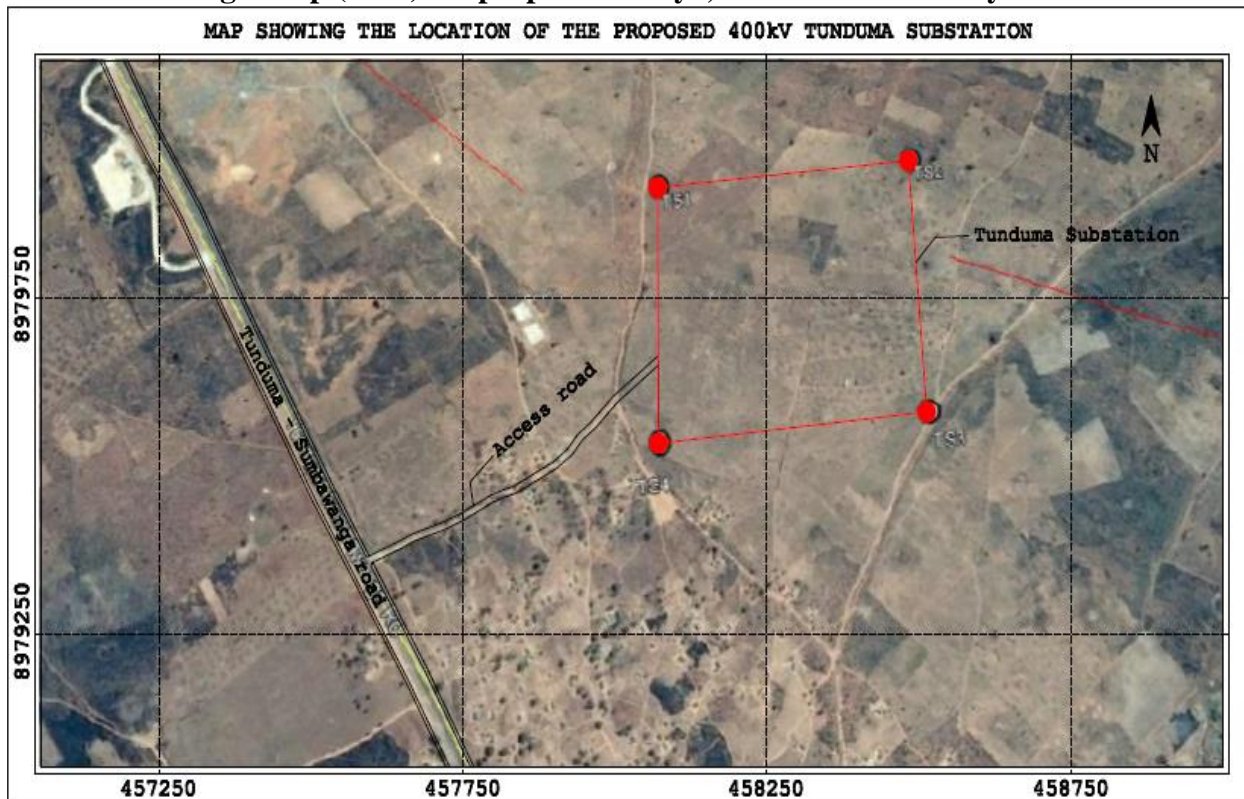
Profiles of Individual Consultant

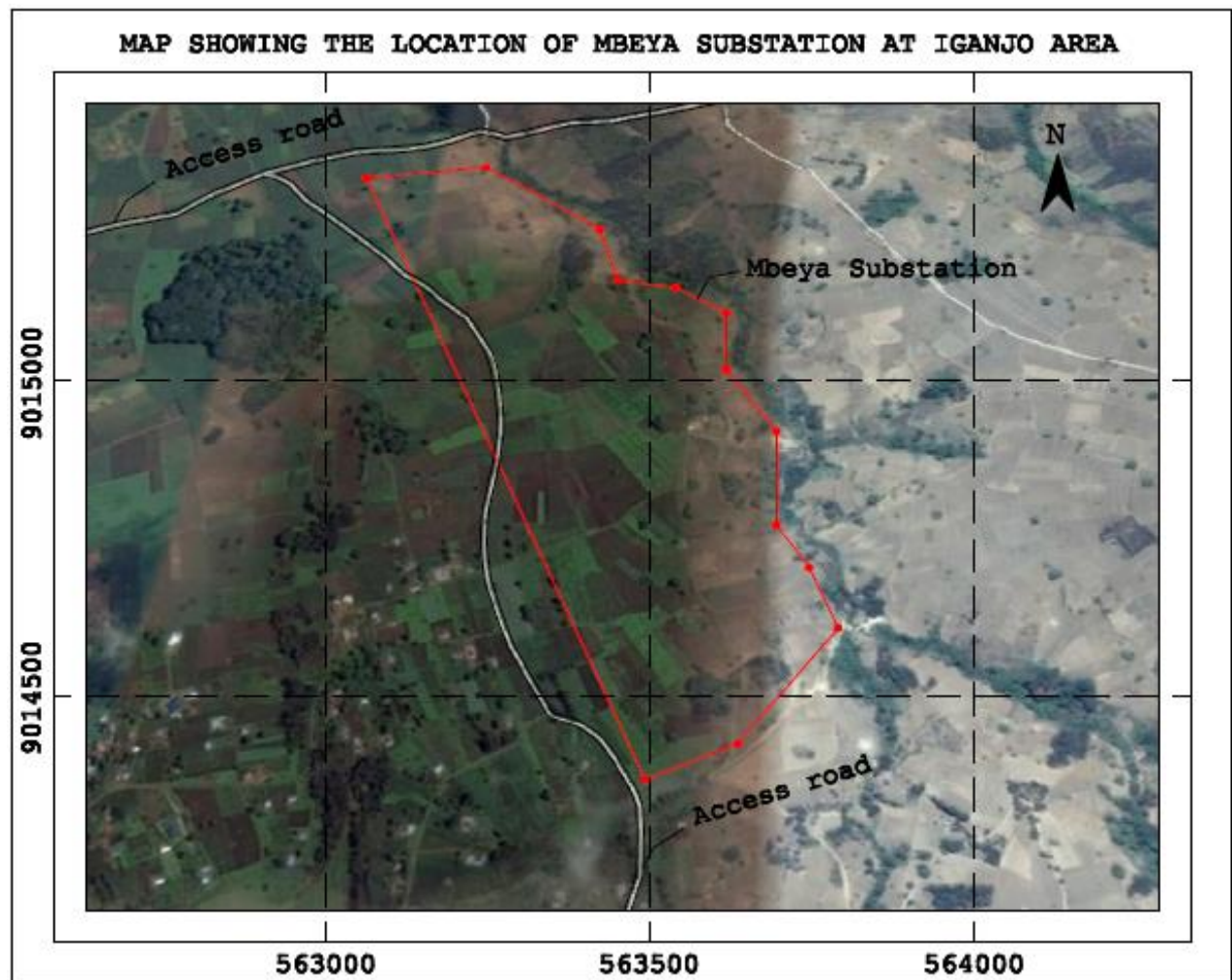
The individual consultant must be qualified to undertake the RPF study. Experience from similar assignments and from the region is particularly relevant. The consultant should have strong experience on socio-economic analysis, planning and management and resettlement planning.

Thus, the Consultant is needed to have the following experience: At least 10 years of progressively senior experience in the socio-economic planning or equivalent of major

infrastructure projects, particularly high voltage transmission lines. A significant portion of this experience will be in Sub-Saharan Africa, and in addressing involuntary resettlement issues. She/he will have demonstrated expertise in the design and preparation of RPF/Resettlement Action Plan required by national governments and international lending agencies, particularly the World Bank. She/he will have demonstrated skills in working effectively with public sector clients, and in implementing effective consultation programs with people in the project area especially in Sub-Saharan Africa. The Consultant's proposal shall provide methodology, budgeting structure and time schedule (35 days) in order to complete this assignment.

