

**RWANDA ENVIRONMENT MANAGEMENT  
AUTHORITY (REMA)**

**THE LANDSCAPE APPROACH TO FOREST RESTORATION AND  
CONSERVATION (LAFREC) PROJECT IN RWANDA  
(GISHWATI AND MUKURA FOREST RESERVES)**

**RESETTLEMENT PROCESS FRAMEWORK FOR MITIGATING  
POTENTIAL ADVERSE LIVELIHOOD IMPACTS**

**THARCISSE MUSABYIMANA**

Tel. +250 788640812

Email: [mustother@yahoo.fr](mailto:mustother@yahoo.fr)

March 2014

## TABLE OF CONTENTS

TABLE OF CONTENTS .....	1
1. INTRODUCTION.....	3
1.1 Background .....	3
1.2 Description of the Project.....	3
1.3 Policy Trigger.....	5
2. PROCESS FRAMEWORK.....	6
2.2 Expectations of the communities from LAFREC .....	8
2.1 Process to be Followed During Preparation .....	9
2.2 Process to be Followed During Implementation .....	9
2.2.1 Participatory Rural Assessments .....	10
2.2.2 Leading Groups/cooperatives.....	10
2.2.3 Determination of criteria for eligibility of affected people, and identification of measures to assist affected persons .....	10
2.2.4 Management Forum .....	11
2.2.5 Community Resource Management Plans .....	12
2.2.6 Monitoring and Evaluation Arrangements .....	12
3. PLAN OF ACTION .....	13
4. CONFLICT RESOLUTION MECHANISM .....	13
4.1 Proactive Approach .....	13
4.2 Reactive Approach .....	14

# 1. INTRODUCTION

## *1.1 Background*

GEF (Global Environment Facility) has approved the project concept paper (PIF-Project Identification Form) for the Landscape Approach to Forest Restoration and Conservation project (LAFREC) and has allocated funds to Rwanda through the World Bank to enable preparation and design of the project document.

The Landscape Approach to Forest Restoration and Conservation (LAFREC) project is developed around a landscape approach which will bring the forest ecosystems into better management and develop multiple benefits. This will be achieved through the conservation and sustainable use of biodiversity, increased forest cover, climate change adaptation efforts together with combating land degradation and provision of livelihood alternatives to the impacted communities.

This project has two components: (i) Forest-friendly and climate-resilient restoration of Gishwati-Mukura landscape, and (ii) Research, monitoring and management.

## *1.2 Description of the Project*

The project is aligned with country's Second Economic Development and Poverty Reduction Strategy Paper (EDPRS II) thematic areas under specific programs, such as intensification of sustainable agriculture systems, rehabilitation of ecosystems and building resilience to climate change, enhancing cross-sectoral coordination and implementation through local government, and use of local labor.

The project is also framed around WB CSP strategic theme: "Improving the productivity and incomes of the poor through rural development and social protection" by supporting sustainable agricultural production alongside the existing Bank projects that are promoting sustainable agriculture and watershed management. It will as well to promote direct and indirect economic values to landscape management that go beyond local agricultural output, and include tourism and protection of water resources for energy and water supply. It is also relevant to reducing social vulnerability in that it will enhance climate resilience amongst highly vulnerable rural communities.

It is envisaged to have the following components:

- Component 1: Forest-friendly and climate-resilient restoration of Gishwati-Mukura landscape

This component will entail upgrading and sustainable management of Gishwati-Mukura Protected Area (*Planning of buffer zones and physical demarcation of the reserves, Restoration of degraded habitats; Development of management plans; Training and equipping of local eco-guards; Law enforcement; Installation of basic infrastructure; Environmental education*); Forest restoration and land husbandry in the Gishwati landscape (*Sustainable land management with corridor communities, Silvo-pastoralism in the Gishwati landscape, Agroforestry and forest restoration support to LAFREC, Joint land use planning for the Gishwati landscape*); Sustainable and resilient livelihoods, and flood forecasting and preparedness.

