

DAR ES SALAAM METROPOLITAN DEVELOPMENT PROJECT (DMDP)

FEASIBILITY STUDIES, PREPARATION OF PRELIMINARY AND DETAILED ENGINEERING
DESIGNS, COST ESTIMATES, BIDDING DOCUMENTS AND ENVIRONMENTAL AND
SOCIAL DUE DILIGENCE

LOWER MSIMBAZI UPGRADING PROJECT

**DRAFT RESETTLEMENT ACTION PLAN AND
LIVELIHOOD RESTORATION PLAN**

OCTOBER 2023

CLIENT: PRESIDENT'S OFFICE, REGIONAL ADMINISTRATION AND LOCAL
GOVERNMENT (PO-RALG)
TENDER NO.: ME/022/2020/2021/HQ/C/09



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Document: RAP and LRP
Status: Draft
Code: B1903-06-R004
Revision: V2.1
Date: SEPTEMBER 2023

Rev.	Description	Prepared	Approved / Reviewed	Date
2.1	Draft	Key Experts	D. Sungusia & B. Van de Sande	March 24, 2022
2.0	Draft	Key Experts	D. Sungusia & B. Van de Sande	March 8, 2022
1.1	Draft	Key Experts	D. Sungusia & B. Van de Sande	February 10, 2022
1.0	Draft	Key Experts	D. Sungusia & B. Van de Sande	January 15, 2022

CONSULTANTS' TEAM

The organisations that form the Consultants' Team, and their roles, are presented below:

CDR International – One of the Lead consultants in this Joint Venture, CDR has international experience in engineering in coastal, deltaic, and riverine projects based in The Netherlands. CDR in this project is responsible for role the river system analysis, vulnerability mapping, identification and prioritization of solutions and associated technical feasibility, cost estimation, and detailed design studies.



NORPLAN Tanzania Ltd (NORPLAN) is the second lead consultant in the Joint Venture for this project. NORPLAN is a multidisciplinary firm that will be key experts in the geotechnical and civil studies as the Environmental and social impact Assessment. NORPLAN will support further with their local knowledge and expertise.



DASUDA is the Dutch Alliance for Sustainable Urban Development in Africa. It focuses on the emerging urban centres, cities and metropolises in sub-Saharan Africa, facing a doubling of its population within one generation in its urban environment. DASUDA's expertise lies in urban planning and landscape architecture.



DELTAIRES is a leading (not-for-profit) and internationally operating specialist consultancy and applied research institute in the field of water, subsurface and infrastructure. Deltares will perform the hydraulic and hydrodynamic modelling exercises for this project.





EXECUTIVE SUMMARY

ES0. About this RAP

This RAP is for the lower Msimbazi Area and it has been prepared in two phases; phase one which is for the flood prone area and phase two for other associated infrastructures that includes terracing. The implementation of this RAP will also be in phases starting with phase one.

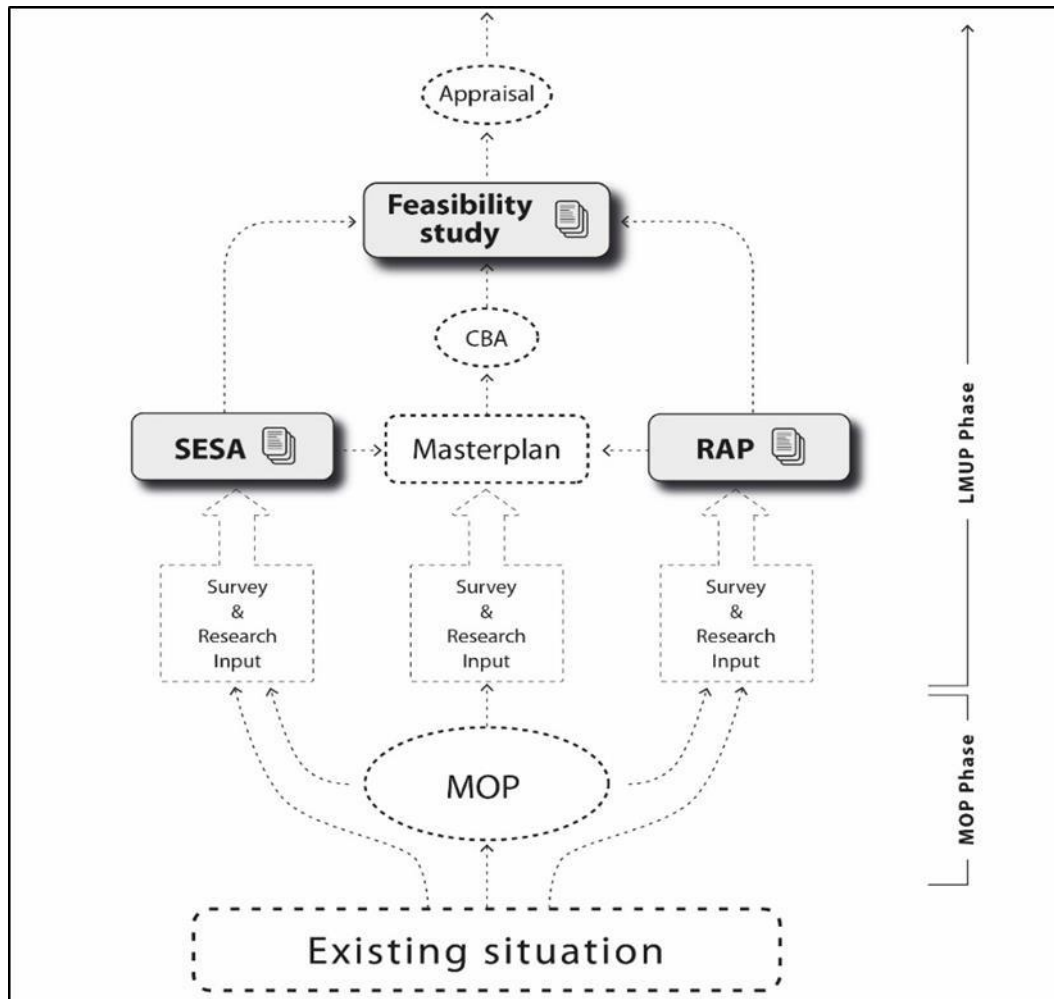
The Resettlement Action Plan and Livelihoods Restoration Plan (RAP and LRP) is a resettlement instrument (document) that is prepared when subproject locations are identified to guide resettlement activities as is the case with the Msimbazi Opportunity Plan (MOP). The document contains specific and legally binding requirements to be abided by in resettling and compensating the affected persons before implementation of the project activities which cause adverse impacts.

The RAP and LRP document is created to provide project advice related to the impact of the project on the displacement of people and/or economic activities. The Preparation of RAPs is normally done during the project preparation phase in order to have a full understanding of the project's impact during the appraisal stage. Therefore, this RAP and LRP is considered part of the overall project preparation process. It is required to provide a framework through which adverse socioeconomic impacts including involuntary acquisition of land and the subsequent resettlement of affected families as a result from the implementation of structural measures, are addressed.

The purpose of developing a RAP and LRP at this initial stage of the project cycle is to outline the framework for mitigating and restoring the project's impacts on the livelihoods of project-affected communities as early as possible before the implementation of the project commences. This will allow for effective disclosure to key stakeholders, and subsequent feedback and inputs, prior to the project approval and commencement.

The RAP and LRP is firmly based on surveys and research on the existing situation, interviews with people who currently live in the Lower Msimbazi Basin and valuation of properties and income/livelihoods supporting activities.

Therefore, this RAP and LRP can be seen as a detailed check on the consequences and impacts of the proposed Msimbazi Opportunity Plan (MOP) based on more detailed research on the existing situation. The MOP was created in 2018 and forms the point of departure for creating the Lower Msimbazi Upgrading Project (LMUP). The LMUP can be seen as the follow up on the 'detailed plan for the lower Basin' as described in volume B of the MOP. It has approximately the same project boundaries as the MOP Lower basin and does not cover the middle basin and the upper basin. The RAP and LRP also focusses on the impacts of the project on the Lower Msimbazi Basin. The measures and consequences in the RAP and LRP concerning the lower Basin are to be integrated in the solutions presented in the LMUP.



Coherence of different reports in the LMUP, based on the findings in the MOP

ES1. Introduction

Over the past ten years, the President’s Office Regional Administration and Local Government (PO- RALG) has successfully implemented the Dar es Salaam Metropolitan Development Project (DMDP). The Government of Tanzania (GoT) has embarked on implementation of three major strategic programs to reduce the vulnerability to flood hazards and build resilience to adapt to the impacts of such hazards including the impacts on transport. These projects include the Tanzania Urban Resilience Program (TURP); the Dares Salaam Metropolitan Development Project (DMDP); and the Dar es Salaam Urban Transport Improvement Project (DUTP).

The TURP, DMDP and DUTP recognize addressing flooding in the Msimbazi valley and increasing mobility within the city as important steps towards enhancing resilience of Dar es Salaam city to the impacts of climate change. Storm waters have been causing floods in Dar es Salaam, which affect people’s economies and cause damage of property and transport infrastructure. Since (1979), GoT declared the Lower Msimbazi Valley as hazardous for human settlement and designated the area for development of City Park.

Two demolition campaigns, one in 2011 and another in 2015/16 were initiated to remove informal settlements especially in flood-prone areas but were halted due to social and political reasons. Limited ad hoc dredging of the river channel to remove accumulated sediment and waste before annual rains has been carried out, but a sustainable and comprehensive management system is not yet in place. The prevailing situation justifies the need for a comprehensive plan that proposes a multi-stakeholder approach to address the complex institutional, environmental, social and technical challenges posed by regular flooding.

ES2. Potential Impacts

Positive impacts: The construction and improvement of the Lower Msimbazi Valley as proposed in the MOP and elaborated on in the LMUP has many socio-economic benefits. Apart from improving the safety in the area and improving quality and standard of living of the urban population, the construction activities will generate employment opportunities; and stimulating socio-economic activities within the project area.

Negative Impacts: Despite positive socio-economic impacts, the project is likely to experience some adverse impacts. For example, implementation of civil works will be associated with the following impacts: 'lands uptake', which might lead to temporary/ permanent physical and economic displacement as well as restrictions on access to natural resources. Others are environmental impacts including: (a) increased pollution with waste, noise, dust, exhaust gases from fuel combustion products; (b) Health and safety hazards risks resulting from construction activities; (c) contamination of groundwater and surface water; and (c) threats to human health as a result of improper handling of heavy machinery during construction activities.

ES3. Magnitude of Impacts

The project will have impacts on people living in the project areas as well as their assets including land, trees and crops and structure/houses. In the surveys carried out in the area, recorded public structures and community property mainly owned by religious groups (church and mosques) were recorded. The affected assets were evaluated for compensation. Subsequent sections present numerical impacts as per the findings of the surveys.

Affected Population:

The project is estimated to affect 5,966 Project Affected Head of Households owners and tenants. 165 households will be economically displaced and 5,801 will be physically displaced for the flood prone area. Apart from commercial and physical displacements there are 1859 assets that are submerged, abandoned and others were demolished by the government. Table below presents breakdown numbers based on different uses of the affected assets.

The census survey recorded 3480 PAPs head of Household who are owners living in the floods prone areas and 298 for other infrastructures. Table below shows number of the PAPs for living in the areas including owners, members of the affected household and tenants.

Table 1: Flood Prone Areas PAPs

Municipality	Owner				Tenants		Total Owners & Tenants		Total per / Municipality
	Heads Of HH		Members				Female	Male	
	Female	Male	Female	Male	Full time/With or Without Contract	Lodgers and Boarders			
Ilala	709	912	1,207	1575	395	2091	2,614	3,348	5962
Kinondoni	800	1,059	1,090	1276			2,343	2,809	5152
Total	1,509	1,971	2,297	2851			4,957	6,157	
G/Total	3,480		5,148		2,486		11,114		

Table 2: PAPs Affected by Infrastructure

	Name of Mtaa	No of Owner	No of Tenant
DCC			
Jangwani	Mtambani A	5	0
	Mtambani B	15	0
Kariakoo	Kariakoo Kaskazini	4	0
Mchikichini	Ilala Kota	40	4
	Misheni Kota	16	0
	Msimbazi Bondeni	84	10
Upanga Magharibi	Charambe	10	0
Subtotal Ilala		174	14
Kinondoni			
Hanasif	Kawawa	9	0
	Mkunguni A	10	0
	Mkunguni B	20	7
Magomeni	Suna	39	81
Mzimuni	Mtambani	9	0
	Mwinyi Mkuu	36	1
Subtotal Kinondoni		123	89
Total		297	103

Table 3: Summary of Types of PAPs Affected by Infrastructure

Type of PAP	Total Number
Heads of Households	268
Household Members	902
Tenants	102
Total	1,272

Impacts on Land: The land on which is being acquired for phase 1 covers more than 69.30 ha from 16 sub-wards commonly known as Mitaa.

Impacts of Trees and Crops: The project will likely impact about 5,179 trees. The owners of the impacted trees will be compensated according with the Government rates and at full replacement cost in accordance to the requirements of ESS 5.

Impacts on Structures: Overall structures that would be affected by the project are 2797. Some are occupied while others are abandoned due to bad conditions after being devastated by water. Also, the surveys have recorded 17 stand-alone public structures, prayer houses (Mosques and Churches) and a marketplace.



Impacts on Livelihoods: Adverse impacts on livelihoods are unavoidable for some affected households due to permanent land acquisition of their horticultural plots. Some affected households have lost their sources of earning as their shops / commercial structures have been adversely impacted by the project. Potential impacts on livelihoods of affected households are discussed below:

Agriculture Based Livelihoods:

- Commercial Livelihoods:
- Loss of Access to Resources:
- Disruption of social safety networks

ES4. Land Acquisition Processes

Where land acquisition is required, the project needs to draw a strategy and implement action plan to secure land. Land acquisition will basically be involuntary acquisitions. The former is traditionally accepted and mainly practiced in community led initiatives where community itself decides on the activities to be taken up under the Project. Yet, under such circumstances, Project set procedures to guide land donations procedure to ensure that donation is done voluntary and without any force and that, the land donor is not affected adversely as a result of the land donation. Involuntary land acquisitions, however, requires much more focused and planned attention as it could result in economic and/ or physical displacement and consequently several and severe adverse impacts to the displaced people. The RAP therefore defines the procedures for: (i) acquiring land (voluntary and or involuntary) after all technical alternatives have been exhausted; (ii) dealing with any residual impacts from land acquisition (i.e. identifying, establishing the valuation of, and compensating people that suffer economic losses or loss of private property); (iii) defining entitlements and eligibilities and temporary relocation framework, (iii) policies and procedures for monitoring and verification; (iv) grievance redress mechanisms; and (v) funding arrangements.

ES5. Need for the RAP

The Resettlement Action Plan (RAP) is prepared to address project impacts especially those associated with displacement of people and or economic activities. This RAP is required to provide a Site specific Resettlement action Plan through which the identified project adverse socioeconomic impacts including involuntary acquisition of land and the subsequent resettlement of affected families are addressed.

The RAP will also serve the following specific purposes:

- Review the existing national legal frameworks, compares with the World Bank Environmental and Social Framework (ESF), identifying gaps and subsequent suggesting measures to fill those gaps;
- Describes the approach for securing private land, assets and other common property resources;
- Defining exclusion list;
- Defining valuation process of impacted assets;
- Defining the process for preparation of RAPs and their review;
- Defining the cutoff date for All project affected persons;
- Identifying the consultation mechanisms/approaches to be adopted while preparing and implementing RAPs including public disclosures;
- Defining the monitoring and evaluation arrangements including Grievance Redress Mechanisms (GRM); and
- Put in place the institutional and implementation arrangements with clear roles and responsibilities of different stakeholders.

Project-specific RAPs will be prepared in accordance with the RPF. In addition, other corresponding safeguards documents such as Environmental and Social Management Framework (ESMF), and Stakeholders Engagement Plan (SEP) will address other project impacts that are not related to land acquisition and restrictions on land use by the community.



ES6. Guiding Legal Frameworks

This RAP is prepared in line with relevant National laws and Decrees as well as the World Bank Environmental and Social Standard 5: Land acquisition, Restrictions on Land Use and Involuntary Resettlement (ESS5). The RAP applies to all economically and/or physically displaced persons regardless of the total number affected and the severity of impact and whether or not they have legal title to the land. Equally, attention will be paid to the needs of vulnerable groups including women-headed households, low-income households, households headed by the elderly with no support, and households headed by physically challenged people. RAP preparation has been participatory, based upon consultations with a variety of stakeholders and the draft RAP will be disclosed to stakeholders through a disclosure workshop.

There are some differences between the World Bank standards and Tanzania's legislation in the sphere of involuntary resettlement. The main discrepancies include:

- i. providing detailed explanations of entitlements to project affected households,
- ii. provision of compensation based on market value instead of full replacement cost,
- iii. defining the cut-off date, and
- iv. Carrying out socioeconomic surveys.
- v. informal settlers/squatters
- vi. right to livelihood restoration

The RAP has been prepared by harmonizing to the extent possible the two policies. However, The World Bank ESS5 will prevail in cases of differences in substance and/ or in the interpretation between WB and Tanzanian legislation.

ES7. Valuation of the Assets:

The Replacement Cost method will be employed to establish value of affected land and assets¹ cost as per WB-ESS5, states that, "when land acquisition or restrictions on land use (whether permanent or temporary) cannot be avoided, the Borrower will offer affected persons compensation at replacement cost, and other assistance as may be necessary to help them improve or at least restore their standards of living or livelihoods". Meaning that in the case of physical displacement, the Borrower will develop a plan that covers, at a minimum, the applicable requirements in ESS 5 regardless of the number of people affected. The valuation will comply with both GOT and WB legal frameworks.

Replacement cost: Replacement cost is the principle to be complied with in compensating for lost assets as per Table 6(4). Thus, the valuator should conduct analysis of the valuations calculated under Tanzanian laws and establish variation factors to bridge the gaps. It has been noted in most cases that GoT rates are rarely tallying with the requirements of the replacement cost partly due to the fact that the rates are outdated since they are published at least a year after research. For this RAP replacement cost has been used.

ES8. Entitlement Matrix (EM)

Each subproject needs to be screened for social impacts based on the given designs for the proposed improvements to determine if there are any impacts that require the preparation of the RAP that entitles the Project Affected Persons (PAP) to resettlement assistance. Based on the harmonization efforts and the impacts likely to occur, an Entitlement Matrix (EM) has been developed, that summarizes the types of losses and the corresponding nature and scope of entitlements. Compensation and rehabilitation assistance for various categories of losses based on the tenure and magnitude of impact has been provided. Additional assistance to vulnerable households, reimbursement of transaction costs in relation to those who receive land for land compensation are some of the provisions contained in the EM.

ES9. Defining Cut-off Date

- ✓ In order to ensure that ineligible persons do not take the opportunity to claim eligibility, a cut-off date was established – 10 November 2021 for the flood prone area PAPs while that of the infrastructures cut-off date was 14th November 2022. The cut-off date is the date of commencement of the census and assets inventory surveys. The cut-off date was communicated to the DCC and KMC authorities. Wards and Sub ward leaders were well informed on the date. PAPs were informed on the cutoff date during the consultation meetings as well during data collection on one-to-one bases. The PO – RALG has the responsibility of communicating with Public through public meetings
- ✓ The exercise is legal action and mandatory exercise according to Tanzania law and WB ESS5.

ES10. Community Engagement

The involvement of PAPs in planning prior to the move is critical. The WBCU, with the support of LGAs, organized workshops with stakeholders as well as supporting sensitization meetings with relevant Stakeholders to each sub wards (*Mitaa*) during RAP preparation. Consultations with PAPs were conducted through meetings facilitated by both WBCU and RAP developing Consultant. Any legitimate issue raised through the public consultation were included in the RAP. The concerns of PAPs are taken into account and reflected in implementation plans. The stakeholder’s engagement and consultations are essentially guided by ESS10.

ES11. Grievance Redress Mechanism

During RAP preparation the Consultant worked closely with sub ward (*mitaa*) leaders to establish interim Grievance Redress Committees. This RAP further presents the GRC formalization and operationalization processes for the Grievance Redress Mechanism (GRM). The idea is to have a GRM that will function at four-levels to receive, evaluate and facilitate the resolution of displaced person's concerns, complaints and grievances. The GRM will be at two levels i.e sub ward level and district level. In each level there will be grievance redress committees. The committees’ members will include co-opted members from NGOs to handle issues related to SEA and GBV.

ES12. Monitoring and Evaluation

WBCU will be responsible for undertaking Monitoring and Evaluation (M&E) to see efficiency, suitability and effectiveness of RAP implementation. The M&E will include monitoring and verification of processes and activities in RAP implementation and will prepare and submit to the Ministry quarterly reports. The generated information will be used to identify mid-course corrections and in doing any improvement in project design and implementation.

ES13. Funding Sources and Arrangements

In order to implement the Resettlement related measures, budgetary provisions will be made available, in terms of each RAP Component. Budgetary estimation for various components in resettlement implementation is necessary, this includes resettlement management. Accordingly, land acquisition and resettlement expenses for consultation and participation, grievance redress, the cost of relocation, income restoration, transitional allowance, livelihood program, monitoring and evaluation, administration, contingencies etc. are included as cost estimates for social management. Table below presents summary budget for RAP and LRP implementation.

Table 4: Compensation Budget Phase 1

1. COMPENSATION BASE		TZS	USD
a. Land Quantum			
Total Land (ha.)	69.48	13,600,000,000.00	5,440,000.00
Total	69.48	13,600,000,000.00	5,440,000.00

b. Affected Trees (Nos)			
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Crops & Trees	7619	241,965,288.40	96,786.12
Total (1)	7619	241,965,288.40	96,786.12
c. Buildings/structures (Nos.)			
Buildings	4192	42,605,598,211.68	17,042,239.28
Total (2)	4192	42,605,598,211.68	17,042,239.28
2. TOPPING UP ALLOWANCES			
Disturbance Allowances 7%	2329	2,999,329,445.01	1,199,731.78
Transport allowance (owners)	1454	363,500,000.00	145,400.00
Transport allowance (Tenants)	395	19,750,000.00	7,900.00
Accommodation Owners	2329	10,780,740,000.00	4,312,296.00
Accommodation Tenants	395	47,400,000.00	18,960.00
Total (3)		14,210,719,445.01	5,684,287.78
Total - Compensation Schedule		70,658,282,945.09	28,263,312.58

Table 5: Budget for PAPs affected by Other Infrastructures

ITEM	Number of PAPs	Value (TZS)
Multi storey	9	2,421,248,245.00
Main Dwelling Buildings - Single Storey	268	6,183,533,358.40
Foundation / Dilapidated Structures	10	966,411,079.75
Secondary Building	275	1,104,316,979.65
Land	278	14,006,152,500.00
TOPPING UP ALLOWANCES		
Disturbance Allowances 7%	268	1,510,307,907.68
Transport allowance (owners)	268	67,000,000.00
Transport allowance (Tenants)	92	4,600,000.00
Accommodation Owners	268	3,641,940,000.00
Accommodation Tenants	92	3,680,000.00
Crops & Trees	979	32,513,125.00
Total		29,941,703,195.48

4. ADMINISTRATION COSTS		
RAP implementation Agencies	500,000,000.00	250,000.00
Monitoring and Administration	800,000,000.00	320,000.00
Handling of Grievances	200,000,000.00	90,000.00
Vulnerability assistance/allowances	300,000,000.00	120,000.00
Sub Total	1,800,000.00TSHS	780,000.00USD
5. LIVELIHOODS RESTORATION PROGRAMS		
Financial Literacy Trainings	160,650,000.00	70,000.00
Skill development training	229,499,999.00	100,000.00
Training Community involvement in greenery	252,450,000.00	110,000.00
Gender and health (GBV, HIV AIDs and COVID-19 Awareness)	275,400,000.00	120,000.00
Sub Total	917,999,999.00TSHS	400,000.00USD



TABLE OF CONTENTS

1	BACKGROUND	1
1.1	INTRODUCTION	1
1.2	PROJECT DESCRIPTION	2
1.2.1	<i>Components Requiring Displacement of People and Assets.....</i>	<i>3</i>
1.3	OBJECTIVE OF ASSIGNMENT	3
1.4	SCOPE OF WORK.....	4
1.5	RESPONSIBILITIES	5
1.6	LIMITATION TO THE STUDY	5
2	RAP PREPARATION METHODOLOGY	7
2.1	LITERATURE REVIEW	7
2.2	CONSULTATION WITH STAKEHOLDERS	7
2.3	GROUND TRUTHING	3
2.4	ASSET, CENSUS AND SOCIO- ECONOMIC SURVEYS	3
2.4.1	<i>Formulation of Survey Instruments</i>	<i>4</i>
2.4.2	<i>Training of Assets Surveyors and Field Enumerators.....</i>	<i>4</i>
2.4.3	<i>Delineate Survey Area</i>	<i>5</i>
2.4.4	<i>Identification of PAP.....</i>	<i>7</i>
2.4.5	<i>Data Collection, Entry and Analysis.....</i>	<i>8</i>
2.5	FOCUS GROUP DISCUSSIONS	8
2.6	DATABASE DEVELOPMENT	9
2.7	FORMATION OF GRIEVANCE REDRESS COMMITTEES (GRC)	9
2.8	ESTABLISHING CUT-OFF DATES	9
2.9	PREPARATION OF ENTITLEMENT MATRIX	9
2.10	INVESTIGATION OF ALTERNATIVE RELOCATION SITES.....	10
2.11	IDENTIFICATION OF VULNERABLE GROUPS.....	10
2.12	VALUATION OF IMPACTED ASSETS	10
2.13	EXIT SURVEY: DISCLOSURE OF COMPENSATIONS, OPTIONS AND SIGNING OF AGREEMENT FORM.....	11
2.14	UPDATING DATABASE POST-DISCLOSURE	11
2.15	RAP DISCLOSURE.....	11
3	LEGAL FRAMEWORK.....	12
3.1	INTRODUCTION	12
3.2	APPLICABLE NATIONAL LAWS AND POLICIES.....	12
3.3	THE WORLD BANK ENVIRONMENTAL AND SOCIAL FRAMEWORK (ESS5)	15
3.3.1	<i>ESS 5: Land Acquisition, Restrictions on land Use and Involuntary Resettlement.....</i>	<i>15</i>
3.4	COMPARISON OF NATIONAL LEGISLATION AND WB ESS5	17
3.5	ACCLIMATIZATION PERIOD OF THE INVOLUNTARY RESETTLED TO THE NEW CONDITIONS AND ENVIRONMENT	23
4	PUBLIC CONSULTATION AND DISCLOSURE INFORMATION	24
4.1	INTRODUCTION	24
4.2	PROJECT CONSULTATION PROCESS.....	24
4.3	CONSULTATION METHODS AND ISSUES RAISED AND DISCUSSED	25
4.4	CONTINUING CONSULTATION	27
4.4.1	<i>Dissemination of Information</i>	<i>28</i>



4.4.2	Consultation Requirements	28
5	BASELINE SOCIAL ECONOMIC STATUSES OF THE PAPS	30
5.1	CHARACTERISTICS OF THE AFFECTED POPULATION	30
5.1.1	Features of the Owners of the Affected Assets.....	30
5.1.2	Features of the Owners of the PAPS Living in the Floods prone areas.....	30
5.1.3	Identification of PAP with Vulnerability Conditions.....	33
5.2	SOCIAL ECONOMIC CHARACTERISTICS OF THE PAPS	34
5.3	OWNERSHIP OF PROPERTY	34
5.3.1	Land Ownership.....	34
5.3.2	House Ownership Status and Condition	35
5.3.3	House Structure and Construction Materials Used.....	35
5.4	HOUSEHOLDS UTILITIES AND CONNECTIVITY	35
5.5	SANITATION AND ENVIRONMENTAL CONDITION WITHIN FLOODS PRONE AREAS.....	36
5.6	HOUSEHOLDS' SOURCE OF INCOME AND LIVELIHOODS.....	36
5.7	HOUSEHOLD EXPENDITURE.....	37
5.8	HOUSEHOLD ASSETS OWNERSHIP STATUS.....	38
5.9	CREDIT FACILITIES AND OTHER SOCIAL SAFETY NETS.....	38
5.10	RESETTLEMENT PREFERENCES	38
6	MAGNITUDE OF IMPACTS.....	39
6.1	KEY ANTICIPATED BENEFITS	39
6.2	ADVERSE IMPACTS AT PRE-CONSTRUCTION STAGE.....	39
6.3	ADVERSE IMPACT ON LAND	40
6.4	ADVERSE IMPACT ON TREES / CROPS	41
6.5	ADVERSE IMPACT ON STRUCTURES.....	42
6.5.1	Main characteristics of structures in use	42
6.5.2	Measures to avoid or Minimize Displacement Impacts on Structures.....	40
6.6	ADVERSE IMPACT ON LIVELIHOODS	40
6.7	POTENTIAL IMPACTS DURING CONSTRUCTION STAGE.....	42
7	ASSET INVENTORY AND VALUATION	44
7.1	ASSET AND INVENTORY.....	44
7.2	MARKING OF THE PROPERTY /STRUCTURES	44
7.3	IDENTIFICATION OF THE OWNERS AND OTHER USERS.....	45
7.4	APPLIED VALUATION METHODS	ERROR! BOOKMARK NOT DEFINED.
7.5	LAND VALUATION	46
7.6	VALUATION OF TREES AND CROPS COMPENSATION	47
7.6.1	Compensation for vegetable gardens.....	47
7.7	LOSS OF ACCESS TO COMMUNITY PROPERTIES	47
7.8	GOVERNMENT BUILDINGS/INFRASTRUCTURE	48
7.9	DETERMINE OTHER ENTITLEMENTS AND TOPPING UP ALLOWANCE	48
7.9.1	Disturbance Allowance	48
7.9.2	Transport Allowance.....	48
7.9.3	Loss of Accommodation.....	48
7.9.4	Loss of Profit:.....	48
7.9.5	Allowances for the Vulnerable Sub-Groups	48
8	ELIGIBILITY AND ENTITLEMENTS.....	50
8.1	TYPES OF PROJECT AFFECTED PEOPLE (PAPS).....	50
8.2	ELIGIBILITY	50
8.3	ENTITLEMENT MATRIX	50



9	LIFELIHOOD AND INCOME RESTORATION PLAN	58
9.1	THE AIMS OF LIVELIHOOD RESTORATION PLAN (LRP)	58
9.2	NEEDS ASSESSMENT AND PROGRAMS IDENTIFICATION	58
9.3	PROGRAM PREPARATION AND IMPLEMENTATION	58
9.3.1	<i>Baseline Influencing Factors</i>	58
9.3.2	<i>Provision of Financial Literacy Program (FLP).....</i>	59
9.3.3	<i>Provision of security of tenure</i>	60
9.3.4	<i>Short Term Work Opportunities.....</i>	61
9.3.5	<i>Training and Skills Development (TSD)</i>	62
9.3.6	<i>Capacity Building trainings to Community for Involvement in Reforestation (Greenery)activities</i> <i>62</i>	
9.3.7	<i>Gender and Health Consideration</i>	62
10	RELOCATION PLAN	64
10.1	CATEGORIZATION OF PAPs	64
10.2	COMPENSATION OPTIONS – CASH VERSUS IN-KIND	64
10.2.1	<i>Monetary/Cash Compensation.....</i>	64
10.2.2	<i>In-Kind compensation options (land and structures).....</i>	65
10.3	CRITERIA FOR OFFERING IN KIND COMPENSATION TO THE PAPs.....	65
10.3.1	<i>Description of the compensation cluster 1</i>	67
10.3.2	<i>Description of the compensation cluster 2</i>	68
10.3.3	<i>Description of the compensation cluster 3 for Owners-not residing</i>	71
10.3.4	<i>Description of the compensation cluster 4 for Owners with previously demolished property or</i> <i>submerged land</i>	71
10.3.5	<i>Identified but non-eligible to the LMUP compensation arrangements</i>	Error! Bookmark not defined.
10.3.6	<i>Due diligence on relocation sites</i>	72
10.4	AFFECTED PEOPLE AND RESETTLEMENT STRATEGY WITHIN LMUP AREA (IN-SITU)	72
10.5	PROCESS OF RELOCATION	74
11	ORGANIZATIONAL ARRANGEMENTS FOR COMPENSATION DELIVERY	77
11.1	ORGANIZATIONAL ARRANGEMENTS – ROLE AND RESPONSIBILITY	77
11.1.1	<i>Project coordination</i>	77
11.1.2	<i>The TARURA - Project World Bank Coordinating Unit (WBCU).....</i>	77
11.1.3	<i>Dar es Salaam City Council (PIU)</i>	Error! Bookmark not defined.
11.1.4	<i>RAP Implementation Agency.....</i>	77
11.1.5	<i>Community Liaison and Grievance Redress Officer.....</i>	78
11.1.6	<i>Local Bank: Compensation Paying Agent (PA)⁶.....</i>	Error! Bookmark not defined.
11.1.7	<i>Municipal Administration (LGA).....</i>	78
11.1.8	<i>Contractor for Construction Of infrastructure⁷</i>	78
12	SCHEDULE FOR IMPLEMENTATION OF RAP	80
12.1	KEY IMPLEMENTATION ACTIVITIES	80
12.2	ACTIVITIES TO BE COMPLETED PRIOR TO COMMENCEMENT OF COMPENSATION PAYMENT.....	81
12.3	ACTIVITIES TO BE COMPLETED PRIOR TO COMMENCEMENT OF CIVIL WORKS.....	83
12.4	ACTIVITIES TO BE COMPLETED FOR COMPLETION OF ALL ACTIVITIES UNDER RAP AND LRP	84
12.5	IMPLEMENTATION SCHEDULE.....	84
13	GRIEVANCE AND REDRESS MECHANISM.....	86
13.1	INTRODUCTION	86
13.2	LIKELY GRIEVANCES	86
13.3	OBJECTIVES OF THE GRIEVANCE REDRESSAL MECHANISM (GRM)	88



13.4	PRINCIPLES TO EFFECTIVE GRIEVANCE REDRESSAL	88
13.5	GRIEVANCE MANAGEMENT COMMITTEES' STRUCTURE, AND FUNCTIONING.....	88
13.6	SCOPE OF WORK OF GRIEVANCE MANAGEMENT COMMITTEES	89
13.7	COMPOSITIONS OF VARIOUS GRIEVANCE MANAGEMENT COMMITTEES.....	89
13.8	DISSEMINATION OF COMMITTEE'S RESOLUTION	89
13.9	REDRESSAL PROCEDURE.....	90
13.10	RESPONSIBILITY FOR ADDRESSING ISSUES OF GBV/SEA	93
13.11	GRIEVANCE LOG.....	94
13.12	MONITORING COMPLAINTS	95
14	FUNDING ARRANGEMENTS	96
15	MONITORING AND EVALUATION	98
15.1	INTRODUCTION	98
15.2	VERIFIABLE INDICATORS FOR M&E	98
16	ANNEXURE	102