ANNEX 9: Google map (2017) for proposed Mbeya, Tunduma and Mbeya Substations





ANNEX 10: Executive Summary for Resettlement Audit and Corrective Action Plan for Mbeya Substation

Background and Project Information

Currently, Government of Tanzania through TANESCO is in the process of obtaining financial assistance from the World Bank (WB) for implementation of energy projects including the proposed construction of the Iringa to Mbeya 400kV Power Transmission line (TL) covering about 292.2km. TANESCO will in addition also construct 4 Substations of Kisada, Mbeya, Tunduma and Sumbawanga. TANESCO had already acquired the land for Mbeya Substation during the project preparation without preparing a Resettlement Action Plan (RAP), and as prerequisite in compliance with the WB OP4.12 policy on involuntary resettlement, a resettlement audit has been carried out.

Mbeya substation is located at Ikhanga Mtaa, Iganjo Ward in Mbeya City, Mbeya Region. The area is about 17 Kilometers from Mbeya City accessed by a good tarmacked road for a distance of 10 Kilometers to Uyole Junction then 4 Kilometers along the Mbeya-Tukuyu road, turn off to the left for a distance of 3 kilometers on a murrum road. The proposed Mbeya substation occupies 17.1 hectares (42.3 acres) of land.

Magnitude of Displacement

Altogether 139 PAPs in Ikhanga, Iganjo Ward were identified to be impacted by the land acquisition for Mbeya Substation; these include 96 males and 42 female. The Audit review has verified the same number of PAPs as was determined during the initial assessment at the time of the land acquisition. All of the PAPs were using the land for farming; 2 households experience physical displacement as their homes are located in the substation area. At the time of the Audit, one of these two households moved to a new location voluntarily after receiving compensations and both household continued cultivating the land, as the land clearance was not enforced by TANESCO. One PAP MBS 139 refused to be assessed and hence not paid because he was not happy with the whole process of acquiring land. Even after being compensated the PAPs have continued growing crops in the land since they have not been restricted. TANESCO is yet to clear the area. A total of 117 graves belonging to 7 PAPs are also affected and already have been paid compensation but have not yet been relocated.

PAP category	Number of PAPs	type and scale of impact
Physically relocated	2 PAPs	The entire homestead will be affected by the project and would need to be relocated prior to start of works. The total members for two households relocated are 19 people whereby MBS 89 has 13 people and MBS 86 has 6 people.

Economically affected	139 PAPs 138 PAPs have been paid compensation	These are farm land plots without any structures on them The range of the plot size within project area are as follows: -Owned 0.5- 1 Acres are 116 PAPs -Owned 1.0-2.0 acres are 22 PAPs
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Compensation

In total **767,151,282.00** Tanzanian Shillings was paid out to the 138 PAPs as compensation for their land, crops/trees and structures in April 2017. TANESCO followed the national legal requirements as stipulated in the Land (Assessment of the Value of Land for Compensation) Regulations, 2001 during the process of acquiring the Mbeya Substation land.

Key Findings:

- The land acquisition process at Mbeya substation has followed national legal requirements and there are gaps between national and WB requirements related to land acquisition and resettlement.
- PAPs were consulted and informed about project early enough, however the information was inadequate in terms of processes and procedures as stipulated in the Land Act. During valuation PAPs were given forms bearing the lost properties, signed on the forms which indicated the type of properties affected and the size and their photographs were captured as per national legal requirements on land acquisition.
- PAPs confirmed receipt of full payment and are aware that the land has changed ownership to TANESCO which previous was individual land customary owned and the PAPs no longer have any legal rights to the land but they are still cultivating crops there. Nonetheless, PAPs are not satisfied with the amounts paid and say they have not been able to adequately replace the lost assets.
- PAPs are not happy with the compensation amounts, wish TANESCO could provide some top up for them given the time lag of almost 3 years between the valuation process and payment and need to relocate. The physical inspection for the land acquisition started in September, 2014 whereby TANESCO team and Mbeya City Officers visited the place that was earmarked for the substation. Valuations were conducted in May 2015 and compensation was paid in April, 2017. PAP's were in theory required to relocate after being paid compensation but due to the fact that TANESCO has not fenced the area PAP's are still utilizing the land. Notices were served in April 2017 to all PAPs to vacate the land within 90 days after receiving their compensation. There was, however, an unofficial agreement that since the land was not immediately utilized, they can continue using the land for temporary crops until when the land is needed for construction whereby they will be notified in advance not to plant new crops and the project will give time for the PAPs to harvest their crops. So legally, they have been displaced but TANESCO has not yet cleared the site and, in fact, most of the PAPs have continued using the land for farming. Some of the PAPs have voluntarily gone away from the site. Hence, TANESCO will not insist people to vacate the land until a Remedial Action Plan (ReAP) has been prepared in line with this Corrective Action Plan and the RPF, and been