- **Component 2 – Research, monitoring and management**

This comprises applied research and impact monitoring as well as project management

The resettlement process framework primarily concerns Component 1 (Forest-friendly and climate-resilient restoration of Gishwati-Mukura landscape) as it is this component that might affect communities neighbouring the targeted areas. This component entails planning of buffer zones and physical demarcation of the reserves. Buffer zones have been pondered over by the Ministry of Natural Resources. However, the physical demarcation of the buffer zones has not been finalized. The theoretical mapping indicates that the buffer zones are not inhabited by people but people fear that the physical demarcation might cause a few people to move. What is known for sure is that this will affect the economic and sociocultural situation of neighbouring communities. About 178,499 people and 46,034 people live in Cells neighbouring respectively Gishwati core natural forest and Mukura natural forest and some of them have plots of land in the buffer zones that they exploit for farming and/or livestock purposes. For these people's sustainable livelihoods, compensation in terms of alternative land and/or money commensurate with their properties as well as accompanying incentives and advantages might be necessary.

Component 1 also includes the restoration of degraded habitats, forest restoration and land husbandry in the Gishwati landscape. This will include sustainable land management with Gishwati-Mukura corridor communities and silvo-pastoralism in the Gishwati landscape, and agroforestry and joint land use planning. Although this subcomponent does not envisage dislocating people from the reserves and the corridor, the introduction of sustainable management of resources, like encouraging people to plant more trees or appropriate and new species and adopt new farming and management practices will definitely infringe on people's ways of living and will necessitate proper communication and incentivisation.

These communities in Gishwati and Mukura area are somehow forest-dependent in that they rely on firewood as a major energy source, and use forest areas for other subsistence and economic activities such as logging, farming staple and cash crops, grazing livestock, mining and medicinal herb production. In some areas these activities exceed sustainable levels hence adversely affect the biological integrity and sustainability of Gishwati and Mukura forest reserves.

The forest dependence of the local communities presents a two-fold challenge to protecting the reserves from overuse and other threats. The first facet of the challenge is how to engage local people in reserve management, during the project implementation and over the long-term. The second is the types of alternatives that will be developed to forest-resource-dependent activities which would both support more sustainable livelihoods and maintain the integrity of the nature reserves. LAFREC needs to take a multi-pronged approach to addressing these challenges through all sub-components of Component 1. Component 2 should actually run concomitantly with component 1 and help identify potential impacts and threats in advance and provide ways to mitigate them.

### *1.3 Policy Trigger*

This Process Framework will be implemented in accordance with World Bank policy on involuntary resettlement. It covers restrictions of access to legally protected areas which result in adverse impacts on livelihoods of the affected people. The social assessment has demonstrated that the project objectives can be better achieved through a participatory process and rehabilitation interventions along the lines outlined in this Process Framework. To determine the appropriate coverage of the Process Framework, LAFREC Component 1 was reviewed and the results of the Social Assessment (SA) were used to confirm if any involuntary restrictions of resource access are anticipated, as well as to evaluate the potential impacts on peoples' livelihoods of any restriction of access likely to be imposed as a result of the implementation of LAFREC Component 1.

In general, logging, grazing, hunting, herbal plant collection, mining, burning of grasses or other vegetation, and farming of crops are all forbidden within the forest reserves, with some exceptions for limited subsistence uses, especially in the buffer zones and Gishwati reserve. Reserves are typically subdivided in to a core zone, where no use for any purpose other than approved research is allowed, and an experimental zone basically the buffer zone, where subsistence and income generating uses are allowed at a limited level as long as the uses do not conflict with the operation of the nature reserve.

The Gishwati-Mukura corridor was only thought of recently. It is yet to respond to the requirements of a normal movement corridor. USDA (2014) looks at a corridor as a connection of protected areas which

can benefit biodiversity by providing access to other areas of habitat, increasing gene flow and population viability, enabling recolonization of patches, and providing habitat. In the course of LAFREC, therefore, people in Mukura-Gishwati corridor will not be moved<sup>1</sup>. They will be, however, sensitised on the importance of having well managed land and tree species, including indigenous tree species, agroforestry techniques and proper land management techniques and incentivised to take relevant and related actions.