LIST OF FIGURES

Figure 1-1: Administrative areas within the Lower Msimbazi Valley project Areas (these are also study areas)	4
Figure 2-1: Map Showing Land use map current – based on Open Street Map	6
Figure 2-2: Map Showing Project delineation area	7
Figure 5-1: Household Source of Light, Source: Field Survey Data, 2021	36
Figure 6-1: Land use and land sizes per project activity	41
Figure 6-2: Some avoided structures in Kariakoo	40
Figure 7-1: Example of marked structure	44
Figure 7-2: Example PAP with unique number	45
Figure 13-1: General Grievance Handling Mechanism for the Msimbazi Basin Development Project	92



LIST OF TABLES

Table 1-1: List of Impacted Areas	Error! Bookmark not defined.
Table 2-1: Stakeholders Consultation meetings conducted at National Level	Error! Bookmark not defined.
Table 2-2: Main issues challenges identified during stakeholders meetings and has been incorporated in this RAP.	Error! Bookmark not defined.
Table 2-3: RAP AND LRP Team Composition	Error! Bookmark not defined.
Table 3-1: Description of ESS 5 (Summary)	Error! Bookmark not defined.
Table 3-2: Comparison of Tanzania Laws and World Bank ESS5 Regarding Compensation and Resettlement	Error! Bookmark not defined.
Table 4-1: Consultation schedule for the Public Meetings with number of PAPs segregated by gender	Error! Bookmark not defined.
Bookmark not defined.	
Table 4-2: A summary of questions raised and responses	Error! Bookmark not defined.
Table 4-3: Current consultation requirements	Error! Bookmark not defined.
Table 5-1: Features of Owners of Affected Assets	Error! Bookmark not defined.
Table 5-2: Number of Heads of HH and their HH members segregated by gender	Error! Bookmark not defined.
Table 5-3: Owners of Structures in Use & the Members of the Household - Age Group	Error! Bookmark not defined.
defined.	
Table 5-4: Status of Availability Tenancy Agreement	Error! Bookmark not defined.
Table 5-5: Number of Vulnerable people living in project affected area	Error! Bookmark not defined.
Table 5-6: Households' Sources of Income.....	Error! Bookmark not defined.
Table 6-1: List of Project Activities That Will Require Permanent Land Acquisition	Error! Bookmark not defined.
Table 6-2: Adverse Impact on Land	Error! Bookmark not defined.
Table 6-3: Adverse Impacts on Crops	Error! Bookmark not defined.
Table 6-4: Summary on Adverse Impact on Trees	Error! Bookmark not defined.
Table 6-5: Number of structures by Type and Use within Floods Prone Areas	Error! Bookmark not defined.
Table 6-6: Impacted houses per (residential vs Commercial)	Error! Bookmark not defined.
Table 6-7: Adverse Impacts on Structures.....	Error! Bookmark not defined.
Table 6-8: Impacted CPRs by type and by Municipal.....	Error! Bookmark not defined.
Table 7-1: Valuation for the lost community property.....	Error! Bookmark not defined.
Table 8-1: Entitlement Matrix for Various Categories of PAP	Error! Bookmark not defined.
Table 10-1: Categorization of PAPs.....	Error! Bookmark not defined.
Table 10-2: Overview of cash compensation components per PAP category	Error! Bookmark not defined.
Table 10-3: Overview of in kind compensation categories and options	Error! Bookmark not defined.
Table 10-4: Average rate for resettlement costs per option component.....	Error! Bookmark not defined.
Table 10-5: Relocation Plan	Error! Bookmark not defined.
Table 10-6: Template for Recording Relocation Progress	Error! Bookmark not defined.
Table 12-1: RAP Implementation Schedule for the Floods Prone Areas in line with Urban development activity schedule.....	Error! Bookmark not defined.
Table 13-1: Composition of Grievances Committees	Error! Bookmark not defined.
Table 14-1: Estimated Budget for RAP implementation.....	Error! Bookmark not defined.
Table 15-1: RAP Monitoring Indicators.....	98



ABBREVIATIONS

CAP	Corrective Action Plan
CBO's	Community Based Organizations
CSOs	Civil society Organizations
DCC	Dar es salaam City Council
DMDP	Dar es Salaam Metropolitan Development Project
DP	Displaced Person
DUTP	Dar es Salaam Urban Transport Improvement Project
EE	Emergency Eviction
EM	Entitlement Matrix
ESMF	Environmental and Social Management Framework
ESMP	Environmental and Social monitoring Plan
ESS	Environmental and Social Standards
FGD	Focus Groups Discussion
FP	Facilitating Partners
GBV	Gender Based violence
GCRC	Gross Current Replacement Costs
GDP	Gross domestic product
GEM	Global Environmental Management Support
GIS	Geographic Information System
GoT	Government of Tanzania
GRC	Grievances Redness Committee
HIV/AIDS	Human Immune Deficiency/Acquired Immune Deficiency Syndrome
LGA	Local Government Authority
LMF	Labour Management Framework
LMUP	Lower Msimbazi Upgrading Project
MOP	Msimbazi Opportunity Plan
M&E	Monitoring and Evaluation
NGO	Nongovernmental organization
NLUPC	National Land use planning commission
ODK	Open Data Kit
PAP	Project Affected People
PAPs	Project Affected Person
PCP	Participation and Consultation Plan
PME	Participatory Monitoring and Evaluation
PLUP	Participatory Land Use Planning
PO-RALG	President's Office Regional Administration and Local Government
PUP	Public Urban Park
RAP	Resettlement action plan
RPF	Resettlement Policy Framework
RIU	Resettlement Implementing Unit
SEP	Stakeholders Engagement Framework
SPCU	Sub- Project Coordinating Units
SSS	Social Safeguard Specialist
TANROADS	Tanzania Trunk Roads Authority
TARURA	Tanzania Rural Roads Authority
TSh	Tanzanian Shilling
TURP	Tanzania Urban Resilience Program
VG	Vulnerable Group"
WB	World Bank
WBCU	World Bank coordinating Unit
WHH	Women Headed Household



DEFINITIONS OF TERMS

This Resettlement Action Plan adapts the definition of terms from the RPF (2021). As such, unless the context dictates otherwise, the respective terms will have the following meanings:

“Project Affected Persons” (PAPs) are all persons or households affected by direct economic and social impacts caused by: a. the involuntary taking of land resulting in (i) relocation or loss of shelter; (ii) loss of assets or access to assets; or (iii) loss of income sources or means of livelihood, whether or not the affected persons must move to another location; b. involuntary restriction of access to legally designated parks and protected areas resulting in adverse impacts on the livelihoods of the displaced persons.

“Involuntary Resettlement” means the involuntary taking of land resulting in direct economic and social impacts caused by: a) relocation or loss of shelter; b) loss of assets or access to assets; or c) loss of income sources or means of livelihood, no matter whether or not the PAP must move to another location.

“Cut-off Date” is the date by which PAPs and their affected assets are identified and new entrants to the site cannot make claims for compensation or resettlement assistance. Persons whose ownership/ use of occupancy prior to the cut-off date can be demonstrated remain eligible for assistance regardless of their identification in the census.

“Compensation” means the payment in kind, cash or other assets given in exchange for the taking of land, loss of other types of assets (including fixed assets) or loss of livelihoods resulting from project activities.

“Census” is a complete count of the population affected by a project activity, including collation of demographic and property information. In preparing the Resettlement Action Plan, a census is carried out to identify and determine the number of Project Affected Persons (PAP) and the nature and levels of impact.

“Phase one” is for the flood prone area

“Phase two” is for other infrastructures that include terracing

“Resettlement Action Plan (RAP)” is a resettlement instrument (document) to be prepared when subproject locations are identified to guide resettlement activities. The RAP document contains specific and legally binding requirements to be abided by in the process of resettling and compensating the affected persons before implementation of the project activities.

“Resettlement Assistance” entails measures taken to ensure that the Project Affected Persons who may require to be physically relocated are provided with assistance in terms of moving allowances, residential housing or rentals whichever is feasible and required, for ease of resettlement during the relocation. Based on consultation with such displaced persons, the Borrower will provide relocation assistance in lieu of compensation for land sufficient for them to restore their standards of living at an adequate alternative site



“Replacement Cost for Houses and other Structures” means the prevailing market cost of the materials to build a replacement structure with an area and quality similar to or better than those of the affected structure, or to repair a partially affected structure, plus the cost of transporting building materials to the construction site, plus the cost of any labor and contractors' fees, plus the cost of 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 derived from the project deducted from the valuation of an affected asset.

“Land Acquisition” means the compulsory taking of or alienation of land, buildings or other assets thereon for purposes of the Project. 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.

“Economic Rehabilitation Assistance” means the provision of assistance in addition to compensation, such as land preparation, credit facilities, training, or job opportunities, which would enable PAPs to improve their livelihoods and standards of living, or at least maintain them at pre-project levels.

“The Resettlement Policy Framework” (RPF) is an instrument prepared to guide resettlement activities throughout the project implementation cycle. The RPF sets out the resettlement objectives and principles, organizational arrangements and funding mechanisms for any resettlement

“Woman Headed Household” (WHH) means a household that is headed by a woman and does not have an adult male member who makes earnings. This woman may be a widowed, separated or deserted person.

“Vulnerable Groups” (VG) include but not limited to the following categories: (i) PAHs whose level consumption rate per members is less than Tsh 50,000/month or less than Tsh 2000/day; (ii) landless people; (iii) Women Headed Households with high dependency ratios; (iv) children and elderly people, including orphans and destitute people; and (v) physically and mentally challenged / disabled people; (vi) chronically ill person.



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1 BACKGROUND

1.1 Introduction

Over the past ten years, PO-RALG has successfully implemented the Dar es Salaam Metropolitan Development Programme (DMDP). The Government of Tanzania (GoT) has embarked on three major strategic programs to reduce the vulnerability of Dar es Salaam to natural hazards and the adverse impacts of climate change, and build resilience to adapt to such impacts including the impacts on transport: the Tanzania Urban Resilience Program (TURP), the Dar es Salaam Metropolitan Development Project (DMDP) and the Dar es Salaam Urban Transport Improvement Project (DUTP). TURP is a 5-year trust fund partnership implemented by the World Bank and GoT with resources from the UK Foreign Commonwealth and Development Office (FCDO). The main objective of the TURP is to support national and local governments in Tanzania to strengthen the management of climate risk in cities. DMDP is a US\$300 million project implemented by the PO-RALG and financed by the World Bank. The main objective of the project is to improve urban services and institutional capacity in the Dar es Salaam Metropolitan area, and to facilitate potential emergency response. DUTP is a US\$ 450 million project implemented by TANROADS with the Objective to improve transport mobility, accessibility, safety, and quality of transport service delivery along the selected corridors in Dar es Salaam.

Addressing flooding in the Msimbazi valley was recognized as important to urban resilience and mobility in Dar es Salaam under TURP, DMDP and DUTP, given the economic impacts the damages on property and transport infrastructure have had on the poor and vulnerable. The GoT had made past attempts at demarcating the lower valley as non-developable hazard land as well as a proposal to develop it as a city park, though these efforts were not fully implemented. Two demolition campaigns were initiated to remove informal settlements from flood-prone areas but halted due to social opposition. Limited ad hoc dredging of the river channel to remove accumulated sediment and waste before annual rains has been carried out, but a sustainable and comprehensive management system is not yet in place. It was clear that a multi-sectoral, multi-stakeholder approach would be needed to address the complex institutional, environmental, social and technical challenges posed by regular flooding.

The Msimbazi River Valley (MRV) in Dar es Salaam is a strategically important area for development of city infrastructure for promoting mobility, commerce and ecosystem services including flood control. Two of four of Dar es Salaam's main traffic arteries including the Rapid Bus Transit corridor cross the main flood plain of the Msimbazi Valley. The river catchment includes significant natural assets, including protected forest areas in the headwaters down to wetlands and mangrove forests in the lower reaches. The lower part of MRV is characterized by unplanned settlements mainly preoccupied by low-income communities who pursue different socio-economic activities closer to CBD and Kariakoo Market in particular.

The area also experiences frequent flooding which claim lives of people, destruction of properties and disruption of transport services leading to traffic congestions. To address the vulnerability of Dar es Salaam city to natural hazards related to flooding the Government of Tanzania (GoT) is implementing three major programs: the Tanzania Urban Resilience Program (TURP), the Dar es Salaam Metropolitan Development Project (DMDP) and the Dar es Salaam Urban Transport Improvement Project (DUTP). Upgrading of the Lower Msimbazi Valley is a Basin is a second phase of DMDP aiming to enhance the Dar es Salaam city's resilience to climate change impacts related to floods, and transforming the hazardous area of lower Msimbazi valley into opportunities. The preliminary cost estimate of the activities is USD120 million with an initial allocated financing USD100 million from World Bank; USD 20 million from FCDO.



1.2 Project Description

The Lower Msimbazi Upgrading Project (LMUP) constitutes the first phase of the Msimbazi Opportunity Plan (MOP). It intends to reduce impacts of flooding to settlements and critical infrastructure by creating resilient urban development in targeted communities in the Dar es Salaam Metropolitan Area (DMA). The total project cost is estimated at USD 270 million. The preliminary cost estimate of the activities consists of Component 1: Msimbazi Basin Development Infrastructure; USD 224 million, Component 2: Preventative resettlement of flood-prone communities; USD 30 million, Component 3: Strengthening institutions for resilient urban development; USD 8.5 million, Component 4: Project management: USD 7.5 million and Component 5: Contingent Emergency Response.

The following are project components and associated sub components:

1.2.1 Component 1: Msimbazi Basin Development Infrastructure (Yrs 1-5)

Sub Components

- i. Flood control interventions/infrastructures (Years 2-5): Recontouring the lower basin flood plain area including river training and terracing, sediments management/traps and monitoring; flood modelling & detailed design support.
- ii. Resilient transport infrastructure (Years 1-3): construction of raised and widened multi-span Jangwani Bridge (400m); riverbed excavation during construction; relocation of the Jangwani BRT bus depot and its demolition, and widening culverts of Selander bridge.
- iii. Msimbazi city park and redevelopment area (Years 3-5) : Msimbazi wetland and city park development; sites and service infrastructure for low-carbon urban development on 57ha land.
- iv. Watershed management - greening, erosion and litter management (Years 2-5): Mangrove restoration and conservation; upstream erosion prevention and greening; solid waste management and litter control program

Component 2: Preventative Resettlement of Flood Prone Communities (Years 1-5)

Sub Components

- i. Implementation of the Resettlement Action Plan (RAP)
- ii. Livelihood Restoration Program (LRP)
- iii. Implementation support, including case management for relocated households and RAP monitoring.

Component 3: Strengthening Institutions for Resilient Urban Development

Sub Components

- i. Establishment of Msimbazi Special Planning Area (MSPA) authority
- ii. Basin-wide management (technical assistance to develop a Msimbazi Basin Watershed and environmental protection plan)
- iii. Institutional strengthening of the DLAs to support service delivery, urban development controls and environmental management.



Component 4: Project Management

Sub Components

- i. Financing of the direct costs of management and operation of the project
- ii. Support to PO-RALG, TANROADS, PIU, DLA PIUs
- iii. Facilitation of other implementing government departments (e.g. Tanzania Forest Service) responsible for specific subcomponents to implement and coordinate their respective activities
- iv. Public communications activities

Component 5: Contingent Emergency Response

A project-specific Contingent Emergency Response Component (CERC) is included. Specific details about this component (including activation criteria, eligible expenditures, specific implementation arrangements, and staffing) will be part of the Contingent Emergency Response Manual prior to the implementation of CERC's activities.

1.1.1 Components Requiring Displacement of People and Assets

Among the above listed project components, the activities listed in sub projects under component 2 and 1 require displacement of people and thus call for Resettlement Action Plan (RAP). Resources will be required to compensate for the displaced structures and the acquired land and finally to restore the affected incomes and livelihoods.

This RAP and LRP document present the preparation process and procedures used to development of RAP and LRP.

1.3 Objective of Assignment

The purpose of developing a RAP and LRP at this initial stage of the Project cycle is to outline the framework for mitigating and restoring the project's impacts on the livelihoods of project-affected communities as early as possible before project commencement. This will allow for effective disclosure to key stakeholders, and subsequent feedback and inputs, prior to the project approval and commencement.

Through this the project will meet national statutory requirements as well as the World Bank ESS5. The implementation of the proposed project subcomponents will require land as major infrastructure development projects generally do. The RAP will cover all components of adverse impacts incurred upon the affected population due to the implementation of the project. Adverse impacts in the form of fresh land uptake, impact on structures on the floods prone areas and Jangwani Bridge will be mitigated through constructive guidelines contained in the RAP and LRP. Compensation will be guided by national laws as well as the World Bank ESS 5 on involuntary resettlement. The RAP and LRP will also provide guidelines to restore livelihoods lost due to project implementation. Also, attention will be paid to vulnerable households to minimize adverse impact. Moreover, guidelines for gender development and women's empowerment, prevention and control of HIV/AIDS/COVID-19 will also be a part of this RAP and LRP.

The following principles guide this RAP and LRP:

- Involuntary resettlement should be avoided where feasible, or minimized, by exploring all viable alternative project designs.
- Avoiding displacement of people without a well-designed compensation and relocation process; minimizing the number of PAP, to the extent possible. (Forced eviction).



- Where it is not feasible to avoid resettlement, resettlement activities should be conceived and executed as sustainable development programs, providing sufficient mitigation measures. Including compensating for losses incurred in terms of land, structures, trees and crops and displaced incomes and livelihoods.
- Affected vulnerable or poor people should be assisted in their efforts to restore their livelihoods and improve their livelihoods and standards of living, or at least to restore them, in real terms, to pre- displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.
- Affected people should be meaningfully consulted and should have opportunities to participate in planning and implementing resettlement programs.
- Ensuring resettlement assistance or rehabilitation, as needed, to address impacts on project affected people’s (PAP) livelihoods and their wellbeing.
- Gender development by creating employment through the project in order to empower women.

1.4 Scope of Work

Geographical Coverage: RAP covers the Lower Msimbazi area which transverses from Kawawa road toward Selander Bridge making a total area of about 4.2 Sq. KM – flood prone area is about 3.1 Sq. KM (Map below shows geographical coverage of Lower Msimbazi Project within Kinondoni and Ilala Municipal council also known as Dar es salaam City.

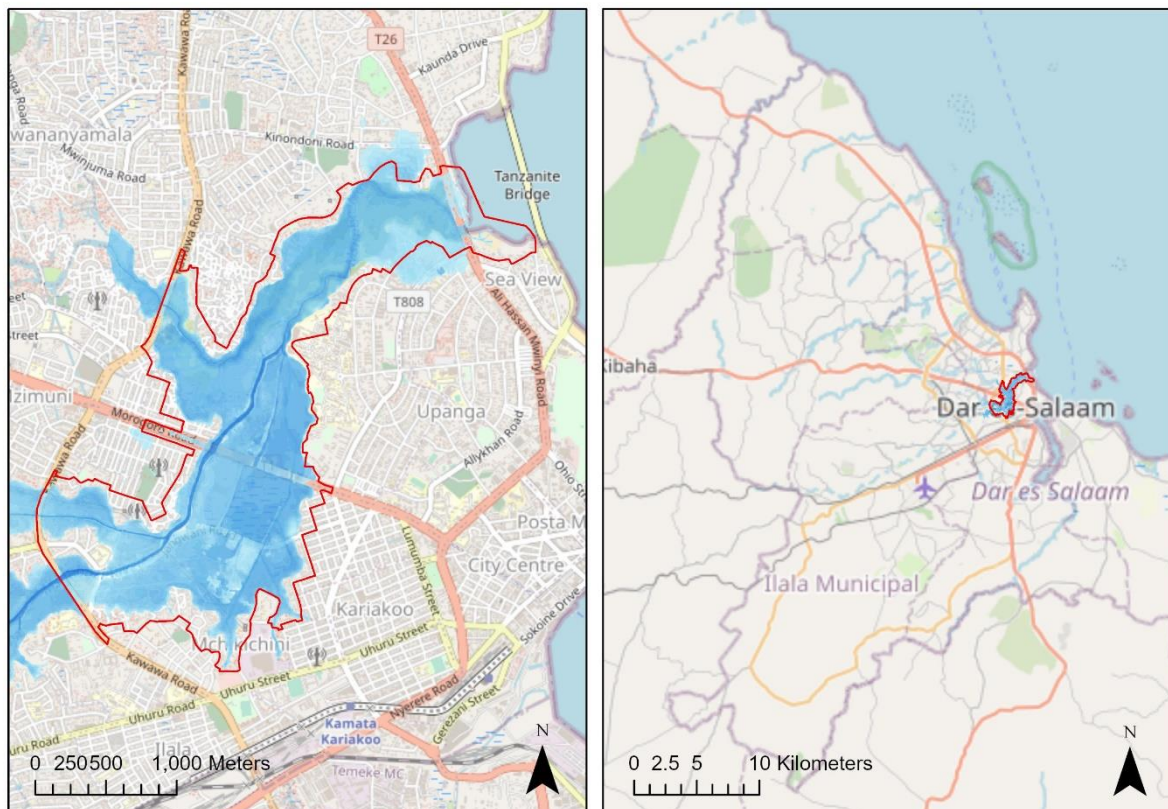


Figure 1-1: Administrative areas within the Lower Msimbazi Valley project Areas (these are also study areas)

Administratively, the project spread within Kinondoni Municipality and Dar es Salaam City Council covering eight (8) wards and sixteen (16) sub wards – *mitaa* (Table 1-1 and Table 1-1a).



Table 6: : List of Impacted Areas for Flood Prone Area

Ward	Mtaa_Street
Ilala	
Upanga Magharibi	Charambe
Kariakoo	Kariakoo Kaskazini
Mchikichini	Ilala Kota
	Msimbazi Bondeni
	Misheni Kota
Jangwani	Mtambani A
	Mtambani B
Kinondoni	
Hanasif	Hanasif
	Mkunguni A
	Mkunguni B
Kigogo	Kigogo Mbuyuni
Mzimuni	Mtambani
	Mwinyi Mkuu
Magomeni	Idrisa
	Suna

1.5 Responsibilities

The PO-RALG holds responsibility to ensure all aspects of this RAP, and any subsequent amendments, are implemented and monitored accordingly. Given that the Project will involve a large resettlement component, recommendations are made in this RAP around strengthening the institutional base and the development of Project-specific support structures to assist in project implementation, with the recognition that the ultimate responsibility rests with the PO-RALG’s WBCU.

In addition, the World Bank recommends, “for projects that are highly risky or contentious, or that involve significant and complex resettlement activities, the borrower should normally engage an advisory panel or independent, internationally recognised resettlement specialists to advise on all aspects of the project relevant to the resettlement activities”¹. If an independent technical panel of experts is established, the advisory panel for resettlement may form part of this.

PO-RALG has hired a consulting firm to support PO-RALG and the implementing LGAs in the RAP implementation.

1.6 Limitation to the Study

There were a number of limitations to the preparation of this RAP:

- i. The undertaking of the surveys was hampered by wet weather conditions.
- ii. Extensive deviation of activities from the provided SOW in the TOR. Previous Project studies reported approximately 2800 PAPs, while this survey identified all-inclusive 11,114 PAP for flood prone area and 1,272 for the other infrastructures. This required

¹ World Bank. April 2013a. OP 4.12. Involuntary Resettlement.



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extensive PAP census and property surveys in a relatively short time (November to December 2021 for phase one and November-December 2022 for phase two). This has created a large data base of information, which will need to be verified during implementation of this RAP.



2. RAP PREPARATION METHODOLOGY

The ESS 5 asserts that regardless of the number of affected Population (PAPs), project implementers should undertake a Resettlement Action Plan (RAP). The RAP is required because project-related land acquisition or restrictions on land use may cause physical displacement (relocation, loss of residential land or loss of shelter), economic displacement (loss of land, assets or access to assets, leading to loss of income sources or other means of livelihood), or in worst cases land acquisition can have both. The Lower Msimbazi Upgrading Project will involve transforming unplanned settlement (slums) in flood prone land into informal planned and flood protected land along the lower part of Msimbazi river. This RAP has been developed according to ESS5 and thus, it has two dimensions:

- Resettlement Action Plan: this is a plan that includes measures to address physical and/or economic displacement, to mitigate economic and physical impacts expected from a project.
- Livelihood Restoration Plan: these are basically alternative nomenclature plans, proposed to restore the impacted source of income and livelihoods due to economic displacement or where restrictions on access to legally designated and /or protected areas are involved – this include provision of security of tenure.

The subsequent sections present various methods applied during RAP preparation including data collection techniques, consultations with affected population and decision-making people, Defining eligibility and entitlements, valuation of the affected assets, establishment of GRCs, cost estimations for RAP implementation etc.

2.1 Literature Review

Relevant literature involved review of project documents including: the Resettlement Policy Framework (RPF), Environment and Social Management Framework (ESMF), Stakeholders Engagement Framework (SEP), Labour Management Framework (LMF). The review has also covered relevant national policies, legislations as well as the World Bank Environment and Social Standards (ESS).

Consultation with Stakeholders

Historically there has been an extensive consultation process for the Project, including through the Charrette process applied in developing the MOP and other Consultancies that have been employed to undertake various studies. Preparation of this RAP has considered issues raised during the Project Design through Charrette in various formal public meetings and workshops with Stakeholders /potential groups. Since the project footprint was not yet fully defined the consultations were done with stakeholders at the national level on various occasions between February and August 2018 as presented in Table below.

Table 7: Stakeholders Consultation meetings conducted at National Level

Date	Meeting
21 st - 22 nd February 2018	First Stakeholders workshop on Msimbazi Valley Flood Mitigation
19 th - 20 th March, 2018	Stakeholders workshop on Msimbazi Design Charrette No.1
22 nd March, 2018	Stakeholders workshop on Msimbazi Design Charrette No.2
18 nd - 19 th April 2018	Stakeholders workshop on Msimbazi Design Charrette No.3
12 th - 13 rd June 2018	Stakeholders workshop on Msimbazi Design Charrette No.4
2 nd - 6 th July 2018	Stakeholders workshop on Msimbazi Design Charrette No.5
4 th July 2018	Stakeholders workshop on Msimbazi Design Charrette No.6
28 th August 2018	Second Stakeholders workshop on Msimbazi Basin Development



Table 8: Main issues challenges identified during stakeholders meetings and has been incorporated in this RAP

Date of the Meeting	Key Views /concerns	Remarks
19 - 20 March 2018	<ul style="list-style-type: none"> - All people living in unsafe areas should be relocated - Government should consider payments of compensations for the affected assets in the flood prone areas - Alternative relocation sites should be near the affected areas (near situ) - Sensitization of the community on this Project and associated processes - Possibility should be sought to consider the tenants in the entitlements - The compensated areas should be protected to avoid further encroachment - Mechanism must be in place to Stop further individual developments in the valley 	<ul style="list-style-type: none"> - To be incorporated in the RAP
22 March 2018	<ul style="list-style-type: none"> - The 60m buffer regulation restricts human settlements around lower Msimbazi areas. Resulting to forcefully eviction of people living in that area. - Forceful evictions should be avoided. And the Government should pay compensation to the owners/landlords of the houses before demolition according to the national and international laws and regulations - Recognize the right of the people who are living in Msimbazi area for a long time, - The government is obliged to compensate the PAP whose structures were demolished in 2015/16 	<ul style="list-style-type: none"> - Identification of categories of PAPs and included in the Entitlement and Eligibility matrix of the RAP
18 & 19 April 2018	<ul style="list-style-type: none"> - Resettlement of community within the existing settlement by providing apartments in the multi-storey structures; cash compensation; and land and cash compensation. - Resettlement should consider, different entitlements for the assets in surveyed and un-surveyed land 	<ul style="list-style-type: none"> - Option to be included in the RAP for PAPs to choose. Albeit with some criteria to be followed.
2, 3, 5, and 6 of July 2018	<ul style="list-style-type: none"> -Timely payment of compensations for the PAP opting for cash compensation. -provision of initial/settlement supports for the PAPs who will opt for in kind house replacement. -PAPs land lord be considered to be part of the business Partners 	<p>Incorporated in the RAP that validity for the costs under valuation is two years. The actual timelines for compensation delivery be incorporated in the RAP.</p>
4 July 2018	<ul style="list-style-type: none"> - People whose structures were demolished 2015/16 demolitions need to be compensated first. -Move the river around the DART bus depot over Jangwani ground -Civil society should be involved in the Grievance Redress Mechanism 	<ul style="list-style-type: none"> - Incorporated in the RAP and LRP accordingly





Consultations during RAP Preparation:

The consultation process has continued with this RAP Preparation, over the period from 10th November 2021 to date, as detailed in Chapter 4, and list of meetings participants in Annex 1. RAP preparation consultation has taken different forms:

- i) Formal meetings, report backs and presentations to the Client, and the World Bank;
- ii) Direct interviews with stakeholders, and particularly representatives of municipality level governmental institutions, service providers and NGOs;
- iii) Formal meetings with representatives of M18 organized by the Client;
- iv) Community meetings on site, with *mitaa* members, Wards representatives, *mitaa leaders* and GRC members
- v) Small Focus Group Discussions (FGDs) with special interest groups for livelihoods identification;

Ground Truthing

To ascertain and appreciate the project area, the Resettlement Specialist and an Asset Surveyor met with the *mtaa* leaders from the Project Area to discuss the intention of scoping the delineated Area of Project Impact. Initial ground-truthing was carried out over the period 29 October to 02 November 2022 for both phases. The exercise was carried out to obtain the following information:

- i) Identification of potentially directly affected *mitaas*, their local names, and geo-referencing their location (GPS location);
- ii) Available social services within the area, including: health centres, educational facilities, water sources, public utilities, religious structures, police and postal posts, and government administrative buildings; and NGOs and Community Service and Community Based Organizations (CSOs and CBOs) offices;
- iii) Location of access of social and economic facilities by local people to cross the Msimbazi River;
- iv) Additional information on the location of service infrastructure, access points and burial grounds has continued over the period of the social studies, as part of work undertaken by the social team.

Asset, Census and Socio- Economic Surveys

In order to collect baseline information to prepare RAP, the consultant has undertaken the following surveys for two months from 10th November to December 2021:

- i) An Asset Survey and inventory for buildings and support structures, and a separate survey for land, crops and trees.
- ii) Also identification of individuals that would potentially be affected by the Project through the loss of land, and the loss of structures and other permanent improvements on that land has been done;
- iii) PAPs Census along with Asset Surveys; and
- iv) Socio-Economic Survey covering about ten percent of the Census survey. The Socio- Economic Survey has been prepared to determine social economic status of the project area and the affected people. Also, the information generated will aid in preparation of RAP, and planning on livelihoods restoration programs.



The preparation of the surveys and identifying the PAP followed a number of steps and procedures:

2.1.1 Formulation of Survey Instruments

Two different Asset Survey tools, one for Buildings, Crops /Trees and Support Structures, and another for Land (Annex 5), were prepared to collect detailed data on assets to be lost by individual PAP and community:

- i) The survey for Buildings and Support Structures detailed the building being affected; its GPS position and size; its type, use, features and condition; and ownership status;
- ii) The survey for Land, detailed the GPS position and size of each affected piece of land. Information was collected for each building or support structure affected and Crops/Trees a separate form completed for the cropped area in hectares, the farming stage, and the type of crops; and the quantity and type of fruit and indigenous trees on the land.
- iii) The Census survey covered diverse themes including: Household composition (gender, age, education, residential status and employment status for each household member), with added characteristics of the PAP including tribal affiliation and religion; Economic activities and household income; Homestead details (description of structures, length of stay at residential site, water and energy sources, and sanitation facilities); Ownership, usage and cultivation of agricultural fields; Ownership of trees; Ownership of livestock and grazing areas; and Perceptions of the Project.
- iv) The Socio-Economic survey was a more detailed version of the Census, comprising additional information on:

Household assets; Household expenditure patterns; the use of water resources; access to and use of community services and facilities; Access to health facilities and health status; Sacred, religious and grave sites; and Conflict management and information sources.

Before finalization and embarking on actual field survey, the Socio-Economic survey tool was pre-tested as part of the training of the asset surveyors and enumerators, as detailed below. All survey tools were presented to the PO-RALG, and to the WB, for comment prior to commencement of the fieldwork.

2.1.2 Training of Assets Surveyors and Field Enumerators

NORPLAN the consultant mobilized team of qualified and experienced experts for RAP preparation. In addition, the consultant also recruited enumerators and surveyors to complete the surveys in the field. Table below present size of the RAP preparation team.

Table 9: RAP AND LRP Team Composition

S/ N	Position	Quantity (No.)
A	Key Personnel	
2	Team Leader – Senior RAP and Social Specialist	1
3	Resettlement Database Manager	1
4	Asset Valuation Expert	1
5	Mid-level Resettlement Specialist /sociologist	1
6	Land Surveyor	1
7	GIS Expert	1



Support Experts		
1	Project Director	1
2.	Quality Assurance and the documents cleaning	1
Field Assistant Staff		
1	Livelihood Specialist	1
2	Communication and Public Outreach liaison officer	1
3	Driver (s)	3
Data collection Assistants		
1	Surveyors	8
2	Valuers	8
3	Consultations	3
4	Census /Social Economic survey	14
5	FGDs facilitators for Assessment of impacted livelihoods	3

The consultant conducted a three days intensive training to enumerators and surveyors from 5th to 9th November 2021 prior to commencing the fieldwork. The training was conducted by the Sociologist and Resettlement Specialist, and it covered the following topics:

1. Background to the Project;
2. Principles of quantitative and qualitative research;
3. Interviewing ethics and techniques, including exercises and role-playing;
4. Familiarization and interpretation of tools and instruments to guide social economic, census, and valuation exercise;
5. Practical use of equipment and software – ODK, GPS and camera;
6. Applicable national safeguards policies, laws and legislations along with World Bank Environmental and Social safeguards Standards; and
7. Fieldwork logistics.

Training was complimented by piloting activities before embarking to full survey.

1.1.2 Delineate Survey Area

The lower Msimbazi valley serves multiple land uses. It supports several socio-economic activities including human settlements, gardening, sand mining, fodder, religious activities, lorry packing, garages, BRT yard. Others serves as storage rooms where traders keep the on transit goods. There are also public institutions such as Muhimbili National Hospital and textile and brewing industries. The area also posses' mangrove trees at the lower part which connect to the Indian Ocean. It is also constrained with poor solid waste management, poor wastewater discharges, poor storm water drainage system, unplanned settlement, loss of biodiversity, land degradation, silt and sand deposition, etc. The area within and close to Msimbazi Valley do not have sewerage systems that would provide offsite wastewater treatment. The area instead relies on onsite sanitation system which its function is compromised by high water table which do not allow sufficient onsite sanitation water infiltration.