implemented in full. The ReAP will outline additional measures, including top-up payments and any additional allowances and its full implementation. The notices to vacate the land will only be provided to the PAPs after the ReAP has been implemented in full. The PAPs will then have 3 months to vacate the land and to harvest their crops. TANESCO will coordinate with the farmers to make sure the distribution of notices and the harvesting schedules are properly coordinated.

- PAPs request TANESCO to immediately relocate the graves because this is affecting the continuity of burying their relatives.

Key Recommendations/Corrective Actions

No.	Issue	Corrective Action Plan	Proposed timetable for close out./ dedicated Human Resource	Budget (TShs)
1	A full socio-economic census has not been conducted during preparation of this Audit Report and Corrective Action Plan	TANESCO to prepare a full socio-economic census in line with the requirements of the RPF prepared under the project to address the identified gaps in the resettlement process and in compensations paid to the PAPs in the Mbeya substation area. The finalized Remedial Action Plan (ReAP) should include a full socio-economic census of the PAPs, follow resettlement principles outlined in the RPF and provide detail account of top up measures based on the findings of the census and given the compensations already paid to the PAPs. The ReAP is to put forward clear measures to assist vulnerable PAPs and to help restore livelihoods where there was impact on livelihoods.	TANESCO safeguards team with the help of an independent consultant will finalize Remedial Action Plan by end of April, 2018. The ReAP will be publicly consulted and disclosed per the Bank requirements. It will be implemented in full prior to start of any civil works and any displacement of PAPs in the Mbeya substation area	TZS 50million.

2	The un assessed land belonging to MBS 139 who refused his property to be valued. His piece of land is very crucial because it is located right in the middle of the project area and cannot easily be ignored.	TANESCO to initiate discussions with him on the possible way out and agree on the terms of payments and explore possibility of allocating an alternative land plot. After talking to him he was willing to be engaged in talks with TANESCO. Resettlement process and compensation amount calculation for this PAP will be included in the ReAP. .	TANESCO will start with the finalization of the ReAP in mid-April, 2018. (Including possibility of allocating an alternative land plot.)	TZS 15million (This is not amount for compensation; This is figure for valuation exercise, Amount of Compensation for MBS 139 will be determined after valuation). This amount will be built in in the total amount for the ReAP preparation.
3	Relocation of MBS 89, 10 family members' includes the 6 graves. Age (72yrs)	TANESCO will work closely with village and district officials to find an alternative land plot for this PAP to ensure that his household is not harmed by the resettlement process. Additional measures, including top-up payments and any additional allowances, will be detailed in the ReAP.	TANESCO will immediately engage with village and district officials to find alternative land plot for this PAP. The ReAP preparation will commence in mid-April, 2018	TZS 20 million
4	Relocation of 117 graves in the project area.	The reburial process is also to be included in the ReAP and carried out in line with the principles outlined in the RPF. To reallocate it is responsibility of TANESCO in collaboration with Mbeya City Council and grave owner to find another area or using the existing burial sites operated by Mbeya City Council which is near to the project sites (less than 50km). The families will need to agree to the selected sites.	TANESCO will notify PAPs that no new burial can take place in the substation area once a new burial site has been identified. TANESCO is to work with the PAPs and local village official to find appropriate and acceptable alternative burying ground	TZS 35 million (This is total cost for process of reallocation of graves which will be implemented by TANESCO and Health department of Mbeya City Council.) This amount will be built in in the RAP budget

