

**UNITED REPUBLIC OF TANZANIA  
MINISTRY OF TRANSPORT**



**PRELIMINARY RESETTLEMENT ACTION PLAN (RAP)**

For

**THE PROPOSED PROJECT FOR FLOOD PROTECTION MEASURES ON THE  
CENTRAL RAILWAY LINE, BETWEEN KILOSA AND GULWE (MPWAPWA),  
TANZANIA**

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## **EXECUTIVE SUMMARY**

### **INTRODUCTION**

This report describes a Preliminary Resettlement Action Plan (PRAP), i.e. resettlement action and livelihood restoration proposals for persons who will be affected by the Flood Protection Measures on the Central Railway Line, Between Kilosa and Gulwe Section. That is, the main objective of this PRAP is to provide ground work (e.g. identification of potentially affected people, cost estimation, etc.) for the RAP during Detailed Design to be decided thereafter. Specifically, it (this PRAP) is a preliminary identification of people who could potentially be affected by the proposed project. The actual individuals shall be identified after the project corridor has been affirmed, and a decision to implement the project has been made.

To accomplish preparation of the PRAP, a census survey of the potentially project affected persons and inventory and valuation of their assets were carried out by JSB, in accordance with Tanzania national laws and regulations, JICA Regulations/World Bank Operation Policy 4.12, regarding acquisition of land and other assets, compensation and restoration of livelihoods of displaced people. Equally, key stakeholders, namely, potential Project Affected Persons (PAPs) (families, households and local institutions); relevant government authorities at regional, district and village levels, and representatives from RAHCO (the project proponent) and a representative of JICA Study Team were involved in preparation of this PRAP.

### **SCOPE AND OBJECTIVES OF RAP**

The Proposed Project for Flood Protection Measures on the Central Railway Line, Between Kilosa and Gulwe will involve various upgrading, (flood protection) activities at different sections on the central railway line between Kilosa town in Morogoro Region and Gulwe in Mpwapwa, Dodoma Region. The affected area lies between the 294 km point of the existing railway line at Munisagara village in Kilosa and the 372 km point at Gulwe in Mpwapwa District.

Consequently, the main objective of this Preliminary Resettlement Action Plan (PRAP) is to provide a ground work for the RAP during Detailed Design which would entail agreed plan for the resettlement, compensation and livelihood restoration for Project Affected Persons (PAPs) affected by the proposed Flood Protection Measures on the Central Railway Line, Between Kilosa and Gulwe Project. The final RAP will provide a road map for the manner in which displacement; resettlement and compensation issues would be resolved.

On behalf of GoT /JICA therefore, JSB was commissioned to prepare this PRAP so as to assist the project developers understand the conditions of PAPs and value of their assets. This information would enable project developers GoT/JICA to make key decisions regarding the next stages of project.

## **INSTITUTIONAL AND LEGAL FRAMEWORK**

The PRAP has reviewed the legal and institutional arrangement that will have bearing on the proposed project. Of interest to this project are provisions on land acquisition, valuation of assets, compensation, resettlement procedures and conflict/grievance resolution mechanism. These include: The Land Act No 4 of 1999, The Village Land Act No 5 of 1999 and Land Acquisition Act No. 47 of 1967; Land Disputes Courts Act. No. 2 of 2002, which were complemented by JICA resettlement Guidelines. Specifically, provisions of Tanzanian law were predominantly applied except in few areas where they conflicted with JICA Guidelines. In cases of conflicting provisions, e.g. cash compensation (Tanzanian) land for land compensation (JICA), consideration of depreciation (Tanzanian) vs. un-depreciated valuation (JICA) in valuation of structures, compensation for development on encroached land (JICA) vs. non compensation (Tanzanian), the JICA Guidelines prevailed.

## **OVERVIEW OF THE PROJECT AFFECTED AREA**

***Economic activities in the area:*** Farming is the main economic activity in the study area followed by livestock keeping. Other economic activities include bee keeping and fruit gathering (especially baobab fruits in Mpwapwa). Incidences of food insecurity were reported especially in Mpwapwa due to drought conditions compared to Kilosa where rains are bimodal probably/partly due to hilly geography. Kilosa's hilly geography however, makes road transport in the villages of Muzanza and Munisagara difficult.

Resource acquisition and tenure systems are a blend of formal (traditional) and formal (statutory) acquisition mechanisms. Informal mechanisms of land acquisition include: (i) inheritance, (ii) buying and selling of land, and (iii) grabbing idly lying land. The dominant land tenure system in the study area is customary rights of occupancy (whereby the village is entitled to manage village land) on behalf of village members. In this case, households occupy small plots ranging from averagely two acres to medium size farms ranging from eight (8) to fifteen (15) acres. Moreover, cultural resources especially graves are owned either by individual households or members of a clan.

Forests in all the villages are commonly used according to regulations set by local government authorities (village and district councils). According to these regulations harvesting fresh trees for timber (for commercial or subsistence purposes) one has to get a permit from the district council and submit it to the village council for consideration. Moreover commonly owned uncultivated lands are used as pasturelands.

***Education, health and communication Facilities:*** Schools are available. Every village community has at least one primary school and every ward has at least one secondary school. Enrollment of pupils into class one in regions where the study area is located is 77.3% in Morogoro Region and 70.8% in Dodoma Region. Health facilities are also available at least in every ward, though people were complaining that these dispensaries did not have reliable services. Kilosa communities being in the valley of River Mkondoa, have access to only one mobile communication network AIRTEL while areas in Dodoma have access to VODACOM, TIGO, AIRTEL, TTCL and Halotel.

**Characteristics of PAPs:** The population in the study area is as follows: Kilosa (438,175), Mpwapwa (305,056), Kidete Ward (11,329) and Gulwe ward (103,685). And, the household size is as follows Kilosa (4.2), Mpwapwa (4.6), Kidete Ward (4.0) and Gulwe ward 4.5).

**Ethnicity:** on one hand, in Kilosa, there is a multiplicity of ethnic groups, namely: the Hehe, the Ha, the Sagara, the Kaguru, the Gogo, the Sukuma/Nyamwezi and the pastoralist Maasai and Mang’ati, the majority being the Sagara and the Kaguru. On the other hand, Mpwapwa is dominated by the one ethnic group: the Gogo and some minority ethnic groups such as the Hehe, the Nyamwezi, etc. Generally, there is a sense of harmony among various ethnic groups in the study area.

## VALUATION AND COMPENSATION POLICIES

**Principles of valuation:** The valuation of assets was done according to the Tanzanian laws, including allowances, with the exception of valuation of structures which was done without depreciation. As such, market price method was the dominant one in valuation of assets. Some of the valuation results are presented in tables below.

### PAHs, their Respective Properties and Villages

Village	PAHs to lose Land	PAHs to lose Structures
Gulwe	56	31
Godegode	26	2
Kisisi	4	2
Kikundi	37	28
Muzaganza	32	27
Munisigara	35	19
<b>Total</b>	<b>190</b>	<b>109</b>

### Properties (land and structures) to be acquired

Structures		Land (in sq. meters)	
Residential structures	263	Public	719,073
Warehouses:	21	Private	1,427,544
Animal sheds:	27		
<b>Total</b>	<b>311</b>		
grave yards	6		
<b>Total</b>	<b>317</b>		<b>2,146,617</b>

**Principles of compensation:** JICA guidelines were considered for determining compensation. That is, land for land compensation were considered, developments on encroached/illegally occupied land were considered for compensation, special assistance will be given to PAPs who belong to vulnerable groups and finally resettlement assistance and livelihood restoration activities would be carried out by the project proponent (RAHCO). The principle of replacement cost will be mainly used and potential total compensation amounts are presented in last section of this summary.

**Computation of compensation for assets was as follows:** Compensation for land was computed basing on location, size, and use. Land in the project is for agricultural production

and pasture. Compensation was computed at 200Tsh. per square meter. Compensation for structures is was computed using the un-depreciated replacement cost method. And, compensation amount would depend on type of structure and purpose/use, details of construction (wall, floor, and roofing materials), and accommodation characteristics (number of rooms). The table below is illustrative:

**Table: Unit Cost for Structures**

Type	Modern	Mixed modern and ultra modern	Ultra modern	Mixed traditional & modern	Traditional	others
Unit (Tsh. per sq. meter )	180,000.00	150,000.00	130,000.00	120,000.00	60,000.00	50,000.00

Moreover, compensation for crops was based on earnings approach to assess the market value of crops assessment.