In order to enhance the management systems of forest reserves, LAFREC would support, *inter alia*, the development and implementation of management plans for Gishwati and Mukura, which would focus on key management activities to enhance conservation, such as habitat restoration, increased monitoring and working with forest-dependent households and communities to develop and implement regulations and other measures to ensure sustainable utilization of natural resources. LAFREC design would not require involuntary physical displacement or relocation of people. Furthermore, to the extent feasible, LAFREC management plans would avoid including new restrictions or stricter enforcement of current restrictions of use of forest resources by local communities which would adversely affect their livelihoods, beyond those needed to ensure the sustainability of the reserves.

Nonetheless, new or increased restrictions of access to natural resources in the reserves, such as changes in zoning between buffer and core zone, or introduction of a new, buffer zone with increased restrictions from the experimental zone, may be needed to ensure sustainability of the reserves. In some cases, changes in zoning may adversely impact livelihoods. Increased restriction of access cannot be ruled out until the management plans for protected areas are developed during implementation since core zones and buffer zones are yet to be properly and physically demarcated. However, the nature of any proposed restrictions, as well as the type of measures necessary to mitigate adverse impacts of those restrictions, would be determined in consultation with the project-affected groups.

## **2. PROCESS FRAMEWORK**

This Process Framework outlines the criteria and procedures as described in OP 4.12, which will be followed as part of the Project, in cases where project-induced involuntary restriction of access to forest reserve resources results in adverse livelihood impacts, to ensure that eligible, affected persons are

---

<sup>1</sup> For the time being, people in Gishwati-Mukura corridor will not be moved. However, REMA officials say that with time and after availability of resources, these people might be moved and resettled elsewhere in order to create a proper and more wildlife-friendly corridor. It is also worth mentioning that the dream was to link Volcano National Park, Gishwati, Mukura and Nyungwe National Park for a better and consolidated forest and wildlife reserve (Environment Steering Committee Draft, 2010).

assisted in their efforts to restore or improve their livelihoods in a manner which maintains the environmental sustainability of the nature reserve in question. More specifically, it describes the participatory process by which: (a) specific components of the Project were prepared and will be implemented; (b) the criteria for eligibility of affected persons will be determined; (c) measures to assist the affected people in their efforts to improve or restore, in real terms, to pre-loss levels, their livelihoods (e.g., as appropriate, alternative grazing areas, cultivation of non-timber forest products, or investments in community infrastructure) while maintaining the sustainability of the identified protected areas and (d) potential conflicts involving affected people will be resolved. It also provides a description of the arrangements for implementing and monitoring the process.

### *2.1 Community Interactive Discussions*

This Process Framework was informed by the outcome of the stakeholder consultations conducted in March and April 2014 with a representative sample of rural village households in selected “critical” communities in and adjacent to Mukura and Gishwati corridor and buffer zones. The consultation meetings informed the communities of the ongoing project component design, including the protection of the forest reserves by establishing buffer zones. They also provided an understanding of the communities’ use of and dependence on the buffer zones for livelihood activities.

Interactive discussions were also held with relevant implementing partners identified during the stakeholder analysis process. These discussions are the basis for most of the measures contained in this Process Framework and were very useful and insightful in understanding the issues of concern.

People are well aware of the importance of the Gishwati and Mukura reserves. They also understand the importance of the corridor and the buffer zones. Some of the elderly members of the community linked the reduction of the reserves to changes that have negatively affected the people in the area. Having experienced the devastation caused by the 2002 floods, the communities expressed their eagerness for a long-term solution to sustaining their livelihood and protecting the natural resources, all of which aggravate local poverty. They believe that the zones should be clearly demarcated; some suggested that a row of pinus should be considered to demarcate the buffer zones; the trees would protect the zones as cattle will not enter these areas if they are unable to see the grass.