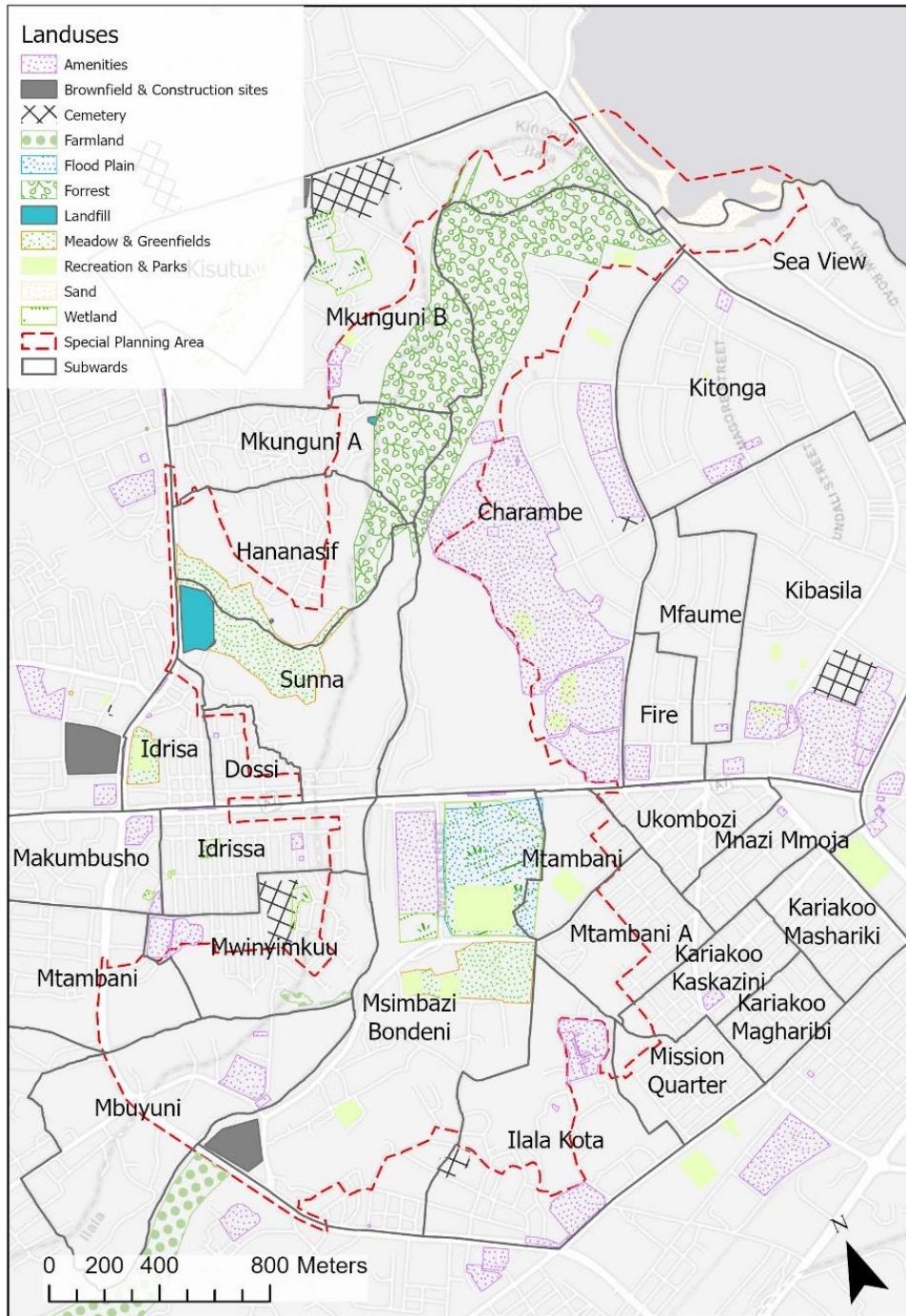


Figure 2-1: Map Showing Land use map current – based on Open Street Map

The Surveyors used the co-ordinates based on the floods modelling to delineate the project area boundaries. Also, the same method was used to earmark the flood prone area where impacted properties, and thus the affected population were identified for the preparation of this RAP (Map 3). For the Map of the study areas in relation to Dar es Salaam City and Kinondoni Municipality refer to Map Below.

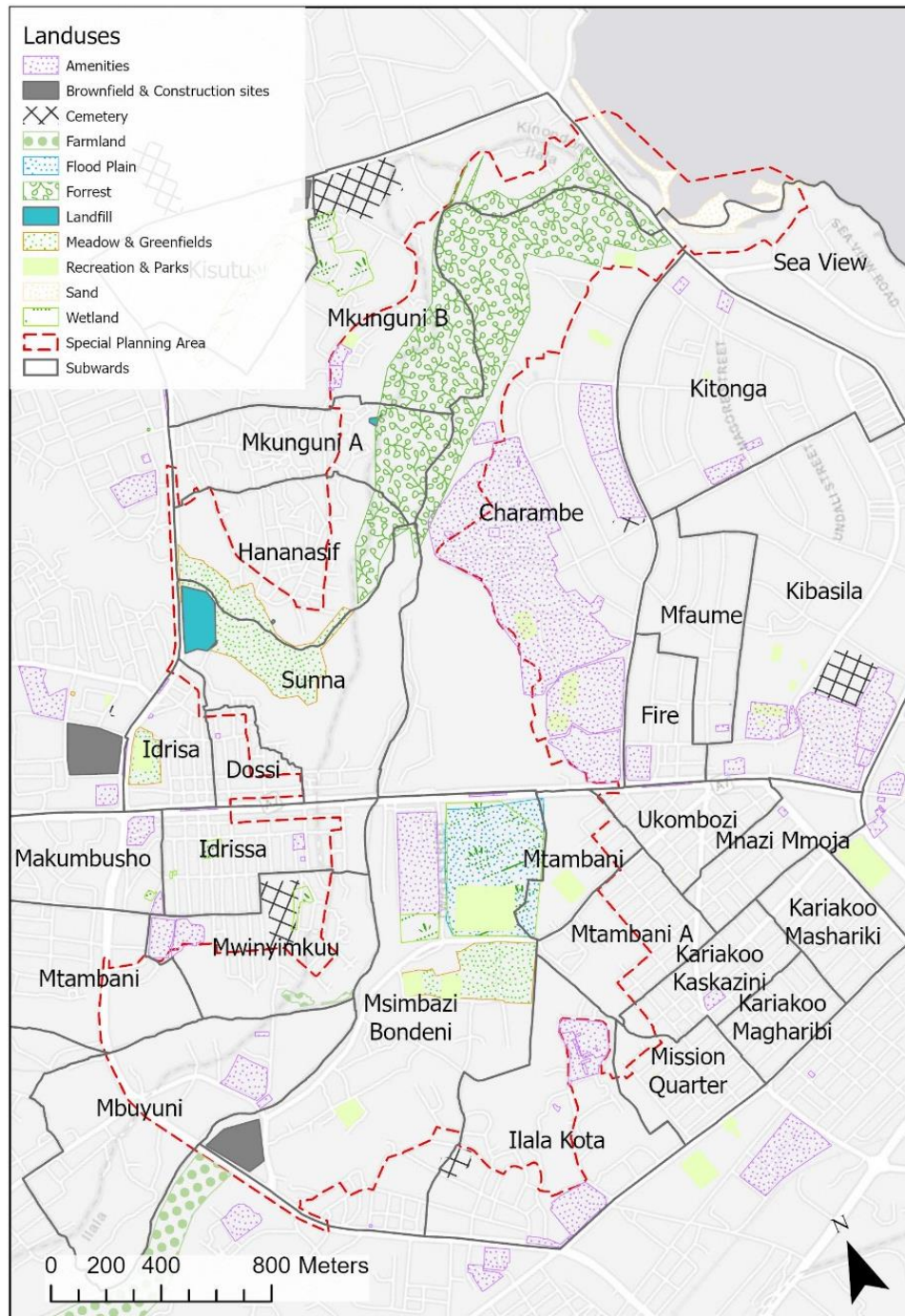


Figure 2-2: Map Showing Project delineation area

1.1.3 Identification of PAP

The identification of the affected land and associated owners (PAP) followed the following process:

- The Resettlement Specialist informed all *Mitaa* leaders about the study in advance before commencement of survey;
- The Resettlement Specialist working together with members *Mitaa* leadership committees to inform the PAPs that they would be coming to their areas within the next few days to carryout data collection.



- Survey Team requested *Mitaa* leaders to nominate members to help them in identification of land, properties and owners;
- Land Surveyor prescribed the project area by marking boundaries by using coordinates from flood modeling and subsequently identified affected land plots within those boundaries;
- The Mitaa members committee assisted to identify land and asset owners. This was followed by interviews, firstly for the asset valuers followed by the enumerators with a Census form and/or a Socio-Economic questionnaire; and
- If a landholder had more than one piece of affected land, each land was surveyed by the land surveyor's separately. However, only one Census or Socio-Economic survey was completed for each PAP.

1.1.4 Data Collection, Entry and Analysis

The surveys were completed over one month period, from 11th November 2021 to Mid-December 2021. The PAPs and the entire community within the flood prone area gave maximum cooperation to the NORPLAN team of surveyors and enumerators. Apart from setbacks due to rainy weather, and people being away due to floods calamities, and attending social issues/events the PAP have made themselves available to be interviewed at the time the teams were in their area. This is partly due to the fact that the Resettlement Specialist gives ample warning to the Mitaa chairs of the progress of the survey and, a day in advance of the survey, asks the mitaa committee members to organize the PAP to be present at their land-piece. Mostly, however, it is because the PAP have an interest in the Project, to give the required information.

The collected data from the surveys were exported from ODK to Excel and then from Excel to Stata Statistical Software for further analysis. The final master database will be kept by the Client, as a useful tool for resettlement planning in subsequent Project phases, and for monitoring the standards of living of PAP over the long term.

Focus Group Discussions

Focus Group Discussions (FGDs) were used at the community level as a forum to achieve three main objectives:

- To facilitate the dissemination of information about Project activities;
- To provide an opportunity for stakeholders to ask questions or voice their concerns; and
- To gather information/input from stakeholders on their use of resources based on their local experience and knowledge and elicit their opinion on programs to restore the affected livelihoods. The FGDs were held in 16 mitaas; nine in Kinondoni Municipal, and seven in DCC Dar es Salaam City Council.
- Streets were selected with assistance from the Mitaa committee members. The 21 groups of self-help income generating groups were identified from the floods prone areas, and are referred to as Interested Groups (IGs) which their activities will be potentially affected due to relocation. The following are identified IGs include:
 - Leader (at Mitaa level who will automatically cease their roles),
 - The elderly; women, and widows whose social safety net will be disrupted,
 - Sand miners will stop their activities due to introduction of other land use,
 - NGOs, Faith Based Organisations, religious groups; will lose customers.

The FGD findings are reported under Chapter 8 of Livelihoods restoration programs (LRP).



Database Development

The shape files generated through the Asset surveys are cleaned to remove silver polygons and fill data gaps. The final GIS layer has all the necessary information in its attribute table along with the shape. Information obtained from RAP-related activities has enabled the creation of a comprehensive GIS database, with the different components interlinked. Details include:

- GPS points and names of wards and *mitaas* in and around the Project Area of Impact (Source:Ground-truthing exercise; FGDs; Census and Socio-Economic surveys);
- Identification of all pieces of affected land, and asset loss on that land (Source: Asset inventory surveys; Land surveys);
- Identification of all PAP, including their household characteristics, socio-economic status, and land and asset loss.

Formation of Grievance Redress Committees (GRC)

Interim Grievance Redress Committees have been formed by the Mitaa committees (Details see Chapter 12 on GRC) to guide grievance management raised on identification of PAP, assets and the land affected by the Project and other relevant issues arising out of the RAP/ LRP preparation process.

Establishing Cut-off Dates

The establishment of a cut-off date for LMUP is required to prevent opportunistic invasions/rush migration into the chosen land areas thereby posing a risk. Therefore, this RAP has applied a cut-off-date procedure in line with World Bank ESS 5, which is defined as the date of commencement of census and asset inventory of PAPs who will be affected by LMUP activities. This date was 10th November 2021 for the Lower Msimbazi and for terracing the cut-off date was 14th November 2022. These dates were communicated with Municipalities' Authorities, Wards and Mitaa leaders and subsequently fully communicated to all potential PAPs in the affected project area with sufficient time for these people to ensure their availability for the Census. The PO – RALG has the responsibility of communicating with Public on the cutoff date through media and government gazette.

The PAPs were informed that no payment of compensation with respect to any construction or improvement to building, any crops sown, perennial crops planted or any improvement on land where such activity is done after PAP's census and inventory of their assets. This was discussed during consultation meetings and minutes of meetings prepared and signed.

Preparation of Entitlement Matrix

An entitlement matrix was prepared to outline all project-affected persons (PAP), the characteristics of the impact, and the types of compensation/reinstatement due them. By this matrix, all PAPs will be entitled to a combination of compensation measures and livelihood assistance, depending on the nature of ownership rights of lost assets and scope of the impact, including the social and economic vulnerability of the affected persons. The Matrix was reviewed and approved by the Client prior to valuation exercise.



Investigation of Alternative Relocation Sites

To determine whether there is a suitable alternative site for PAPs who are entitled security of tenure and for the PAPs who will opt for in kind land compensation to continue their economic activities, Community leaders, district council officials and PAP themselves were consulted and engaged in the search for sites in the immediate vicinity and other parts of the Project area (see Relocation Plan in Chapter 9). Currently there are areas earmarked for the purpose. Some are within the project site (in-situ), while others are outside the project area and categorised as: near situ, or 15 km away. Discussions are still ongoing between the client and the WB to find best and workable options. Then the agreed option will be communicated with the PAPs for the PAPs to choose.

Identification of Vulnerable Groups

Various criteria were employed to come up with VGs: condition of the head of household in terms of disability, income level, illness condition, and age. Vulnerable Groups (VGs) will require special or supplementary resettlement assistance because they are less able to cope with the physical and/or economic displacement than other affected population in general. Identification of persons and reasons for vulnerability was undertaken directly or through the community.

Valuation of Impacted Assets

Social impacts were observed mainly in terms of areas for land and units for residential structures, trees, shops etc. However, for assessing cost of compensation, valuation of impacted properties is essential. To achieve this a team was developed involving surveyors who liaised with valuers from Municipal Councils of Kinondoni and Ilala. The survey team prepared and submitted a report on the values of affected assets (see Chapter 8 for the details on valuation methods and annex 1).

Handling 2015/2016 Evictees, Survivors and Mabwe Pande Returnees

Evictees: The project area includes Hananasif area where the government demolished some houses in order to evacuate the people from the 2015/2016 floods.

Consultations with these groups of PAPs were conducted. Then valuator visited the areas and conduct the assessment of the existing assets as per the cutoff date. The valuation procedures on land and structures (as per the situation during the survey) could not take place because there were no structure or standing crops. However, all the PAPs under this category will receive their entitlements as stipulated in the entitlement matrix.

Survivor: Is a group of people from Mtambani 'A' who have filed a case at the Ilala District Magistrate to protest the demolition of their buildings and structures by the Government in 2015/16. The PAPs through their Advocate wrote a letter to the Ilala magistrate to withdraw their complaints. Subsequently the surveys went ahead and the PAPs were qualified to receive resettlement entitlements (copy of the letter attached in Annex 7).

Returnees from Mabwe Pande: These are PAPs who were relocated by the government in the past to Mabwe Pande area, about 30km from Jangwani area, and were provided land plots and some building materials to restore their livelihoods; . Some of the PAPs returned to Jangwani and occupied their original houses. The 54 PAPs who returned will under receive compensation as they were on site by cut-off date. . This has already been communicated to PAPs through series of meetings and consultations.



Exit Survey: Disclosure of Compensations, Options and Signing of Agreement Form

Prior to the start of the compensation payment process, compensation agreements with affected people is planned to be set and signed by the PAPs. The aim is to ensure that no PAP will be deprived the right for the preferred compensation mode. This will be done through an exit survey, carried out by the Client, official valuers in collaboration with respective LGAs. The exit survey is meant to confirm the results of the surveys for validation of losses carried out in November/December 2021 through the performance of the respective legal procedure. Every PAP will be informed on their entitlements, will be provided time to make a decision on the relocation options and will sign compensation agreement forms (see relocation plan for detailed activity).

Updating Database Post-Disclosure

Subsequent to field work for disclosure exercise, any corrections to inventory of trees, types of trees, structures types in terms of materials and dimension, or name of PAPs will be updated in the database. This will also include previously unknown or missing PAPs who might be showing up during the disclosure and they will be identified and listed by names upon verification. Valid PAPs will be enlisted in the PAP list and their asset and other Census and Socio-economic information in the database will be updated. New PAPs will be attended later in another disclosure meeting and their signatures will be obtained on the agreement form for their asset.

RAP Disclosure

After the draft RAP is finalized, based on input from World Bank, the final RAP will be disclosed at local and national level. The World Bank Coordinating Unit (WBCU) will also disclose it on its website and in the project areas so that PAPs and all interested persons have full access to the document (the executive summary will be translated into Kiswahili). PAPs' specific information will not be disclosed to keep privacy and confidentiality.



3.0 LEGAL FRAMEWORK

Introduction

The PO-RALG/TARURA is committed to conducting its activities with full compliance to the requirements of national regulations and the World Bank Environment and Social Safeguards (ESS) 5. The ESS5 requires that subprojects under LMUP are implemented in a manner that does not infringe people's rights to access compensation associated their affected assets or compromise their wellbeing.

Applicable National Laws and Policies

This RAP was prepared in accordance to the National policies and Acts governing procedures for land acquisition and valuation of properties in Tanzania.

Constitution of the United Republic of Tanzania (1977 - as amended): The Constitution 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.

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 regarded as a Constitutional Matter and following the basic principles of the land policy, tenants are recognized by the Constitution.

The key messages from the Land Policy of 1997 were"

- a) All land in Tanzania is public land vested in the President as trustee on behalf of all citizens.
- b) Land has exchange value in contrast with the previous situations where bare land was considered to have no value and therefore no compensation for bare land to be acquired.
- c) The rights and interest of citizens in land shall not be taken without due process of law.
- d) 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. The Act 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 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.

The Valuation and Valuers (General) Regulations of 2018 (GN 136):

These regulations replaced the Land (Assessment of the Value of Land for Compensation) Regulations of 2001. The **2018** Regulations require a registered valuer to conduct valuation of affected properties. S54 of the Regulation provides compensable items shall include land and all unexhausted improvements permanently affixed to land such as (a) crops, plants and trees (b) buildings and ancillary structures (c) site works including landscape, fences, paved walkways, driveways, retaining walls and stone masonry, storm water drains, swimming pools, (d) canals and irrigation water systems, embankments, ponds and dams; (e) infrastructure systems including water piping, electrical distribution systems, road and railway systems, sewerage system, (f) water storage tanks-overhead or underground, water wells, boreholes; and (g) children playgrounds structures; (h) Graves according to Graves (Removal) Act 1969.

Further Section 57 (1) provides Valuation for compensation purpose shall be preceded by sensitization meetings and the sensitization meetings shall be attended by a valuer, convey the purpose of valuation, procedures involved, duration of the exercise, the rates applicable in valuation, legal rights and obligations.

The 2018 Regulations require a valuer to make formal request for access to a property for the purpose of carrying out valuation through Valuation Form No 1 (S59). If request is denied the Valuer shall serve Valuation Form No. 2. Denial of access by property owner cannot stop the valuer from undertaking the valuation (S61.2). It is mandatory upon completion of inspection for compensation purposes, the Valuer avails a formal certification that is filled by property owner (Valuation Form No 3 (S62).

The regulations provide criteria for the assessment of compensation. Prior to undertaking valuation surveys, the Chief Valuer shall determine Crop Value Rate in consultation with Ministry responsible for Agriculture, Forestry, or any other relevant Ministry (S 52), land value rates and may involve a consultant to advise (S53) and building value rates (S 55). In all cases, a registered valuer who is contracted to carry out the valuation shall undertake research and prepare the rates and submit to the Chief Valuer for endorsement before commencement of the valuation (S 55.2).

Part 3 of the Regulation provide for the basis of valuation which is **Market Value** defined as “...*the estimated amount for which an asset or liability should exchange on the valuation date between a willing buyer and a willing seller in an arm’s length transaction, after proper marketing and where the parties had each acted knowledgeably, prudently and without compulsion. ...*” Besides the assessed market value which may be arrived at in either through a sales-, income- or cost approaches, the Regulations in concomitant with provisions of Land Act, require assessment of allowances. These allowances include:

- a) Disturbance allowance which is to be computed at the rate of ongoing commercial bank deposit rates for all the assets (as opposed to land only which was the case with the 2001 Regulation.
- b) Transport allowance payable for only those PAPs losing residence for the transportation of their personal belongings not exceeding 12 tons over a distance of not more than 20 kms
- c) Accommodation allowance for those losing residential accommodation for 36 months computed on a market rental value basis applicable to a similar house to that which is affected.
- d) Loss of profit in the case of business computed on verifiable/audited business accounts payable over 36 months.



It is important to note that under the Land Act No 4 of 1999 and GN 136 Regulations specifically S. 12 (2) entitlement to accommodation and transport allowance is only when the house built on the PAP's land is in use at the time of valuation.

Valuation process and procedures as per GN 136 (Part XII)

Procedure	Activity a
Instruction (S 64)- Formal	Receive and confirm in writing
	Determine whether the acquisition of the said land is satisfactory
Preliminary Inspection	Identifying boundaries of project area
	Determine compensation value rates to be used
	Identification and notification of local leaders who will participate
	Mobilize resources and tools
Sensitization and Awareness Meetings	Participate or convene
	Make know the purpose- inform coverage of project area; define compensable items
	Describe valuation methodology
	Share value rates to be applied
	make known all statutory entitlements and obligations;
	give cut off date and entitlements to people affected with the project;
	indicate duration of the exercise;
oversee distribution of statutory forms;	
Field Inspection	any other relevant information stakeholders might require
	Notification to PAP through their local leaders
	Identification of PAPs or their representatives in presence of local leaders and neighbors
	inspection and recording of compensable items in a prescribed Valuation Form No. 3 of the Part B of Fourth Schedule in duplicate
	adjudification of individual parcels of land using appropriate technology;
	taking measurements of buildings, structures and other land developments;
	counting of crops individually or in clusters or using crop per unit area
	capturing images showing people affected with project and improvements;
	handing over a copy of the endorsed valuation form to the people affected with the project;
	filling in and signing of Valuation Form No. 4 of Part B of the Fourth Schedule;
Valuation Report	Prepare Valuation reports using appropriate methods prescribed under the Act
	Apply appropriate assessment method prescribed under the Act;
	Prepare compensation Schedule which shall contain names of project affected persons, valuation identity number and photograph, compensable items, amount, allowances and the same shall be



	available for inspection by all PAPs for a period of not more than seven days from the day of disclosure submit valuation report in the manner prescribed on the Valuation Form No. 5 in Part B of the Fourth Schedule.
Valuation Approval	The Chief Valuer approves valuation reports and compensation Schedules after verification by the following in the following order: (1) field valuer in-charge, (2) Valuer in-charge (3) Village/Mtaa Executive Officer (4) Ward Executive Officer (5) Authorized Land Officer and Valuer (District level) (6) District Commissioner
Other Matters	Valuation report and compensation schedule for the purpose of payments shall be read together.
	Access to the information in the endorsed Valuation Reports and Compensation Schedules shall be restricted and accessible through the Office of the Chief Valuer, the acquiring authority, and the Valuer who undertook the said valuation who may either be (a) Government or its Departments for specific purposes for which they would need to make a formal request in writing from the Chief Valuer or (b) upon request, individuals affected by the project

Other legislation guiding this RAP include:

- i) Land Acquisition Act No. 47 of 1967
- ii) The Land Act, 1999 (Act No 4/1999)
- iii) The Land (Compensation Claims) Regulations, 2001:
- iv) The Land (Schemes of Regularization) Regulation, 2001:
- v) The Land Use Planning Act, 2007 (Act No.6/2007):
- vi) The Urban Planning Act, 2007 (Act No. 8/200 7):
- vii) The National Human Settlements Development Policy (2000):
- viii) Women and Gender Development Policy, 2000:
- ix) National Land Use Planning Commission Act No 3 of 1984:
- x) The Land (Disposition of Right of Occupancy) Regulations, 2001
- xi) The Roads Act No. 13 of 2007 and its Regulation of 2009

The World Bank Environmental and Social Framework (ESS5)

The standards and guidelines of WB published in the World Bank Environmental and Social Framework handbook (2017) will be used as basic knowledge and references to develop the RAP methodology and detailed preparation of RAP related to the actual situation along the lines

3.1 ESS 5: Land Acquisition, Restrictions on land Use and Involuntary Resettlement

ESS5 recognizes that projects often necessitate land acquisition, expropriation and/or restrictions on land use, resulting in temporary or permanent resettlement of people from their original places of residence or their economic activities or subsistence practices. When affected persons and communities do not have the choice to refuse such displacement, this process is known as involuntary resettlement.



Table 10: Summary Description of ESS5

Section In the ESS5	Summary Description
General	This ESS applies to permanent or temporary physical and economic displacement resulting from the following types of land acquisition or restrictions on land use undertaken or imposed in connection with project implementation.
Defining Eligibility (PAPs Classification):	According to the ESS5, affected persons may be classified as persons: (a) Who have formal legal rights to land or assets; (b) Who do not have formal legal rights to land or assets, but have a claim to land assets that is recognized or recognizable under national law; or (c) Who have no recognizable legal right or claim to the land /assets they occupy /use. The census must be conducted to establish the status of the affected persons.
Screening and Appraisal (Project Design):	The applicability of ESS5 to the borrower will be determined during the WB's environmental and social screening process. The Borrower will demonstrate that involuntary land acquisition or restrictions on land use are limited to direct project requirements for clearly specified project purposes within a clearly specified period of time.
Community Engagement:	The Borrower will engage with affected communities, including host communities, through the process of stakeholder engagement described in ESS10. Decision-making processes related to resettlement and livelihood restoration will include options and alternatives from which affected persons may choose. Disclosure of relevant information and meaningful participation of affected communities and persons will take place during the consideration of alternative project designs, and thereafter throughout the planning, implementation, monitoring, and evaluation of the compensation process, livelihood restoration activities, and relocation process. Additional provisions apply to consultations with displaced Indigenous Peoples, in accordance with ESS7.
Grievance mechanism:	The Borrower will ensure that a grievance mechanism for the project is in place, in accordance with ESS10 as early as possible in project development to address specific concerns about compensation, relocation or livelihood restoration measures raised by displaced persons (or others) in a timely fashion. Where possible, such grievance mechanisms will utilize existing formal or informal grievance mechanisms suitable for project purposes, supplemented as needed with project-specific arrangements designed to resolve disputes in an impartial manner.
Planning and implementation:	Where land acquisition or restrictions on land use are unavoidable, the Borrower will, as part of the environmental and social assessment, conduct a census to identify the persons who will be affected by the project, to establish an inventory of land and assets to be affected, to determine who will be eligible for compensation and assistance, and to discourage ineligible persons, such as opportunistic settlers, from claiming benefits.



Institutional arrangement:	The Borrower’s plan will establish the roles and responsibilities relating to financing and implementation, and include arrangements for contingency financing to meet unanticipated costs, as well as arrangements for timely and coordinated response to unforeseen circumstances impeding progress toward desired outcomes.
Implementation and Monitoring:	Borrower will establish procedures to monitor and evaluate the implementation of the plan and will take corrective action as necessary during implementation to achieve the objectives of this ESS.
Collaboration with other responsible agencies or subnational jurisdictions:	The Borrower will establish means of collaboration between the agency or entity responsible for project implementation and any other governmental agencies, subnational jurisdictions or entities that are responsible for any aspects of land acquisition, resettlement planning, or provision of necessary assistance. In addition, where the capacity of other responsible agencies is limited, the Borrower will actively support resettlement planning, implementation, and monitoring.

Comparison of National Legislation and WB ESS5

The Analysis of previous resettlement documentation including resettlement plans, frameworks shows that there are some divergences between World Bank ESS5 and Tanzanian legislation in compensation for involuntary resettlement in the implementation of projects. The main discrepancies are in:

- (i) Limited public consultation before resettlement activities
- (i) Lack of detail explanation of entitlements to project affected population, and
- (ii) Basis of compensation assessment which is limited to ‘market value’ instead of replacement cost
- (ii) Limited socioeconomic surveys among PAPs
- (iii) Lack of livelihoods restoration programs.

Furthermore, the Tanzanian Laws only provide compensation for land that is either legally owned by PAPs or recognized land occupiers under customary or have been granted license to occupy the land for not less than three years (s. 156 of Land Act). In contrast the World Bank ESS5 provides for compensation in addition to the above for land occupiers who may be encroachers, squatters as well as tenants with interests on the land before the cut off dates.

It is important to note that because of State ownership of lands in Tanzania, access to land is only possible with a grant from the respective local authorities (as given attorney by the President) on the basis of a lease or on other terms. Accordingly, land tenure issues are fully governed by law that upholds statutory ownership and occupation of land or deemed occupational rights under customary law/traditional practices and lease. According to Tanzania laws, those who use or occupy land outside the two lines of recognized forms are not entitled to legal compensation. The State will have the right to seize the land from those “illegal land occupiers”. Persons who take up their residence on the area after the cut-off date are not entitled to compensation or any other form of resettlement assistance.

World Bank in its ESS 5 highlights that particular attention should be paid to the needs of the most vulnerable groups among those displaced, especially those below the poverty line, the landless, the elderly, women and children, indigenous peoples, ethnic minorities, and also other categories of displaced persons whose interests may not be protected by national legislation with regard to



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the compensations for the land plots subject to withdrawal. The most stringent will prevail in cases of discrepancies between WB and Tanzanian legislation, not just simply in relation to compensation issues but to all issues. A further comparison between the Tanzania Legislations and the World Bank and harmonization measures (i.e. gap filling measures) are contained in Table below.



Table 11: Comparison of Tanzania Laws and World Bank ESS5 Regarding Compensation and Resettlement

Resettlement Aspect	World Bank (ESS5)	National Regulations	Gaps	Measures To Fill The Gaps
ESF: ESS5 on Land Acquisition, Restrictions on Land Use and Involuntary Resettlement	Requires Borrowers to: (i) Avoid or minimize involuntary resettlement by exploring project design alternatives (ii) Avoid forced eviction (iii) Mitigate unavoidable adverse impacts from land acquisition or restrictions on land use through timely compensation for loss of assets at replacement cost and assisting displaced persons in their efforts to improve, or at least restore, livelihoods.	Land Acquisition Act No. 47(1967) Provides for the following: <ul style="list-style-type: none"> ▪ Minister responsible for land to 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. 	Currently in Tanzania there is no specific-resettlement policy itemizing procedures and processes that would safeguard and prevent the PAP from being left worse off by the project.	ESS5 will prevail. The RAP will be developed in line with both National and legislation and ESS 5
Compensation entitlements	Affected persons may be classified as persons: (a) Who have formal legal rights to land or assets; (b) Who do not have formal legal rights to land or assets, but have a claim to land or assets that is recognized or recognizable under national law; ¹⁴	The Land Act 1999 and Valuation and Valuers (General) Regulations of 2018 (GN 136); assets for compensation paid on loss of land and shall include the value of unexhausted improvements, disturbance allowance, transport allowance, accommodation allowance, and loss of profits. Entitled are <ul style="list-style-type: none"> a) those who can prove <i>de jure</i> or <i>de facto</i> land ownership. b) Those have occupied land in the same location under a deemed 	There is no gap between Tanzania law and WB as far as those with (a) formal legal rights and those (b) without formal legal rights, but have a claim to such land under customary practices, eligible for compensation. WB ESS5 more lenient with seasonal users of land, including tenants, squatters and encroachers	Under Msimbazi Project, there will be no consideration of depreciation but rather replacement cost Seasonal occupants if any will be considered



Resettlement Aspect	World Bank (ESS5)	National Regulations	Gaps	Measures To Fill The Gaps
		<p>residential license for not less than three years (Land Act 1999: S 23)</p> <p>Seasonal land/resource users are not covered, nor are persons who have constructed on or otherwise use road reserves (i.e., “encroachers”).</p>		
Loss of Profits	<p>ESS5 provides under economic displacement: In cases where land acquisition or restrictions on land use affect commercial enterprises, (this includes shops, restaurants, services, manufacturing facilities and other enterprises), regardless of size and whether licensed or unlicensed.</p>	<p>According to The Valuation and Valuers (General) Regulations of 2018 (GN 136); compensation for loss of any interest in land shall include loss of profits.</p>	<p>Tanzanian regulations provide for income restoration allowances where the PAPs incurred losses of business income. However, due to the legal requirement for audited business accounts to be basis of the assessment, assessment has been difficult and computed on proxy data.</p>	<p>Compensation on the lost income and profit will be made as per ESS5; that provides for economic displacement regardless of size and whether licensed or unlicensed.</p>
Valuation approaches	<p>ESS5 asserts that when land acquisition or restrictions on land use (whether permanent or temporary) cannot be avoided, the Borrower will offer affected persons compensation at replacement cost, and other assistance as may be necessary to help them improve or at least restore their standards of living or livelihoods.</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, transport, accommodation allowance and loss of profits where applicable.</p>	<p>Disparity between the two approaches Market Value vs replacement cost Under the Market value approach, the amount paid in most cases does not amount to that required to replace the lost assets.</p>	<p>Under Msimbazi Project, eligible PAPs will be entitled for compensation that will be calculated under replacement cost approach to ensure that all impacted assets are compensated/replaced.</p>



Resettlement Aspect	World Bank (ESS5)	National Regulations	Gaps	Measures To Fill The Gaps
Restoration of Affected Incomes and Livelihoods	ESS has made a provision that where applicable livelihood restoration and improvement programs will commence in a timely fashion in order to ensure that affected persons are sufficiently prepared to take advantage of alternative livelihood opportunities as the need to do so arises.	None	In Tanzanian regulations no provision for restoration of the affected livelihoods, neither as standalone programs nor included in the compensations	ESS5 principle regarding income restoration will be considered under Msimbazi project. RAP developers/PO-RALG will identify and formulate livelihood restoration programs in consultations with the affected groups.
Assistance to vulnerable and severely affected PAP	ESS5; resettlement plan provides for transitional relocation assistance to people who are physically displaced. Such assistance may include transportation, food, shelter, and social services that are provided to affected persons during the relocation to their new site;	Tanzanian law does not make provisions requiring the government to pay special attention to vulnerable groups in the administration of compensation.	Moreover, there are no provisions that require the government to pay special attention to vulnerable groups or indigenous peoples	These PAPs are to be identified and special assistance will be provided to safeguard them from being left worse off by the project.
Public Land Users (Encroachers)	World Bank's ESS 5 on Land Acquisition, Restriction on Land Use and Involuntary Resettlement, includes users or displaced persons who have no recognizable legal rights or claim to the land or assets they occupy or use	Tanzania law on compulsory acquisition and compensation is limited to those who can prove <i>de jure</i> or <i>de facto</i> land ownership.	Tanzania law does not recognize the Seasonal land/resource users and informal settlers as eligible for compensation for assets and provision with resettlement and livelihood assistance.	Under the Msimbazi Project Seasonal land/resource users will be compensated for the loss on income or livelihoods associated to the restrictions from using the assets (permanently or temporarily).
Grievance Handling Procedures	ESS10 requires that grievance mechanism for the project is in place as early as possible in project development to address specific concerns about compensation, relocation or	Under s. 13 of the <i>Land Acquisition Act, 1967</i> , if dispute of disagreement regarding any of the matter listed below is not settled by the parties concerned within six weeks from the date of publication of notice that land is required for a public purpose the	The law in Tanzania does not provide for the establishment of grievance resolution mechanisms specific to particular resettlement cases. Tanzania has a well-established and accessible local grievance redress mechanism through existing systems	GRMs established for this Project in line with the WB-ESS10 guidelines.