**Table: Unit Cost for Agricultural Crops**

TYPE OF CROP	UNIT	VALUE (TSH)
<i>Mwembe (Mango)</i>	Plant	60,000
<i>Ndizi (Bananas)</i>	Plant	38,000
<i>Mahindi (Maize)</i>	Acre	585,000

**Cut-off date:** According to Tanzania law, this is the date of completion of the completion of the census survey and inventorying after which no further developments within six (6) months are allowed in the project area. As such, the PRAP has set a preliminary cut-off date (date of completion of census for this PRAP, i.e. 9<sup>th</sup> December, 2015) to discourage influx of people in anticipation of compensation when the decision will be made to implement the project. The local government leaders especially at village level were asked not to allow any individuals/groups to occupy or use the project area. Real cut-off date will be set the date when the proper census survey and inventorying of the RAP during Detailed Design is completed.

## **CENSUS AND SOCIOECONOMIC CONDITIONS OF PAPs**

**Census and Socio-Economic Condition of PAPs:** Detailed record of project affected persons (PAPs) and their project affected households (PAHs) were taken using questionnaire. Information collected was individual bio-data information, number of people s/he claims as household dependents, amount of land available to the individual or household at the time of the census, living conditions: standard of house and household services noting those that will be affected, level of income and of production, and access to social and economic services: roads, schools, health facility etc. The census of the PAPs / Project Affected Households (PAHs) and Affected Community was coupled with inventorying of their holdings. The table below summarizes the key results for census survey.

**Table: Summary of Socioeconomic Conditions of PAPs**

Variable		Output			
PAH and PAPs	No. of PAH	No. PAPs		Community Assets	
	201	952		11	
Household head	Male	Female			
	148 (73.6%)	47 (23.3%)			
HH Demographic characteristics	≥ 6 members	≤ 7 members			
	152 (75.6%)	46 (22.8%)			
HH Head Age Structure	≥ 25 years	26-64 years		≤ 65 years	
	16 (8%)	146 (72.6%)		39 (19.4%)	
HH marital status	Married	Divorced	widow	unmarried	
	132 (65.6%)	19 (9.4%)	5 (2.5%)	21 (10.4%)	
HH education Level	Illiterate	Primary	Secondary	Vocational training	
	30 (14.9%)	176 (87.5%)	5.4%	4 (2%)	
Occupation	farmers	Artisanal workers	Fishermen/women	Extension officers	
	184 (91.5%)	2 (0.9%)	2(0.9%)	2(0.9%)	
Residence tenure	Permanent (owner)		Tenant		
	177 (88%)		11 (5.4%)		
Location of asset (encroachment)	Within the existing line		Both within and outside the existing line		
	4 (2%)		7 (3.5%)		
Vulnerability	Sick	widow	Elderly	orphan	Women heads
	4	5	39	2	47
Preferred mode of payment	Cash		Land for land		
	108		27		

## LIVELIHOOD RESTORATION PROGRAM

There is neither legal requirement nor regulation for restoring livelihoods or providing assistance towards the restoration of such livelihoods in Tanzania, the Livelihood Restoration Program (LRP) for those affected people. As such, PAPs were asked to outline the kind of assistance they would need and the responses were twofold. Some requested for assistance in agricultural production, namely training modern farming methods, access to credit and markets. Others especially youths requested non-agricultural such training in poultry, beekeeping, masonry, tailoring, access to credit for small enterprise etc.

## INSTITUTIONAL ARRANGEMENTS FOR RAP IMPLEMENTATION

Institutional arrangement for implementation of RAP remains incomplete in this PRAP. For instance, the RAP team was not formed during this PRAP, though some members are known. It will be subject of deep analysis during detailed RAP study.

## **GRIEVANCE REDRESS MECHANISMS**

Administrative and or legal procedures would be followed in redressing grievances. Administrative procedure starts at village level to ward, to district and lastly to regional level. Going to the next level is when the previous level fails to address the grievance at hand. If at regional level the grievance is not addressed, then it is lodged for judicial producers.

## **MONITORING PROGRAM**

Monitoring will also have to be done during and after the implementation of the RAP. The intention is to ensure that RAP is properly implemented. Indicators are selected to monitor PAPs' conditions (e.g. housing, food security, access to social services, etc.) of life in comparison to pre-project conditions.

## **BUDGET AND SCHEDULE**

Cost/budget estimates for implementation and monitoring

<b>S/N</b>	<b>Resettlement Activity</b>	<b>cost (Tsh)</b>	<b>Contingency (Tsh)</b>	<b>Activity Cost (Tsh)</b>	<b>Source of fund/ Responsibility</b>	<b>Timeline/D eadlines</b>
1	Compensation costs for Crops and Trees	14,415,000	1,441,500	15,856,500	RAHCO	Feb.,2018
2	Compensation costs for Land	439,569,200	43,956,920	483,526,120	RAHCO	Feb.,2018
3	Compensation costs for Housing Structures	484,098,731	48,409,873	532,508,604	RAHCO	Feb.,2018
4	Transport allowance	3,300,000	330,000	3,630,000	RAHCO	Feb.,2018
5.	Disturbance allowance	46,904,147	4,690,415	51,594,562	RAHCO	Feb.,2018
6.	Accommodation allowance	76,946,000	7,694,600	84,640,600	RAHCO	Feb.,2018
7.	Resettlement Assistance	100,000,000	10,000,000	110,000,000	RAHCO	Feb.,2018
8.	Community support	217,844,429	21,784,443	239,628,872	RAHCO	Feb.,2018
9.	Livelihood Restoration Program	1,200,000,000	120,000,000	1,320,000,000	RAHCO	Mar.,2018 – Feb.,2020
10.	Grievance handling	12,000,000	1,200,000	13,200,000	RAHCO	Oct.,2017-
11.	Management & administration	80,000,000	8,000,000	88,000,000	RAHCO	Sep.,2017-
12	Monitoring & evaluation	200,000,000	20,000,000	220,000,000	RAHCO	Feb.,2018- Jan.,2021
<b>TOTAL COST</b>				<b>3,162,585,258</b>		

Note: contingency is estimated as 10% of the cost.

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## LIST OF ACRONYMS

GOT	Government of Tanzania
LGA	Local Government Authority
MLHSD	Ministry of Land Housing and Human Settlement Development
NGO	Non-Governmental Organization
OP/BP	Operation Policy/Bank Policy
PAP	Project Affected Person
PRAP	Preliminary Resettlement Action Plan
ROW	Right of way
URT	United Republic of Tanzania
VEO	Village Executive Officer
WB	World Bank

## **1. INTRODUCTION**

This report outlines a preliminary plan for resettlement action and livelihood restoration proposals for persons who will be affected by the Flood Protection Measures on the Central Railway Line, Between Kilosa and Gulwe Section. The plan has been prepared by involving stakeholders<sup>1</sup>, namely, potential Project Affected Persons (PAPs) including individuals, families, households and local institutions; relevant government authorities at regional, district and village levels, and representatives from RAHCO (the project proponent) and JICA (the project sponsor). The plan is in line with Tanzania national laws and regulations, JICA Regulations/World Bank Operation Policy 4.12, regarding acquisition of land and other assets, compensation and restoration of livelihoods displaced people.

This plan is referred to as a Preliminary Resettlement Action Plan (PRAP) which will lead to preparation of a RAP that will be implemented by GOT once the decision has been made by RAHCO to proceed with the project and JICA to support the project. In this regard, the PRAP includes a preliminary identification of people who could potentially be displaced, their land and other assets that could be affected and a preliminary estimation of costs which could be involved in the compensation (in cash and in-kind), relocation and restoration of livelihoods of people to be affected by the project.

The corridor of impact (60 meter way leave) at points where the railway line will be rerouted was not yet defined on the ground. As such, the affected area was identified based on the coordinates and distance observation from the existing railway which would probably lead to an over-estimate of the PAPs, their assets and assigned values of the assets. Also due to the fact that the project implementation has not yet been officially decided, the preliminary valuation did not follow official land/assets assessment procedure, including determination and agreement on the official cut-off date defined by the law, and PAPs agreeing with and signing on estimated values of their assets. In this regard, the prepared Valuation Report (Appendix 1) will not be followed by Compensation Schedules approved for compensation payment by the Chief Valuer at the Ministry of Lands, Housing and Human Settlements Development (MLHHSDD).