There is a general agreement among the community that people residing close to the forests are destroying these resources by logging, firewood collection and charcoal production. They would like to

see the buffer zones extended to one kilometre to protect the reserves. There were two major concerns expressed as a result of the establishment of buffer zones:

- i. The loss of livelihood due to restrictions in logging, mining, grazing, charcoal making, and collection of medicinal plants.
- ii. Effects on the water sources used by the communities that originate from the reserves.

## *2.2 Expectations of the communities from LAFREC*

Communities affected by the buffer zones said that they would welcome a project in line with the proposed one in their area and welcomed a community-based planning process of interventions, including a review of climate vulnerabilities to strengthen the linkage of land and livelihood interventions to resilience, as well as helping to target vulnerable groups.

In response to the access restriction, the communities would like to see the project contribute to the following:

- i. Support for woodlots to discourage destruction of old trees
- ii. Increase their adaptive capacity in response to climate change
- iii. Introduction of non-agricultural activities like trade and cultural activities
- iv. Inclusion of communities in general and vulnerable groups in particular in reserve management and protection
- v. Alternative livelihood opportunities to discourage logging and mining

People also expressed concerns that the project should take the following actions to achieve better results:

- i. Improved communication regarding the use of buffer zones and the project in general
- ii. Develop a public awareness and sensitization program to facilitate change. This should be done through local stakeholders to ensure their cooperation. Local leaders, opinion leaders, clubs, traders, churches, schools, health centres, farmers need to be mobilized
- iii. Alternatives to activities like mining and logging (especially for people that were exploiting their own plots of land)
- iv. Agreement, collaboration and consultation among institutions dealing with environment and natural resources to discourage mining activities that take place without the approval of the regulatory agency and without consulting REMA officials



- v. Empowerment and encouragement of the District environment officers to educate and interact with communities regularly.
- vi. Provision of budget for restoration of forests and natural resources in Districts.

### *2.1 Process to be Followed During Preparation*

A Social Assessment was conducted during LAFREC preparation by a national expert. A representative sample of rural village households in selected “critical” communities in and adjacent to Mukura and Gishwati which are the project area were interviewed. The objective of the Social Assessment was to: (a) assess the existing social conditions; (b) determine the potential negative impacts of the component, if any; (c) serve as a vehicle for community consultations on the component; and (d) inform the ongoing project component design.

The Social Assessment found that the likely overall impact of the proposed LAFREC component would be positive since the participation of local communities in the preparation and management of forest reserves would be increased, alternative methods for reducing wildlife damage would be introduced, awareness of potential forest reserves’ benefits on local economies would be enhanced, and alternative livelihood and energy efficiency activities would be supported. The results of the Social Assessment were used to refine the design of the LAFREC component, enhancing positive impacts and mitigating likely adverse effects. Nonetheless, it is possible that some component activities could inadvertently adversely affect the livelihoods of persons adjacent to the concerned forest reserves.

Preparation or revision of management plans for protected areas would follow a participatory approach, in which the roles of local communities in the management of LAFREC would be strengthened, and appropriate measures would be identified with local communities to enhance the sustainability of forest resource-based livelihood activities and manage pressures on the forest reserves. In addition, a community-based nature conservation sub-component would assist LAFREC develop its community-based approach to conservation through support to: (a) the establishment of district/sector-level organizational structures, as well as strengthening village institutions, for the development and implementation of co-management activities in the reserve areas; (b) decreasing the threats from overuse of forest resources for energy through targeted demonstrations of appropriate, practical, and cost-effective energy conservation approaches; and (c) providing training and technical assistance for the identification and demonstration of alternative income generating techniques as alternatives to the use of critical forest resources.

### *2.2 Process to be Followed During Implementation*

The process to be followed during project implementation would consist of the following seven key steps: (a) conduct participatory rural assessment (PRA) surveys to determine community use of natural resources and critical threats, conflicts and community issues; (b) establish and train leading groups; (c) select co-management demonstration sites; (d) establish Management Forum in communities; (e) prepare Community Resource Management Plans, and (f) monitor and evaluate implementation.