Resettlement Aspect	World Bank (ESS5)	National Regulations	Gaps	Measures To Fill The Gaps
	livelihood restoration measures raised by the displaced persons (or others) in a timely manner.	Minister or person holding claim in the land may institute a suit in the high court of Tanzania for the Determination of the dispute.	and structures.	
Stakeholder engagement and information disclosure	<p>ESS10 provide for need for consultation with PAPs, host communities and local government.</p> <p>In the event of dealing with vulnerable persons additional provisions apply to consultations with displaced vulnerable groups in accordance with ESS7.</p>	The Land Act of 1999 and The Valuation and Valuers (General) Regulations of 2018 (GN 136):provide for stakeholder’s engagement and information disclosure on valuation exercise and process prior to execution of the projects.	The provisions in ESS5 have no equivalence in implementation of Stakeholder engagement and information disclosure processes in Tanzanian practice.	<ul style="list-style-type: none"> ✓ Msimbazi project will have continuous consultations with the PAPs and their local leaders during preparation of the RAP report, their disclosure and implementation. ✓ Consultations will ensure equitable gender representation as stipulated in ESS10.



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3.2 Acclimatization Period of the Involuntary Resettled to the New Conditions and Environment

WB ESS5 considers that displaced persons and their communities, and any host communities receiving them, are provided timely and relevant information, appropriately consulted on resettlement options, and offered opportunities to participate in planning, implementing, and monitoring resettlement activities. In new resettlement sites or host communities, infrastructure and public services are provided as necessary to improve, restore, or maintain accessibility and levels of service for the displaced persons and host communities. Alternative or similar resources are provided to compensate for the loss of access to community resources (such as fishing areas, grazing areas, fuel, and/or fodder);

In principle, the laws of the United Republic of Tanzania and World Bank ESS5 both adhere to the objective of compensation at replacement cost. However, the Tanzanian legislation does not provide for restoration of livelihoods and in practice this has been left to *ad hoc* arrangements taken by project proponents in order to meet international donor requirements. To clarify these issues and reconcile eventual gaps between the laws of Tanzania and the World Bank Standards, this LMU-RAP is designed to: ensure that compensation for all affected assets is done at replacement cost; rehabilitation assistance to people without land use rights and informal settlers; and the provision of rehabilitation and subsistence allowances for PAPs who may be required to relocate, suffer business losses, lost jobs or qualify as vulnerable.

In case of disparity between the laws of the United Republic of Tanzania and the requirements of the World Bank's ESS 5 the most stringent will prevail. This provision will be considered as binding for concerned parties once the RAP is approved by both the Government and the Bank.



4.0 PUBLIC CONSULTATION AND DISCLOSURE INFORMATION

Introduction

Public consultation and disclosure of information among project developers, PAPs and other stakeholders are vital components for the success of any development project². Not only is regarded as best practice on ethical and moral grounds, but it is cost effective in the long term and it ensures project acceptability and sustainability. In addition, the consultation process provides an opportunity for PAP to express their views and opinions on the project, and on their present and possible future. To achieve this, Public consultation and disclosure of information about the project is key. Accordingly, the Project proponent, the WBCU in PO-RALG/TARURA have spearheaded this process by giving consideration to all stakeholders, putting in place supportive institutional arrangements, and a program of implementation. This Section presents detail of the consultation taken around the Project to date, and actions required for the future, particularly in aspects relating to involuntary resettlement.

Project Consultation Process

The Project proponent has conducted extensive consultations to project stakeholders including the PAPs. This has been done through project formulation consultants, for example during the Preparation of Msimbazi Opportunity Plan (MOP) under Charrette where 30 different consultation sessions were conducted involving 59 institutions, 150 representatives of institutions and more than 1000 community members.

NORPLAN has continued with the consultation process with this study. During the period between 9/11/ and 15/12/2021¹⁴⁴. Meeting sessions were conducted with different stakeholders within the valley to inform this RAP.

Table 12: Consultation schedule for the Public Meetings with number of PAPs segregated by gender for Lower Msimbazi

Date	Mtaa (Street)	# Of Participants	# Of Females	# Of Males
9/11/2021	Sunna	4	2	2
10/11/2021	Sunna	105	37	68
11/11/2021	Mtambani & Kigogo Mbuyuni	90	23	67
11/11/2021	Idrisa	35	8	27
11/11/2021	Mwinyimkuu	145	37	108
12/11/2021	Mkunguni A/B	10	4	6
13/11/2021	Sunna/Kawawa/Hanasif	505	166	339
13/11/2021	Mkunguni A	111	41	70
13/11/2021	Mkunguni B	154	64	90
15/11/2021	Charambe	14	5	9
16/11/2021	Kariakoo Kaskazini	22	12	10
16/11/2021	Misheni Kota	15	4	11
17/11/2021	Hanasif	9	3	6
18/11/2021	Msimbazi Bondeni	252	72	180
18/11/2021	Ilala Kota	174	63	174

² See Appendix G for a comprehensive outline of international requirements around public consultation and disclosure of information.



19/11/2021	Mtambani A	47	12	25
19/11/2021	Mtambani B	120	47	73
	TOTAL	1967	600	1267
	Total %		30.50%	64.41%

Note: This table reflects consultations undertaken during RAP preparation. Consultations are on-going through GRCs, Public notices, social media and during disclosure of entitlements.

Consultation Methods and Issues Raised and Discussed

Following sections present methods employed during consultation and summary of meeting outcomes:

(i) Public Meetings

During the Public Meetings the Affected people living in the Flood prone Project area raised several issues, including:

- The timing of the Project: When is it likely to start?
- Compensation: Who will determine the compensation packages; how will compensation values be determined; what mechanisms will be put in place to ensure that PAP are fairly compensated; and what type of compensation will be given?
- Grievance procedures: How will the PAP complaints be addressed?
-

With the assistance of officers from Councils, Surveyors and Valuer, NORPLAN provided responses to the concerns.

Table 13: Public Meeting Summary of PAPs Queries and Response

S/N	Issue/Concern	Stakeholders: PAPs	Consultant Responses
1	Scope of the project and when will the project start? <i>Community wanted to know the scope of the project; this includes people who will be compensated by the project.</i>	PAPs in Sunna, Mtambani & Kigogo Mbuyuni	The project is under preparation for smooth start. Data collection is one of the key steps to enable understanding the affected properties and identify the owners. No construction will start prior to compensation payment.
2	Valuation of demolished structures They requested consideration be made to compensate the owners of houses demolished by government under emergency eviction.	PAPs at Sunna, Charambe, Hanansif and Kawawa	<ul style="list-style-type: none"> ▪ There will be no valuation to the houses that do not exist, however any structures seen on site during the day of cut-off date will be assessed and subsequently assigned values. ▪ Government will provide security of tenure and other livelihoods restoration programs.



3	The inundated structures in the flood areas and abandoned are highly affected by vandalism. The owners wish that the compensation be done as per the house condition before the roofs, windows and doors were vandalized.	Mkunguni A & Mkunguni B, Mtambani A&B; Mwinyi Mkuu	<ul style="list-style-type: none"> Compensation will be based on the condition of the structure at the time of cut off. However, there will be consideration of all other entitlements. PAPs will have freedom to choose their preferences e.g. between in-kind or cash compensation.
4	The community was keen to know if land will be compensated.	Mtambani A& BMkunguni	<ul style="list-style-type: none"> Land is amongst things that will receive compensation however, presence of land title deed or valid habitat license will cement the process. There will be arrangements to ensure security of tenure for the PAPs with no title deed.
5	Will the PAPs be given the freedom to choose the type of compensation?	Mtambani A&B ; Mkunguni	<ul style="list-style-type: none"> Provision of land for replacement will be made to ensure security of tenure to every PAP. PAP will have a choice to make between the lands or cash (Equivalent).
6	What benefits the community will receive by participating in data collection?	Mtambani A&B	Their detailed records will be kept in a data base so that they can be assigned their entitlements and subsequently be easily traced during compensation payments and other Processes.
7	Procedures for computation of compensation related to the affected community assets (Mosques, churches and Madrasa).	Suna, Mtambani A	All structures will be compensated. For religious facilities proper communication will be made and compensation effected accordingly.
8	Concerned about aftermath of tenants who are dwelling in the houses that will be affected by the project.	Idrisa, Mtambani A	Eligible tenants will be interviewed after providing valid tenancy Agreements. They will be provided entitlements accordingly.
9	Availability of employment opportunities to local communities.	Idrisa	The project will offer various opportunities to local communities including employment for the Qualified people/groups.
10	Process involved in registration of house under probate if all children will be interviewed and pictures taken.	Idrisa	According to Probate and Administration of Estate Act, there should be someone selected as administrator of the estate and that Person will represent the family.
11	Plea: PAPs' interests be safeguarded and that they should not be left worse off due to this project.	Msimbazi Bondeni	This is a World Bank funded project. Henceforth it is abided to the WB's environment and social standards. Tanzania laws and World Bank standards will be applied to safeguard the PAPs entitlements.
12	How do the houses that have never been flooded be affected?	Msimbazi Bondeni	It is true that in upper areas not all houses will be removed. Depending on land requirements to a particular infrastructure project that will be traversing the areas, some houses will be removed as a whole



			while others will be partially demolished.
13	PAP wanted to know if they are allowed to salvage material from their demolished building after they are paid compensation e.g iron roofs, windows etc.	Mtambani A	Yes, They are allowed to salvage the materials from their demolished houses. Guidance will be provided including self-demolition. Environmentalist will guide on how to handle hazardous materials such as asbestos.
14	How will the loss of profit be computed? Given that most of the petty traders (food vendors) they don't have records books or audited reports.	Mtambani A	The compensation processes require submission of documents for one to be considered in loss of profit payment. However, we are taking this to discuss with the client.
15	Are there considerations for compensating the PAPs who were given land plots in Mabwepande and decided to return back?	Mtambani B	There will be compensation only for Mabwepande returnees that were found on site at cut-off date.
16	Suggestion: Communication on the day/date of data collection should be sent well ahead for the PAPs to be able to participate.	Ilala Kota	PAP will be notified in advance through their Mtaa leaders.
17	There is a person who constructed a sewerage system and allowed neighbour to connect. Is that a community asset?	Hananasif	<ul style="list-style-type: none"> ▪ No, this does not fall under community asset categories. ▪ All development done by individual will be evaluated and subsequently compensated accordingly.

Note: Consultation through public meetings was done to include Phase 1 and 2 and individual consultations were done in detail during census and valuation exercise

(ii) Key Informants Discussions (KIIs)

Key informant interviews were done with local leaders at ward (WEOs, councillors) and Mtaa levels. The aim of KIIs were to inform them about the entire exercise of data collection, RAP preparation process, their roles and responsibilities. The meeting with leaders were also used to collect specific data about their area (eg. Sensitive areas, environmental practices and unique issues that would require a special attention and handling).

The leaders played a vital role in respect of building rapport and connecting the RAP team and the community. For example, to convey information to the community about meeting dates, time and venue; as well as encouraging women and people with disability to participate in the meeting. Similar, leaders played crucial role to identify PAPs and the tenants during the survey exercise. They also, helped to resolve grievances related to boundaries, inheritances and matrimonial issues as well as notifying the Valuation Team on the PAPs who were mistakenly skipped out.

Continuing Consultation

The success of the resettlement program largely depends on the ability of the PO-RALG/TARURA to maintain a collaborative (partnership) relationship, building on the trust that



has developed, to contribute to the quality of decisions, and to move forward with RAP implementation.

The major activities required for PO-RALG to take the resettlement process forward are:

- 5.0 Nominate a Community Liaison (CLO) Officer: The PO-RALG is recommended to nominate at least two (one for DCC and another for Kinondoni) CLOs with experience in community consultations, to take the consultation process forward. A key role of this Officer will include among others: to ensure that the consultation activities are effectively implemented and managed; work directly with the local authorities, PAP, other local stakeholders, and any bodies involved in the Project at field level.
- Review appropriateness and relevance of the identified stakeholders, their contribution in accomplishing the task during the RAP implementation stage.
 - Consultation will continue as appropriate throughout the stages of the Project, focusing those being relocated and host communities, to obtain their views, concerns and suggestions in relocation implementation activities.

4.1.1 *Dissemination of Information*

Running parallel to this process will be the continual dissemination of information about the Project. This includes the immediate development of materials about the Project for distribution to the public. These would include less cost materials such as brochures, information sheets and news updates which will communicate information on the project. The Client will also be required to provide a Project Information Office to be used by CLOs.

Other methods of disseminating information will be; radio, television programs, newspapers, and the distribution of Project Information Sheets, news updates and posters through, or displayed in, public places such as schools, health centres, and market places and through the ministry website.

4.1.2 *Consultation Requirements*

Together with the aforementioned dissemination and disclosure methods which this RAP will follow, other key consultation requirements to take the Project forward are summarised in the table below.

Table 14: Projected Consultation Requirements

Issues	Consultation requirements
Institutional Make-up	<ul style="list-style-type: none"> ▪ Appointment of Community Liaison Officers (CLOs) who will work hand in hand with the Mitaa leaders and interim GRCs. ▪ Formalization and operationalization of Interim GRCs at <i>mitaa</i> and ward levels. ▪ <i>Information Dissemination</i>: Establishment of information dissemination system.
Stakeholders	<ul style="list-style-type: none"> ▪ Identification and confirmation of stakeholders involved in relocation implementation. ▪ <i>Information dissemination</i>: communication to the stakeholders on their roles and responsibilities and expected contribution towards the relocation process.



<p>Resettlement sites</p>	<ul style="list-style-type: none"> ▪ Selection of resettlement sites based on available alternatives, including field visits to assess and confirm the proposed sites. ▪ Receiving views/perceptions of host communities on relocation arrangements. ▪ <i>Information dissemination:</i> Advantages/disadvantages of each resettlement option and subsequent sites along with provision of basic facilities, and improvement of infrastructure.
<p>Compensation and Livelihood Restoration Plan (LRP)</p>	<ul style="list-style-type: none"> ▪ Communicating compensation and relocation procedures and protocols, including verification of assets, and methods of payment (when, how, by whom). ▪ Selection of LRP strategies for households/business enterprises, and service providers for such activities. ▪ Confirmation of vulnerable individuals/groups. ▪ <i>Information dissemination:</i> Entitlement Framework; proposed procedures and protocols around compensation; LRP options and their implementation.
<p>Relocation Preparation</p>	<ul style="list-style-type: none"> ▪ Presentation of proposed houses (house designs) options on relocation sites, ▪ Infrastructure and service provision at host areas, ▪ <i>Information dissemination:</i> Architectural designs/models of areas, houses and other structures; options around service provision.
<p>Relocation Procedures</p>	<ul style="list-style-type: none"> ▪ Practical procedures for relocation, ▪ Payment schedule of rehabilitation allowance (when, how, by whom). ▪ Identification of people with special needs/the vulnerable, requiring assistance in housing construction and relocation. ▪ <i>Information dissemination:</i> relocation procedures, including payments.
<p>Grievance Redress</p>	<ul style="list-style-type: none"> ▪ Communicating Grievance Redress Mechanisms ▪ Roles/responsibilities of NGO and GRC roles and responsibility and ToR ▪ <i>Information dissemination:</i> GRM, ToR of NGO
<p>Monitoring & Evaluation</p>	<ul style="list-style-type: none"> ▪ Internal/external monitoring, to ascertain appropriateness, effectiveness and efficiency of implementation of RAP - Participatory Monitoring and Evaluation (PME). ▪ <i>Information dissemination:</i> Monitoring and evaluation (M+E) activities including the rights of those being monitored/evaluated; receiving results of reports, in an accessible place/form, in the language of those affected.



5.0 BASELINE SOCIAL ECONOMIC STATUSES OF THE PAPS

Characteristics of the Affected Population

The census recorded a total of 11,708 as all affected population. The affected population included owners of the affected houses /structures, and users of affected structures (tenants and members of households).

5.1.1 Features of the Owners of the Affected Assets

The census survey recorded a total of 3552 owners of the affected land and property. Among the affected owners 1693 (47.66%) are occupying their structures for residential or commercial or both residential and commercial. While the rest and majority 1859 (52.34%) are not occupying their structures due to various reasons: about 1068 PAPs (equivalent to 30.06%) of the owners were evicted due to 2015/16 floods; while 791 PAPs (22.26%) cannot occupy their structures due to flooding effects. Table below presents categories of affected assets by condition.

Table 15: Types of Affected Assets by Condition

Mtaa/Street Name	In use			Submerged lands			Demolished			Abandoned		
	F	M	Total	F	M	Total	F	M	Total	F	M	Total
Charambe	4	3	7	0	1	1	52	49	101	0	0	0
Hanasif	6	2	8	1	0	1	56	101	157	7	7	14
Idrisa	10	23	33	0	0	0	0	0	0	0	1	1
Ilala Kota	79	135	214	6	8	14	7	5	12	41	59	100
Kariakoo Kaskazini	5	14	19	0	0	0	0	0	0	0	0	0
Kawawa	0	0	0	0	0	0	74	127	201	0	0	0
Kigogo Mbuyuni	161	173	334	9	14	23	2	2	4	33	41	74
Misheni Kota	8	8	16	0	1	1	0	0	0	1	3	4
Mkunguni A	7	8	15	1	1	2	26	35	61	3	1	4
Mkunguni B	27	51	78	2	1	3	17	29	46	7	14	21
Msimbazi Bondeni	241	292	553	9	21	30	7	9	16	89	78	167
Mtambani	14	23	37	1	1	2	0	0	0	0	0	0
Mtambani A	59	73	132	0	0	0	2	2	4	46	64	110
Mtambani B	17	29	46	5	8	13	1	3	4	57	65	122
Mwinyi Mkuu	57	64	121	10	8	18	0	0	0	8	15	23
Suna	44	55	100	1	0	1	210	252	462	10	32	42
Total	739	953	1693	45	64	109	454	614	1068	302	380	682
Grand Total : 3552												

Source: Census Survey 2021

5.1.2 Composition of Households in the Msimbazi in the Floods prone areas

The PAPs in the Floods Prone areas can be classified as (i) owners (land lords/ladies of the occupied structures and (ii) the tenants who are renting the commercial and residential houses.



- i. The owners: census reported 7663 owners and their members of households living in the floodprone areas. Owners of the occupied assets are 1693 (equivalent to 22.14%) while household's members are 5,970 (equivalent to 77.86%). Table below presents the number of owners and their members of households living in the areas segregated by gender.

Table 16: Composition of Households in Msimbazi Flood Prone Areas by Gender

Municipal / Mitaa	Head of Households			Households Members		
	Female	Male	Total	Female	Male	Total
DCC(Ilala)						
Charambe	4	3	7	14	18	32
Ilala Kota	79	135	214	342	355	697
Kariakoo Kaskazini	5	14	19	55	39	94
Misheni Kota	8	8	16	33	42	75
Msimbazi Bondeni	241	292	533	865	848	1713
Mtambani A	59	73	132	177	205	382
Mtambani B	17	29	46	62	78	140
Sub-total	413	554	967	1548	1585	3133
Kinondoni						
Hanasif	6	2	8	9	6	15
Idrisa	10	23	33	78	73	151
Kawawa	0	0	0	0	0	0
Kigogo Mbuyuni	161	173	334	549	536	1085
Mkunguni A	7	8	15	12	21	33
Mkunguni B	27	51	78	130	154	284
Mtambani	14	23	37	80	80	160
Mwinyi Mkuu	57	64	121	280	286	566
Suna	44	56	100	106	137	243
Sub-total	326	400	726	1244	1293	2537
Total	739	954	1693	2792	2878	5670
Total PAPs						7363

Source: Census Data (2021)

- ii. Table 17: Number of Heads of HH and their HH members segregated by gender for phase two. The age grouping of the PAPs was based on Tanzanian definition of children, elderly and young adults and middle ages. The children stand in the first group of years less than 18. Elderly are determined by retirement age of above 64; while young adults and the middle ages are PAPs who are at the age between 19 and 64 years. The census findings indicate that most of the PAPs are at between young adults and the Middle Ages. **Table Below**

Table 17: Composition of Households in Msimbazi Prone Flood Area by Age

Mtaa/Street Name	Head of Households				HH Members			
	≤18	≥19≤59	≥60	Total	≤18	≥19≤59	≥60	Total
Municipality/District								
DCC (Ilala)								
Charambe	0	7	0	7	11	21	0	32
Ilala Kota	14	138	62	214	229	432	36	697
Kariakoo Kaskazini	0	13	6	19	27	58	9	94
Misheni Kota	0	9	7	16	32	39	4	75
Msimbazi Bondeni	7	388	138	533	621	1004	88	1713



Mtambani A	6	83	43	132	103	239	40	382
Mtambani B	3	26	17	46	49	87	4	140
Sub-total	30	664	273	967	1072	1880	181	3133
Kinondoni								
Hananasif	0	5	3	8	5	8	2	15
Idrisa	0	24	9	33	45	97	9	151
Kawawa	0	0	0	0	0	0	0	0
Kigogo Mbuyuni	13	235	86	334	387	644	54	1085
Mkunguni A	0	11	4	15	6	24	3	33
Mkunguni B	0	51	27	78	109	161	14	284
Mtambani	1	23	13	37	66	90	4	160
Mwinyi Mkuu	1	83	37	121	204	329	33	566
Suna	0	73	27	100	71	153	19	243
Sub-total	15	505	206	726	893	1506	138	2537
Total	45	1169	479	1693	1965	3386	319	5670
Total PAP								7363

Source: Census survey 2021

The survey findings indicate presence of 45 children headed households. RAP has considered these households to require vulnerable assistance; the assistance include ensuring they have an operating bank account, ensure they obtain alternative place to stay while constructing new houses, assist in supervising the construction of new house.

Therefore, the total number of Household members is 5,670 while Head of Household Heads is 1,693; total 7,363.

- iii. Tenants: census has recorded 2486 tenants, who are residing in the affected structures. Among the affected tenants 395 (15.9 percent) are in possession of valid tenancy agreements while the rest 1841 (74.1%) had no agreements. PAPs with valid tenancy Agreements are eligible for accommodation and transport allowances.

Majority of the tenants are boarders and or lodgers (mainly people working in the transport sector from different parts of the country); up to 5 or 6 could share a room; the people who gave these figures are those who own the houses. The owners will be receiving loss of business allowance of 36months. For eligible 395 tenants they will receive 3months rent, assistance to relocate and transport allowance. Reimbursement for unexpired tenancy/ lease period and the amount of deposit or advance paid by the tenant to the landlord or the remaining amount at the time of expropriation will be borne by the Land Lord. During RAP implementation and verification tenants who had no actual contacts but later a proof is established that the PAP is actually a tenant; then the Entitlement Matrix of tenants will apply.

Table 18: Composition of Tenants Households by Tenancy Agreement

Mtaa/Street Name	Without Tenant Agreement		With valid Tenant Agreement	
Charambe	1	100.0%	0	0.0%
Hananasif	0	0.0%	24	96.0%
Idrisa	49	62.0%	27	34.2%
Ilala Kota	258	75.9%	61	17.9%
Kariakoo Kaskazini	35	94.6%	2	5.4%



Kawawa	0	0.0%	0	0.0%
Kigogo Mbuyuni	302	79.1%	48	12.6%
Misheni Kota	25	67.6%	2	5.4%
Mkunguni A	8	50.0%	0	0.0%
Mkunguni B	72	81.8%	9	10.2%
Msimbazi Bondeni	591	72.1%	129	16.0%
Mtambani	49	81.7%	9	15.0%
Mtambani A	188	79.3%	33	13.9%
Mtambani B	62	69.5%	16	19.5%
Mwinyi Mkuu	58	61.1%	11	11.6%
Suna	144	79.1%	24	13.2%
Total	1841	74.1%	395	15.9%
<i>Source: Field Data (2021)</i>				

5.1.3 Identification of Vulnerable PAPs

The survey recorded 149 (8.8%) of the Project Affected Household (PAH) falling in various vulnerability group as they are challenged by one or more conditions such as being widow/widower; elderly, orphans/abandoned children, chronically ill, or disabled. This was arrived at basing on a GoT poverty line criterion on cash transfer program definition of poor and ultra-poor, which classifies a household is poor when its consumption is less than TZS 50,000/month. The vulnerable households constitute 6.4% of the total PAPs. However, all 45 children headed households are considered vulnerable. Table below presents summary of vulnerable households in each mtaa.

Table 19: Number of Vulnerable PAPs in Lower Msimbazi Project Affected Area by Vulnerability Criteria

Mtaa(Street)	Vulnerability Valuation					Total
	Child-headed	Elderly-headed	Physically Challenged	Widow/Single Woman	Woman-headed	
Idrisa		2	0	2	0	4
Kigogo Mbuyuni	13	6	0	2	2	23
Mkunguni A	0	0	0	0	3	3
Mkunguni B	0	1	1	2	0	4
Mtambani	1	2	2	2	1	8
Mwinyi Mkuu	1	4	0	1	7	13
Suna	0	4	0	1	4	9
Ilala Kota	14	3	0	2	3	22
Misheni Kota	0	0	0	0	0	0
Msimbazi Bondeni	7	17	0	5	20	49
Mtambani A	6	2	0	1	2	11
Mtambani B	3	0	0	0	0	3



Total	45	41	3	18	42	149
% of Total	30%	28%	2%	12%	28%	100%

According to the ESS5 vulnerable households require special attention and assistance. This RAP has recommended the poor and ultra – poor households vulnerability allowance of 20% of their compensation sum and will be enrolled into livelihood programs for the vulnerable households. The vulnerable Households be enrolled into vulnerability assistance programs are detailed in Chapter 8.

Social Economic Characteristics of the PAPs

To obtain the general socioeconomic condition of affected communities within the LMV, RAP was preceded by a detailed socio-economic survey. The social economic survey involved a sample of 301(17 percent) of households living in the area. About 171 (56.8 percent) were males while females were 130 (42.2 percent) and had a mean age of 49 years. In terms of their marital status, majority were married (61.1 percent) followed by widow/widower (15.6 percent) single (11.3), separated (7.0 percent) and about 5 percent were either cohabiting or divorced. With respect to education level, 205 participants (67.2 percent) had formal primary education; 69 (23 percent) had formal secondary education; while those with above secondary education were 7 (diploma) and 10 (degree). Only 10 participants (3.3 percent) had no formal education.

This entails that majority of PAPs will cope with compensation delivery systems including the opening of bank accounts, accessing disseminated information through different media outlets. However, all they will require financial literacy to enhance their ability to use compensation money judiciously.

The majority of the households were male headed. The population is also having a significant number of household headed by aged, female and children people. Given this situation, RAP has put in place measure to safeguard rights of these groups from being compromised or infringed by other members of the family as part of the RAP implementation mechanisms and budget.

Ownership of property

5.1.4 Land Ownership

It should be noted that the Flood prone area land ownership is considered illegal by the Government. There are nevertheless instances where some PAPs claim to have formal legal documentation. A total of 262 (87.0 percent) of the affected households own land anyhow. Most of them (85.8 percent) owned land in the valley which is either their current homestead (20.2 percent) or a plot of land within the valley (65.6). The survey also indicated that 16.0% of households own land outside the valley. The majority of households (79.9 percent) reported to obtain their land through purchase while 7% obtained land through inheritance.

The sizes of plots in the valley are generally small and they constitute high density plot averaging 395 square meters. The land is mostly used as house plot (85.9 percent), where various activities including commercial renting, business and garage activities are carried out.



Primary activities including crop cultivation, tree cultivation, grazing and fallow are seldom practiced.

5.1.5 House Ownership Status and Condition

The survey has revealed that majority of households (85 percent) own house within the valley. Over 80 percent of the houses were constructed by the current owners while 9.4 percent were inherited. Just few (4.7 percent) owners acquired their house through purchase. It was also found that significant number of houses (61.7 percent) are currently occupied by either the owner or tenants and or both. On average one house has three rooms which are used for different purposes including family residence, renting and commercial activities. There is also existence of a considerable number of abandoned houses (38.3percent). Reasons for their abandonment include: inhabitable and dilapidated condition (20.4 percent), inundated (3.1 percent), vandalism through removal of roof (74.5 percent), and others located in hazardous areas were demolished by the local government (City Council).

5.1.6 House Structure and Construction Materials Used

A large section of the LMV is dominated by houses built of inferior materials and construction within the valley that have been constructed without observing construction standards exhibiting lack of good aeration, small windows, and small bedroom sizes. Nearly all houses are made with cement blocks and are roofed with corrugated iron sheet. Most of the houses have anti-burglar metal bars or grill on windows and doors for security purposed. With exception of few self-contained houses in Idrisa, Mwinyi Mkuu and Kigogo Mbuyuni most of the households use external kitchen, shower and toilets.

The valley has also a considerable number of temporary structures constructed by using iron sheet (uniports) 'popularly called full suit'. These types of houses are constructed to serve two major reasons: one as coping and adjustment mechanism to reduce flood risks and as mark for protection of submerged plot.

Households Utilities and Connectivity

The survey indicated that large segments of settlement within floods prone areas are connected with basic utilities including electricity power supply and water from the Dar es Salaam Water and Sewerage Authority (DAWASA). Almost half (41.9 percent) of the households use alternative sources of light instead of electricity from mains (TANESCO) (Figure 5). For instance, the survey established 8.3 percent of households own solar power which is used for lighting. There are several reasons for not using TANESCO power including: frequent floods which discourage them, low ability to afford TANESCO connection fees, and sabotage especially after flood aftermath. Over 80 percent of people residing in the floods prone areas obtain their drinking water from public water tap. Some houses (11.6 percent) are directly connected by DAWASA's water supply systems. Other sources of drinking water are: drilled well (4 percent), purchase (9.3 percent), public hand dug well (2.7 percentage), and rain water harvest (1 percent). Regarding water availability, over 70 percent of households confirmed that water supply is readily available. Few households (22.3 percent) reported that water is not readily available. Majority of the houses use charcoal and firewood for cooking.

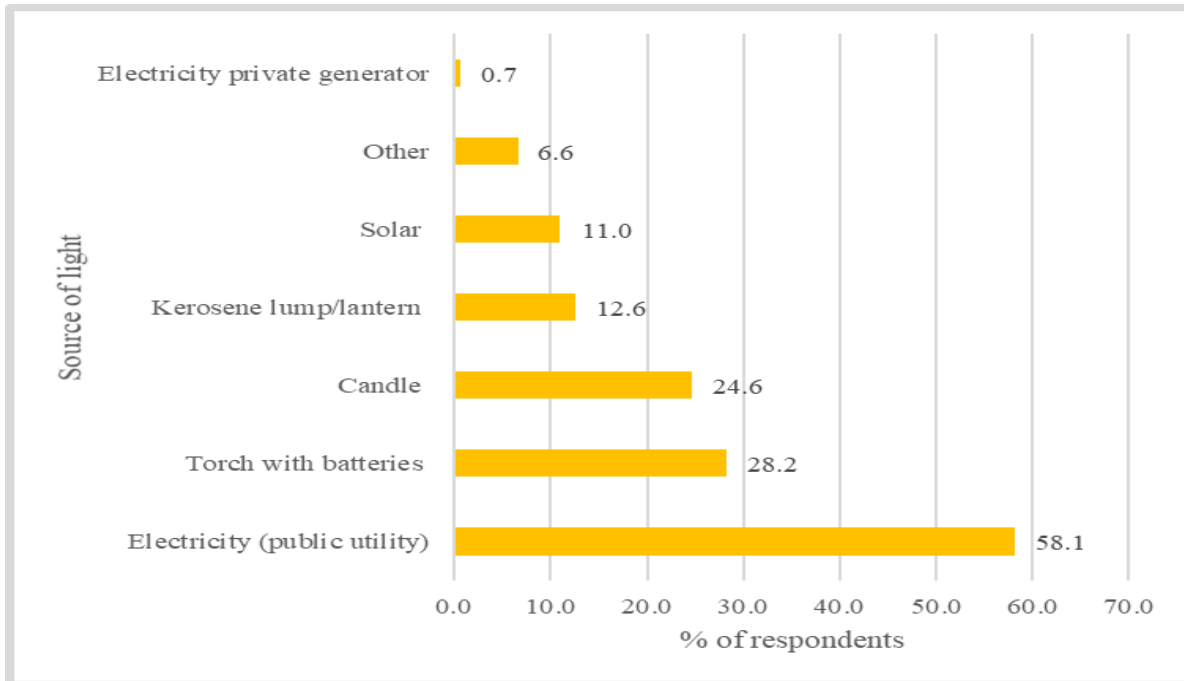


Figure 5-1: Household Source of Light, Source: Field Survey Data, 2021

Sanitation and Environmental Condition within Floods Prone Areas

The sanitation and environmental condition in floods prone are challenging. It is constrained with poor solid waste management, poor wastewater discharges, poor storm water drainage system, unplanned settlements, environmental degradation, siltation, and sand deposition. Waste management is a critical issue in the valley and it requires immediate solution to address immediate associated health, safety and environmental hazards. The survey has shown that although there is arrangement of solid waste management, however, frequency of collection of solid waste is infrequently done which make them to accumulate for a long time.

To enhance water conveyance into the river, dredging activity is carried out regularly which has led to huge piles of soil material from river. It is unclear how this material will be managed in the long run. The area within and close to Msimbazi Valley do not have sewerage systems that would provide offsite wastewater treatment. It relies on onsite sanitation system which its function is compromised by highwater table which do not allow sufficient onsite sanitation water infiltration. The situation is compromised by high population density. With regard to toilet type, the survey has found that 208 (69.1 percent) use pit latrine, and only 30 percent of households have flush toilets inside the house. It was further revealed that 10 percent of households have no toilet and relieve themselves at neighbors' toilets something that might compromise public health. For those with pit latrine, the distance from the house to the toilets was ranging between 0.9 m to 22.4 m.

Households' Source of Income and Livelihoods

The people living in floods prone areas perform multitudes of economic activities. The dominant economic activities are petty trading, vending activities, paid employment, and gardening. Over 90 percent of these trades are informal and unregistered (RAP will restore the affected businesses – see Livelihoods Restoration programs).