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<sup>1</sup> The list of people met/involved in the preparation of this PRAP, are outlined under appendix 1

## 1.1 OBJECTIVES OF THE RESETTLEMENT ACTION PLAN

The main objective of this Preliminary Resettlement Action Plan (PRAP) is to provide ground work for the RAP during Detailed Design which would entail agreed plan for the resettlement, compensation and livelihood restoration for Project Affected Persons (PAPs) affected by the proposed Flood Protection Measures on the Central Railway Line, Between Kilosa and Gulwe Project. The final RAP will provide a road map for the manner in which displacement; resettlement and compensation issues would be resolved.

### **Specific objectives a RAP are to:**

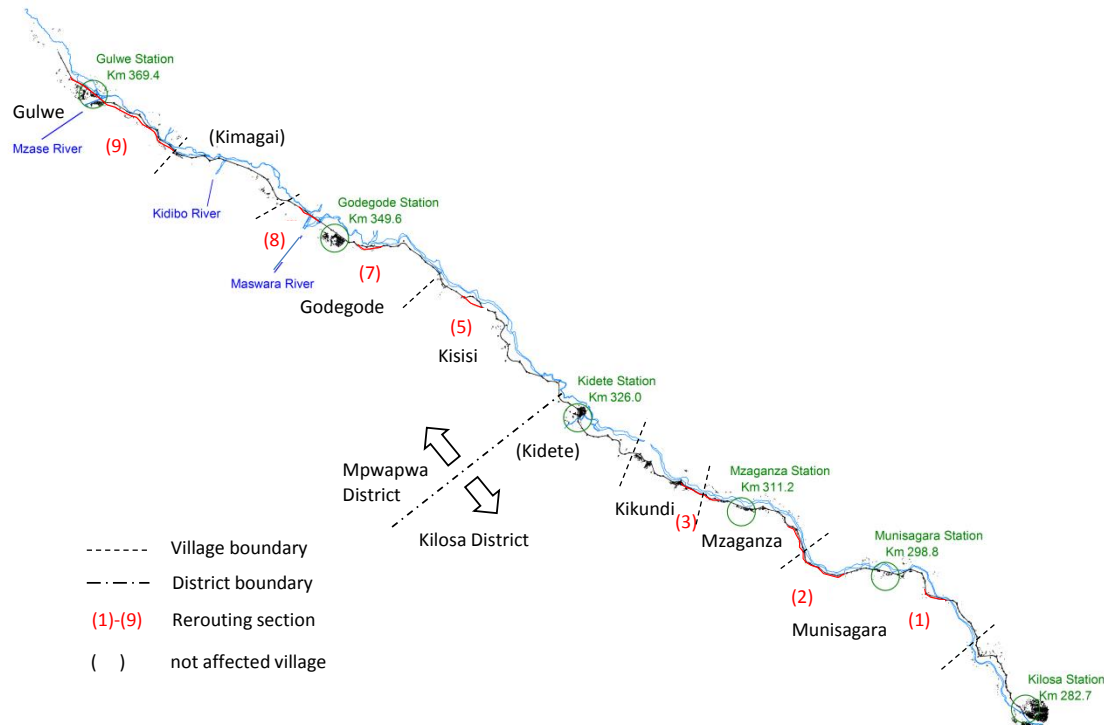
- Develop mitigation measures to ensure that the affected people are not worse off as a result of the project and at least their livelihoods are restored to that of before the project.
- Engage PAPs and communities to gain understanding of project objectives and impacts
- Involve PAPs and other stakeholders in developing a plan for physical relocation and compensation for lost assets
- Provide information that will be used to implement the resettlement plan; and
- Outline institutional arrangements for the implementation of the RAP

Thus, the objective of this PRAP is to provide basic information on the above objectives to be implemented during the RAP in Detailed Design.

## 2. DESCRIPTION OF THE PROJECT

### 2.1 PROJECT LOCATION

The project will involve various upgrading, (flood protection) activities at different sections on the central railway line between Kilosa town in Morogoro Region and Gulwe in Mpwapwa, Dodoma Region.



**Figure 1: Map of Proposed sections for Rerouting between Kilosa and Gulwe**

Source: JICA Study Team

The affected area lies between the 294 km point of the existing railway line at Munisagara village in Kilosa and the 372 km point at Gulwe in Mpwapwa District.

## 2.2 PROJECT RATIONALE, SCOPE AND ACTIVITIES

The rehabilitation works are expected to rid the central line of the recurring floods which at times wash away the line at some sections. The scope of work under this project includes:

- (i) Construction of a new rail track on rerouted sections constituting a total of 25 kilometres with sections of varying lengths at Munisagara, Muzaganza and Kikundi villages in Kilosa; and other sections at Kisisi, Godegode and Gulwe villages in Mpwapwa. The extent to which the new rerouted sections diverge from the existing line ranges between 30 meters to 500 meters away.
- (ii) River training works by constructing gabions on eroded river banks at Mzase River in Gulwe and Maswara River in Godegode villages.
- (iii) Diversion of river Msaze and Maswala at Godegode and Gulwe villages respectively,
- (iv) Construction of access road (for mobilization of materials during construction phase) either on the existing line reserve or improving the existing maram roads.

Activities under this project will involve:

- (i) Site preparation and early works including clearing of vegetation, trees and crops and removing built structures where present on the construction corridor;
- (ii) Mobilization of construction input materials, machinery, tools and personnel;
- (iii) Construction and installation works would include, excavation, digging, trenching, terracing, and installation of rail materials.

## 2.3 NEED FOR RAP

The proposed Kilosa-Gulwe Central Line Flood Protection Project will involve land acquisition specifically at sections where the line will be rerouted. Both Tanzanian laws (especially, Land Act 1999, No. 4, Village Land Act, 1999 No. 5, Land Acquisition Act, 1967) and JICA Regulations /World Bank Operation Policy, 4: 12, provide for compensation to land holders/users for lost assets due to land acquired for public interest. Currently, the proposed sites for line rerouting are utilised for various social and economic activities that will require GoT to compensate for such affected assets (land, crops, buildings etc.). On behalf of GoT/JICA therefore, JSB has prepared this PRAP report to show the manner in which acquisition, valuation and compensation for land and other assets could be undertaken as per the Tanzanian and JICA legal and regulatory standards of involuntary resettlement.



### **3. LEGAL AND INSTITUTIONAL FRAMEWORK**

#### **3.1 INTRODUCTION**

This chapter details the policy, legal and institutional issues which were taken into account during the preparation of this PRAP. These issues (legal, policy and institutional) have mainly to do with acquisition, valuation and compensation for land and loss of other assets by individuals, households and institutions and grievance redress mechanisms (if any). Since this project is to be implemented by GoT in partnership with JICA, this PRAP will complementarily use two frameworks, namely, Tanzanian laws and JICA Guidelines regarding resettlement.

#### **3.2 TANZANIAN POLICY, LEGAL AND INSTITUTIONAL FRAMEWORK**

As far as this PRAP is concerned, three acts apply in Tanzania. These are, The Land Act No 4 of 1999, The Village Land Act No 5 of 1999 and Land Acquisition Act No. 47 of 1967. While Village Land Act specifically defines village land and provides for the manner in which it (village land) should be managed, Land Act is the main principle in administration of all lands. Land acquisition Act describes circumstances under which and procedures by which land can be acquired.

##### **3.2.1 Acquisition of land in Tanzania**

The Land Acquisition Act No. 47, 1967 gives power to the President to acquire "Land" from private occupants where such land is required for any public purpose. This Act under Section 4 (1) provides that land shall be deemed to be acquired for a public purpose where it is required, among others, for exclusive Government use, for general public use, for any Government scheme, for the development of agricultural projects or for the provision of sites for industrial, agricultural or commercial development, social services, or housing. In this case, land has to be acquired for flood protection on the railway line (which is a Government scheme). And, much of land to be acquired is village land managed by the Village Land Act, 1999.