### *2.2.1 Participatory Rural Assessments*

Following-up on the Social Assessment conducted during preparation, additional work on social assessment through Participatory Rural Assessment (PRA) surveys would lead off the implementation of the component. The PRAs would focus on developing a more in-depth understanding of: (a) the social and geographic setting of the communities in the component areas, including their economic and social problems; (b) the types and extent of community use of natural resources, and the existing *de jure* and *de facto* rules and institutions for the use and management of natural resources; (c) the communities' threats to and impacts on the forest reserves; (d) the potential livelihood impacts of new or more strictly enforced restrictions on use of resources in the forest reserves; (e) communities' suggestions and/or views on possible mitigation measures; and (f) potential conflicts over the use of natural resources, and methods for solving potential conflicts. The results of the PRAs will be an input to the development or revision of the project plans.

### *2.2.2 Leading Groups/cooperatives*

Leading groups for each of the forest reserve, comprising officials from local government, staff from the nature reserves, and representatives of the local communities participating in the co-management activities (taking into account real sociocultural constructs and bearing in mind vulnerable groups) will be formed. The leading groups will be charged with overseeing the co-management process, with key tasks and responsibilities including: (a) preparing selection criteria for the co-management demonstration sites; (b) coordinating technical advice, programmes and cooperation among various local government departments; (c) reviewing and approving the Community Resource Management Plans and community contracts; and (d) resolving conflicts arising out of the co-management process.

### *2.2.3 Determination of criteria for eligibility of affected people, and identification of measures to assist affected persons*

Selection of the villages to participate in the Community-Based Conservation would be based on the results of the participatory rural assessments (PRAs) as well as the threats analysis, to identify the

sources of the major risks to the nature reserves, conducted as part of the nature reserve management planning process. Participating villages would be identified based on their level of dependency on the forest resources inside the reserves, the degree of threat that these uses pose to the reserves, and the anticipated severity of adverse impact to livelihoods from imposition of any proposed use restrictions. The results of the PRA and the risk analysis will be used to ensure that the Project provides benefits to eligible forest-dependent households in the project areas adversely affected by the Project, and to help define project activities that will assist them in improving their livelihoods, both by enhancing and improving the sustainability of the natural resource base and by identifying alternative sources of income (e.g., skills training, small grants, technical extension, etc.).

Based on the results of the PRA surveys and the risk analysis, the Leading Groups will determine the eligibility of villages as well as confirm the eligibility of households in the eligible villages, and select co-management sites in or around each of the reserves on the basis of severity of impacts. Critical communities (i.e., those which are dependent on the nature reserve, pose a threat to the nature reserve, and would be adversely affected by proposed use restriction), as identified in the management planning process, will get priority for project activities under the Community Resource Management Plans. Other communities, either less impacted or exerting less pressure on reserve resources, may not be able to participate. A minimum of 25 Cells (16 in Gishwati, 4 in Mukura and 5 in the corridor) might be selected to participate in co-management activities, including alternative livelihood measures. Another 10 Cells might be selected to participate in fuelwood management and/or technical training activities. In addition, 10 Cells will be supported in community-based wildlife management demonstrations. The final identification of high risk villages and number of Cells to be included in the Community Resource Management Plan will be determined after the buffer zones are mapped and demarcated.

#### ***2.2.4 Management Forum***

A Management Forum (MF) for the co-management process would be comprised of representatives of various stakeholder groups, including the Cell/village committee, Cell/village groups, special groups, and nature reserve staff. The exact composition of the MF would be determined by the results of the PRA, which would clarify the traditional power structures and their relationship to the official power structures. Where appropriate, the MF would include religious and/or opinion leaders (e.g., monks, community leaders). The MFs would lead the preparation of Community Resource Management Plans (CRMPs). In addition, the MF would approve community conservation and development project supported by the project, enforce rules and regulations of the CRMP, and adjudicate potential conflicts.

### *2.2.5 Community Resource Management Plans*

As an incentive for local communities to participate in the development and implementation of the planned activities, the Project will help the communities to prepare CRMPs, outlining the priority management actions that communities would need to undertake, as well as meeting priority needs of communities. Thus, the CRMPs would provide management programmes, or plans and rules agreed upon by the community, the nature reserve and local government, that provide for more sustainable use of critical community resources, such as firewood and wild medicinal plants.