In terms of contributing to the family income trading, paid employment, and artisanal works are ranking as the most important. Trading activities is performed by over 55 percent of the households who engage in food/drinks (41percent), selling crops (5.1 percent), and household groceries (11.4 percent). About 33.1percent of these businesses are conducted within home stead in either permanent or temporary structure (for details see Table below).

Table 20: LMV Households' Sources of Income

Category/Livelihood Strategies	Number	Percentage
Paid Employment	47	15.6
Petty Trade	137	44.2
Fish processing and sales	4	1.3
Small businesses(vendors/cart pushers)	94	31.2
Artisanal Work	10	3.3
Farming	40	13.3
Fishing	4	1.3
Natural resource gathering	5	1.7

Source: Survey Field Data, 2021

The survey has further revealed that household's incomes depend largely on small trading activities including: transportation and vehicle operation, wages and salaries, selling of fruit and vegetables, and house renting earn significant amount of revenues per year. For instance, about 53.2 percent of households engage in small trading activities which generate an estimated annual income of TZS between 100,000/- and 5,000,000/- (equivalent to USD\$ between 43.57 and 2,178/year). About 10.3 percent of households generate between TZS 5,000,000/= and 20,000,000/= (equivalent to USD\$ 2,178 and 8,714.5) per year. While 5.60 percent had estimated income between TZS 20,000,000/= and 50,000,000 (equivalent to USD between 8,714 and 21,786). However only a very few households about 4 percent generate significant income; above TZS. 50,000,000/- per year

Only small segment (7.6 percent) of households engage in agricultural and livestock keeping activities. Those who undertake some agriculture, grow vegetable, cassava, maize, banana, and sugarcane. Also, some households own livestock mainly chicken, goats, and cattle. With respect to natural resources utilization very few households collect firewood, sand mining and animal fodder to earn a living. Sustainability of agricultural activities and livestock practices should be considered while deciding /planning for areas development and relocation sites.

Household Expenditure

With respect to households' income expenditure, the survey has found that majority of households spend large share of income on education cost, servicing debt, and food. For education, about 192 (63.8 percent) of households spend on average about TZS 499,468.1 per year. It is interesting to find that on average about 126 (42 percent) households spend TZS 154,400.0 per year on social functions including weddings, funerals, and gifts. Relocation site to be provided with education facilities to ensure that school going population continue will not adversely affected. Consideration should also be made in maintaining social networks to accommodate social function.



Household Assets Ownership Status

The social survey has indicated that households within Floods Prone Areas have access to diverse home amenities and other assets. For example, over 60 percent of households own Television Sets, radio, mobile phones. Meaning that majority of PAPs can be easily reached through mass and social media. Thus, communication plan should include mobile phones as means of communication among others.

It was further noted that household possess items such as tables, chairs beds and kitchen utensils. However, insignificant number of households own truck, car, canoes, boat and engine boat. Meaning that appropriate time for packing as well as transportation is required during relocation. RAPHs recommended three months' time for preparation and transport allowance be paid for each PAP with habitable structure/housed.

Credit Facilities and other Social Safety nets

The survey indicates that very few households have access to credit facilities (Figure below). Insignificant number of households (9.3 percent) reported to have sought loans from cooperative, informal lenders, village community bank, and friends which amount to TZS 65,800,000.00. This indicates that on average an individual has a debt of TZS 2,350,000.00 (equivalent to USD\$ 1,022). The dominant sources of loan are relative and friend (34.9 percent), commercial bank (2.6 percent), and Village Community Bank.

- **Resettlement Preferences**

Observation and discussion with the community within LMV flood prone area indicates that majority would prefer to vacate the area. The major reasons is hazardous situation triggered by frequent and intense floods. In explaining flood incidences, they stress that, flood threaten their lives let alone destruction of property and living under constant worries especially during rain seasons. The households submitted the areas which they would prefer in case the government would opt to resettle them. The survey indicates that the majority would prefer to remain in Dar es Salaam region, while insignificant number would prefer to relocate to Coast region (Kibaha, Bagamoyo, and Mkuranga), Morogoro, Tanga, Arusha, Kilwa in Mtwara, Kilosa in Morogoro, Dodoma and Moshi in Kilimanjaro regions. The significant number of those who would prefer to remain in Dar es Salaam were ready to be relocated anywhere within the region. Others preferred to be resettled in specific areas in Dar es Salaam Region. For those who specified relocation areas within Dar es Salaam, areas of relocation in order of preferences were: Kimara, Kigamboni, Kariakoo, Chanika, Mbagala, Magomeni, and Mbezi Kimara.

With regard to whether the government would select relocation sites for PAPs or PAPs to make their own arrangement, the survey indicates that more than half (54.1 percent) would prefer self- arrangement. These households argued that they would prefer to select their own areas because they would want to be closer to their family and their social networks; while others would prefer sub-urban areas because it would be possible to obtain large area where they can perform various activities including agriculture. In addition, some households are dissatisfied with experiences of their fellows who were relocated from Msimbazi valley to Mabwepande by the government. In explaining the Mabwepande scenario, they pointed out that: "Some of them sold their plots and returned back the Msimbazi valley" because it was not their area of preference.

Meaningful consultations with PAPs are required to ensure that PAPs choose the right option.



6.0 MAGNITUDE OF IMPACTS

Key anticipated benefits

At the Country level, the key benefits likely to accrue from the project are as follows:

- i) Improved environment around msimbazi flood prone and the neighboring areas due to controlled floods
- ii) Improved mobility due to reconstruction of Jangwani bridge Improved life security and health of msimbazi flood prone communities due to controlled floods;
- iv. Increased business opportunities for local traders due to construction of facilities in the area. An indirect future positive impact would be work opportunities for unskilled labor in the project area thereby providing an opportunity for supplementing their income.

Impacts in general can be distinguished into: impacts from Project construction, and Impacts from Project operation. This RAP under DMDP covers the project impacts resulting from land acquisition during construction and from the permanent Project operation. Other socio-economic impacts, i.e. impacts from construction activities such as noise, vibrations, construction traffic, presence of a large number of workforce, population influx, are covered by the ESIA and ESMP.

All project components that will be constructed within flood prone area will require permanent land acquisition. Table below presents the categories and associated land quantum.

Table 21: List of Project Activities Requiring Permanent Land Acquisition

Zones (project land use)	Area in ha	RAP preparation Phase
Low terrace - city park	37.9	Phase 2
High terrace - urban development	66.6	Phase 2
Floodplain	76.3	Phase 1
Excavated floodplain	83.6	Phase 1
River sections	32.7	Phase 1
Total	297.1	

Adverse Impacts at Pre-Construction Stage

The proposed LMUP and its associated infrastructure is expected to directly affect all-inclusive 11813 People in Kinondoni Municipality and in DCC Dar es Salaam City Council, table below presents a summary of impacts on private and community assets.

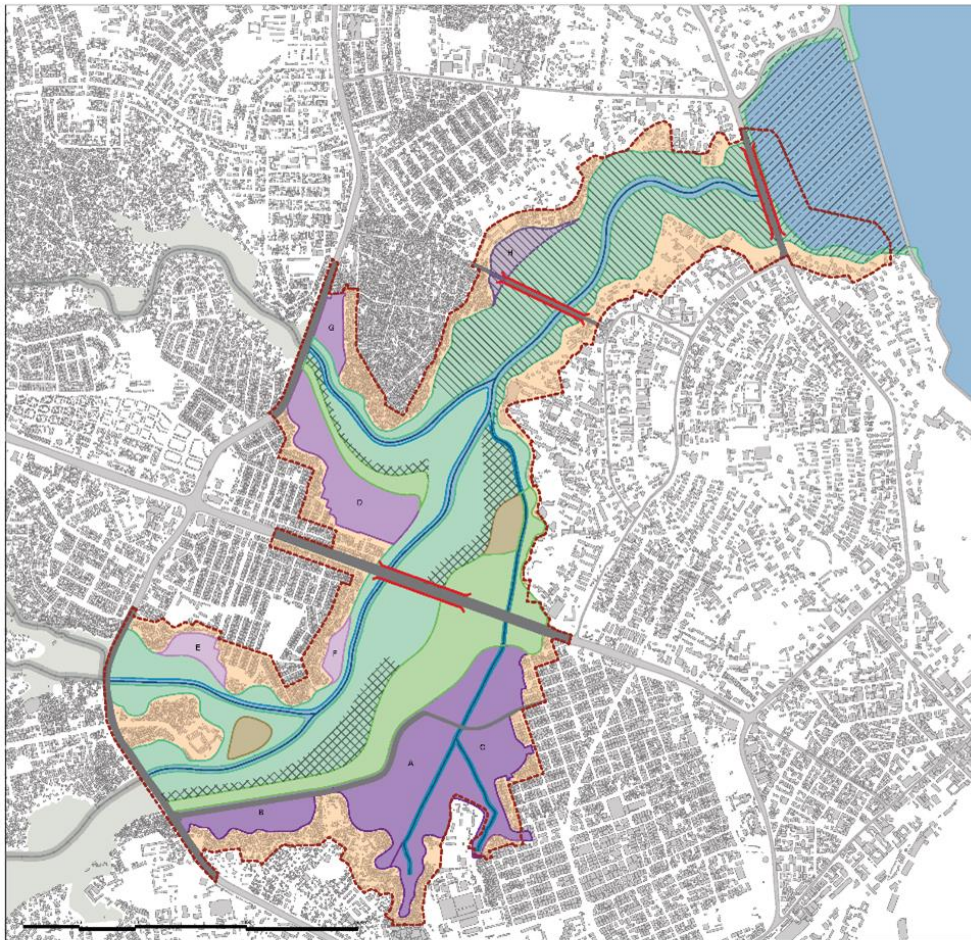


Table 22: Summary of Impacts of by Municipality

Municipality	Owner				Tenants		Total Owners & Tenants		Total per / Municipality
	Heads Of HH		Members				Female	Male	
	Female	Male	Female	Male	Full time	Lodgers and Boarders	Female	Male	
Ilala	709	912	1,207	1575	395	2091	2,614	3,348	5962
Kinondoni	800	1,059	1,090	1276			2,343	2,809	5152
Total	1,509	1,971	2,297	2851			4,957	6,157	
G/Total	3,480		5,148		2,486		11,114		

Adverse Impact on Land

Land size in the flood prone areas is estimated to be 501 ha. Project components will require about 297.1. Land surveys for this RAP has mapped 2,954 land plots with estimated size of 69.296201ha. Municipal -wise, land up take in Kinondoni is estimated to be 41.00ha and Dar es Salaam City Council 28.30 ha will be impacted. Map below shows land use and respective land size per each activity.



LEGEND

	urban agriculture	: 20 ha		urban (high density):49.5 ha (A:19.3 ha, B:7.7 ha,C:22.5 ha)
	floodplain	: 100.1 ha		urban (medium density) : 16 ha (D:13.2 ha, G:2.8 ha)
	park	: 39.1 ha		urban (low density) : 3.79 ha (E:2.49 ha, F:1.3 ha)
	mangroves (bay)	: 49.4 ha		water (river+stream) : 26.7 ha
	mangroves (floodplain)	: 57.3 ha		urban ((low density-Hananasif reservation,H) : 3.7 ha
	sand depot	: 5.6 ha		Special Planning Area boundary
	urban (existing)	: 99.6 ha		main infrastructure
				bridge (400m.)

Figure 6-1: Land use and land sizes per project activity

Adverse Impact on Trees / Crops

Land acquisition for the project will lead to loss of trees including exotic trees, Indigenous trees, fruits trees as well as permanent crop trees. Major trees that are significant in terms of earning livelihoods include mango, banana, avocado pear, pawpaw or papaya, sugarcane clusters, guava, cocoyam, lemon, orange, coconut, Pomegranate, Avocado, Bread fruit, Custard Apple, Passion, guava, Lemon and Tamarind. Others have medicinal and cultural values such as Moringa, Pine, Ashok, Palmyra and Hedge. The number of trees that are likely to be felled is 5479. These trees were valued and the owners will be paid compensation at full replacement value for the permanent crops while seasonal crops PAPs were allowed to harvest.

The trees are mainly permanent tree crops /fruits constitute (81.83%) of the total number of affected trees, followed by indigenous trees (12.9%) and Exotic tree (5.26%). In terms of growth rates or sizes



the majority (43.1%) of affected trees were at medium growth stage, followed by full grown or mature trees which constitute 34.1% of all affected trees and small trees are 22.87%.

Adverse Impact on Structures

The total number of affected structures is 3552. The asset inventory survey recorded three kinds of affected structures: (i) structures currently in use; (ii) abandoned structures due to flooding (iii) these are structures which have been demolished by government Table below presents number of affected structures in the phase one section.

Table 23: : Number of structures by Type and Use within Floods Prone Areas

Mtaa/Street Name	Abandoned House	Demolished House	House In use	Submerged House	Total
KINONDONI					
Suna	42	462	100	1	605
Idrisa	1	0	33	0	34
Hananasif	14	157	8	1	180
Kigogo Mbuyuni	74	4	334	23	435
Mkunguni A	4	61	15	2	82
Mkunguni B	21	46	78	3	148
Mtambani	0	0	37	2	39
Kawawa	0	201	0	0	201
ILALA					
Charambe	0	101	7	1	109
Ilala Kota	100	12	214	14	340
Jangwani	44	0	28	2	74
Kariakoo Kaskazini	0	0	19	0	19
Misheni Kota	4	0	16	1	21
Msimbazi Bondeni	159	16	516	28	719
Mtambani A	76	4	123	0	203
Mtambani B	120	4	44	13	181
Mwinyi Mkuu	23	0	121	18	162
Total	682	1068	1693	109	3552
Total %	19.2%	30.1%	47.7%	3.1%	100.0%

Source: Asset inventory and Census Survey Data (2021)

6.1.1 Main characteristics of structures in use

The structures which are currently in use are grouped in two: commercial and residential. Commercial structures/buildings include shop outlets about structure were under this category. Residential houses included dwelling houses and supporting structures (outside kitchen, toilets/bathrooms, chicken hut,).

Among the 1693 owners of structures in use the majority 1508 (89.07) are residential followed by duo functional structures (residential and Commercial) 125(7.31%); Commercial structures are 38 (2.33%); Community Structure (Church/Mosque/Madrassa) are 16 (0.94%) and duo functional structures Religion residential 6 (0.35%). Detailed provided in table below



Table 24: Impacted Houses by Property Use

Sub wards (Mtaa)	Commercial	Mixed	Residential	Both Res/Comm	Others(Community/Public Structure(church, play ground etc)
Ilala					
Charambe	0	0	7	0	0
Ilala Kota	9	1	193	10	1
Kariakoo Kaskazini	0	0	11	8	0
Misheni Kota	0	1	15	0	0
Msimbazi Bondeni	15	0	463	51	4
Mtambani A	3	1	107	16	5
Mtambani B	3	0	34	8	1
Sub-total	30	3	830	93	11
Kinondoni					
Hanasif	0	0	5	3	0
Idrisa	0	1	30	2	0
Kawawa	0	0	0	0	0
Kigogo Mbuyuni	8	0	300	23	3
Mkunguni A	0	0	14	0	1
Mkunguni B	0	0	76	2	0
Mtambani	0	1	35	1	0
Mwinyi Mkuu	0	1	120	0	0
Suna	0	0	98	1	1
Sub-total	8	3	678	32	5
Total	38	6	1508	125	16

6.1.2 Measures to avoid or Minimize Displacement Impacts on Structures

NORPLAN in collaboration with PO-RALG, Kinondoni and Dar es Salaam City Council, has considered feasible alternative project designs to avoid and/or minimize physical and economic displacement impacts, while balancing environmental, social and financial costs and benefits. Alternative design options, will be applied to avoid major impacts on buildings and structures. In areas of Hananasifu Uzunguni, Charambe and Kariakoo, which are characterised by mansions and multi-storeys commercial structures, the project boundary will exclude those buildings in order to minimize resettlement within the project area (Figure 6-2).

The RAP recommends that assets such as water pipes, electrical and telecommunication infrastructures should be reinstated by the contractor in close collaboration with relevant institutions to ensure that these services are recovered and returned to normal within a short time. With respect to available water sources to be affected, the contractor should avail alternatives to available space. In the case of affected water pipes, the contractor will provide



Figure 6-2: Some avoided structures in Kariakoo

temporary public water lines for the use by affected community until the services return to normal. Another measure that will be taken to alleviate the problem of impacted water pipes, electrical and telecommunication is to ensure that the time of disconnection and connection are as short as possible. Secondly, the affected communities shall be informed about the temporary disruptions of these services so as to take necessary measures to reduce the impacts. Regarding affected roads and bridges, alternative roads and pathways shall be provided to the affected areas.

Adverse Impact on Livelihoods

Adverse impacts on livelihoods are unavoidable for some affected households due to permanent land acquisition of their agri-horticultural plots. Some affected households will lose their source of earnings as their shops / commercial structures will be adversely impacted due to project implementation. Potential impacts on livelihoods of affected households are discussed below.



- i. **Agriculture Based Livelihoods:** The government has declared the entire area of lower Msimbazi (flood prone area) a special development project areas. In effect, total areas of 501ha will be under jurisdiction of LMUP. Communities within and outside the project areas will need to gradually stop cultivation activities as construction works progress. PAPs losing agriculture based livelihood will be compensated for the crops affected as well as various benefits as part of the implementation of the LRP.
- ii. **Commercial Livelihoods:** The asset inventory survey informed shops and commercial structures will be affected and that PAPs will lose their income permanently. Eligible shop owners will be compensated for their loss of structures, the lost profits and will be enrolled into LRPs (see details in entitlement matrix). Within the area, there is Kigogo Sambusa Market which hosts about 500 wholesale traders. which serves as main distribution point of the vegetables and lentils. The market will be affected by the project. The Dar es Salaam City Council will have to provide a temporary relocation site for this market during construction of the terraces.
- iii. **Loss of Access to Resources:** thirty-one sand miners, will temporarily lose access to their present locations especially during the dredging of the river. Though this is an illegal activity; these PAPs will have been enrolled into the LRP and will also benefit from the construction activities
- iv. **Disruption of social safety networks:**
 - a) Relocation processes will affect women headed households entitled to receiving monthly subsidy from Tanzania Social Assistance Funds (TASAF). The identified PAPs under this special support are from the following Mitaas: Suna (16), idrissa (1), Mtambani A (12) List attached in annex 6. PO-RALG is working with TASAF to ensure these PAPs continue benefiting from TASAF (A WB financed Project) wherever they will relocate).
 - b) Existing social economic networks both formal and informal groups will be disrupted due to relocation of people from the flood prone areas. Impacts assessment on livelihoods identified 21 social economic groups with 301 members who are likely to be affected. Among the identified groups 11 are formal groups and 9 are informal. Formal groups constitute 157 members and informal ones have 153 members. These groups will be helped to maintain their networks or reestablish new networks available in their new vicinity. Further discussions on the proposed LRPs see section 8. List of the identified groups available in Annex 4.
 - c) **Impacts on Community/Common Property by location and numbers:** The survey recorded that 18 CPRs in total that are impacted. All other assets recorded were found in the flood's prone areas. These impacts will be compensated as per the EM e.g Structures will be compensated etc; However, for those who opt for in-kind, this will be accommodated by the project.

Table 25: Impacted CPRs by type and by Municipality

Municipality	Mtaa	Type of CPR	Land use
Kinondoni	Suna	Masjid Jibril	Prayer House
		Madrasat Jibril	Religious



Municipality	Mtaa	Type of CPR	Land use
			training
	Mwinyi Mkuu	Madrasat Madaba	Religious training
	Idrisa	Madrasat Fauz	Religious training
	Kigogo Mbuyuni	Christian life church	Prayer House
Dar City Council	Mtambani A	Masjid UMRA	Prayer House
		Masjid Shadhir	Prayer House
		Madrasat Mgaya	Religious training
		Mito ya BarakaChurch	Prayer House
		Mlima wa BwanaChurch	Prayer House
	Mtambani B	Masjid Rahaaman	Prayer House
		Masjid mposhi	Prayer House
		Madrasat Shamsiya	Religious training
		Madrasat mama Wanda	Religious training
		Kanisa la Mabati	Prayer House
	Charambe	Almutazir School	Sports/Play ground
	Msimbazi Bondeni	Kigogo sambusa Market	Distribution market
		DART	BRT Deport

Potential Impacts during Construction Stage

Increased likelihood of HIV/AIDS due to Influx of outsiders

When large scale development of infrastructure projects take place in poverty stricken areas, it has been observed that diseases and infections transmitted through sexual routes have been common across the globe. This mainly happens during the construction phases when workers from outside the region, who are mostly solitary males, come for work on the construction site. These workers, both unskilled and skilled, get close to host communities, especially with women for meeting their physical needs. On the other hand, some women from the poor host communities get easily allured by extra cash earnings and indulge in unprotected sex with these workers. This poses a threat to both the partnering groups through the spread of STI and STDs. This potential impact will be carefully managed through implementation of a HIV/AIDS Management Plan that will be implemented by the PO-RALG and Municipals' HIV/AIDS Departments. In addition preference shall be given on recruiting casual labor from project area to reduce labor influx and associated problems.



Safety of women, adolescent and children

It is often experienced in slum areas that infrastructure development projects have significant negative impacts on poor female PAP. The increased incidences of gender-based violence typically result from an influx of money and people to the project areas.

Adolescent girls and boys from neighbouring primary and secondary schools will be at risk of early pregnancies, adoption of male having sex with men (MsM) behaviour, dropouts from schools to work in search of jobs in the construction sites and drug addiction.

Children also face another risk emanating from the practices of child labour and incidences of child defilements. This RAP includes measures to reduce the risk and promote prevention of occurrence of actions that will put all risky groups (women, adolescent and children) at risks and hence not benefiting from the opportunities brought by the project.

Temporary land acquisition for setting up of Construction Camps and Depots

Some PAP will be affected by temporarily acquired land for use during construction, such as temporary buffer and depot areas.



7.0 ASSETS INVENTORY AND VALUATION

The assets inventory and valuation entailed field surveys for purposes of identifying assets to be affected, owners of the assets, measuring the assets on one hand and, on the other valuation computation for the assets identified. Detailed valuation process and methodology is described in the following sections.

Asset and Inventory

Asset inventory was completed in a one-month period between 10th November and 9th December 2021. Land surveying team worked hand in hand with asset valuation teams to identify the affected plots and the associated developments on each plot of land falling within the floods prone areas. The two teams were led and supervised by a senior valuer and land surveyor respectively. The team composition included urban planners from Kinondoni Municipal Council and Dar es Salaam City Council Dar es Salaam City Council, Local leaders, a representative of the PAPs (M18), and *Mtaa* representative.

The land surveying team was tasked to support the valuation team in delineating land parcels that are subject of valuation. Through adjudication methods, the surveyors with the help of neighbouring PAPs, identified the individual land lots, measuring the size and geo-referencing individual PAP's land unit. The coordinates of the edges/corners of an adjudicated parcel were taken by using handheld GPS. The surveyors recorded the coordinates of each parcel and sketch its geometrical figure. On account of non-existence of a cadastre of the area, it was necessary to rely on the PAPs to identify their own unit boundaries and be witnessed by neighbours.

Marking of the Property /Structures

During the survey, each asset was enumerated and inscribed on an inventory and a valuation of the asset carried. Each parcel was assigned a unique identifier so that data concerning that parcel can be given an exclusive reference in the database. The Unique Parcel Reference Number (UPRN) is started by identifying the Project (PO-RALG)-Locality-Parcel, for example a plot in Ilala Kota Street was recorded as VAL/TAM/ILK/103, in Suna Street reads VAL/TAM/SN/103 etc. The affected structures were marked with the respective unique number be written on their front wall as shown in Figure 7-1 below.



Figure 7-1: Example of marked structure



Identification of the Owners and Other Users

The details of the identified owners were recorded under census, in addition the asset inventory recorded their names, location contact and took photograph of the PAPs with the unique numbers as seen in Figure 7-2 below.



Figure 7-2: Example PAP with unique number

Tenants Identifier: In the same way, an additional user of the same property (tenants) was made and differentiated example *VAL/TAM/ILK/103T*; when there were more than one tenants then the numbers were added at the end example **VAL/TAM/ILK/103T1, T2 etc.**

Subsequently the measurement data from land surveys were used to compute value for the determination of both cash compensation and in-kind compensations. In-kind compensation entails looking for a replacement land of similar value/nature where only land is subject of compensation. It may also mean construction of a replacement house where there was physical displacement.

Valuation Methodology

The basis of valuation under the Land Act of 1999 and the Valuation and Valuers (General) Regulations of 2018 is market value. There are three possible approaches that can be used to estimate market value of an asset. An asset can be valued on a Sale Comparison, Income or Cost approach.

Sales Comparison Approach, the value of an asset is arrived at by analysing recent comparable transaction and adjusting for differences. There are several methods within this approach. However, a Sales Comparison Approach requires adequate market data and assumes an active asset market which is not the case in Tanzania and least in the Msimbazi Basin.

Income Approach is another market-place valuation approach where an asset value is derived from capitalizing its net earnings over its life span. The approach is most applicable to income generating assets. The income approach and the methods under it were not appropriate to the Lower Msimbazi Valley valuation.

Cost approach sometimes referred to as 'Contractors Test' or 'Replacement Cost' as a valuation approach entails value by calculating the cost of a similar asset offering equivalent utility, allowing



for condition of the asset and market value of land. Cost approach is appropriate in less active markets as is the case with Low Msimbazi Valley valuation.

The choice of Valuation Approach and method for the Msimbazi Valley was limited to the nature of the market (inactive). In compliance with Tanzania law and indeed local practices, the most appropriate valuation method was 'Cost Approach'.

In the context of Msimbazi Upgrading Project funded by the World Bank, the valuation method is also Replacement Cost as per WB-ESS5. Unlike, the Tanzania Valuation Practices and Law, the WB-ESS5 Replacement Cost mode does not allow for condition of the asset to be valued (depreciation). The basis of WB-ESS5 is valuing new for old compensation with the objective of assisting affected persons to restore and even improve their standards of living or livelihoods.

The valuation method used for the valuation of affected land and assets was therefore 'Replacement Cost'. This is a standard requirement as per WB-ESS5 which obligates borrowers to offer affected persons compensation at replacement cost, and other assistance as may be necessary to help them improve or at least restore their standards of living or livelihoods. Meaning that in the case of physical displacement, the Borrower will develop a plan that covers, at a minimum, the applicable requirements in ESS 5 regardless of the number of people affected.

Replacement cost: Replacement cost is the principle to be complied with in compensating for lost assets as per Table 6(4). Thus, the valuator should conduct analysis of the valuations calculated under Tanzanian laws and establish variation factors to bridge the gaps. Experience indicates that in most cases that GoT rates are rarely tallying with the requirements of the replacement cost.

The Valuator carried out the valuation of affected assets and calculated applicable allowances in accordance with defined entitlement matrix in Section 8. All necessary baseline data on housing, housetypes, and construction materials were collected and valuation of the same were done accordingly. In applying replacement cost method of valuation, depreciation of structures and assets should not be taken into account. The Valuator will act under the direct supervision of social specialists.

Land valuation

It should be noted that land valuation was limited to the land to be acquired for terraces only and consequently land measurements were done for those PAPs affected by terracing while those within the Lower Msimbazi who have no legal land ownership measurements were not taken as the PAPs will receive a flat rate payment to assist them in purchasing land elsewhere. This International Standard Unit (SI unit) is commonly used and understood by many people in Tanzania. The affected owners/users were informed in advance on this unit to be used in measuring their plots etc.

In compliance with the Valuation Regulation of 2018 and for consistence and avoiding disparities on asset values, Valuer adopted the indicative land value rates from the Chief Valuer as basis and from the results of his own market search. To abide to the World Bank approach (ESS5) of replacement cost, the highest rates were employed to value the affected assets.

The valuation applied land value rates of Tsh 40,000/= for both Kinondoni Municipal Council and Dar es Salaam City Council Dar es Salaam City Council respectively. The registered land were valued at a rate of TZS 300,000/= /SQM. (See annex 3: valuation Rates) for the phase two land.



With regard to alternative land for the PAPs; as a mechanism to sustain their livelihood, a survey for alternative land was conducted and the rate established was used to ensure sufficient size of land can be purchased (up to or more than 400sqm). This is beyond ESS 5 requirement as PAPs in this area have no recognizable legal right or claim to the land. The flat rate is resettlement assistance and the amount can assist to purchase land with security of tenure.

Valuation of Trees and Crops Compensation

Trees and permanent crops were valued based on the market rates for various species as provided in the schedule for the Zone by the Chief Valuer³. The Chief valuer endorses rates to be used prior to commencement of valuation. In practice, project valuer has to undertake research to determine market rates to be used in the valuation and submit to the chief valuer.

Given their significance to the local subsistence economy, which this project intends to positively impact, fruit trees will be compensated on a combined replacement/market value. Fruit trees used for commercial purposes will be compensated at market value based on historical production records. The compensation rate will be based on information obtained from the socio-economic information and the market price search. Based on the information, a compensation at replacement cost was computed. Other domestic fruit and shade trees: These trees have recognized local market values, depending upon the species and age. Individual compensation for wild trees “owned” by individuals, who are located in lands as defined in this policy, will be paid. The value depends on age/maturity of the tree or crop, potential use and the number of trees; economic use, production rate /yield and profits accrued. The main type of species found are permanent crops or trees.

No compensation will be paid for minor pruning of trees. Due to the localized nature of projects, it would therefore be unwise to deploy an individual valuation expert in each case

7.1.1 Compensation for vegetable gardens

Gardens are planted with vegetable and ingredients for daily use. Until a replacement garden starts to bear, the family displaced (economically or physically) because of the project land needs will have to purchase these items in the market. The replacement costs therefore, will be calculated based on the average amount that an average town dweller spends on buying these items for one year per adult from the local market.

Loss of Access to Community Properties

Impacted properties that belonged to the Communities were valued as shown in the table below.

Table 26: Valuation for the lost community property

Type of Community Property	Valuation Approach
Mosques	To be relocated to another site.
Community land (school Play grounds)	Cash compensation at replacement cost/ To be relocated to another site.
Church /Mosques Buildings	To be relocated to another site.
Market Building / Centre	To be relocated to another site.
Madrasa	To be relocated to another site.

³ Under S.52 of Valuation and Valuers(General) Regulation 2018, the Chief Valuer has to prepare crop value schedule to be used countrywide in designated valuation zones in consultation with Ministry responsible for forestry and agriculture.



Government Buildings/Infrastructure

To compensate for the affected government assets, consultation and coordination with the relevant government ministries and or department regarding any impacts that the Project may have on government assets (noticeably the DART head offices) was undertaken. The affected properties will be subjected to relocation elsewhere. The compensation shall be in a form of in-kind to replace the affected building.

Determine other entitlements and Allowance

7.1.2 Disturbance Allowance

Disturbance allowance is calculated by applying value of real property by average percentage rate of interest offered by commercial banks on deposits for 12 months (S15, Val Reg:2018). The current average rate of the interest obtained on fixed deposits is 7%. Therefore, the total compensation value determined, then 7% of the value is computed and added to the previous total. All PAPs that are eligible for any kind of compensation shall receive a disturbance allowance.

7.1.3 Transport Allowance

Section 179 subsection 11 of the aforesaid Land Act (1999) directs how this allowance is to be assessed: "Transport Allowance shall be the actual costs of transporting twelve tons of luggage by rail or road (whichever is cheaper) within twenty Kilometres from the point of displacement (i.e. Transport allowance = 12 tons x Actual Cost/ton/km x 20km)". Transport allowance is computed on the basis of prevailing market rates within an area and is paid only to PAPs With Occupied Residential/Commercial Structure.

7.1.4 Loss of Accommodation

Section 179 sub-sections 8 of the Land Act (1999) stipulates how accommodation allowance is to be arrived at: The market rent for the building shall be assessed and multiplied by 36 months in order to arrive at accommodation allowance payable. (i.e. Accommodation allowance = Rent/p.m. x 36 months). Accommodation allowance shall be paid only to PAPs losing occupied residential structures. Given the nature of the project that there are substantial number of tenants who residing in the affected area, this project is providing a consideration that the tenants be receiving token amount equals to Rent/p.m x 3 months.

7.1.5 Loss of Profit:

This is provided under Section 179 subsection 9 of the Land Act (1999) inter alia: The net monthly profit of the business carried out were assessed, evidenced by audited accounts where necessary and applicable and multiplied by 36 months in order to arrive at the loss of profits payable. (i.e. Loss Profit = Net profit/p.m. x 36 months).

Note: Valuator shall review all government rates on the topping up allowance to ensure that they are up to date hence in line with replacement value /cost requirement.

7.1.6 Allowances for the Vulnerable Sub-Groups

Particular attention has been given to identify PAPs falling into three categories of vulnerable groups: (i) economic vulnerability including people who are landless, (ii) Social vulnerability including women-headed households with high dependency ration (more than 4 unable bodied), households led by orphans, elderly living alone, chronically sick head of household (iii) Disruption of Social safety networks example the ultra-poor households enrolled in PSSN supported by TASAF' cash transfer program. In some worst scenario there will be some PAPs with a combination of the three above. The socio-economic survey for the RAP has clearly identify the households that are deemed vulnerable in terms of project impacts, these PAPs under and (ii) will be entitled



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20% of their allowance of their base compensation. The vulnerability under (iii) will be entitled an allowance equivalent to the monthly cash transfer amount for three months. The Municipal councils will refer these PAPs to their newly authorities.



8.0 ELIGIBILITY AND ENTITLEMENTS

Resettlement and Entitlement Framework is an essential part of any resettlement plan document. It provides the bases of calculations of costs of impacted properties and sources of earnings lost to people affected by the project in the process of planning for any infrastructure development. It also puts forward the premises of formalizing eligibilities of affected persons in receiving compensation for the loss of their properties and earnings and other resettlement and rehabilitation assistance being packaged for the beneficiaries through the project provisions. This is important for implementing the current RAP.

Types of Project Affected People (PAPs)

A Project Affected Person (PAP) is defined here as any person whose land and any other property has been lost due to the project irrespective of his/her stand of gender, age, marital status, ability/disability, religion, origin and any other social or cultural attributes. The perspective of the word PAP mentioned above will embrace the criteria for eligibility for compensation, resettlement assistances and other measures, emanating from consultations with affected communities and the Mitaa leaders.

Types of PAP and properties have been identified based on the pre-construction impacts identified from the Asset Inventory exercise, as follows:

- Individual Land user or owner (having crops, trees and structures within the project sites);
- Community Properties (land resources/structure /worship/ schools and boreholes);
- Institutional PAP (private Leasehold land);
- Property-less PAP who depend on the affected land/structure/resources/ to earn their livelihoods (tenants/renters/ workers);
- PAPs with no structures (the evictees of 2015/2016); and
- Vulnerable PAPs (PAPs who need additional assistance – landless economically poor

Eligibility

During the registration of inventory of the affected assets within the project area, all categories of affected lands and assets have been identified, recognised and their legal status determined. This has helped in estimating proper compensation packages for the losses concerning acquisition of land and other private properties.