### **3.2.2 Valuation of Affected Asset:**

Regulation 3 of the Land (Assessment of the Value of Land for Compensation) Regulations, 2001 and Part I - III of the Village Land Regulations, 2002 provide for practical guidelines on assessment of compensation. In short, it is pointed out that, the Market value of any land and unexhausted improvement thereon shall be arrived at by the use of: (i) income/earnings approach; (ii) comparative method evidenced by the actual recent sales of similar property; and (iii) replacement cost method where the property is of special nature and not saleable. Values are assigned to physical land, inexhaustible structures (buildings, sheds etc.) on land and underneath owned by individuals, households or institutions.

### **3.2.3 Method of Compensation**

Tanzanian laws (Land Act and Land Acquisition Act) provide that any person whose right of occupancy or recognized long-standing occupation or customary use of land is revoked or otherwise detrimentally interfered with or acquired, such a person is entitled to a full, fair and prompt compensation. Compensation covers: (i) all physical soil (ii) developments thereon or underneath, (iii) transportation costs during relocation, (iv) subsistence /rent allowances during construction of demolished buildings/houses. Moreover, according to Tanzanian law, compensation is in terms of cash and is implemented within six (6) months since the completion of the valuation process. It should however be remembered that this PRAP is just for estimation of resettlement costs and will not be used for compensation.

### **3.2.4 Dispute Resolution and Grievance Mechanisms**

#### **3.2.4.1 Potential Grievance/Disputes**

Potential grievances and disputes that arise during the course of implementation of the resettlement and compensation program may be classified as land related and inheritance related grievances.

Land related grievances include, (i) Inventory mistakes made during census survey as well as inadequate valuation of properties; (ii) Mistakes related to identification and disagreements on boundaries between affected individual(s) and specifying their land parcels and associated development; (iii) Disagreements on plot/asset valuation;

Inheritance grievances include, (iv) Divorces, successor and family issues resulting into ownership dispute or disputes shared between heirs or family; (v) Disputed ownership of a given assets (two or more affected individual(s) claim the same).

#### 3.2.4.2 Resolution of Land Related Grievances

Land related grievances shall be resolved using the land courts established under the Land Disputes Courts Act. No. 2 of 2002 with its regulations. That is: Village Land Council; The Ward Tribunal; The District Land and Housing Tribunal; The High Court (Land Division) and The Court of Appeal of Tanzania.

#### 3.2.4.3 Administrative Mechanism for inheritance related grievances

At the Village/Ward level, there are Village Land Council and Tribunal Court of laws. These will be the last resort, in that they should be resorted to where amicable mechanisms, have failed to settle the grievance/dispute. However, the United Republic of Tanzania allows any grieved/disputed individual(s) the right of access to courts of law.

### 3.3 JICA RESETTLEMENT GUIDELINES

JICA Guidelines basically agree with Tanzanian laws in regard to compensation procedures and packages. But, in addition to what Tanzanian law provides, JICA Guidelines provide also for the following:

- Compensations to encroachers/squatters: PAPs whose developments (rather than land) are found on prohibited/reserve land should be compensated.
- Land for land compensation whenever and wherever possible is the main provision. The assumption here is that PAPs may face difficulties in locating another land to live on or even spend money on other issues rather than land.
- Compensation for exhaustible developments e.g. abandoned exhausted buildings, e.g. houses, sheds, etc.
- Special assistance to PAPs who belong to vulnerable groups i.e. the elderly 65 and above, orphans, female headed households, extremely poor households, etc. in the process relocation and livelihood restoration.
- Livelihood restoration activities conducted to ensure that PAPs' lives are restored their pre-project standard or even optimized.

The key principles are also extracted from JICA's policy. They include:

- (i) Involuntary resettlement and loss of means of livelihood are to be **avoided** whenever feasible, or **minimized**, by identifying possible alternative project designs that have the least adverse impact on the communities in the project area.
- (ii) Where displacement of households is unavoidable, all PAPs (including communities) losing assets, livelihoods, or resources will be **fully compensated** and assisted so that they can improve, or at least restore, their former economic and social conditions.
- (iii) Compensation and rehabilitation support will be provided to any PAPs, that is, any person or household or business which on account of project implementation would have his, her or their:

Standard of living adversely affected;

- Right, title or interest in any house, interest in, or right to use, any land (including premises), agricultural and grazing land, commercial properties, tenancy, or right in annual or perennial crops and trees or any other fixed or moveable assets, acquired or possessed, temporarily or permanently;
  - Income earning opportunities, business, occupation, work or place of residence or habitat adversely affected temporarily or permanently; or
  - Social and cultural activities and relationships affected or any other losses that may be identified during the process of resettlement planning.
- (iv) All affected people will be eligible for compensation and rehabilitation assistance, **irrespective of tenure status**, social or economic standing, and any such factors that may discriminate against achievement of the objectives outlined above. Lack of legal rights to the assets lost or adversely affected tenure status and social or economic status will not bar the PAPs from entitlements to such compensation and rehabilitation measures or resettlement objectives. All PAPs residing, working, doing business and/or cultivating land within the project impacted areas **as of the date of the latest census** and inventory of lost assets (IOL), are entitled to compensation for their lost assets (land and/or non-land assets), at replacement cost, if available, and restoration of incomes and businesses, and will be provided with rehabilitation measures sufficient to assist them to improve or at least maintain their pre-project living standards, income-earning capacity, and production levels.

- (v) PAPs that **lose only part of their physical assets** will not be left with a portion that will be inadequate to sustain their current standard of living. The minimum size of remaining land and structures will be agreed during the resettlement planning process.
- (vi) People **temporarily affected** are to be considered PAPs and resettlement plans will address the issue of temporary acquisition.
- (vii) Payment for land and/or non-land assets will be based on the principle of **replacement cost**.
- (viii) Compensation for PAPs dependent on agricultural activities will be **land-based** wherever possible. Land-based strategies may include the provision of replacement land, ensuring greater security of tenure, and/or upgrading livelihoods of people without legal land titles. If replacement land is not available, other strategies may be built around opportunities for re-training, skill development, wage employment, or self-employment, including access to credit. Solely cash-based compensation will be avoided as an option if possible, as this may not address losses that are not easily quantified, such as access to services and traditional rights, and may eventually lead to those populations being worse off than without the project.
- (ix) Replacement lands, if the preferred option of PAPs, should be **within the immediate vicinity** of the affected lands wherever possible and be of **comparable productive capacity and potential**. As a second option, sites should be identified that minimize the social disruption of those affected; such lands should also have access to services and facilities similar to those available in the lands affected.
- (x) The resettlement plan must consider the needs of those most **vulnerable** to the adverse impacts of resettlement (including the poor, those without legal title to land, ethnic minorities, women, children, the elderly, and the disabled) and ensure they are considered in resettlement planning and mitigation measures identified. Assistance should be provided to help them improve their socio-economic status.
- (xi) PAPs will be **involved** in the process of developing and implementing resettlement plans.
- (xii) PAPs and their communities will be **consulted** about the project, the rights and options available to them, proposed mitigation measures for adverse effects, and, to the extent possible, be involved in the decisions that are made concerning their resettlement.

- (xiii) **Displacement does not occur before provision of compensation and of other assistance** required for relocation. Sufficient civic infrastructure must be provided at the resettlement site prior to relocation. Acquisition of assets, payment of compensation, and the resettlement and start of the livelihood rehabilitation activities of PAPs, will be completed prior to any construction activities, except when a court of law orders so in expropriation cases. Livelihood restoration measures must also be in place but not necessarily completed prior to construction activities, as these may be ongoing activities.
- (xiv) **Organization and administrative arrangements** for the effective preparation and implementation of the resettlement plan will be identified and in place prior to the commencement of the process; this will include the provision of adequate human resources for supervision, consultation, and monitoring of land acquisition and rehabilitation activities.
- (xv) Appropriate reporting (including auditing and redress functions) and **monitoring and evaluation mechanisms** will be identified and set in place as part of the resettlement management system.

### 3.4 COMPARING TANZANIA'S COMPENSATION POLICY TO JICA GUIDELINES

Laws on land acquisition and compensation in Tanzania are comprehensive but differ in several ways from JICA Guidelines/World Bank OP4.12 (Involuntary Resettlement) policy.