The CRMPs would be developed by the village-level MF, a village stakeholder committee built on the village committee, through participatory mapping exercises and detailed consultations with stakeholders. All people affected by project activities would be given the opportunity to participate in planning and implementation of CRMPs. The MFs would be provided with technical assistance from the District to outline their respective natural resources management issues, and to develop a plan for solving the most important conflicts or threats facing the nature reserve and the community. Each of the CRMPs would comprise a community-based resource use and protection programme, proposals for economic activities that reduce the overuse of critical resources or provide alternative livelihoods for resources lost, and outline the organizational structure and approach for managing the implementation of the CRMPs. As village capacity to develop and manage projects is generally low, village leaders and other members of the MF would receive project management training under the Project.

Eligible activities in the CRMPs would be financed through the project with appropriate counterpart funding from local governments and beneficiaries. Eligible activities for financial assistance include small-scale enterprises, alternative livelihood activities or small-scale conservation and rural development activities, such as installing energy conserving technologies in village households. The CRMPs will also contain negotiated conservation agreements related to the project, which will outline in detail the conservation activities to be undertaken by the community as part of implementation of the management plan. Funding for the CRMPs will be conditioned on commitment by the community to undertake the agreed conservation measures, as well as on making counterpart contributions and ensuring maintenance of investments, as appropriate.

### *2.2.6 Monitoring and Evaluation Arrangements*

Baseline information on socio-economic conditions of the villages and household, in particular the potential livelihood impacts of new or more strictly enforced restrictions on use of resources in the

reserves, will be collected through the PRAs conducted at the initial stage of implementation. These data will be used as the basis for determining the eligibility of villages and households for assistance under the process framework, as well as designing measures to assist the affected people in their efforts to improve or restore their livelihoods to comprise the CRMPs. Follow-up PRAs, conducted at the mid-term review and the close of Project, will update these data for the purpose of monitoring and evaluation of the implementation and impacts of the CRMPs. The specific monitoring indicators will be outlined in the Plan of Action. Possible indicators include: numbers of eligible villages and households; the potential livelihood impacts to these villages and households of new or more strictly enforced restrictions on the use of resources in the reserves; livelihood benefits and measures to assist the affected persons; numbers of villages and households participating in CRMPs; and funds provided to eligible villages and households through the project.

### **3. PLAN OF ACTION**

The CRMPs for the reserves would serve as the Plan of Action required by the Bank's policy on involuntary resettlement to be developed and submitted to the Bank during project implementation and prior to enforcement of new restrictions of access to resources in the reserves, describing the specific measures to assist people likely to be adversely affected by the proposed restrictions.

### **4. CONFLICT RESOLUTION MECHANISM**

The risk of conflicts that might arise in communities, villages and households during implementation of this process framework will have to be addressed. A two-fold mechanism, with both proactive and reactive elements for resolution of conflicts, disputes and grievances that might arise, would be put in place

#### ***4.1 Proactive Approach***

Recognizing that many conflicts arise due to difference in understanding and perceptions, a proactive approach would be adopted to avoid conflicts before they start. This approach would promote a common understanding through a four-pronged approach, including: (a) wide-spread disclosure of project background information; (b) clarification of the criteria of eligibility for assistance under the process framework; (c) clarification of the duties and responsibilities of all stakeholders in the process, and in particular the composition and roles of the leading groups and management forums; and (d) community conservation education and public awareness regarding values of the forest reserve, threats to the reserves, and options for mitigating these threats.

#### *4.2 Reactive Approach*

Conflict that do arise would be dealt with through the appropriate leading groups and MFs. The MFs would adjudicate potential conflicts at the village level. If resolution is not possible at the village level, the MF can seek advice from the sector-level Leading Group, who are charged with overseeing the co-management process.