The census survey has been carried out to identify and determine the number of PAP in accordance with the procedures, satisfactory to the national policies and the World Bank E&S Standards. In recent, the Land Law in Tanzania has been amended several times. Land Acquisition Act, 1999 no 4 and 5.

Given that resettlement of PAPs from the floods prone areas of lower Msimbazi is necessary, different categories of PAPs have been considered for the purpose of determining entitlements for compensation and subsequent resettlement assistance.

Entitlement Matrix

The Entitlement Matrix in Table below provides measures for different categories of impacts and Project affected persons.



Table 27: Ian Matrix for Various Categories of PAPs

Types of losses	Entitled Persons	Compensation Policy	Additional Notes
1. Loss of Land			
Permanent Loss of residential or commercial plot/ non-arable land or access to it (complete or partial)	Individuals who have formal legal ownership rights to land (Rightful Owners)	<ul style="list-style-type: none"> ▪ Provide cash compensation at replacement cost of the affected land. <p>OR</p> <ul style="list-style-type: none"> ▪ In-kind provision of alternative land of equal size and use, with similar or improved public infrastructure facilities and services and if possible the replacement land should be located in the same locality of with the affected land, plus the cost of any registration and transfer taxes. <p>Provision of disturbance allowance equivalent to 7% of the value of the lost land.</p>	<ul style="list-style-type: none"> • Undertake formal Consultations and make agreement with PAPs on type of compensation (cash or in-kind) • Provide PAPs an equivalent land (of similar size, value, and quality) in nearby locality. This only to happen: if land is available and requested by the PAPs and agreed to by the project and concerned Authorities. • In addition, the project will bear the cost of any registration and transfer taxes as well as value of labor invested in preparing of that Land and titling. • If the PAP is receiving TZS 35m and above then, will choose to resettle in-situ, near situ, or away from situ. In case the PAP will receive compensation amount less than TZS 35M then will opt for cash or in-kind land in Mvuti area (see chapter 10 for further description)
	Individuals who Encroached on road reserve under TANROADS	<ul style="list-style-type: none"> ▪ No Compensation: <p>a) they have been previously compensated by the road agency (TANROADS)</p>	<ul style="list-style-type: none"> • PAPs will be given time and right to salvage the materials from their development.
	Individuals who have no ownership rights to land but using the land (Squatters)	<p>a) Cash Compensation: for the developments on the land such as structures, provide cash compensation at replacement cost.</p> <p>c) Disturbance allowance 7% of the compensation sum</p> <p>b) Security of tenure for replacement of the land they use or/ Cash to assist in buying alternative land optional Mvuti in Ilala District</p>	<ul style="list-style-type: none"> ▪ Security of tenure: PAPs will choose between cash or in-kind. ▪ PAPs opting for in-kind will choose the location of the replacement land: In situ, near Situ, elsewhere beyond 5km from Jangwani area.



Types of losses	Entitled Persons	Compensation Policy	Additional Notes
		<p>Those with only Land no assets:</p> <p>Security of tenure for replacement of the land they use or/ Cash to assist in buying alternative land optional Mvuti in Ilala District</p>	<ul style="list-style-type: none"> If the PAP is receiving TZS 35m and above then, will choose to resettle in-situ, near situ, or away from situ. <p>In case the PAP will receive compensation amount less than TZS 35M then will opt for cash or in-kind land in Mvuti area (see chapter 10 for further description)</p>
2. Loss of Structure			
<p>Loss of structures or access to them (Permanent fully loss of Main Dwelling Houses)</p>	<p>Individuals who have formal legal ownership rights to the structures</p>	<p><u>Cash Compensation</u></p> <ul style="list-style-type: none"> Provide cash compensation at replacement cost Accommodation allowance (36months) equivalent to the rental rates for the house of similar attributes. The cost of any registration and transfer taxes. Disturbance allowance up to 7% of the value of the affected house. Transport allowance to shift 20 tons load up to 20km distance Right to salvage the materials <p>OR</p> <p><u>In-kind Compensation:</u></p> <ul style="list-style-type: none"> Provision of new replacement house with equal number of rooms, with improved public infrastructure facilities and services. <p>The cost of any registration and transfer taxes.</p> <ul style="list-style-type: none"> Disturbance allowance up to 7% of the value of the affected house. Transport allowance to shift 12 tons load up to 20km distance Right to salvage the materials 	<ul style="list-style-type: none"> Fully loss of a house is computed when the one or the following happens: (Entire house is subjected to demolition; The proportion of the impacted area is over more 30% of its area; and the main features of the houses such as soak tank and toilet or kitchen subjected to be demolished). <p>When the structure has suffered substantial construction impacts.</p> <ul style="list-style-type: none"> If the PAP is receiving TZS 35m and above then, will choose to resettle in-situ, near situ, or away from situ. <p>In case the PAP will receive compensation amount less than TZS 35M then will opt for cash or in-kind land in Mvuti area (see chapter 10 for further description)</p>
<p>Evictees of 2015/2016</p>	<p>Individuals whose houses were demolished due to emergency eviction.</p>	<p>Flat rate resettlement assistance</p>	<p>Will only receive cash to assist in buying alternative land as at the time of cutoff date there was no structure Assigned value.</p>



Types of losses	Entitled Persons	Compensation Policy	Additional Notes
Mabwe Pande Affected PAPs	54 Individual PAPs who were relocated to Mabwe Pande and then returned to Msimbazi	<u>Once it is established that they are using the structures they will be compensated</u>	They will be entitled to Compensation
Tenant (residential or Commercial)	Tenant with proof of tenancy (whether formal or informal_)	<p>a) Reimbursement for unexpired tenancy/lease period and the amount of deposit or advance paid by the tenant to the landlord or the remaining amount at the time of expropriation (borne by the Land Lord).</p> <p>b) Accommodation allowance equivalent to the disrupted rate for 3months.</p>	<p>Proof of a formal or informal tenancy should be provided.</p> <p><i>Note: Amount will be deducted from the compensation of loss in profit that will be payable to landlord/ owners. Consultation will be made to encourage land lords to give the consent so that the amount will be deducted from the compensation of loss in profit that will be payable to Landlord/ owners.</i></p>
Permanent or temporary loss of business or commercial structure	Individuals who have formal legal ownership rights to the structures with	<p><u>Cash Compensation</u></p> <ul style="list-style-type: none"> ▪ Provide cash compensation at replacement cost ▪ Disturbance allowance up to 7% of the value of the affected house. ▪ Transport allowance to shift 12 tons up to 20km distance ▪ The cost of any registration and transfer taxes. ▪ Allowance for loss of profit per month (between 1-3 months by type of structure and nature of business, amounts should be quoted separately for each business category and computed in Tanzanian shillings). Loss of profit is computed based on the supporting documentation including audit reports. (This will be only paid to the owner who operate the business in the affected structure). <p>Right to salvage the materials</p>	<ul style="list-style-type: none"> ▪ Given that the business profit margins vary according to the location and time; valuer will capture the proper information during RAP preparation. ▪ Proof of accrued monthly profits through tax and business licenses) must be provided.
	Tenants with proof of tenancy in a main dwelling house	<p><u>In kind compensation</u></p> <ul style="list-style-type: none"> ▪ Provide a replacement structure 	Proof of a formal rental agreement has to be provided.



Types of losses	Entitled Persons	Compensation Policy	Additional Notes
		<p>Other entitlements remain the same as above.</p> <p>a) Reimbursement for unexpired tenancy/ lease period and the amount of deposit or advance paid by the tenant to the landlord or the remaining amount at the time of expropriation (by land Lord).</p> <p>b) Transport allowance to shift 20tonnes up to 20km distance</p> <p>c) Allowance for loss of profit per month (between 1-3 months by type of structure and nature of business, amounts should be quoted separatelyfor each business category and computed in Tanzanian shillings</p>	<p><i>Note: Consultation will be made to encourage landlords to give the consent so that the amount will be deducted from the compensation of loss in profit that will be payable to land owners.</i></p> <p>Note: PAP relocating beyond 20km will not be entitled to this amount.</p> <ul style="list-style-type: none"> • However, the project would consider payment of the transport allowance not exceeding 5% of the Compensation on the structure.
3. Standing Crops, Trees, and Plants			
Permanent loss of standing crops, trees, or plants or access to them	Farmers or individuals who cultivate the land and who have formal legal ownership rights to the land on which the crops are planted	<p>Provide cash compensation for loss of crops, trees, or plants at replacement cost</p> <p>a) Disturbance allowances 7% of the total value of the crops</p> <p>b) Right to collect the trees and crops products</p> <p>c) Reimbursement for unexpired rental period and the amount of deposit or advance paid by the renter to the landlord or the remaining amount at the time of expropriation.</p>	<ul style="list-style-type: none"> ▪ A comparative list of the prices of agricultural products in local markets. ▪ The valuation of perennial crops will be based on the product of their average yield (kg/tree/year). ▪ Valuation will be based on the product of yield, period between planting and bearing of fruits and market price. ▪ The sub-project activities should take into consideration the cropping patterns and seasons in order to avoid partial or complete loss if possible. PAPs with seasonal/permanent crops should be given the time to harvest their seasonal crops.
	Farmers or individuals who do have formal legal USER rights to land on which the crops are planted but have temporary or leasing rights (renters)	<p>d) Provide cash compensation for loss of crops, trees, or plants at replacement cost.</p> <p>e) Disturbance allowances 7% of the total value of the crops</p> <p>f) Right to collect the trees and crops products</p> <p>Reimbursement for unexpired rental period and the amount of deposit or advance paid by the renter to the Landlord or the remaining amount at the time of expropriation.</p>	
	Farmers or individuals who cultivate the land and who have no formal legal ownership rights to the land on which the crops	<p>a) Provide cash compensation for loss of crops, trees, or plants at replacement cost.</p> <p>b) Disturbance allowances 7% of the total value of the crops</p> <p>c) Right to collect the trees and crops</p>	



Types of losses	Entitled Persons	Compensation Policy	Additional Notes
	are planted (encroachers)	product	
4. Loss of source of Livelihoods, Intrinsic Values (Location Convenience, Connectivity to Commercial / Business / Industrial Areas)			
Permanent /Temporary loss of profit Loss of source of Profit earned from Business	Registered/licensed Traders (owners) /service providers of formal registered /licensed businesses	<p><u>Cash compensation:</u></p> <ul style="list-style-type: none"> The net monthly profit of the business carried out shall be replaced for 36 months. To cater for transition period during relocation processes. Transport/shifting allowance (calculated based on Tz Laws. <p>OR</p> <p><u>In-Kind compensation</u></p> <ul style="list-style-type: none"> Provide tax and tenancy holidays for a specified period of time that will be equivalent to the calculated loss of profit. Provide in kind in terms of a new business space (temporary or permanent) <p>Provided transportation allowance</p>	Payable loss of profit will be calculated based on evidence obtained through audited accounts (i.e. Loss Profit = Net profit/p.m. x 36 months). Where audited accounts not available, proxy data to be used
Intrinsic values (location convenience access to income sources, connectivity to commercial/business/ industrial areas)	PAPs living in the floods prone areas	<ul style="list-style-type: none"> Provide security of land tenure in convenient areas <p>OR</p> <p>In kind provision of alternative land or cash at equivalent rate</p>	<ul style="list-style-type: none"> Make consultations and enter in formal agreement with PAPs on type of compensation (cash or in-kind). PAPs receiving cash will be provided with supporting capacity building eg. financial literacy,
Temporary loss of income source or access to it	Registered /licensed employees of business (in the markets/slaughterhouses)	<ul style="list-style-type: none"> Provide cash compensation for the duration of business/income generation that is disrupted based on net income. <p>OR</p> <ul style="list-style-type: none"> Provide Disturbance allowance of 7% of the profit for the period of six months Provide them alternative temporary business space <p>These PAPs shall have top priority in reallocation of business space in the new facilities</p>	PAPs receiving in kind land plots will be receiving capacity building trainings eg. on business administration and other self-help activities that will enable them stay.



Types of losses	Entitled Persons	Compensation Policy	Additional Notes
Additional support to vulnerable groups	PAP or Head of the Household	All vulnerable PAPs shall be provided with additional assistance.	This amount will be in addition to other compensation and assistance amounts given above per type of loss If Head of the Household is incapacitated someone else in the Household will be nominated
5. Loss Of Common Property: Boreholes, Worship and Sacred Places, Cultural Sites, Graveyard/Burial			
Common Property (Hand- pump, dug-wells, Structures, water kiosks,) Loss of worship houses (Churches, Mosques and madrassa)	User of such resources (can be individual or communities) that use communal resources as an element of livelihood.	<ul style="list-style-type: none"> ▪ Replacement or restoration of affected facilities (graveyards, water points, access paths, ponds) to be made. ▪ Enhancement of community resources. ▪ Religious structures will be replaced/ Reconstructed and/or augmented in consultation with the local community. 	Cash at replacement cost will be provided to compensate common property. OR In-kind replacement / restoration/ reinstatement or augmentation of affected infrastructure
Destruction or damage to shrines and graveyards (Can be individual, family or community).	Evidence of ownership of the affected heritage resource.	<ul style="list-style-type: none"> ▪ Compensation for cost of repair if falling inside of the Project area, or relocation in accordance with Tanzanian law (Graves(Removal) Act of 1969) and traditional customs (including pacification and purification). ▪ Preservation, compensation and relocation activities will be done in consultation with affected individual / family or relevant Government institutions responsible for cultural heritage or National antiquities 	<ul style="list-style-type: none"> ▪ Identification of the new sites. Relocation of the graves/cultural item. ▪ Costs to cover the reburial ceremonies, buying of coffins and construction of tombstones for graves that had tombstones
Permanent loss of land and/or access to assets (Community owned public toilets, market places, transportation parking spaces, schools, and health centres)	Communities and government authorities (districts, towns, and Mitaas) owning the land or assets	<ul style="list-style-type: none"> ▪ Replacement or restoration of affected structures/facilities. ▪ Enhancement of community resources. ▪ Provision of alternative land 	<ul style="list-style-type: none"> ▪ Replacement / Restoration or augmentation of existing infrastructure based on identified need and to sustain pressure of Affected Facilities (AFs).
Community or Public structures	(DART, Schools, hospitals etc) Government Offices, Community members	<ul style="list-style-type: none"> ▪ PO-RALG to engage a contractor for construction of replacement structure and procurement of the fixtures etc. ▪ Full Replacement of the affected structure ▪ Cost of transporting equipment etc. 	Conduct consultation with impacted authority, members of the community, or government departments and collaborate with them to restore the affected <ul style="list-style-type: none"> ▪ Property.
7. Loss Emanating from Construction Activities			



Types of losses	Entitled Persons	Compensation Policy	Additional Notes
Loss of Access due to construction works (Temporary or permanent disruption of access)	Regular users of the places close to construction sites livelihoods activates due to improved infrastructure (homes, business, schools, Hospitals etc.)	<ul style="list-style-type: none"> ▪ Provision of alternate access. 	<ul style="list-style-type: none"> ▪ Provision of access path(s), wooden planks, etc. not exceeding 100 meters. at identified locations in consultations with community
Damage on houses and structures due to movement of machinery. <i>(Cracks on the walls, collapse of walls and unstable structures)</i>	Structure owners and users	<ul style="list-style-type: none"> ▪ Supplementary RAP be conducted to determine the impacts and compensation be paid for in-kind OR cash at replacement cost. ▪ Cash payment for temporary accommodation of the severely impacted dwelling structures at a cost of renting same size of house within the vicinity for SIX months. ▪ To be undertaken on a case-by-case basis and repair the damage 	<ul style="list-style-type: none"> ▪ PAP to report to Resettlement Grievance Management Committees to resolve issues. ▪ Quantity surveyor to determine the cost of impacted structure before replacement. ▪ Cost shall be determined based on the requirement quantity of concrete for rebuilding the footpath.



9.0 LIVELIHOOD AND INCOME RESTORATION PLAN

The purpose of developing a Livelihood and Income Restoration Plan (LRP) at this stage of RAP development is to outline the framework for mitigating and restoring livelihoods of project-affected communities as early as possible. This will allow effective disclosure to key stakeholders, and subsequent feedback prior to project approval and commencement. The LRP includes livelihood enhancement initiatives, which will assist PAPs to re-establish their livelihoods or create new ones.

This LRP is prepared in accordance with the Constitution of Tanzania, national safeguards policies and laws and the World Bank Environmental and Social Standard (ESS5) on Land Acquisition and Involuntary Resettlement.

The aim of Livelihood Restoration Plan (LRP)

The URT and the WB consider it a good practice to implement additional livelihood improvement measures for the PAP. This is done to restore livelihoods at pre-project level, as well as to improve livelihoods in order to reduce vulnerability of affected communities. This warrant for implementation of restoration programs and improvement of their livelihood security.

Needs Assessment and Programs Identification

To identify LRP options, NORPLAN carried out a qualitative needs assessment which various data collection methods including, Observations, Focus Group Discussions (FGDs), Key Informant Interviews and literature reviews. The assessment started in November 9th to 30th, 2021. The assessment team conducted numerous meetings with various socio-economic groups including 21 Skills Based Groups, leaders of the 17 affected worshipping structures (mosques, madrasa and churches); leaders of affected Kigogo Sambusa market, and leaders of 18 affected *Mitaa*.

According to the assessment results, project impacts on livelihood can be mitigated through:

- Capacity building for more profitable and sustainable use of livelihood assets;
- Development of alternative livelihood resources and initiatives (security of Tenure);
- Provision of mitigation measures to minimise risks on gender and health to ensure that communities are benefiting from the project; and
- Financial literacy on judicious use of compensation money.

Program Preparation and Implementation

Kinondoni and Dar es Salaam City Councils are key stakeholders in preparing and implementing LRPs. The Municipal councils will provide technical support and will work in collaboration with PAPs' Committees in order to enhance the concept of community driven development which will address the sustainability of the projects supported for livelihood initiatives selected by the PAPs. The final details with regard to allocation of tasks to individual officers will be set immediately after project approval, through cooperation from WBCU of PO-RALG/TARURA (safeguards officers) and the two municipalities. The identified Skill Based Groups will be verified as the framework for delivering livelihood programs for up to three years. Specific funds to support LRPs' activities have been included in the RAP budget.

9.1.1 Baseline Influencing Factors

LRPs are tailored to existing baseline social economic conditions and consider project impacts on PAP livelihoods pre-displacement. Baseline conditions in and around the Project area are characterized by the function of *mitaas* as economic hubs in a predominantly slum area. These economies are based on numerous small businesses and markets for agricultural products from the wider area. Consequently, LRPs will focus on capacity building in the following areas or as may be determined by PAPs themselves based on their past experience:



- Small business development, including strengthening skill sets for the restoration of businesses that would be affected due to relocation;
- Skills diversification for developing alternative and supplementary livelihood opportunities. This will be particularly important to those PAP who lose all or the majority of their productive land holdings, especially land;
- Improved agricultural sustainability and productivity, particularly for those PAP who have or intend to purchase sufficient land to maintain a sustainable livelihood;
- Capacity building in financial handling for profitability;
- Rehabilitation of youth group who have been addicted in use of drugs and substance abuse; and
- Programs to safeguard children from being impacted morally (GBV, HIV/AIDS and family health).

Determinant factors for developing suitable LRPs are:

- Eligibility:** Entitlements to livelihood restoration are presented in the Entitlement Matrix:
 - Loss of total land;
 - Loss of business that cannot be re-established;
 - Loss of small scale agricultural land or access to agricultural land;
 - Loss of employment that cannot be re-established; and
 - Vulnerable people due to physical, mental, health, economic and social challenges; and
 - Loss of social surfeit net.

ii. **Exit Survey for Livelihood Restoration Program**

PO-RALG will manage exit surveys, which will be carried out by officials from Municipal Community Development Officers of Kinondoni and Ilala, Municipal Social Welfare Officers and official valuers of the land offices of Kinondoni Municipal Council and Dar es Salaam City Council Dar es Salaam City Council.

The aim of the exit survey is to confirm the results of the census surveys, validate expected losses and subsequently to determine the numbers of PAP losing specific livelihoods and income, such as PAPs losing land, farmers losing high productivity with no alternative land, fishers and fish mongers, people losing business and vulnerable groups. The survey will also assess the diversification needs for PAP who likely not be able to restore their livelihoods due to injudicious use of compensation money.

Agreement of the respective affected PAP to the exit survey documentation and the resulting determination of compensation will be officially documented in the livelihood agreement form. These services will be provided by PO-RALG, Municipal Officers and by LRP implementation Agency. (See details in Exit Survey Section 11).

9.1.2 Provision of Financial Literacy Program (FLP)

PAPs who are not used to handling large amount of money may squander away their compensation money. Hence judicious usage of compensation amount should be effectively planned and carefully implemented through appropriate guidance and counselling on investment options.

For this purpose, both the Financial Literacy training to all PAPs and guidance provided by the Payment Agent on the financial products will be a key input to PAPs handling the available compensation amounts. It is expected to enable PAPs to take advantage of banking services for



security of their money as well as earning interest. For example, if the PAPs were to maintain a savings account, then the interest rate applicable varies between 7% depending on the commercial Bank. FLP will include the following:

i. Invest in time deposit schemes

Following provision of Compensation Agreement, the Agency to be contracted to provide training on Financial Literacy, the RAP Payment agent and RAP Implementation Agency should advise/guide PAPs to invest in time deposit schemes offered by formal financial institutions as these are reliable instruments for investment with guaranteed returns.

ii. Purchase Economically Productive/Income Generating Asset

RAP Implementation Agency should advise PAPs to use at least part of their compensation amount to buy another economic asset such as cattle, farm tools or even take lands on rent if available. In this manner compensation amount would be used to contribute towards livelihood enhancement.

Training Approach: Community sensitization will be undertaken to ensure that PAP are aware of available training programs and to encourage their participation. Training details will be provided during the Exit surveys and, where necessary, and further promoted through various media outlets such as newspapers, radio and television. Suitable training materials will be developed and distributed to PAPs during face-to-face training sessions.

Targeted groups: The Financial Literacy training will be offered to all 1693 PAP within the Project area in two municipalities. Given the large number of people involved in the program, planners will work out and establish a unit of focus. However, it is recommended that the trainings to be clustered within *Mitaa* level. Venue and training arrangements will be decided accordingly and precaution will be taken to avoid people to travel long distances to training centers.

Budget estimate for the FLT is USD \$ 70,000

9.1.3 Provision of security of tenure

Majority of PAPs are living in a public land (declared hazardous) along lower Msimbazi River. The need for an alternative site free from future relocation came out clearly from the consultations. Considering that the PAPs are on river reserve, one of the considerations would be identification of an area where they would have some form of security of tenure.

The RAP implementer shall work hand in hand with ward and *mitaa* leaders to look keenly on resettlement sites that are not far from the current project area. The assumption is that this is the area they know and starting a business in a new place would be discouraging for them. It is assumed that they better understand the business dynamics at their current location hence, re-establishment in a familiar area would be easier to accept than re-establishment in a completely new area.

This plan recognizes that the affected area will be upgraded for commercial and recreational activities development and may not necessarily be affordable for them. Furthermore, the area may not be suitable for residential use and it might take time for people to get customized to such environment.

Implementation Approach: The RAP implementers and PO-RALG will conduct disclosure sessions for the people to choose between land and Cash (equivalent to land value). For the PAPs who will



choose land, the Municipal Urban Planners, have identified possible sites for relocation. PAPs will be allowed to choose from the listed sites. The urban planners will organize a local area planning for the selected sites (It is advised to look for the relocations sites located near the project footprint). The municipal Planners will liaise with the ministry of lands Housing and Settlements to process titling of the new land where the PAPs will be relocated to. The selection of relocation sited should be done in collaboration with PAPs.

Targeted Groups: PO-RALG will ensure security of tenure to replace all 3984 affected plots around the floods prone areas two (2) municipals affected by the Project. Table below presents estimated costsfor developing replacement land according to Directives from the Ministry of Lands and Human Settlements. Land titling budget USD 52, 0784.31 included in the land compensation.

9.1.4 Short Term Work Opportunities

Consideration of job opportunities as additional support shall be made to offer employments to the PAPs. However, modalities for employment of the evictees by the project shall be integrated into the specifications and requirements for the construction contracts specifically for non-skilled or semi- skilled staff for the Contractor.

During Construction Phase: Employment opportunities within the project area is low, thus during construction period high number of PAPs are expected to seek for employment. The surveys conducted revealed that some PAPs possess skills in bricklaying, welding, carpentry, mechanic, electrical works, as well as having experiences working as security guards. It is therefore important that PAPs are considered for temporary or short-term project-related employment. Construction contractor shall be required to give preference to PAPs to perform unskilled or semi- skilled work such as guards at camp sites, daily labor, drivers, masonry works and other site clearance works, beautification and greenery, supply of construction materials. The Contactor will be required to advertise the requirement at the notice board at the District level and also inform the RAP Implementation Agency. In order to avoid any dissent or conflict between PAPs and non-PAPs, the Contractor would give preference to persons from these areas than rather than any outsiders or specifically to PAPs.

During Operations phase: although difficult to estimate the approximate number of persons required, the operations phase shall bring work opportunities relating to periodic maintenance and fault correction. It is therefore important that these PAP to be given preference for temporary or short-term project-related employment. The Construction contractor will be required to give preference to persons from the local area for unskilled or semi-skilled work such as guards at camp sites, daily labour, drivers, masonry works and other site clearance works. In order to avoid any dissent or conflict between PAP and non-PAP, it is recommended that the PO-RALG ensure that the contractor is committed to employ as many local people as possible at all stages of the Project. To this end, the contractor will be advised to introduce a proactive local recruitment policy, with a complementary skills training program for technical and managerial staff as well as unskilled labour, semi-skilled labour and craft, apprentice or artisan labour. Those whose livelihoods have been affected by the project, and who have not chosen to restart farming or fishing operations on alternative land / new fish landing sites will be able to apply for skills training to help them try to gain employment either at the Project, its clients or in other industries / businesses. The employment should be in line with ESMP, LMP and ESIA, and workers health and safety requirements.



9.1.5 Training and Skills Development (TSD)

TSD will be provided to PAPs members of 20 existing skills (See list in Annex9) based groups who will be affected. While some PAPs have skills relating to: art and craft, batik production, soap making and Tailoring, they do not have any formal training and rather have acquired these skills as part of their work. Hence, such PAPs with either existing skill or additional skills, the project should target this category of PAPs towards formal skill developments and subsequently branding their product and introduce them to online marketing networking through training programs offered at SIDO and other related technical institution located very close to the project area. The training will go hand in hand with provision of small grants for startup activities.

Estimated budget USD 100,000.00

9.1.6 Capacity Building trainings to Community for Involvement in Reforestation (Greenery) activities

There will be a need to establish community tree nurseries for the reforestation program in all affected areas. The communities within the project area can benefit from this initiative and the nurseries can also be an income generating activity for the PAPs as part of livelihood restoration. A program shall be put in place to ensure that one tree cut down is replaced by three new seedlings. During the FGDs, participants recommended adoption of agro forestry. To address the challenges related to establishment of tree nursery, the project should be responsible to cover the cost of tree seeds, polythene tubes and labor for watering for one season. In implementing this program the unemployed youth shall be targeted for.

Proposed Budget 110,000

9.1.7 Gender and Health Consideration

HIV/AIDS, Gender, Sensitization, and Monitoring shall be designed to empower the target groups with skills to prevent and respond to HIV/AIDS and as well as enhance women’s inclusion in the construction works for infrastructure development. This is as an effort towards enhancing positive socio-economic impacts of the local population who were living in the areas as well the communities near the project site. The implementer of this sub component will be required to establish drivers for HIV/AIDS and Sexually Transmitted diseases with the Dar es Salaam city along with available measures to address them.

Gender Considerations: The project shall include in its design mitigation measures to address the likely negative impacts on gender. Examples, of negative impacts include increased poverty among female-headed households because of land expropriation and loss of structures that might cause severe impact on them. While the policies encourage women to work at construction sites, very often, are victims of Gender Based Violence (GBV) and Sexual Exploitation (SE). In this regard, contractors shall be required to provide a code of conduct that restrict any forms of GBV and sexual harassment at the work place as well as provision of adequate facilities for both men and women at the camp sites. Gender sensitization including deliberate efforts to enhance inclusion of the women in the Project will be undertaken. During LRP implementation, the team will identify drivers and prevalence of GBV/SEA, SGBV, and subsequently will prepare and implement the plan.

Proposed Budget: \$50,000



Deltares

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HIV and AIDS Awareness and Prevention Campaign: The young population in the communities are highly vulnerable to HIV infection due to immigrant workers to the area. There is also a possibility of further spreading other sexually transmitted diseases because of interactions between contractor's workers and local population. For this case we propose for the groups identified in Annex 9 to be considered for the purpose for both skilled and unskilled laborers.

To reduce the possible spread of the STDS diseases and HIV/AIDS, sensitization and prevention campaign will be an integral component of the Livelihood Restoration Program. The target audiences will be students and the youth, traders, fishermen and transport operators in the Project area. The sensitization program will be carried out through community puppetry and role-plays, focus group meetings, film shows and distribution of fliers and condoms. **Sensitization will also target** rehabilitation for youth who are vulnerable due to drugs addiction and empower them with skills to enable them to earn living.

Budget estimated for COVID 19 and HIV/AIDS is \$ 50,000
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10.0 RELOCATION PLAN

This chapter presents the relocation plan for the PAPs. The basis for the plan is the categorization of the PAPs. The different PAP categories will be eligible for different compensation options, for which the criteria are explained. Furthermore, this chapter elaborates on the cash and in kind compensation options including a corresponding relocation strategy. Finally, this chapter explains the relevant relocation processes required.

Categorization of PAPs

Based on the social- economic statuses for the Lower Basin (see also chapter 5), a categorization of the PAPs who will be eligible for compensation has been prepared. The main indicators of the categorization have been i) whether the PAPs reside in the Lower Basin or not, ii) land and structure ownership, iii) tenants, iv) PAPs with previously demolished property and v) PAPs with submerged land.

Compensation Options – cash versus in-kind

Essentially there are two main categories for PAPs compensations as indicated, namely:

1. Monetary/Cash
2. In kind (structures and land)

The options and Implementation strategies are described in the following:

10.1.1 Monetary/Cash Compensation

This covers for those who prefer to receive cash/money after valuation of their land and properties. Even though it is a monetary compensation option, there are opportunities to choose for in-kind compensation regarding certain items. In this scenario the PAPs will receive cash compensation that covers for the:

- Value of the affected Properties (Houses/crops/land)
- Allowance
 - Accommodation owners of property 36 months; for Tenants only 3 months
 - Transport allowance
 - Disturbance (for re-establishment in the new houses)
- PAPs are allowed to opt for in kind land replacement with Security of Tenure,
 - In this case the PAPs will be paid cash for structures and allowances and provided with replacement land plot with security of tenure.
- Livelihood restoration programs.

Error! Reference source not found. shows an overview of the replacement value for structure and land as well as allowances per eligible PAP category.



Table 28: Overview of cash compensation components per PAP category

PAP category Qualifying for compensation	Replacement value structure and land	Allowances	Livelihood Restoration Program
Owners / Residing	>> Equal value of existng property (land+structure)	>> Disturbance allowance >> Transport allowance >> Accommodation allowance* 3 yrs >> Loss of Profit	>> Enrollment to LRP
Owners / Non-residing	>> Equal value of existng property	>> Disturbance allowance	>> Not eligible for LRP
Tenants with proof	NA	>> Disturbance allowance >> Transport Allowance >> Accommodation allowance 3 months	>> Not eligible for LRP
Owners with previously demolished property or submerged land	>> Flat rate value compensation	NA	>> Not eligible for LRP

10.1.1.1 Description of the compensation option for Tenants with proof

The tenants with proof of tenancy contract are eligible for allowances only. This is a total number of 395 PAPs. The disturbance allowance, transport allowance and an accommodation allowance for 3 months. No land, structure or other cash compensation is applicable for this category of PAPs.

10.1.2 In-Kind compensation options (land and structures)

PAPs who are eligible for the offered options and wish to receive compensation in-kind, can choose to resettle at land or in replacement structures.

For in-kind compensation PAPs will be required to choose the preferable option:

- **In-situ**
 - Within the boundaries of the project area after urban terraces are constructed
 - Relocation to an apartment
- **Near-Situ (within 5 km)**
 - Within a range of 5 km outside the project area boundary
 - Relocation to an apartment
- **Far-situ**
 - Relocation to the areas beyond 5km from project area
 - Relocation to a plot of land with incremental building possibilities

In this case the PAPs will be paid allowances and provided with replacement apartment or a plot of land with security of tenure.

Criteria for offering in kind compensation to the PAPs



Majority of PAPs fall within the lower income category therefore the choice of compensation options should fall within reach of their financial capacity to be able to obtain and maintain the new property. Based on the survey of existing property values and the average building cost of a low-cost apartment within the LMUP plan. The building cost is aligned with recent reference examples from Dar es Salaam in the same range. This has led to a threshold of existing value (land plus structure) of Tsh **20m**. All the PAPs that own a property valued lower than Tsh 20m will be offered an alternative option. The PAPs that own a property valued higher than Tsh 20m will become eligible for in kind in situ or near situ compensation.

This threshold applies to the following group of 1693 PAPs identified owners that are also residing at their premise.

- A. 378 Owners / residing with an existing property of < Tsh20m
- B. 1315 Owners / residing with an existing property of ≥Tsh 20m

Taking into account this threshold for owners residing in the Lower Basin the following overview of in kind compensation categories and options is provided (see **Error! Reference source not found.**).

Table 29: Overview of in kind compensation categories and options

<i>PAP category Eligible for compensation</i>	<i>Valued existing property owned by PAP</i>	<i># of PAPS</i>	<i>Compensation cluster and options</i>
Owners residing	< Tsh20m	378	cluster 1
	≥Tsh 20m	1315	cluster 2 – in situ
			cluster 2 – near situ
			cluster 2 - far situ
Owners non-residing	All values	230	cluster 3
Owners with previously demolished property or submerged land	No value determined in survey	1177	cluster 4



10.1.3 Description of the compensation cluster 1

Compensation cluster and options	Basis for Replacement value and allowances	Land Location and plot size	Structure Housing type, size and location	Livelihood Restoration Program
cluster 1	>> Equal value of existing property (deduced with land value of new plot) >> Disturbance allowance >> Transport allowance >> Accommodation allowance* 3 yrs	v Mvuti	x (Incremental building) (Assistance might be provided)	>> Enrolment for LRP

(i) Cluster 1 is for the In-kind option for the 1315 Owners / residing with an existing property of < Tsh20m . The equal value of existing property, as concluded by the survey, can be a full Cash component or the value is deduced by the land value of the 400m² plot offered at Mvuti area (~25 km from the site). The allowances (disturbance, transport and accommodation for 3 yrs) are separate from the cash value and are applicable always. Structures are not part of the in-kind compensation. It is expected that PAPs will realize incremental building at the provided plot. Technical assistance might be available to the PAPs choosing the in-kind option.