The key gaps in the Tanzanian law include:

- Compensation to encroachers/squatters: while Tanzania law prohibits compensation to encroachers/squatters JICA Guidelines provide that encroachers should be paid for their developments (crops, buildings) in reserve lands e.g. in the railway line reserve in the project area.
- Land for land compensation: Tanzanian law defines compensation exclusively in terms of cash. On the contrary, JICA Guidelines restrict that compensation for land should be for land rather than cash. In cases where there is no possibility for land for land compensation, it is provided that cash compensation should be coupled with training of PAPs for new skills, e.g. tailoring, carpentry, etc. and or access to loans for small enterprises.
- Valuation of buildings without depreciation factor,

- Tanzanian land laws do not have clearly stated provision for special treatment of vulnerable PAPs. JICA Guidelines on the contrary, call for identification of such cases and special assistance as part of compensation.
- Livelihood restoration programme: Lastly, JICA Guidelines, different from Tanzanian laws provide for a follow up on PAPs to ensure that their livelihoods are restored to the original state or even optimized through various programmes such as service extension, skills training, loan access etc.
- Tanzanian laws do not provide for compensation for exhausted improvements while JICA Guidelines do,

In order to bridge the above outlined gaps and make the JICA Guideline prevail, the following principles are fashioned (as outlined in the JICA Study Team Draft Final Report) to guide this PRAP and consequently the RAP during Detailed Design to follow thereafter.

### 3.5 PRINCIPLE OF VALUATION IN THIS PRAP

(i) The valuation of non-land assets including buildings/structures owned by PAPs with land right for compensation shall basically follow Tanzanian laws including allowances. In addition, community support will be provided and covered by the loan. The requests on the community support from the affected community are described in Table 9.

(ii) The number and status of assets without land which are in the existing ROW and which might be in the proposed ROW are described in Table 14 and Table 15. Resettlement policy for those assets will be applied as described in Table 15.

(iii) Land-for-land replacement shall be prioritized over cash compensation, especially when the PAP's livelihood is based on the land and greater than 20% of the land asset will be affected. If a land-for-land replacement is not feasible, LRP shall be provided to restore the livelihood without the land asset.

(iv) For valuation of assets in replacement cost, the following definition of replacement cost by Resettlement Guidelines, 2009, developed by the Ministry of Infrastructure Development, is noted as the basic principle for this project:

- For agricultural land, it is the pre-project or pre-displacement, whichever is higher, market value of land of equal productive potential or use located in the vicinity of the affected land, plus the cost of preparing the land to levels similar to those of

the affected land, plus the cost of any registration and transfer taxes.

- For houses and other structures, it is the 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.

(v) Regarding the allowances to be included in compensation, the Road Sector Compensation and Resettlement Guidelines are summarized as follows:

- **Disturbance allowance** based on the principle of “the value of the Estate multiplied by the rate of interest prevailing and payable to fixed deposits by commercial banks”.
- **Transport allowance**, which is the actual cost of transporting twelve tons of luggage by rail or road within 20 km from the point of displacement.
- **Accommodation allowance** based on market rent for 36 months. These can be determined based on actual rents stated by property owners, although further investigation may be necessary to verify reliability.
- **Loss of rental income restoration**, based on loss of rental income for 36 months rent per tenant.
- **Loss of profits** is calculated on the basis of net monthly profits of the business carried out on the land, for a period of 36 months.
- **Loss of wages**, equivalent to payment in lieu of wages while rebuilding.

### 3.6 POLICY FOR VULNERABLE PEOPLE IN THIS PRAP

There are no specific provisions that require paying special attention to vulnerable people in Tanzanian laws for compensation and resettlement. However, Road Sector Compensation and Resettlement Guidelines (Ministry of Works) list the following people who require special assistance –physical and moral – during the compensation or relocation process which this project adopts:

- Old people (>65 years)
- Women heads of households
- Widows
- Single mothers



- Orphans
- Physically and mentally challenged
- The infirmed.

### **3.7LIVELIHOOD RESTORATION PROGRAM**

There are no legal provisions for restoring livelihoods or providing assistance towards the restoration of such livelihoods in Tanzania. However, considering that the project may severely affect their livelihood in the cases of lost agricultural land or other means of income, the project shall consider preparing the Livelihood Restoration Program (LRP) for those affected people.

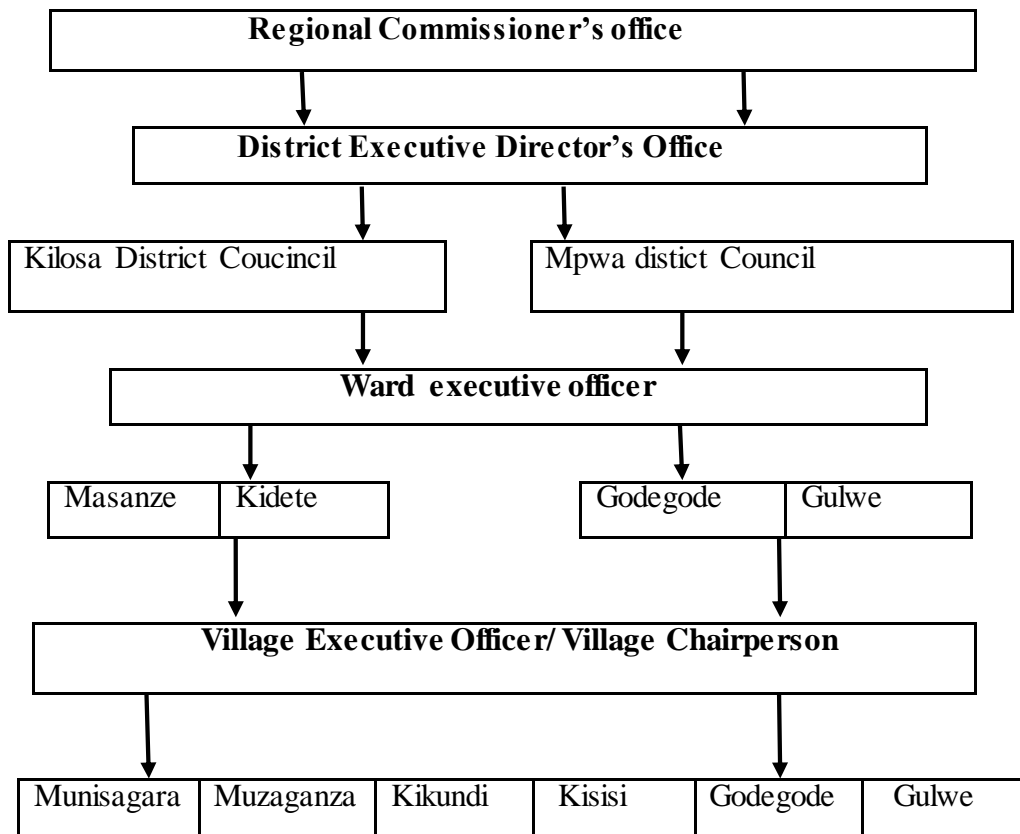
## **4. OVERVIEW OF THE PROJECT AFFECTED AREA**

### **4.1 INTRODUCTION**

This chapter narrates the socioeconomic and ecological conditions of the project area. Regarding the socioeconomic conditions, the chapter describes the administrative organs, political situation, economic activities, the state of social services and cultural resources in the study area. On ecological conditions, emphasis is on the description of geography and the ecological variations which can be noted on the study area and their implications in people's socioeconomic activities.

### **4.2 ADMINISTRATIVE ISSUES**

The project areas falls under two different regional and district jurisdictions. While the section in Kilosa falls within Morogoro region and Kilosa District jurisdictions, the section in Mpwapwa falls under Dodoma region and Mpwapwa district council jurisdictions. Under district councils are wards led by ward executive officers and councils which in the project area include Masanze and Kidete in Kilosa and Gulwe and Godegode in Mpwapwa. Moreover, under wards are villages which in Kilosa include, Munisagara (Masanze ward), Mzaganza and Kikundi (Kidete ward); in Mpwapwa they include, Kisisi and Godegode (Godegode ward) and Gulwe (Gulwe ward). Villages are led by village chairpersons (as political leaders) and village executive officers as administrators. All leaders have had important roles to play in this study, as community gate keepers by particularly organizing community/village assemblies, introducing us (the study team) to communities and guiding us to identify community members' properties.