All the grievances will be channelled via the Resettlement and Compensation Committee for each sub project at the sector level. The composition of the Resettlement and Compensation Committee will be coordinated by the District Land Bureau. This committee upon receiving any grievances will first forward them to the village-level mediators (*abunzi*) whose work is to hear disputes, especially land disputes. The *abunzi*, or mediation committees, have mandatory jurisdiction over land disputes involving amounts less than three million RwF, which means over most land disputes.

The existing structures in Rwanda for handling expropriation grievances are decentralized and include at the lowest level- Sector or Cell Level Land Committees. If grievances cannot be resolved at this level, then they are moved to the District Land Commission and District Land Bureau, then to the Provincial Land Commission/Bureau and finally National Land Commission/Bureau. If a PAP is not satisfied with the decisions of these institutions, then the High Court of Rwanda remains the ultimate institution for seeking redress.

The grievance redress mechanisms is designed with the objective of solving disputes at the earliest possible time which will be in the interest of all parties concerned and therefore implicitly discourages referring such matters to the law courts for resolution which would otherwise take a considerably longer time.

For this reason, handling grievances will begin with the local level institutions (Abunzi, Sector or cell level land committees) as the first stop before resorting to District Land Bureaus, Provincial Land Bureaus, National Land Bureaus and finally if not satisfied the Rwanda Courts of Law as the last resort. A grievance log will be established by the project and copies of the records kept with all the relevant land authorities at the district, sector and village level and will be used in monitoring of complaints.

LAFREC being a party to the contract would not be the best office to receive, handle and rule on disputes. Therefore, taking these concerns into account, all grievances concerning non-fulfilment of

contracts, levels of compensation, or seizure of assets without compensation should be addressed to the local village/umudugudu/or village resettlement committee for resolution as described above.

At the village/cell level, all grievance will be heard by the already in place village-level mediators (*abunzi*) whose work is to hear disputes, especially land disputes. The *abunzi*, or mediation committees, have mandatory jurisdiction over land disputes involving amounts less than three million Rwf, which means over most land disputes. The *Abunzi* also have mandatory jurisdiction over succession and boundary disputes involving less than three million Rwf. The *abunzi* will be used in the LAFREC project as the first stop for resolving disputes and grievances following land acquisition. They will be involved in the compensation process from the beginning to the end.

If the verdict rendered by the village leaders is not acceptable to either the individual affected or to LAFREC, then the parties in their compensation contract would have agreed that the matter would be appealed to the District Land Bureau, whose decision would be final and binding on the parties.

Also, in the local cultures it takes people time to decide that they are aggrieved and want to complain. Therefore, the grievance procedures will give people up to the end of the next full agricultural season after surrendering their assets to set forth their case.

All attempts would be made to settle grievances. Those seeking redress and wishing to state grievances would do so by notifying their the appropriate authority as described above, who will in turn inform and consult with LAFREC, REMA, MINIRENA, homestead/household representatives and leaders and other records to determine a claims validity.

If valid, the village/umudugudu leaders or the appropriate district authority will notify the complainant and s/he will be settled. If the complainants claim is rejected, then the matter will be brought before the law courts for settlement. The decision of the court (i.e. Magistrate or high court) would be final and all such decisions must be reached within a full growing season after the complaint is lodged. This is designed to ensure a speedy and affordable adjudication.

If a complaint pattern emerges, LAFREC, the district and regional administrations, with the local leaders will discuss possible remediation. The local leaders will be required to give advice concerning the need for revisions to procedures. Once they agree on necessary and appropriate changes, then a written description of the changed process will be made. LAFREC, the district and regional administrations and

the traditional leaders and representatives will be responsible for communicating any changes to future potential PAPs when the consultation process with them begins.

### 11.3 Management of Reported Grievances

The procedure for managing grievances should be as follows:

The affected person should file his/ her grievance, relating to any issue associated with the resettlement process or compensation, in writing to the subproject Resettlement and Compensation Committee which will be elected by the District Land Bureau and constituting of persons or institutions. This committee does not currently exist, but is proposed as part of the RPF implementation arrangements, and will operate at sector level. It is proposed to be coordinated by the District Land Bureau, due to the executive powers of the DLB. Once each proposed project site has been and approved by the District as an appropriate project by the District Executive Council and District Land Commission this committee will be immediately instituted.