Under 'Allowances' PAP will receive disturbance, transport, accommodation, loss of business revenues for commercial structures/properties affected.



10.1.4 Description of the compensation cluster 2

Compensation cluster and options	Basis for Replacement value and allowances	Land	Location and plot size	Structure	Housing type, size and location	Livelihood Restoration Program
Cluster 2 - in situ	>> Equal value of existing property (deduced with value of new apartment) >> Disturbance allowance >> Transport allowance >> Accommodation allowance* <u>3 yrs</u>	x		v	>> Apartment (contract of cash compensation for new house) >> 1-bedroom 15m ² , 1-bedroom 25m ² , 2-bedroom 35m ² and 3-bedroom 55m ² (eligibility based on value based approach) >> Integration into terrace A,B,C,D and/or dedicated terraces E,F,G,H	>> Enrolment for LRP
Cluster 2 - near situ	>> Equal value of existing property (deduced with value of new apartment) >> Disturbance allowance >> Transport allowance >> Accommodation allowance* <u>3 yrs</u>	x		v	>> Apartment (contract of cash compensation for new house) >> 1-bedroom 15m ² , 1-bedroom 25m ² , 2-bedroom 35m ² and 3-bedroom 55m ² (eligibility based on value based approach) >> Kondoa street and/or Ilala site	>> Enrolment for LRP
Cluster 2 - far situ	>> Equal value of existing property (deduced with land value of new plot) >> Disturbance allowance >> Transport allowance >> Accommodation allowance* <u>3 yrs</u>	v	>> Location within 25km from Jangwani >> 300 m ² plot or >> Location beyond 25km from Jangwani >> 400 m ² plot	x	(Incremental building) (Assistance might be provided)	>> Enrolment for LRP

Cluster 2, option in situ, near situ and far situ are offered as possible choices for the PAPs that fall under the 1315 Owners / residing with an existing property of ≥ Tshs 20m .

For the in-situ and near situ solution the PAPs are offered an apartment. Depending on their replacement value of land and structure, a 15m² -1 bedroom, a 25m²-1 bedroom, a 35m²-2 bedroom or a 55m²- 3 bedroom apartment can be offered. The apartments will include all facilities. However, for the 15m² and 25m² apartments shared facilities like shared kitchen and/or shared sanitation can be considered.⁴ More information on the replacement houses is provided in Annex 10. The compensation comes in the format of a contract for the newly build apartment within the LMUP

⁴ Due diligence required to test the applicability



boundary based on the value of the replacement value. In addition, allowances (disturbance, transport and accommodation for 3 years) as well as a Livelihood Restoration Program will be provided.

The in situ replacement houses can be allocated on the envisioned terraces. The housing blocks for replacement apartments can be integrated into the urban tissue of terrace A,B,C or D, and fully dedicated plots for replacement houses can be developed on terraces E,F,G and H. Figure 10-1 shows the locations of the terraces.

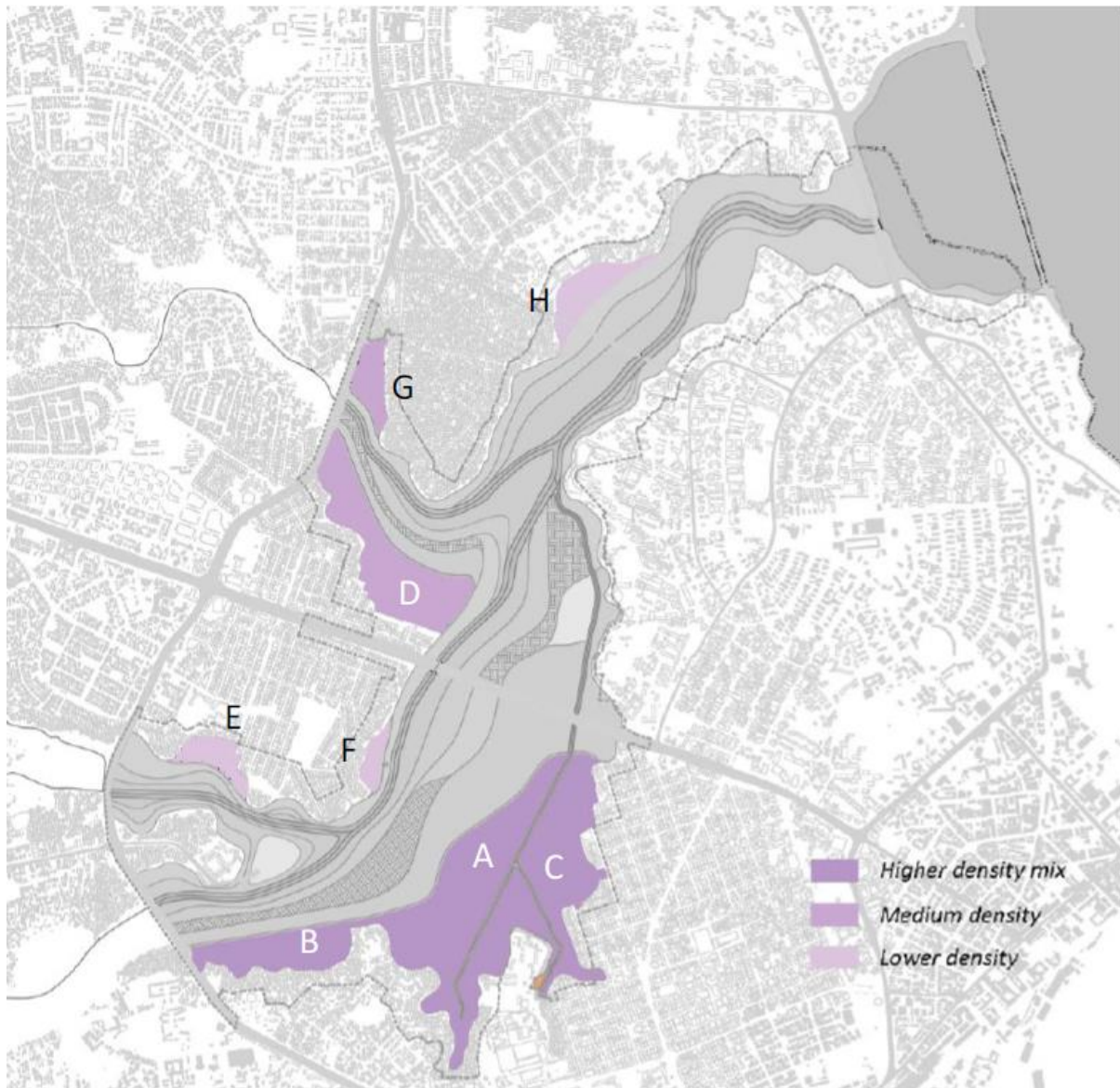


Figure 10-1: Envisioned terrace locations

The near situ solution offers a displacement house within 5 km of the project boundary. Identified available locations are at Kondoa Street and Ilala site. This comes in the format of a contract for the newly build apartment within at these locations based on the value of the cash compensation.

Prerequisites for the PAPs in the in situ and near situ option:

- Only those PAPs that have an existing property at or above the threshold value of Tsh20m can obtain for the in situ and within 5km range option in order to leave no financial gap between value of compensation and the value of the new house.



- Other PAPs are offered the 'First right to buy or rent' for affordable houses available and have to bridge the financial gap in their cases themselves
- The replacement apartments will be affordable houses considering the affordability level of the PAPs eligible
- The sizes of the replacement apartment are based on the value of the existing land and structures.
- PAPs will not be allowed to alter the designs and lease⁵/sale the structures
- PAPs will have to comply with Operation and Maintenance requirements of the structures i.e. the service costs, waste management costs etc.
- Enrolment in Livelihoods restoration Programs
- In-kind accommodation allowance - 36-months rented accommodation.
- Time to wait for relocation will be between 2-3 years: an allowance for accommodation in that period is given.

The far-situ option provides the PAPs a land plot. In closer proximity at Kigamboni or Tegeta of 300 m² or a plot of 400m² in Mvuti. In addition, allowances (disturbance, transport and accommodation for 3 years) as well as a Livelihood Restoration Program will be provided.

PO-RALG has to find potential relocation site in the Mvuti area. PO-RALG will prepare a local area development plan to ensure that the area has all necessary/basic social amenities including roads, schools, hospitals, market places, water and electricity supply and other utilities. Considering that there is no land close to the CBD, this land will be obtained around 25kms from the CBD. In this scenario PAPs will receive the following:

- A land plot with size of 400m²
- Flexibility to do self-construction of a new house including alteration of the designs etc.
- Accommodation allowances, transport allowances as well as disturbance allowances.
- Security of tenure (land titling costs to be borne by the government)
- Access to the Livelihoods restoration Program (for the PAPs currently living in the project area who will opt for this option)
- Payment and Provision of the plots and will be able to relocate to new plots six months after issuance of the compensations.

10.1.4 Implementation Plan for all residing PAPs in the project area:

- All PAPs will be subjected to early resettlement for their safety as well as compliance to World Bank ESF. For the early resettlement PAPs will be allowed to take 60 to 90 days after receiving compensation to relocate from the floods prone areas. Meaning that PAPs will require temporary accommodation to keep themselves for the whole transition period of up to three years while awaiting for completion of construction of their houses.
- The PAPs will be paid for their accommodation allowances. However, the PORALG and PIU will disburse the amounts in instalments payment based on tenancy agreement between PAP and new landlord.
- The Municipal council office shall be responsible to handle the funds. PIUs and RAP implementation agencies will implement/execute accommodation allowance delivery and monitor the PAPs.
- PAPs will be organized based on resettlement option in such a way that they will have champions for effective coordination and communication.

⁵Only for those that were leasing the affected structure



- Each PAP shall have individual identification card indicating contacts, gender, name, photograph, option selected and next of kin. Leaders will assist on sharing updates on group members’ locations in-every 6-months.
- PAP will be encouraged (and assisted) to find rental houses within respective municipalities to facilitate coordination and monitoring by relevant authorities including PIU and project team.
- PAPs will be allowed to visit the sites under guidance of PIUs to see the progress of construction of their replacement houses.

10.1.5 Description of the compensation cluster 3 for Owners-not residing

Compensation cluster and options	Basis for Replacement value and allowances	Land	Location and plot size	Structure	Housing type, size and location	Livelihood Restoration Program
cluster 3	>> Equal value of existing property (deduced with land value of new plot) >> Disturbance allowance	v	>> Beyond 25km from Jangwani (e.g. Mvuti) >> 400m ² plot	x	(Incremental building) (Assistance might be provided)	>> Enrolment for LRP

The owners that are not residing at the premise of the location are 230 altogether. They will be offered an in-kind compensation option. The equal value of existing property, as concluded by the survey, can be a full Cash component or the value is deduced by the land value of the 400m² plot offered at Mvuti area (~25 km from the site). The allowance these PAPs are eligible for is the disturbance allowance. Structures are not part of the in-kind compensation. It is expected that PAPs will realize incremental building at the provided plot. Technical assistance might be available to the PAPs choosing the in-kind option.

Considering that there is no land close to the CBD, this land will be obtained around 25kms from the CBD. In this scenario PAPs will receive the following:

- A land plot with size of 400m²
- Flexibility to do self-construction of a new house including alteration of the designs etc.
- Accommodation allowances, transport allowances as well as disturbance allowances.
- Security of tenure (land titling costs to be borne by the government)
- Payment and Provision of the plots and will be able to relocate to new plots six months after issuance of the compensations.

10.1.6 Description of the compensation cluster 4 for Owners with previously demolished property or submerged land



Compensation cluster and options	Basis for Replacement value and allowances	Land	Location and plot size	Structure	Housing type, size and location	Livelihood Restoration Program
cluster 4	>> Fixed replacement value for land	v	>> Mvuti >> 400m ² plot	x	(Incremental building)	>> Enrolment for LRP

The owners are recognized, but their property can't be surveyed and therefore no value can be concluded. Therefore, this category of PAPs receive a flat rate compensation that has no allowances and consists of the option to obtain a plot at Mvuti area. On this plot the PAPs can erect a house by incremental building.

10.1.7 Due diligence on relocation sites

Before the close out survey for RAP can take place through which compensation and resettlement options will be presented to the PAPs, due diligence on the relocation sites needs to be undertaken and agreed upon between the host community, current land owners and PORALG. Important aspects to check include but are not limited to:

- Exact location, including geographic boundaries of the relocation sites;
- Size of the land/ plots;
- Current ownership by agency/ authority;
- Status of land acquisition. Land availability;
- Services and infrastructure (e.g. water supply, electricity, roads, sanitation).

Affected people and Resettlement strategy within LMUP area (in-situ)

The socio-economic surveys and the RAP provide information on the number of PAPs (households) and project affected population in the Lower Basin including further breakdown into specific socio-economic characteristics like demography, gender, income, ownership/tenants, value of land, structure and crops etc. The census as part of the RAP states the following:

- A total of 11,708 people are the affected population.
- Of this total affected population a total of 3,552 are owners of affected land and/or property.
- Among the affected owners 1,693 are using their structures for residential or commercial or both.
- The 1,693 owners represent a total member of households of 7,363 people.
- All other owners are living outside the area due to reasons of flood damage and eviction after the 2015/2016 floods. Their property is submerged, demolished or abandoned.
- Besides owners there is a category of tenants with valid proof of tenancy of a total of 395 (out of the total of 2,486 tenants recorded in the census).

In terms of compensation options, of 1693 (PAPs losing commercial and residential structures 1546 (91.32%) have opted for Cash compensation, while 145 (8.56%) PAPs have opted for replacement structures. Among the 145 PAPs opting for in-kind, 43 (29.66%) opted to be resettle within or near



to the Jangwani area (in-situ); while 102 (70.34%) have opted to be resettled anywhere else as long as land is available within Dar es Salaam.

The census information of the RAP learns that a total of 2,088 households (1,693 owners and 395 tenants) might be eligible for compensation. Besides those owners and tenants currently residing in the project area, also owners non-residing (230) and owners with previously demolished property or submerged land are identified (resp. 1068 and 109). They are eligible for limited compensation options as explained in the previous paragraph overview of options.

Generally for resettlement of the flood prone communities in the Lower Basin there are two type of compensations:

- i) Cash/ monetary compensation or
- ii) In kind compensation by land, and in some cases in-situ or near-situ housing.

Although currently over 90% of the eligible PAPs have chosen the cash/monetary compensation option as stated in this RAP report, it is envisioned that further adequate information on the in kind in-situ and near-situ compensation arrangement might strongly influence the choice in a later stage of those 363 PAPs eligible to make that choice, and even other residing PAPs that see opportunities to acquire extra financing to opt for an in-situ house. The percentage of people choosing in kind compensation is likely to rise. Increasing the percentage of PAPs who will choose for in kind compensation is considered important for the success of the project and to ensure social coherence and improved livelihoods with the implementation of interventions of the LMUP.

As outcome of this RAP report attention in the next stages should be given to the economic feasibility of PAPs choosing for in kind in-situ resettlement whether they are able to cover the monthly, quarterly or annually returning costs. Initial findings indicate that more than 50% have annual income up to TZS 1,000,000/=. Followed by 42% of PAP with annual income between 1,000,000 and 10,000,000/=. Very few PAPs have annual income above 10,000,000/=. In terms of households expenditures amount spent on house renting minimum is TZS 240,000 per year (or TZS 20000 per month), while maximum is TZS 460,000/= per (or <40,000/= per month). Meaning that there is potential for the PAPs to afford living in low cost houses within the areas. In order to estimate approximate resettlement costs, average rates per PAP have been determined. Based on the maximum potential of and a range of scenarios of possible distributions of the PAPs choices have been assumed.

Table 30: Average rate for resettlement costs per option component

Option components	No of PAPs	Average rate per PAP (USD)	Total rate (USD)
Cash compensation structures and land	608	14,156.00	8,606,848
In-situ and near-situ resettlement (structures or land)	1,315	15,571.60	20,476,654
Allowances (disturbance, transport, accommodation)	1,923	1,930.00	3,711,390
flat rate compensation (previously demolished and submerged property/land)	1,177	2,000.00	2,354,000
Total estimate			35,337,212

The average cost per PAP for cash compensation for structures and land formed the basis for the calculation of the average rates of the in kind options. For the in-kind options a markup to the cash compensation rate is added to include additional costs of the new house and the value of land in the range of 10% of the cash compensation rate. This is based on expert judgement and the building cost references recently found in this category of housing in Dar es Salaam.



Process of Relocation

The process of Relocation would be for three sets of PAPs i.e.

- i. Those losing main dwelling structure and opting for in-kind compensation i.e. PAPs for whom there is a need to have the replacement structures ready before they can be shifted;
- ii. Those losing main dwelling structure and opting for self-relocation i.e. taking compensation in cash and building their own house outside the project site; and
- iii. Those losing ancillary support structures such as toilets, kitchen and will only be paid cash compensation and can shift out

The table below indicates the step wise process of relocation along with responsible agency and timelines:

Table 31: Relocation Plan

StepNo.	Activity	Timeline (to be completed within)	Responsibility	Support Agency
For PAPs opting for Replacement House				
(b) PAPs opting for relocation outside the project areas				
1	Ensure PAPs have received all due compensation and allowances	1 week from start of RAP implementation	RAP Implementation Agency	PO-RALG /TARURA
2	Conduct meeting with PAPs to ensure PAPs of follow up actions, particularly those without alternate land		RAP Implementation Agency	PO-RALG /TARURA
3	Identify and provide alternative land for those not having land	3 weeks from above	District Administration/RAP Implementation Agency	PO-RALG /TARURA
4	Contractor checks site and commence Works on construction of replacement houses	within 15 days	Contractor	RAP Implementation Agency
5	Inform PAPs of Alternate site and date of commencement of construction	Within 1 week	RAP Implementation Agency	PO-RALG /TARURA
6	Commencement of Works by Contractor	within 15 days from above	Contractor	



StepNo.	Activity	Timeline (to be completed within)	Responsibility	Support Agency
7	Supervision of Works to report progress	Periodic	RAP IA (Civil Engineer)	
8	Field visits to ensure adherence to agreed design and quality	Periodic	RAP IA / PO-RALG /TARURA	PO-RALG /TARURA , RAP IA
9	Confirmation by the Contractor that the houses are ready with all agreed features and amenities;	within 2 months from date of commencement of construction	Contractor	PO-RALG /TARURA , RAP IA
10	Inform PAPs the house readiness and date of Date for dismantling/relocation to site and date by when it should be completed.	Within 10 days of above	PO-RALG /TARURA through RAP IA	PO-RALG /TARURA , RAP IA
(c) PAPs opting for relocation within the project areas (in-Situ)				
12	Identify and prepare the temporary relocation sites	1-3Months from the start	Contractor	PO-RALG /TARURA , RAP IA
13	Verification of the PAPs and provide IDs	One month from start of RAP implementation	RAP Implementation Agency	PO-RALG /TARURA
14	Establish PAPs list and respective accommodation locations	One month from start of RAP implementation	RAP Implementation Agency	PO-RALG /TARURA
15	Disbursement of accommodation allowance	Continuous (bi annual or annually) for 3 yrs	RAP Implementation Agency	PO-RALG /TARURA
(c) Cross cutting activities				
16	Provide Support to Vulnerable PAPs on a case by case basis	Continuous process from the start of RAP implementation	RAP IA	PO-RALG /TARURA , RAP IA
17	Complete the process of relocation for all PAPs in option (a), and (b) (c)	Total 4 months from start	RAP Implementation Agency/Contractor	PO-RALG /TARURA
18	Complete the process of relocation for all PAPs in option (c)	Total 3-4 years from start	RAP Implementation Agency/Contractor	PO-RALG /TARURA , RAP IA
19	Government's validation/approval process of the valuation roll	Period between 3 – 6Months with close follow up	RAP Developer	PO-RALG/TARURA

Relocation process would be followed as per timelines as any delay in this regard is likely to: i) cause problems for safe storage of the personal belongings of these PAHs as they shall have no shelter



after dismantling and ii) might require the project authorities to provide with interim or transit accommodation. Further, as shifting from locations where PAHs have been living for long period would be a difficult task, following aspects would be taken into consideration:

- i. ensure that PAHs have seen the resettlement site, if it is not known already to them or belong to them and preferably the exact plot/house that has been allotted
- ii. the period between dismantling and salvaging of house materials and shifting to resettlement site should be minimized to the extent possible;
- iii. Vulnerable PAHs, particularly females and Elderly PAPs would be provided with extra care and support as necessary.
- iv. PAHs have packed their belongings and are in readiness to shift;
- v. Motorized transport/Animal driven carts for transportation (in-kind assistance, if need) are ready;
- vi. The process of shifting process should be i) completed in minimum time possible and ii) avoided during rains. PAP would be allowed to carry away with them all the movable items of their daily living like house construction materials, and personal belongings.
- vii. Records will be kept of PAPs who would shift to which relocation as per format below

Table 32: Template for Recording Relocation Progress

Details of relocation									
<i>Name of Mtaa</i>	<i>List of members in the PAH (beginning with name of PAP)</i>	<i>Status of Vulnerability of Head of HH</i>	<i>Sex</i>	<i>Age</i>	<i>Date of shifting to new site location</i>	<i>Name and Location of the Resettlement site or area to which PAPs are shifting</i>	<i>Shifting done by self or need help as vulnerable</i>	<i>Start date and End date</i>	<i>Remarks</i>

The records in the above format would be kept by the RAP implementation agency which would supervise the relocation process. It would produce short progress updates on the shifting process, periodic updates on the perceptions, complaints of the PAPs, if any (will be recorded and escalated into the GRM for formalities or formal procedures), on their new house and new location (in case of project aided relocation) or only new location (in case of self-relocation).

It should be noted that the data as well as options currently does not include PAPs under phase two of this RAP.



11.0 ORGANIZATIONAL ARRANGEMENTS FOR COMPENSATION DELIVERY

This section describes organizational arrangements, roles and responsibilities for various parties involved in RAP implementation. The section further spells out the actual process for delivering the entitlement including, processes for approvals.

Organizational Arrangements – Role and Responsibility

11.1.1 Project coordination

The PO-RALG -TARURA is holding the custodianship of Msimbazi project. PO-RALG is responsible for control and approval of all studies and implementation of construction works under the Msimbazi project through TARURA -World Bank Coordinating Unit (WBCU) established at the national level to coordinate and implement the project.

11.1.2 The TARURA - Project World Bank Coordinating Unit (WBCU)

Responsibilities of WBCU will include issues related to the preparation of the project, including the development of the **ESMF**, RAP, SEP, the procurement strategy and plan, and other work widgets. The WBCU is led by a Project Coordinator with relevant staff. The WBCU will oversee overall coordination of RAP implementation, reporting to the WB regarding safeguards issues, as well as of integrating safeguards requirements into bidding and contracting documents. It is the responsibility of WBCU and those of TARURA HQ to interact with the environmental and social authorities, ensuring an efficient implementation of safeguards documents. The officials should undertake, randomly, field visits and environmental supervision and monitoring, assessing environmental compliance at worksites, advising Project Implementing Units (PIUs) at LGA level on environmental and social safeguards issues. The WBCU-TARURA will, also, be responsible for identifying training needs of all parties involved in RAP implementation. The WBCU will cooperate with all local institutions to provide a successful implementation of the Resettlement Procedure (RAP).

11.1.3 RAP Implementation Agency

The RAP Implementation Agency will undertake among others the following activities:

- a) Produce and distribute ID cards
- b) Report on awareness and outreach meetings – lessons learnt and best practices
- c) Report on PAPs who have opened bank accounts and received cash
- d) Facilitate and/or oversee provision of In-Kind Compensation
- e) Prepare monthly progress reports for this RAP that includes progress as against the scheduled timeframe of RAP implementation, which shall include physical and financial progress,
- f) Report on the options made available for PAPs to access economic opportunities, marketing and credit.
- g) Assist in Grievance Redressal process
- h) Assist PAPs with land titling processes
- i) Assist Contractor(s) Responsible for supervision of In-Kind Housing construction
- j) Assist Contractors of LMUP works with resettlement related issues
- k) Prepare assignment completion report
- l) Supervise implementation of Livelihood Restoration



11.1.4 Community Liaison and Grievance Redress Officer

RAP suggests the engagement of a community liaison and grievance redress officer. These personnel will be working under the PIU. From a community liaison perspective, the key objective of this officer is to ensure good project relations with both the PAPs and local residents of the affected areas. The officer will be responsible for informing the PAPs and local residents about the resettlement and compensation process.

The detailed tasks of the community liaison and grievance redress officer in relation to Community liaison officer tasks will be to:

- (i) Prepare and distribute notices of meetings at least one week prior to the meetings to local leaders and media such as radio, TV and newspapers. Notices should be distributed in Kiswahili;
- (ii) Organize meetings with local government leaders at the Mtaa level and distribute notices for general meetings to local government leaders, NGOs and communities;
- (iii) Distribute notices, press releases at various points (such as at local government offices, markets, schools, churches and mosques);
- (iv) Meeting with the Mitaa to explain the land acquisition process and to answer questions about the process
- (v) Select appropriate locations for use as payment centres for compensation payments;
- (vi) Explain the compensation payment process including the benefits of using a bank and the role of the Bank.

11.1.5 Municipal Administration (LGA)

Municipal Administration will assist in the RAP development and implementation process through the provision of community development to support in field work activities including: community consultations, financial literacy and later during grievance resolution. Specifically, their role would be to perform the following activities:

- i. Help the Project and (RIU); in identification of alternative land for those PAPs displaced from within the way leave;
- ii. Sign the compensation agreements and issuance of PAP ID cards
- iii. Support the project in facilitation of the Houses Construction Activities when they commence;
- iv. Contribute to the GRM by designating members to the committees
- v. Support the Livelihood Restoration/Enhancement programs; and
- vi. Support to the distribution of seedlings by providing requisite extension services through the Forest Office. The Forest Office (DFO) to ensure that these commensurate training is provided to the PAPs on growth of these seedlings and also periodically monitored to ensure their survival and full growth.

11.1.6 Contractor for Construction of Infrastructure⁷

The Contractor responsible for construction of infrastructure would have a few roles, albeit indirect, in respect of RAP implementation:

- Provide SPCU with final schedule of construction for RAP Implementation Unit to communicate with communities along the corridor;



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- List down all possible obstruction sections
- Provide labour requirements so that attempts can be made to source labour from the project areas;
- Inform SPCU of any issues relating to access that might be disrupted
- Employ the local population to work as casual or skilled labour and Pay wages as per applicable norms
- provide compensation for any damages to assets outside of wayleave, in accordance with rates established in the RAP,
- have a Community Liaison Officer (CLO) who interfaces with the community;
- refer any resettlement-related grievances reported to them to the RAP implementation consultant and RIU;
 - maintain a grievance redress procedure for construction-related impacts,
- Inform RIU in case of unexpected findings of cultural and archaeological artefacts and see the options to reroute the layout as necessary;
- Ensure complete adherence to the ESMP.



12.0 SCHEDULE FOR IMPLEMENTATION OF RAP

This RAP covers both the Flood prone PAPs and those to be affected by other infrastructures, that includes terracing; The preparation of the RAP has been prepared in phases and hence the implementation will also be conducted in phases; budget for RAP implementation the two phases has been separated.

As procedure for preparation of RAP implementation; PAPs for the lower Msimbazi were disclosed of their entitlement on from 7th to 17th March 2023. During disclosure some of the PAPs accepted their compensation package and signed the disclosure forms, others signed but filled complaints regarding their entitlements while others did not accept their entitlements and hence did not sign the disclosure. Table 12-1 below provides detail of the status of disclosure.

Table 33: Status of PAPs disclosure

Ward	Street	Target	Reached	Remained	Rejects	Have bank Acc	Bank_Stats	Disclosure_Progress	Rejects (%)	Acceptance	Remained
Kinondoni											
Mzimuni	Mtambani	13	13	0	0	10	77%	100%	0%	100%	0%
Kigogo	Kigogo Mbuyuni	455	393	12	50	243	62%	97%	11%	86%	3%
Hanasif	Hanasif	8	7	0	1	6	86%	100%	13%	88%	0%
Magomeni	Idrisa	31	23	0	9	20	87%	103%	29%	74%	0%
Magomeni	Suna	122	103	0	19	86	83%	100%	16%	84%	0%
Hanasif	Mkunguni A	27	25	2	0	24	96%	93%	0%	93%	7%
Hanasif	Mkunguni B	108	88	16	4	75	85%	85%	4%	81%	15%
Mzimuni	Mwinyi Mkuu	166	135	13	18	4	3%	92%	11%	81%	8%
Sub-total Kinondoni		930	787	43	101	464	59%	95%	11%	85%	5%
Ilala											
Mchikichini	Ilala Kota	337	300	22	15	164	55%	93%	4%	89%	7%
Mchikichini	Msimbazi							88%	5%	83%	12%
Mchikichini	Bonden	909	756	111	42	6	1%				
Jangwani	Mtambani B	135	131	0	5	4	3%	101%	4%	97%	0%
Jangwani	Mtambani A	235	203	16	16	5	2%	93%	7%	86%	7%
Mchikichini	Misheni Kota	19	18	1	0	15	83%	95%	0%	95%	5%
Kariakoo	Kariakoo							88%	6%	82%	12%
Kariakoo	Kaskazini	17	14	2	1	14	100%				
Upanga	Upanga							70%	10%	60%	30%
Magharibi	Charambe	10	6	3	1	6	100%				
Sub-total Ilala		1662	1428	155	80	214	15%	91%	5%	86%	9%
Total		2592	2215	198	181	678	31%	92%	7%	85%	8%

- Therefore, the RAP implementation will start with those that have accepted as well as those who have signed and filed grievance.
- Once the grievances have been handled; PAPs entitlements will be disclosed and the valuation report submitted to the chief valuer for approval and later PAPs will receive their entitlements. PO-RALG will immediately start mobilisation of disclosing PAPs for the second phase which will be followed by submitting the valuation report to the chief Valuer for approval and later implement RAP for the PAPs affected by infrastructures.

2592 does not include PAPs losing land only as there was no disclosure for this category of PAP; 888 PAPs fall under this category; this figures will be further verified during implementation phase.

It should also be noted that PO-RALG has hired a consulting firm that will assist with the RAP implementation; among others to handle any outstanding grievances, continue with stakeholders engagement as well as monitoring and following up with PAPs that have opted for in-kind compensation.



Key Implementation Activities

The key activities in RAP implementation are categorized into activities that are to be completed at different stages. These are categorized by activities to be completed:

- a) prior to commencement of compensation and other payments;
- b) prior to commencement of civil works; and
- c) For all activities under RAP to be considered as complete.

These are presented below:

Activities to Completed Prior To Commencement of Compensation Payment⁶

- i. **Finalize Contracts with Support Agencies for RAP Implementation:** Contracts with the following agencies would be finalized.
 - a) RAP Implementation Agency; and
 - b) Additional Outreach and Financial Literacy activities

Exit Survey: Prior to the start of the compensation payment process, compensation agreements with affected people will be set up and signed. This will be done through an exit survey, to be carried out by RAP implementation consultant in collaboration with the PO- RALG, the official valuer of the Kinondoni Municipal and Dar es Salaam City Council Land Offices. The exit survey is to confirm the results of the surveys for validation of options for compensations.

Given the significance of the exercise, PO RALG will release notification not less than two weeks before the actual commencement of exit survey. The Local leaders will be informed so that they will notify the PAPs within their areas to participate in the disclosure of the entitlements and selection of the relocation options. Consultation meetings will be carried out in each sub ward to explain the compensation determination procedures and applicable rates. Local leaders and PAPs representative will make site visits to appreciate the statuses of the identified relocation areas.

PAPs shall be consulted informed on the advantages and disadvantages of each of the decided options. Thereafter be allowed to discuss with their families prior to the signing of Compensation Agreement forms (CAFs). The PAPs will also be consulted to confirm options for relocation sites as well as modes designs of the replacement house.

All complains and claims will be documented and the valuers will conduct site verification to address the complaints.

- ii. **Operationalize Grievance Redressal Mechanisms:** Proposed GRMs at Mitaa level and Municipal level would be operationalized following provision of: a) TORs for the committee at each level and b) commensurate training and resources to enable effective functioning.
- iii. **Operationalize LRP implementation Mechanisms:** Proposed DPCs at mitaa level and Municipal level. RAP consultant will prepare and provide: a) TORs for the committee at each

⁶ See table 25 on RAP Implementation Schedule for the Floods Prone Areas



level and b) commensurate training and resources to enable effective functioning.

- iv. **RAP approval and Public disclosure-cum-Launch Workshop:** RAP implementation consultant and PO- RALG will organise a public consultation-cum- Disclosure workshop at locations to launch the RAP implementation. The workshop will have participation from representatives of the affected people, other stakeholders/partner agencies and Municipal Officials. The objective of the workshop will be to:
 - Create awareness on the overall features of project
 - Contents of the RAP particularly with respect to applicable entitlements process; and
 - Provide information on mechanisms and processes for sensitization, participation and consultation and grievance redressal for compensation and LRP.
- v. **Undertake Financial Literacy awareness programs:** RAP implementation consultant will coordinate provision of Financial Literacy awareness trainings to be carried out with all PAP prior to payment of compensation.
- vi. **Other Activities during Financial Literacy Awareness Program:** As it would be last stage of interaction by the RAP Implementation Agency with the PAP prior to issuance of Compensation Payments, the following activities would be additionally undertaken:
 - a. *Issuance of PAP Identity Cards:* PAP ID cards duly signed by the Municipal Magistrate would be issued and issued to the respective PAP.
 - b. *Recording any changes to option on in kind compensation:* During the training if any PAP (losing main dwelling structure) indicates change to the previous option i.e. prefers cash now rather than replacement house as chosen earlier, it shall be shall be duly recorded and conveyed to PO- RALG. The Compensation Agreement Form would be revised and PAP would be required to duly sign the form indicating the revised option. The RAP Database would be updated to reflect the change.
 - c. *Preference in type of training programs:* As capacity building form part of the LRP entitlements and would need to be planned and subsequently provided to the interested /relevant members. PAP would be required to indicate the type of trainings they wish to attend as towards restoration of their affected livelihoods.
 - d. *Price check with Municipal Offices and other trainings providers and set the mode of operandi.*

If there are any significant changes to the rates these will be then updated and Compensation Agreements will be revised and re-issued to PAP, prior to payment disbursement.

Updating and finalization of RAP database: All information regarding PAP – asset details, household level details, changes to preferences will be updated for provision to PO- RALG and thereon to the Payment Agent, Construction Contractor for Replacement House Structures.

Provision of Training Report: The IEC Consultant will provide a training report that will cover the number of PAP that attended the specific training module.