5.	Additional measures to assist Vulnerable PAPs (ex. MBS 86 75 years, widow)	TANESCO to verify the status of vulnerable PAPs through the socio-economic census carried out during the ReAP preparation to determine eligibility and measures for any additional assistance to the vulnerable PAPs.	Part of the Remedial Action Plan preparation and implementation	TZS 10 million. This amount will be built in in the Remedial Action Plan budget
6.	Continued utilization of the area by PAPs for growing crops.	<p>TANESCO to fence off the area and put up a sign post. TANESCO will conduct a meeting with PAP's who are still using the area to inform them on the last date to use the land for agricultural activities. Before giving them the date TANESCO will have to consider the time for harvesting their crops (normal 3 months for seasonal crops but it will depend on status of those crops). Immediately after harvesting TANESCO will fence the area. TANESCO will have to work with local leaders in identifying crops that are within the substation area at the moment before conducting meeting with PAP's in order to make sure that no more crops will be grown and PAP's will be informed accordingly.</p> <p>After payment of compensation and settling of all land issues including top-up calculation as per WB requirements, TANESCO will initiate the process of land title deed from Mbeya City Council.</p>	<p>Process to start with the notification sent to the PAPs only once the Remedial Action Plan has been consulted, cleared by the Bank, publicly disclosed and implemented in full.</p> <p>Process to be finalized ahead of the start of any construction under the project.</p>	TZS 50 million (Cost of construction of bubble wire fence at Substation areas). This amount will be built in in the Remedial Action Plan budget

7.	<p>Top up allowance for PAPs considering that the process took 3 years before the actual payment was received. The value of the lost assets was affected by inflation. Also due to fact that land acquisition process take place in 2014-2015 whereby rate per square meter was TShs. 1,000.00 but PAPs paid compensation on 2017 whereby about 2-3 years passed and paid some amount instead of add interest due to delayed.</p>	<p>TANESCO to carry out a socio-economic census as part of the ReAP preparation to assess livelihood status of all the PAPs. This will then provide the basis for determination of the top up allowance. When calculating the top up TANESCO will have to meet the WB requirements as outlined in the RPF. World Bank requirement will be followed and depreciation for the two houses that was counted during valuation will be calculated and paid to the PAP's as per bank policy. The formula for top-calculations will be prepared by Mbeya City Valuer or Independent Valuer and share with TANESCO and WB for approval.</p> <p>Also due to delaying of payment of compensation (about 2-3 years), during the top-up calculations TANESCO will consider inflation rate and add interest and top up for replacement cost to meet the WB requirements in accordance with the RPF. The formula for top-calculations will be prepared by Mbeya City Valuer or Independent Valuer as part of the ReAP and share with TANESCO and WB for approval.</p>	<p>Process to start once the Remedial Action Plan has been consulted, cleared by the Bank and publicly disclosed.</p>	<p>TZS 200 million (The actual cost will be determined during calculation of top-up as part of the ReAP preparation)</p>
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Conclusion

Based on the preliminary assessment and findings of this Resettlement Audit, TANESCO will finalize a Remedial Action Plan (ReAP) which will outline additional measures, including top-up payments and any additional allowances, assistance and consultations required per the terms of the RPF. The notices to vacate the land will only be provided to the PAPs after the ReAP is implemented in full. TANESCO will fence the area after that. The notices to vacate the land will give PAPs 3 months and allow them to harvest their crops. The ReAP will incorporate additional information obtained per above and that follows the requirements RPF developed under the project to fully reflect and implement the corrective actions as per items identified and provided in the above table.

TANESCO will implement Grievance Redress Mechanism (GRM) developed under this project and detailed in safeguards instruments, such as the ESIA and RAP study for Iringa-Mbeya TL portion to deals with all E&S issues that may arise regarding acquisition of Mbeya Substation as part of proposed TL project. There will be designated specialists at TANESCO who will manage the GRM and the GRM will be operational during planning, pre-construction, construction, operations and decommissioning phases of the project. A designated safeguards specialist in TANESCO safeguards unit will regularly visit the substation site to monitor implementation of the Corrective Action Plan during its implementation and report to the WB on the status of activities. Once finalized, TANESCO will prepare a Corrective Action Plan implementation report, which will also be included in the Project-level Resettlement Implementation Report and submitted to the Bank immediately after all resettlement activities have been completed.