**Figure 2: Administrative Structure in the Project Area**

Politically, the dominant political party is *Chama Cha Mapinduzi* (CCM) which won two parliamentary seats (one for Kilosa and the other one for Mpwapwa) out of the three constituencies which were being contested for. CCM is followed by *Chama cha Demokrasia na Maendeleo* (CHADEMA) which won one parliamentary seat for Mikumi constituency and Masanze ward (to which Musigara village part of the project area belongs) for councillorship. The fact that there is political representation in terms of parties, makes development projects such as this one quickly acceptable among community members.

### 4.3 ECONOMIC ACTIVITIES

Farming is the main economic activity in the study area followed by livestock keeping. For community members in Kilosa, farming is a permanent due to the fact that the area receives rainfalls biannually and that farming activities take place mainly in wetlands (in the Mkondoa river valley). For this reason, both permanent and seasonal crops are grown in Kilosa. Such crops include bananas, maize, soya beans, sunflower, simsim, onions, mangoes, sugarcane etc. in Mpwapwa on the other hand, rainfalls have one season. As such farming is mainly seasonal allowing for seasonal crops mainly maize, groundnuts, sunflower etc. in both Kilosa and Mpwapwa farming technology is still low, i.e. dependent on nature (rainfalls and wetlands), animals (maksai in Kiswahili) hand hoe, sword and axe and some machinery such as power tiller.

Livestock keeping is the second economic activity in the study area next to farming. It is more common in Dodoma than Kilosa because of the dry climate of Dodoma which makes farming for them only seasonal. Yet, in recent years, Kilosa was been receiving livestock keepers especially the Mang'ati and the Maasai from North eastern Tanzania. What crosscuts among all livestock keepers is that that their system of keeping animals is traditional grazing whereby they shift from one place to another in search for pastures. Such pastures are always village lands subjected to common use. Other economic activities include bee keeping and fruit gathering (especially baobab fruits in Mpwapwa)

**Food and Income Security:** in the entire study area, incidences of food insecurity were reported. In the Kilosa food insecurity was attributed to the flooding of Mkondoa river which implied washing away of the crops grown in the river valley. Moreover, the declining of Mkondoa river depth due to siltation has negated the possibility of fishing activities in this river further contributing to both food and income insecurity. In Dodoma on the other hand, and especially in Godegode, Gulwe and Igandu, food insecurity was attributed to frequent droughts which burn off the crops before maturation. Since the communities in the study area depend on such natural resources as land, water sources, rainfalls etc. for their livelihoods, food insecurity in these areas is always coupled with income insecurity. This is particularly because; people get money through selling off the surplus, whenever there is surplus production. So, minimal production implies both food and income insecurity.

## 4.4 RESOURCE ACQUISITION AND TENURE SYSTEMS

### 4.4.1 Land

In the entire study area, three (3) mechanisms of land acquisition were identified, namely: (i) inheritance, (ii) buying and selling of land, and (iii) grabbing idly lying land. While the first two mechanisms are the most common means of land acquisition, the third mechanism is increasingly becoming unpopular following the increase of both human and livestock population in the study area. The majority of peasants' farm size depends on their ability to buy and the size of land they inherit from their parents. Moreover, the dominant land tenure system in the study area is customary rights of occupancy (whereby the village is entitled to manage village land) on behalf of village members. In this case, households occupy small plots ranging from averagely two acres to medium size farms ranging from eight (8) to fifteen (15) acres. It is only very rare cases, e.g. a part of Magomeni ward in Kilosa which is a large plantation owned by investors who have a statutory right of occupancy. Roughly, family farmland can be categorized as;

**Table 1: Allocation of Farmland in the Study Area.**

<b>Farm Size</b>	<b>Proportion of occupiers</b>
Small 2 to 5 acres	The large majority
Medium 8 to 30	Few
Large 50 acres and above	The minority

Forests in all the villages are commonly used according to regulations set by local government authorities (village and district councils). According to these regulations harvesting fresh trees for timber (for commercial or subsistence purposes) one has to get a permit from the district council and submit it to the village council for consideration. Those who qualify for permission to harvest timber have to pay the required tributes to the local authorities. Village members however are always permitted to harvest dry wood for firewood, medicine plants etc.

#### **4.4.2 Water sources:**

The commonly available water sources include rivers particularly Kinyasungwi in Dodoma and Mkondoa in Kilosa, shallow wells dug in the valley of these rivers. In some villages there are also deep wells in constructed by non-governmental organizations (NGOs). In most of the villages in Mpwapwa particularly access to fresh water is a big problem. Moreover, in Mkadage village in Kilosa people complained of being attacked by whales when they go to the stream to fetch water.

#### **4.4.3 Pasture lands**

In most of the villages pasture lands are located next to the farmlands (wilderness, grasslands, natural unreserved forest, and natural water). These are commonly accessed/used by those who have who keep animals especially cattle.

### **4.5 CULTURAL RESOURCES**

In the study area, there are also cultural resources especially grave yards/cemeteries. There are three patterns of using land for this purpose. That is, (i) each household having its own burial place around in farm around their home. In other villages however, burying around the home is increasingly uncommon however following the mounting land shortage and education on village land use; (ii) clan owned burial places, whereby only people of the same clan bury their deceased (iii) village owned burial places, whereby each household in the village, regardless of their clan/ethnic background has an opportunity to bury their deceased in that village cemetery. This was particularly found at Godegode in Mpwapwa district; (iv) a combination of (ii) and (iii) above is also a possibility as it was found at Kikundi village in Kilosa district.

### **4.6 GEOGRAPHY AND ECOLOGY**

The study area can be roughly divided into two ecological zones, namely: Kilosa district and Dodoma region. The study area in Kilosa is evergreen because it has two rainfall peaks annually. It is also steep hills both in the northern and Southern parts, thus concentrating most of people's socioeconomic activities in the valley: River Mkondoa Valley. The steep slopes

of this area however are also inhabited by pastoralists for pastures of their animals and residence. The Dodoma section of the study area is dry land with one sometimes unreliable rainfall peak. For this reason, agricultural activities (which are seasonal) in this area are concentrated in river valleys particularly the Kinyasungwi River Valley. Such ecological differences between Kilosa and Dodoma constitute a difference in the agricultural activities carried out in these areas. While Dodoma produces seasonal crops and drought resilient crops such as millet, sunflower, simsim; in Kilosa almost all crops are grown both permanent and seasonal.

## **4.7 THE STATE OF SOCIAL SERVICES**

### **4.7.1 Transport and communication:**

For the entire study area, the main means of transport has historically been railway. But in the recent, the service offered by the railways authorities has been unreliable since most of the substations have been either completely closed down or provide services only rarely. Moreover, the extent to which people in the study area have been affected by the unreliable railway services has so much depended on the availability of alternative means of transport especially road transport. The Dodoma section has suffered less (than Kilosa) because there are roads albeit seasonal which serve a purpose of connecting these village communities to urban areas such as, Mpwapwa Town, Dodoma Municipal and Dar es Salaam. On the contrary, the study area in Kilosa lacks road transport probably because of its landscape which is full of steep hills. For this reason, village communities in Kilosa study area section suffers most in terms of lack of the means for transportation of people to various points e.g. health facilities, and crops to the market. The problem of transport is particularly severe in and Munisagara and Muzaganza villages which are agricultural communities but yet have no access to markets due to lack of reliable transport. Due to lack of reliable road transport, there have been some terrible accidents by train (translated as people knocking the train) due to people using paths along the railway reserve for their mobility.

Communication system in the study area seemed to follow the same pattern. That is, Kilosa communities being in the valley of River Mkondoa, have access to only one mobile communication network AIRTEL. In Dodoma on the contrary all mobile communication

networks, i.e. VODACOM, TIGO, AIRTEL, TTCL (and the new network called Halotel) are available.