Internal Monitoring: Internal monitoring by PO- RALG will commence soon after RAP approval which would specifically record:

- a) project inputs including readiness of institutions such as GRMs, contracting of



- PaymentAgent,
- b) project outputs including number of persons affected and compensated, LRM provided;and
 - c) Measure overall physical and financial progress to assess readiness with respect to sitehanding over and commencement of construction.

The above would be carried out based on reviews of reports produced by RAP Implementation Agency, supplemented with field visits to project areas as deemed necessary and regular updating ofRAP Database. It would produce fortnightly reports for usage within PO-RALG and other relevant government structures. The activity would continue across subsequent stages project implementation period as deemed necessary based on review of progress/completion of activities.

Activities to Be Completed Prior To Commencement of Civil Works

- i) **Opening of Bank accounts for PAP:** RAP Implementation Agency would counsel all PAP due to receive compensation amounts above the agreed threshold and provide necessary information to open Bank accounts or provide account details if they already have bank accounts.
- ii) **Provision of capacity building trainings: PO-RALG** will make arrangements for provision of various programs geared to restore PAPs' livelihoods as part of the compensation.
- iii) **Commence Additional Outreach Activities:** All outreach activities proposed such as production of radio programs, posters, etc. for effective dissemination and outreach will be developed and commenced.
- iv) **Hold Mitaa level meetings to counsel the PAP:** Mitaa level meetings would be held to informPAP about the processes and agencies involved in compensation payment, RAP implementation and civil works commencement. Such meetings would be organized by the RAP AND LRP Implementation Agency.
- v) **Payment of compensation and evacuation of land:**
The majority of PAPs 1546 have opted for cash compensation The PA would follow the following thresholds set for payment of compensation.

PAYMENT MODES BY THRESHOLD AMOUNTS	
Amounts payable (in Tanzanian Sh)	Payment Modes/Options
0 to 2,000,000	cheque or bank account
Above 2,000000	only bank

All handing over of the property such as land, building and payment of compensation will be made in the presence of PAP, Mitaa leader and RAP Implementation Agency.

- vi) **Dismantling of structures and Relocation of PAP to new location:** Once the construction of the Replacement Houses is complete, all PAP will be informed to relocate to their new houses and dismantle their old dwelling structures and salvage any material if they wish to.
- vii) **Handover of site for construction:** Once all property on the stated land is vacated, the site will be considered as free from encumbrances to handover to the Contractor for commencing construction related activities.



Activities to be completed for completion of all activities under RAP AND LRP

- i. **Identification of PAP affected by construction works and Payment of Compensation:** Once the Civil Works Contractor has identified the number and locations of various structures, RAP Implementation Agency will enumerate the PAP and record the affected assets on the parcel of land to compute compensation payable. It will inform PO-RALG for its approval, provide details of the PAP, to PO-RALG for onward transmission to the PAP for payment.
- ii. **Administration of HIV/AIDS awareness campaigns:** RAP Implementation Agency will be responsible for organizing the HIV/AIDS awareness campaigns for the benefit of the communities, while Contractor shall be responsible for organizing the same for the worker personnel. The RAP Implementation Agency will undertake the preparation of a combined report on these activities as part of its monthly report to PO-RALG with respect to progress on the activities on the ground.
- iii. **Preparation of Periodic Internal Monitoring Reports:** Internal Monitoring Reports will be produced periodically (Monthly and quarterly). The report to be shared internally and with external stakeholders.
- iv. **Implementation Completion Audit:** As all activities relating to RAP AND LRP implementation are expected to be completed in less than 1 year, Implementation Completion Audit would be carried at the end of Year 1 from the start date of RAP implementation to assess whether the project has met with the RAP objectives as a whole.
- v. **Annual Project Review Workshop:** Review of RAP implementation at Annual Workshop would be carried in the first quarter of next year soon after findings of Implementation Completion Audit are available.
- vi. **Submission of RAP Implementation Completion Report:** Upon completion of all Implementation activities, the contracted RAP AND LRP Implementation Agency and Payment Agent (PA) shall separately produce Implementation Completion Report for submission to PO-RALG for its review. PO-RALG will compile and collate the findings along with its findings internal monitoring and submit a Consolidated Implementation Completion Report same to World Bank.

Implementation Schedule

The time period for preparation and implementation of activities to this RAP would be for three years especially for the PAPs opting for in kind house compensation; the period It began in March 2023 and continue till August 2026. Table below provides the month-wise activity schedule for RAP Implementation that includes: activities prior to commencement of RAP implementation and concludes with the activities post RAP implementation such as Implementation Completion Audit.



12.0 GRIEVANCE AND REDRESS MECHANISM

Introduction

Regardless of its scale, involuntary resettlement inevitably gives rise to grievances among the affected population over issues ranging from rates of compensation and eligibility criteria to the quality of replacement housing and other disturbances during construction stage. Therefore, an easily accessible and effective grievance redress mechanism will be required to resolve grievances at the community and technical levels. The grievance redress mechanism, will allow the institutions engaged in grievance resolution to receive and address specific concerns about compensation and relocation raised by PAPs or members of host communities or any issues related to implementation of resettlement action plan in a timely fashion, including a resource mechanism designed to resolve disputes in an impartial manner cut down on lengthy litigation.

This section presents (i) likely grievances based on the analysis from the consultations with various stakeholders for the Msimbazi Valley project; (ii) objectives of the GRM; (iii) the principles that need to be adhered in formulation of effective procedures and processes, (iv) operationalizing requirements of GRMs, (v) handling of SEA and GBV issues; (vi) redressal procedure steps involved in recording and redressal of grievances.

Likely Grievances

Nature and types of grievances that could occur at various levels of project cycle in relation to RAP are listed in table below.

Table 35: Nature and type of Likely Grievances

Nature	Stage	Types of grievances (indicative)
Inventory Grievance	<i>Planning/Pre-construction</i>	<ul style="list-style-type: none"> • Lack of awareness of the project foot print, wayleave/corridor; • Missing of parcel/ error in identification and/or incorrect measurement (or perceptions over incorrect measurement) of affected assets; • Disagreement regarding inheritance or ownership of assets and fearing loss of compensation; • Inadequate communication on the project developments, not enough consultation/sensitization, • disagreement over the rates utilized valuation of affected assets; • mistakes in the formulation of compensation agreement documents; • Delays in compensation payments • Misinformation during valuation e.g. entitling the wrong PAP • Poor social services to resettled areas especially when relocated where roads and other access are insufficient • Improper allocation of business spaces • Miscalculation of compensation and resettlement • Improper provision for people with disabilities in the project design's
Valuation Grievance		
Compensation Grievance	<i>RAP Implementation followed by Construction</i>	<ul style="list-style-type: none"> • non-payment for improvements carried out to structures postsurvey and valuation but prior to compensation payments; • mode of payment of compensation and time delays; • xv. dissatisfaction over alternate housing/business spaces



Nature	Stage	Types of grievances (indicative)
Construction Grievances		<p>provided;</p> <ul style="list-style-type: none"> ▪ Dissatisfaction over wages given; Poor sanitary services ▪ wrong identification of livelihood restoration schemes, their inadequacy, training support and lack of necessary assistances; ▪ likelihood of increase in Gender Based Violence (GBV); ▪ loss of access not addressed; ▪ loss of structures due to machine vibrations ▪ damage to crops caused due by ongoing construction work e.g. deep cutting/excavations ▪ dissatisfaction over replacement structures; ▪ inadequate support in relocating to resettlement sites/replacement structures; and ▪ non restatement of the soil leading to flooding and blockage of the drains. <ul style="list-style-type: none"> i. Pollution {air, land noise vibrations} due to machines' movements ii. Disrupted entrance access to the residence and other public areas iii. Improper traffic management may cause accidents iv. Accidental discharges may affect community health at the project vicinity v. Gender and GBV issues in employment vi. Lack of notification to project progress e.g. blasting, closing, of roads, cut of dates, cut of utilities, etc. vii. Lack of employment to local dwellers viii. Lack of provision of appropriate PPEs ix. Flooding due to obstruction of water natural course x. Disruption of services including electricity and water xi. Improper demobilization and decommissioning may cause pollution xii. Blasting of materials in borrow pits and vibration of construction machines may cause cracks into nearby communities' structures <p>Gender and GBV issues in employment</p>
Decommissioning Grievance	<i>Post construction</i>	<ul style="list-style-type: none"> ▪ Manifestation of the missing PAPs. ▪ Misuse of the infrastructures e.g. garbage throwing in the drains ▪ Land encroaching of the compensated corridor ▪ Security of the project infrastructure ▪ High taxes and tariff charged in the new/modern facilities ▪ Lack of employment to local dwellers ▪ Mismanagement of sub projects ▪ Fear of not being provided business spaces in the new infrastructure ▪ An increase of fees to occupy the new facility <p>Improper spaces for waste disposal</p>

Objectives of the Grievance Redressal Mechanism (GRM)

Given the foreseen grievances that will likely occur in various stages of RAP, the primary responsibility to address all complaints and grievances that will be raised towards the subprojects. The GRM will comprise two levels or tiers to handle grievances – first level will be at community where Mtaa - GMC will be clustered, while the next or second level will be at the Municipal level. The primary objectives of creating a GRM are:

- disputes related to preparation and implementation of Resettlement Action Plan of this specific project are treated separately and on priority;
- helps project proponents ensure that project implementation timelines and overall schedule are not compromised due to delays in resolution grievance; and finally
- helps cut down on lengthy and expensive litigation that PAPs might have to indulge in otherwise

Principles to Effective Grievance Redressal

Principles in formulation of effective grievance redressal process are as follows:

- Institutions and procedures laid down are consistent with the anticipated grievances;
- Takes cognizance of the existing socio-cultural setting such as making use of existing Mtaa disputes resolution structure.
- Is housed within existing formal institutional structures thereby ensuring continuity
- Should be well represented in its composition particularly aimed to resolve the types of grievances that are likely;
- Is accessible/close to the source of grievance so as to not make reporting of grievance difficult in the first place;
- Takes cognizance of the need to resolve grievances as they are better resolved at the level at which they occur rather than the next higher level;
- Provides appropriate orientation and training to all stakeholders involved in redressal of grievances;
- Is well-supported by an effective information dissemination mechanism to prevent occurrence of a grievance in the first place due to lack of information;
- Fixes a time frame for resolution of grievance and communicates the same to communities;
- Is timely and responsive i.e. Its recommendation and decisions are implemented by the project implementers; and finally
- Is adequately resourced to ensure desired effectiveness.
- No financial payments required for PAPs to have their grievances addressed.

Grievance Management Committees' Structure, and Functioning

Grievance procedures will be required to ensure that PAPs are able to lodge complaints or concerns, without cost, and with the assurance of a timely and satisfactory resolution of the issue. The procedures also ensure that the entitlements are effectively transferred to the intended beneficiaries. Stakeholders will be informed of the intention to implement the grievance mechanism, and the procedure will be communicated at the time that the RAPs are finalized.

Based on the concerns from the stakeholder's pertaining issues related to the relocation of utilities; which in most cases not only weighing down the pace of construction works but also it has been causing huge outcry from the communities due to disruption of the services especially water supply. Within that context this RAP proposing an additional (Third) committee for utilities services providers with its

coordination at the district Commissioner’s office. The proposed compositions of the committees are presented in the subsequent sections.

Scope of Work of Grievance Management Committees

All committees will have similar responsibilities albeit at different levels of their function/jurisdiction.

Major responsibility of the Grievance Management Committees will be:

- Represent the interests of PAPs and communities in the project's zone of influence;
- Act as an entry and exit point for all grievances arising from resettlement activities
- Act as part of project monitoring and oversight committee on the corridor encroachment, construction materials vandalism and finally to sensitize the community from misusing the infrastructures.
- Monitor safety standards, labour requirements and community health issues during construction works and report to LGAs /TARURA – Project coordinator.
- Prepare progress reports and present them to the GMC during monthly meetings

Compositions of various grievance management committees

The composition of grievance committees is listed in the table below:

Table 36:Composition of Grievances Committees

Level	Committee members	Position in the Committee
Mtaa level and Ward Level	Mtaa Leader	Chairperson
	Grievance Community officer/ Ward or Mtaa Executive Officer - Influential person	secretary
		Member
	PAPs representatives -male and female	Member
	Representatives of people with disabilities	Member
	Representatives from Relevant CBOs (GBV)	Member
	Representatives or community affected institutions	Member
Municipal Level (LGAs) Committees Members	LGAs/MED	Chairperson
	Grievance Community liaison officer-	Secretary
	Environmental officer	Member
	Valuer	Member
	Land officer	Member
	Legal officer	Member
	Grievances officer	Member
	Project coordinator	Member
District Commissioners’ Offices	District Commissioner Office	The chairperson
	Grievances officer	Members
	Project coordinator	Member

Dissemination of Committee’s Resolution

The Committee’s resolution status on any grievance received and discussed will be communicated to the PAP or any claimant within **7 working days** of the Committee’s decision.

- i. *Program Reporting Requirement:* The Grievances Management Committees will work



hand in hand with the RAP Consultant, LGAs and the project Communications liaison officers reporting on all matters arising and progress.

- ii. *Location:* The District - Grievances Management Committees will be housed within the project coordinator's office and provided with a separate space to work. They would undertake travel to project sites as necessary.
- iii. *Operational duration:* In terms of duration, the following shall be the key considerations:
 - The committees would need to operate till the project continues to have an interface with affected communities.
 - It should remain operational even after end of the construction period as it is likely that there could be issues relating to the operational phase.
 - The duration till when such a grievance redressal system needs to be maintained post construction can be determined and can be mutually agreed between SPCU and LGAs / Districts upon by review of suitable indicators such as: Nature and type of grievances; received, addressed; Pending resolution; and Referred for arbitration/ court.
- iv. *Interfacing with the complainant*
Community Development Assistant (Deputy Secretary) will be responsible for preparation of invitation and resolutions letters. In the event of submitting the invitation letter the CDO will send the letter and make a follow up by phone. During the dissemination of the resolutions the CDO and committee secretary will seek appointment to meet the complainant and submit the resolution to the complainant after cancelling.

Redressal Procedure

The Grievance redressal procedure aims to take into use the existing traditional structures. However, the PAP shall have the option of directly reporting the grievance to the District level GRM, if s/he so desires. The steps involved are as given below:

STEP 1 – LOGGING AND RECORDING OF GRIEVANCE:

As a first step, all complaints and grievances relating to any aspect of the project are to be properly lodged through the representative block/zone member of the Grievance Management Committee and then recorded in the Grievance Form⁸. The contact details of the Mtaa-GMC members will be made public to the PAPs. Additionally, the *Mtaa leader* will also be available to help the PAPs to channel their grievances to the committee. Grievance Form feeds into the RAP Database managed centrally at Msimbazi Project office. Complaints that are not connected to the Project are filtered and referred to relevant local committees and claimants informed accordingly within 5 days. Some cases may just require provision of required information or clarification and may therefore not be required to be referred to Step 2.

STEP 2 – REDRESSAL AT MTAAs- GRIEVANCE MANAGEMENT COMMITTEE LEVEL:

The Mtaa/facility - GMC shall maintain a record/register of all complaints/grievances received so that these can be recorded collectively. At this step, all cases are to be heard by Mtaa/facility- GMC and addressed through consultations conducted in a transparent manner and aimed at resolving matters through consensus. In order to ensure transparency, all meetings aimed at resolving such complaints are conducted in places specifically designated for this purpose. Minutes of such meetings shall be kept and if the resolution proposed by the Mtaa/facility- GMC is accepted by the PAP, the PAP will sign the grievance form to show agreement and the grievance will subsequently be closed, otherwise Step 3 below will be followed in appeal. **A period of 7 days is provided to hear and redress the grievance.**



STEP 3 –REDRESSAL AT DISTRICT - GRIEVANCE MANAGEMENT COMMITTEELEVEL

If the Complainant does not receive any response from the Mtaa/facility GMC within 14 days of lodging the complaint or that the Complainant is not satisfied with the response, then the issue will be appealed to the *District - Grievance Management Committee (District- GMC)*. During the appeal to the District-GMC, all the necessary details will be attached, and the Complainant notified accordingly of the venue, date and time of when a hearing will be conducted and resolved within 14days' time. If the resolution proposed by the District- GMC is accepted by the PAP, the PAP will sign the grievance form to show agreement and the grievance will subsequently be closed.

STEP 4 – CIVIL COURTS OPTION:

If the affected person is not satisfied with the decision of the District- GMC he/she will be informed of his/her rights to take the grievance to the court of law, as a last resort. However, the Complainant will also be informed that to do so will be at their own expense, unless the court awards damages to the Complainant. The decision of the court of law will be final.

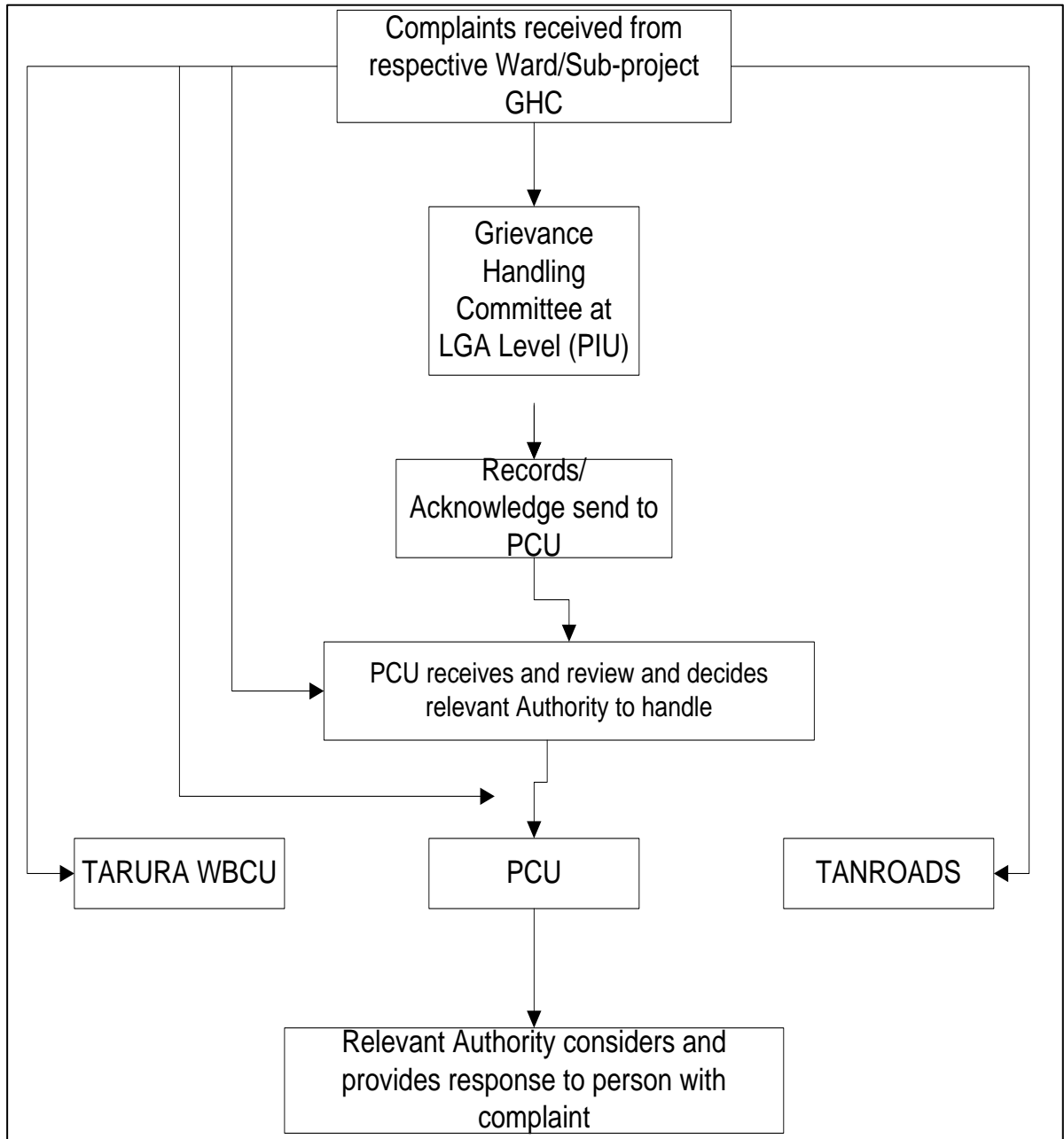


Figure 12-1: General Grievance Handling Mechanism for the Msimbazi Basin Development Project

Responsibility for addressing issues of GBV/SEA

The World Bank's ESF requires that: "the Borrower [is] to provide a grievance mechanism, process, or procedure to receive and facilitate resolution of concerns and grievances of project-affected parties arising in connection with the project, about the Borrower's environmental and social performance. A grievance mechanism will be proportionate to the risks and impacts of the project."

In compliance to this WB requirement LMUP will undertake the following steps

(i) Identify Service providers for the GBV

Upon the project appraisal, the identification of organization(s) and establish synergies with providers on the ground e.g., NGOs and local institutions who are trusted by the local community and are working on GBV prevention and response. In areas with high GBV prevalence, there may already be an existing mapping of GBV prevention and response actors in a given community) It is important to map community organizations working on women's and girls' rights as they may be both entry points to services for survivors and useful allies for awareness raising activities around and within the project area. When identifying community-based organizations, shall seek for those with experience working with the local population to address the root causes of GBV by providing livelihood support or by implementing community-based interventions to challenge the norms and attitudes that underlie GBV. These two activities fall under the broad categories of GBV prevention and response.

The activities that GBV Services Providers will provide a project will depend upon the risk level. These can include the following:

- Undertaking a community mapping of GBV risk 'hot spots' and vulnerable target groups that may be most susceptible to project induced GBV, particularly SEA;
- In consultation with the RAP Implementation Agency, on the basis of the community mapping, identifying the specific GBV prevention activities to be undertaken to address GBV cases/incidences.
- Providing services to survivors and/or becoming a victim advocate/victim accompaniment, case management organization. If required and in High risk situations, the project should equip this organization with funds that will enable it to facilitate access to timely, safe and confidential services for the survivor (including money for transportation, documentation fees, and lodging if needed);
- Providing training related to ensuring knowledge of standards laid out in the Code of Conduct (CoC) and services that are available for survivors;
- Ensuring that the project has 'safe spaces' with regard to confidentiality and where survivors can report incidents of GBV to trained personnel;
- Raising awareness around the existing accountability mechanisms and supporting the development of a Stakeholder Engagement Plan; and,
- Channelling complaints to the appropriate accountability mechanism

(ii) Enhance the capability of all RAP Implementers in handling the GBV issues

The RAP implementers will be trained on the key principles that should be considered when handling GBV.

- The following will be some of the targeted groups for such trainings:
 - (i) workers, both from the contractor and sub-contractors;
 - (ii) consultants, such as the supervision consultants or others working in the project area; and,
 - (iii) RAP Implementation Agency staff involved with the project. Managers are particularly important to train as they



have the responsibility for ensuring compliance of staff with the CoCs as well as implementing sanctions for transgressions.

- The trainings will be done to all employees prior to commencing work on site to ensure they are familiar with the company's commitments to address GBV, and the project's GBV CoC. The sanctions embodied in the CoC need to be clearly explained. It should be noted that the induction course will need to be repeated on a regular basis as new staff start on the project.
- The trainings will be conducted no more frequently than monthly for the duration of the contract starting from the first induction training prior to commencement of RAP implementation and subsequent construction works to reinforce the understanding of the project's GBV goals.
- At a minimum training should include.

(iii) Coordination of SEA/GBV Reporting

LMUP will provide support to local leaders (Mtaa/Wards) community development officers; existence in GRC. The Community Development officers will do the following:

- Upon receiving the complaints, the Community Development officers will send the complaints to GBV Services Providers.
- GBV service provider will identify the survivor in accordance with international standards that articulate a minimum basic package of services, ideally including case management support, health services, psychosocial support, police support and security, access to legal services, and shelter, if needed. When identifying GBV Services Providers, the quality-of-service provision should be a key consideration. In keeping with a survivor-centered approach, accessing services should be the choice of the survivor. Access to police and justice services should be made available in the instance that the survivor would like to pursue charges through the local justice system.
- Project Social Expert will follow up with service providers on the mitigation and progress of resolving GBV related matters. The reports will be documented as part of quarterly reports.

(iv) Suggested ways of reporting GBV / SEA

Community will be sensitized on the existing channels for reporting grievances. Project will adopt the simple and convenient channels that suit the nature of the community. The awareness will be made publicly with advertised procedures, setting out the length of time users can expect to wait for acknowledgement, response and resolution of their grievances. Transparency about the grievance procedure, governing structure and decision makers. Ensure also confidentiality and protection of the victims.

Grievance Log

The PIU Social Safeguards Expert will ensure that each complaint has an individual reference number, and is appropriately tracked and recorded actions are completed. The log also should contain a record of the person responsible for an individual complaint, anonymous complaints 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.
- The date response was sent to complainant.



Different ways in which users can submit their grievances, which may include:

- Submissions in person, by phone, text message, mail, email or via a website;
- A log where grievances are registered in writing and maintained as a database managed by Community development officers at Mtaa office and Community liaison officers at the project (LMUP);
- Appeals process (including the national judiciary) to which unsatisfied grievances may be referred when resolution of grievance has not been achieved; and,
- An option for mediation when users are not satisfied with the proposed resolution

Other GRC Channels:

PAPs can access the WB's Grievance Redress Service (GRS) (<http://www.worldbank.org/GRS>; e-mail: grievances@worldbank.org) for addressing concerns and grievances arising in connection with the project as well as the PORALG website www.tamisemi.go.tz (a link to GRM will be updated in the website) and Mobile number +255622533011.

Monitoring Complaints

The PIU Social Safeguards Expert 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.
- Monthly reports, including analysis of the type of complaints, levels of complaints, and actions to reduce complaints.

13.0 FUNDING ARRANGEMENTS

The implementation of this RAP AND LRP will require a budget for carrying out the action plan. The breakdown of RAP AND LRP implementation is of two levels: (i) costs for paying the compensation amounts to PAP for losses of properties incurred upon them due to the project in one hand and also for engaging RAP implementation and Monitoring Agencies on the other hand are required to be costed for arriving at the final budget of the RAP AND LRP. The cost of implementation of the Livelihoods Programs has also been estimated and considered under the RAP AND LRP budget. The total cost of implementing the RAP AND LRP has been provided below in Table below.

Table 37: Budget for RAP implementation- Compensation Phase 1

1. COMPENSATION BASE		TZS	USD
a. Land Quantum			
Total Land (ha.)	69.48	13,600,000,000.00	5,440,000.00
Total	69.48	13,600,000,000.00	5,440,000.00
b. Affected Trees (Nos)			
Crops & Trees	7619	241,965,288.40	96,786.12
Total (1)	7619	241,965,288.40	96,786.12
c. Buildings/structures (Nos.)			
Buildings	4192	42,605,598,211.68	17,042,239.28
Total (2)	4192	42,605,598,211.68	17,042,239.28
2. TOPPING UP ALLOWANCES			
Disturbance Allowances 7%	2329	2,999,329,445.01	1,199,731.78
Transport allowance (owners)	1454	363,500,000.00	145,400.00
Transport allowance (Tenants)	395	19,750,000.00	7,900.00
Accommodation Owners	2329	10,780,740,000.00	4,312,296.00
Accommodation Tenants	395	47,400,000.00	18,960.00
Total (3)		14,210,719,445.01	5,684,287.78
Total - Compensation Schedule		70,658,282,945.09	28,263,312.58

Table 38: Budget For PAPs affected by Other Infrastructures

ITEM	QTY	Value (TZS)
Multi storey	9	2,421,248,245.00
Main Dwelling Buildings - Single Storey	268	6,183,533,358.40
Foundation / Dilapidated Structures	10	966,411,079.75
Secondary Building	275	1,104,316,979.65
Land	278	14,006,152,500.00
TOPPING UP ALLOWANCES		
Disturbance Allowances 7%	268	1,510,307,907.68
Transport allowance (owners)	268	67,000,000.00
Transport allowance (Tenants)	92	4,600,000.00
Accommodation Owners	268	3,641,940,000.00
Accommodation Tenants	92	3,680,000.00
Crops & Trees	979	32,513,125.00
Total		29,941,703,195.48

Table 39: Budget for Administration and LRP

4. ADMINISTRATION COSTS		
RAP implementation Agencies	500,000,000.00	250,000.00
Monitoring and Administration	800,000,000.00	320,000.00
Handling of Grievances	200,000,000.00	90,000.00
Vulnerability assistance/allowances	300,000,000.00	120,000.00
Sub Total	1,800,000.00TSHS	780,000.00USD
5. LIVELIHOODS RESTORATION PROGRAMS		
Financial Literacy Trainings	160,650,000.00	70,000.00
Skill development training	229,499,999.00	100,000.00
Training Community involvement in greenery	252,450,000.00	110,000.00
Gender and health (GBV, HIV AIDs and COVID-19 Awareness)	275,400,000.00	120,000.00
Sub Total	917,999,999.00TSHS	400,000.00USD

N;B This budget is subject to change during implementation

14.0 MONITORING AND EVALUATION

Introduction

WBCU will be the responsible for the M&E of implementation for the resettlement/compensation plans. Msimbazi project will institute an administrative reporting system to provide resettlement and compensation monitoring reports (RMR) that:

- (a) Alerts authorities to the of RAP implementation and requirements;
- (b) Provides timely information about compliance with the RAP;
- (c) Reports any grievances that require resolution; and
- (d) Documents timely completion of project resettlement obligations (e.g., payment of the agreed sums and construction of new structures) for all permanent and temporary losses, as well as unanticipated, additional construction damage.

Once the required RAPs have been completed and implemented, a final review will be conducted in order to assure that the plans have been properly implemented.

M&E objective is to determine the following:

- a) If PAPs have been compensated in full before implementation of construction works; and
- b) Any change in the social economic condition of the PAPs after resettlement.

Verifiable Indicators for M&E

A number of socioeconomic indicators will be used to determine the status of affected people (compared to pre-project, land being used, standard of house, and level of participation in project activities, how many children in school, health standards, and others). Therefore, RAPs will set three major socioeconomic goals by which to evaluate success:

1. Affected individuals, households, and communities are able to maintain their subproject standard of living, and even improve on it;
2. Local communities remain supportive of the project; and
3. Absence or prevalence of conflicts.

The indicators in Table below will be used to monitor and evaluate the implementation of resettlement and compensation plans. The consultant will consolidate efforts in periodical monitoring the indicators listed in following matrix.

Table 40: RAP Monitoring Indicators

Parameters	Indicators	Review Intervals
Impacts on assets and people	Number of Affected assets compensated	Quarterly, Annually
	Number of replaced trees and structures	Quarterly, Annually
	Number of restored livelihoods and income	Quarterly, annually
Financial (compensation/ establishment)	Amount of total compensation disbursed	End Term Evaluation
	Amount of compensation paid to PAPs by LGA ,Location and Sub-county	End Term Evaluation
	Number of PAPs paid compensation (disaggregated by gender)in cash	End Term Evaluation End Term Evaluation
	Number of PAPs already having bank accounts and those yet to open	End Term Evaluation
	Number of PAPs who were not found and not paid	End Term Evaluation
Relocation/ Rehabilitation /Income Enhancement	Number of PAPs who shifted to other unaffected parcels	Quarterly
	Number of PAPs who continue to reside in the same areas as before	Quarterly
	Number of vulnerable PAPs who have shifted by area	Quarterly
	Number of total PAPs enrolled into ongoing government programs (by type)	Quarterly
	Number of youth, unemployed employed in construction works by type of services provided	Quarterly
	Number of emerging PAPs due to unforeseen construction impacts	Monthly
	Number of Encroachers existing within the compensated corridor	Monthly
	Number of Consultations meetings held with communities	Quarterly, Midterm and End Term
	Time taken for issuance of expropriation order and date of vacating the land	Quarterly, Midterm and End Term
	Time taken to identify alternate lands for PAPs	Quarterly, Midterm and End Term
Institutional Strengthening	Number of trainings provided to the committees(GRCs)	Quarterly



Parameters	Indicators	Review Intervals
	Number of grievances committees with full staffing and functioning	Quarterly
	Number of members of each grievance committee disaggregated by gender, age and education levels	Quarterly
	Number of grievances resolved by 'level' (first level, second level and third level) of resolution	Quarterly
Compensation usage	Number of men and women built new homes to replace the demolished/impacted ones	Midterm and End
	Number of men and women planted trees to replace the lost ones	Midterm and End
	Number of men and women built new homes to replace the demolished/impacted ones	Midterm and End
Livelihoods Restoration programs	Number of PAPs counseled on opening of bank accounts and updating of passbooks i.e. provided with Financial Literacy Training	Quarterly
	Number of PAPs counseled on judicious usage of compensation amount	Quarterly
	Number of meetings and FGDs held with communities by sub ward and District	Quarterly
	Dates of provision of PAP ID Cards	Quarterly
	Dates of payment of compensation payments	Quarterly
	Dates of issuance of expropriation order and date of vacating the land	Quarterly
	Type of issues raised, discussion points of each meeting and FGD	Quarterly
	Number of participants in such meetings by category (general and vulnerable)	Quarterly
	Number of FGDs held with female PAPs by sub ward (mtaa)	Quarterly
	Time taken to identify alternate lands for PAPs	Quarterly
	Number of participants by category of stakeholder's at the RAP launch workshop by District	Quarterly
	Number of men and women built new homes	Quarterly
	Number of men and women established new/ improved	Quarterly



Parameters	Indicators	Review Intervals
	their businesses	
	Number of women and men linked up with livelihood program	Quarterly
	Number and types of livelihood activities implemented by men and women	Quarterly
PAPS in houses with equal or better conditions and security of tenure	Number of PAPS with Security of tenure	Quarterly
Income levels restored;	Number of New/improved livelihood activities Number of PAPS who have restored their livelihood activities	Quarterly
Kids in schools	Number of Children who have joined new schools after relocation Number of Children In better schools	Weekly till the exercise of relocating is completed
health and access to services of resettled PAPS equal or better than pre-resettlement	Distance to social Services Quality of the new services compared to pre-resettlement	Quarterly



15.0 ANNEXURE



● ANNEX 1: DETAIL VALUATION METHODOLOGY

- Annex 2: List of Community Meetings Participants
http://tiny.cc/Meeting_Participants_list

- Annex 3: Minutes of Discussion
<http://tiny.cc/MOMs>

- Annex 4: Valuation Rates
http://tiny.cc/Valuation_rates

- Annex 5: Copy of Government Gazette
http://tiny.cc/Government_Gazette_copy

- Annex 6: List of Affected LRP Groups
http://tiny.cc/Affected_LRP_list

- Annex 7: Tools
http://tiny.cc/Survey_tools

- Annex8: Grievance uptake Form
http://tiny.cc/Grievance_Uptake

- Annex 9: Case Withdrawing Notice
http://tiny.cc/case_withdrawal

- Annex 10: List of Income generating groups
<http://tiny.cc/IncomegenGroupList>

- Annex 11: Detailed in kind house replacement options