The grievance note should be signed and dated by the aggrieved person. A selected member of the Committee will act as the Project Liaison Officer who will be the direct liaison with PAPs (this should be the Social representative from the PCT). The PLO should be working in collaboration with an independent agency/NGO person ensure objectivity in the grievance process. Where the affected person is unable to write, the local Project Liaison Officer will write the note on the aggrieved person's behalf.

Any informal grievances will also be documented by:

1. The Project Liaison officer. The note should be embossed with aggrieved person's thumbprint. A copy of this completed form should be submitted by the Project Liaison Officer to PCT.
2. The Project Liaison Officer and the sub-project Resettlement and Compensation Committee will consult to determine the validity of claims. If valid, the Committee will notify the complainant and s/he will be assisted.
3. The sub-project Resettlement and Compensation Committee will respond within 14 days during which time any meetings and discussions to be held with the aggrieved person will be conducted. If the grievance relates to valuation of assets, a second or even a third valuation will be undertaken, until it is accepted by both parties. These should be undertaken by separate independent valuers than the person who carried out the initial valuation. The more valuations that are required to achieve an agreement by both parties, the longer the process will take. In this case, the aggrieved person must be notified by the Project Liaison Officer that his/her complaint is being considered.



4. If the complainant's claim is rejected by the Committee, the Project Liaison Officer will assist the aggrieved person to take the matter to the Cell Land Adjudication Committee, legally responsible for resolving formally lodged grievances. OR
5. If the aggrieved person does not receive a response or is not satisfied with the outcome within the agreed time, s/he may lodge his/her grievance to the Cell Land Adjudication Committee or the relevant Municipal Administration (such as the District Land Bureau, also mandated to help resolve such matters). If requested, or deemed necessary by the sub-project Committee, the Project Liaison Officer will assist the aggrieved person in this matter.
6. The Cell Land Adjudication Committee or the relevant Municipal Administration will then attempt to resolve the problem (through dialogue and negotiation) within 30 days of the complaint being lodged. If no agreement is reached at this stage, then the complaint is dealt with through the local courts (Abunzi) where possible.
7. Where matters cannot be resolved through local routes, the grievance will be referred to higher authorities. The subproject Resettlement and Compensation Committee will provide assistance at all stages to the aggrieved person to facilitate resolution of their complaint and ensure that the matter is addressed in the optimal way possible.

#### **11.4 Grievance Log**

The Project Liaison officer will ensure that each complaint has an individual reference number, and is appropriately tracked and recorded actions are completed. The log also contains a record of the person responsible for an individual complaint, and records dates for the following events:

- Date the complaint was reported;
- Date the Grievance Log was uploaded onto the project database;
- Date information on proposed corrective action sent to complainant (if appropriate);
- The date the complaint was closed out; and
- Date response was sent to complainant.

#### **11.5 Monitoring Complaints**

The Project Liaison Officer will be responsible for:

- providing the sub-project Resettlement and Compensation Committee with a weekly report detailing the number and status of complaints;
- Any outstanding issues to be addressed; and
- Monthly reports, including analysis of the type of complaints, levels of complaints, actions to reduce complaints and initiator of such action.



## REFERENCES

1. Environmental and Social Management Framework (ESMF), Resettlement Policy and Process Frameworks (RPF and PF) and Integrated Pest Management Plan (IPMP) that were prepared for LVEMP II
2. Land Husbandry, Water Harvesting and Hillside Irrigation (LWH) (2009) Resettlement Policy Framework
3. Rwanda Environment Management Authority (REMA) Landscape Approach to Forest Restoration and Conservation (LAFREC) project (2014)
4. Rwanda Environment Management Authority (REMA) Lake Victoria Environmental Management Project (LVEMP) Phase II (2011) Resettlement Policy and Process Frameworks
5. Rwanda's Organic Law N° 03/2013/OL of 16/06/2013 determining the use and management of land in Rwanda
6. World Bank Involuntary Resettlement Operational Policy 4.12