#### 4.7.2 Education and health Facilities

Schools are available. Every village community has at least one primary school and every ward has at least one secondary school. Ihumwa ward which in Dodoma Municipal has some private schools. Moreover, the late of enrollment of pupils into class one in regions where the study area is located, i.e. Morogoro (77.3%), Dodoma (70.8%) is slightly below the national average which is 78.4%, (see Table 2 below). Health facilities are also available at least in every ward, though people were complaining that these dispensaries did not have reliable services, e.g. once could be told to buy medicine on their own money. In the similar fashion, health facilities are mainly dispensaries which are located at ward level, i.e. every ward has at least one dispensary, while bedded hospitals are located at the district and regional levels, (see table 3 below).

**Table 2: Enrollment rate (in %) in Primary School for Tanzania and regions under study**

	Male	Female	Total
<b>Tanzania</b>	76.8	75.2	78.4
<b>Morogoro</b>	75.5	73.6	77.3
<b>Dodoma</b>	67.7	64.7	70.8

Source: Tanzania Population Census, 2012

**Table 3: Summary of some social services in study area**

	Education facilities			Health facilities		Com services
	Primary	Secondary	College	dispensary	Bedded hospital	
<b>Kilosa district</b>	161	38	8	54	3	All networks
<b>Masanze</b>	7	1	-	1		Airtel only
<b>Kdete</b>	5	1	-	1		Airtel only
<b>Mpwapwa district</b>	173	40	2	37	1	All networks
<b>Godegode</b>	3	1	-	1		All networks
<b>Gulwe</b>	3					
<b>Dodoma Munic.</b>	202	83	-	49	11	All networks

Source: Fieldwork data



### **4.7.3 Potable water**

Pumped water in the study area is a very rare phenomenon. In few villages particularly Kikundi and Mzaganza in Kilosa, some households shared few wells constructed by humanitarian nongovernmental organizations. In Kikundi for instance some wells were constructed under the programme called “*I wash*”. Otherwise, the majority depend on the dirty natural sources of water especially boreholes dug on the valleys of Mkondoa River in Kilosa and Chinyasungwi River in Mpwapwa. Senior village members at Gulwe reported that the conditions of access to water for domestic use were on decline in their village because in the 1970s and 1980s they used to have water pumped from Kongwa (the nearby district) to their village; but since the 1990s this infrastructure is obsolete and has since then not seen any repair.

## **4.8 CHARACTERISTICS OF PAPS**

### **4.8.1 Population Characteristics**

Just like other areas of Tanzania, population in the study area is growing. In the span of 10 years, from 2002 to 2012 for instance, population increased nearly by 10 persons per square kilometer in Kilosa District. From 2002 to 2012 population in Kilosa district had increased by 28%. Moreover, on comparison, the household size in Mpwapwa seem to be slightly bigger, i.e. 4.6 persons than Kilosa, 4.2 persons per household. Moreover, the household size in both Mpwapwa and Kilosa are slightly lower than the national household average of 4.8 persons per household. The population growth rate in Kilosa however, is slightly higher than the national average of 2.7 persons. This indicates that the population of Kilosa will double faster/earlier before national population doubles. Such population increase would multiply pressure on low lying land where the railway is located since much of the Kilosa’s geographic area is mountainous (and thus inhabitable) and that of Mpwapwa is dry.

**Table 4: Comparison of population characteristics of the study area to those of the country and respective regions.**

	<b>Total Popn</b>	<b>No of HH</b>	<b>HH size (No. of PP/ no. of HH)</b>	<b>Popn Density(no. of PP/ km<sup>2</sup>)</b>	<b>Growth rate (% increase per year)</b>
<b>Country(Tz)</b>	<b>44,928,923</b>	9,362,758	4.8	51	2.7
<b>Morogoro</b>	2,218,492	506,289	4.4	31	2.1
<b>Dodoma</b>	2,083,588	453,844	4.6	50	2.4
<b>Kilosa</b>	438,175	-	4.2	35	2.9
<b>Mpwapwa</b>	305,056	-	4.6	-	-
<b>Kidete ward</b>	11,329	-	4.0	-	-
<b>Gulwe ward</b>	10,385	-	4.5	-	-

Source: Fieldwork data

Key: PP means people; HH means households in a specific geopolitical area.

#### **4.8.2 Ethnic groups and History**

The ethnic makeup of the study area can also be roughly divided into two, i.e. between those in Kilosa and Dodoma. In Kilosa there is a mix of ethnic groups. This fact is in line with history of this district that it was one of the areas with sisal plantations since the colonial period. As such, it attracted migrant labourers from various parts of Tanzania. For this reason, there is a multiplicity of ethnic groups in this area, namely: the Hehe, the Ha, the Sagara, the Kaguru, the Gogo, the Sukuma/Nyamwezi and the pastoralist Maasai and Mang'ati, etc. Moreover, the Sagara and the Kaguru which are the indigenous ethnic groups are the minority when compared to the other groups in the area. Most of the groups in Kilosa are predominantly small scale farmers, of course with few animals especially goats. In recent years, starting from the mid-1980s, pastoralists started flocking into Kilosa for green pastures. The communities especially in Munisagara and Muzaganza we interviewed however, testified that they have devised a mechanism of granting membership to pastoralists on condition that they abide by the bylaws and regulations set by the village council, in order to avoid farmer-pastoralist conflict over land use. Specifically pastoralists are granted membership on conditions that they limit their animals to an agreed minimum, and to non-agricultural zones, i.e. the bush/grasslands on the steep slopes.

Unlike Kilosa, (where there is a multiplicity of ethnic groups) the study area in Mpwapwa is dominated by the one ethnic group: the Gogo. There are however other ethnic groups such as the Hehe, the Nyamwezi, etc. but they are the minority compared to the Gogo. The Gogo are partly farmers and partly pastoralists. Farming is seasonal; it takes place during the rainy season from November to June. Animal keeping ranges from few animals (less than ten) to hundreds. Due to scarcity of land for pasture, pastoralists (the Mang'ati and the Maasai) have penetrated into this area not physically but through the indigenous people. That is, a Mang'ati may enter into an informal contract with a Gogo so that a Mang'ati's animals are shifted to a Gogo's place (in return for some benefits off course) such that they are known to the public to be a Gogo's property.

Generally, there is a sense of harmony among various ethnic groups in the study area. But, the fact that populations of both people and animals are increasing through both natural increase and in-flocking, it is justifiable to predict that in the near future the study area would experience ethnic conflicts albeit underpinned by resource (water and land) access and utilization.

The quality of livelihoods<sup>2</sup> in the study area depends on factors such as access to and control of resources particularly land, availability of rainfall, means of transport, ownership of animals especially cattle and formal employment. People who have access to and control of wetlands e.g. river valleys and or large number of animals in Dodoma have their living conditions better off than those people who either have limited or have no access at all to wetland and either have fewer or no animals at all. Equally, years of inadequate rainfall such as this year, induce severe income poverty and food insecurity among people in Dodoma compared to people in Kilosa where inadequate rainfalls are rare. Moreover, unreliable transportation and communication systems in Kilosa are responsible for people's severe poverty because the cash crops they produce cannot easily reach the lucrative markets in urban areas. Generally, in the entire study site, people who are formally employed e.g. teachers, health workers, local government administrators e.g. ward executive officer, councilors etc. seemed to enjoy better living conditions comparable to their counterpart farms who own large shares of resources.

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<sup>2</sup> In this study quality of life was measured in terms of their resources one owns. That is, those who are better off own large size of farm, large number of animals e.g. 50 cattle and above, high quality house, e.g. brick and concrete made and iron roofed, means of transport e.g. motorcycle etc. on the contrary those with poor living conditions have small plots to work which cannot adequately feed them, low quality home made up of mud, and stick and grass roofed.

**4.8.3 Vulnerability and Special Groups: Youths, women, disabled**









Generally, the findings of the study indicate that the prevailing living conditions in the study area (just like it is for other areas) cut across various social groups depending on their access to life producing resources. The differences which manifest themselves in the special social groups such as the elderly, children, the crippled, the sick etc. are but just manifestations of the crosscutting conditions. Consequently therefore, even members of the special groups experience different living conditions. In-depth interviews with elderly people in all the project area villages revealed that vulnerability of the elderly varies depending on what they own. Those old people who have large tracts of arable farming land could not starve because they could hire people to till the land in return for cash or in kind pay. They went on to show that an elderly who is poor,

i.e. who has no access to land or children for instance suffers more because they cannot move around and sell their labour in return for money/food like their fellow youths or other adults. Moreover, youths at Munisagara had concerns similar to other social groups i.e. lack of transport for their crops, floods which wash away their crops, etc. An activity which across the study area engaged male youths exclusively was motorcycle riding commonly known as “*bodaboda*”.

***Pictorial Presentation of Economic Activities and Characteristics of PAPs***

		
An irrigated maize farm at Kikundi	Weathering sunflower farm at Gulwe	Traditional healer's residence at Muzaganza
		
Greeny vegetation in Kilosa	Dry climate at Mpwapwa	Cemetery at one of the PAP's residence at Gulwe

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<p>Cattle shed at Godegode</p>	<p>Hilly Geograpy at Kilosa</p>	<p>A modern house at Gulwe</p>
		
<p>An elderly woman at Godegode</p>	<p>A low income residence at Kisisi</p>	<p>A grain store at Gulwe</p>
		
<p>Unbuilt pit latrine</p>	<p>Charcoal burning at Godegode</p>	

## **5. COMPENSATION POLICIES**

### **5.1 ENTITLEMENT MATRIX**

The entitlements for compensation and rehabilitation assistance for this project are developed and presented in Table 5 below:

**Table 5: Entitlement Matrix**

<b>Types of Asset</b>	<b>Types of Impact</b>	<b>Person(s) Affected</b>	<b>Compensation/Entitlement/Benefits</b>	
Agricultural land	<b>Loss of land under cultivation</b>	Title holder  [Both statutory and customary]	(a) <ul style="list-style-type: none"> <li>Land-for-land replacement where feasible, or compensation in cash for the entire landholding according to the PAP's choice. Land-for-land replacement will be in terms of a new parcel of land of equivalent size and productivity with a secure tenure status at an available location which is acceptable to the PAP.</li> <li>Tax for transferring the land to the PAP, registration fee, and other costs for obtaining the land shall be compensated.</li> <li>If the livelihood is affected by losing agricultural land, the PAP is entitled to be compensated for the loss or join the Livelihood Restoration Program.</li> <li>Compensation for land users will be paid through land owners based on their contracts. Land owners/land users are allowed harvesting crops that are within the affected area. The deadline for the harvest shall be discussed and determined with the PAP during the Detailed Design stage.</li> </ul>	
			Land user (Tenant/leaseholder)	(b) <ul style="list-style-type: none"> <li>In case the livelihood is affected by losing agricultural land, the PAP is entitled to join the Livelihood Restoration Program.</li> </ul>
			Encroacher	(c) <ul style="list-style-type: none"> <li>The PAP is allowed harvesting crops that are within the affected area. The deadline for the harvest shall be discussed and determined with the PAP during the Detailed Design stage.</li> <li>If the livelihood is affected by losing agricultural land, the PAP is entitled to join the Livelihood Restoration Program.</li> </ul>
		Vulnerable title holder	(d) Same with (a) plus: <ul style="list-style-type: none"> <li>Process for obtaining and registering alternative land shall be assisted.</li> <li>Assistance for securing the livelihood depending on the PAP's situation.</li> </ul>	
		Vulnerable land user (Tenant/leaseholder)	(e) Same with (b) plus: <ul style="list-style-type: none"> <li>Assistance for securing the livelihood depending on the PAP's situation.</li> </ul>	
		Less than 20% of land holding affected	Title holder  [Both statutory and customary]	(f) <ul style="list-style-type: none"> <li>Cash compensation for affected land equivalent to replacement value OR alternative land of equivalent size and productivity with a secure tenure status at an available location which is acceptable to the PAPs where feasible.</li> <li>Tax for transferring the land to the PAP, registration fee, and other costs for obtaining the land shall be compensated.</li> <li>If the livelihood is affected by losing agricultural land, the PAP is entitled to be compensated for the loss or join the Livelihood Restoration Program.</li> </ul>

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<b>Types of Asset</b>	<b>Types of Impact</b>	<b>Person(s) Affected</b>	<b>Compensation/Entitlement/Benefits</b>
			<ul style="list-style-type: none"> <li>• Compensation for land users will be paid through land owners based on their contracts. Land owners/land users are allowed harvesting crops that are within the affected area. The deadline for the harvest shall be discussed and determined with the PAP during the Detailed Design stage.</li> </ul>
		Land user (Tenant/leaseholder)	(g) <ul style="list-style-type: none"> <li>• In case the livelihood is affected by losing agricultural land, the PAP is entitled to join the Livelihood Restoration Program.</li> </ul>
		Encroacher	(h) Same with (c).
		Vulnerable title holder	(i) Same with (f) plus: <ul style="list-style-type: none"> <li>• Process for obtaining and registering alternative land shall be assisted.</li> <li>• Assistance for securing the livelihood depending on the PAP's situation.</li> </ul>
		Vulnerable land user (Tenant/leaseholder)	(j) Same with (g) plus: <ul style="list-style-type: none"> <li>• Assistance for securing the livelihood depending on the PAP's situation.</li> </ul>
	Loss of land under cultivation by public/community	Public/community	(k) <ul style="list-style-type: none"> <li>• Cash compensation for affected land equivalent to replacement value.</li> </ul>
Commercial land	<b>Loss used for business</b>	Title holder	(l) Same with (a) plus: <ul style="list-style-type: none"> <li>• Opportunity cost compensation equivalent to 2 months net income based on tax records for previous year (or tax records from comparable business, or estimates)</li> <li>• Compensation for land users will be paid through land owners based on their contracts.</li> </ul>
	The remaining assets become insufficient for business purposes	Land user (Tenant/leaseholder)	(m) <ul style="list-style-type: none"> <li>• In case the livelihood is affected by losing agricultural land, the PAP is entitled to join the Livelihood Restoration Program.</li> </ul>
	The business can be continued by	Title holder	(n) Same with (f) plus: <ul style="list-style-type: none"> <li>• Opportunity cost compensation equivalent to 5% of net annual income based on tax records</li> </ul>



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<b>Types of Asset</b>	<b>Types of Impact</b>	<b>Person(s) Affected</b>	<b>Compensation/Entitlement/Benefits</b>
	the remaining assets		for previous year (or tax records from comparable business, or estimates where such records do not exist). <ul style="list-style-type: none"> <li>• Compensation for land users will be paid through land owners based on their contracts.</li> </ul>
Residential land	<b>Loss of residential land either partially or entirely</b>	Title holder	(o) <ul style="list-style-type: none"> <li>• Land-for-land replacement or compensation in cash according to the PAP's choice.</li> <li>• Land-for-land replacement shall be of minimum plot of acceptable size under the relevant law(s) or a plot of equivalent size, whichever is larger, in either the community or a nearby resettlement area with adequate physical and social infrastructure systems.</li> <li>• When the affected holding is larger than the relocation plot, cash compensation to cover the difference in value.</li> <li>• Tax for transferring the land to the PAP, registration fee, and other costs for obtaining the land shall be compensated.</li> </ul>
		Vulnerable title holder	(p) <ul style="list-style-type: none"> <li>• Same with (o) plus: <ul style="list-style-type: none"> <li>• Process for obtaining and registering alternative land shall be assisted.</li> </ul> </li> </ul>
		Loss of residential land used by public/community	Public/community
The other type of land	Loss of the other type of public land (e.g., forest, pastureland)	Public/community	(r) <ul style="list-style-type: none"> <li>• Cash compensation for affected land equivalent to replacement value.</li> </ul>
Buildings and structures	Entire structures are affected	Owner	(s) <ul style="list-style-type: none"> <li>• Cash compensation for entire structure and other fixed assets with depreciation following Tanzanian laws, including allowances.</li> <li>• Relocation allowances which include those for disturbance, transportation, accommodation and loss of income during relocation.</li> </ul>
		Renter	(t) <ul style="list-style-type: none"> <li>• Relocation allowances which include those for disturbance, transportation, accommodation and loss of income during relocation.</li> </ul>
		Squatter/informal dweller	(u) <ul style="list-style-type: none"> <li>▪ The policy described in the Table 15 will be applied.</li> </ul>

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<b>Types of Asset</b>	<b>Types of Impact</b>	<b>Person(s) Affected</b>	<b>Compensation/Entitlement/Benefits</b>
		Vulnerable owner	(v) Same with (s) plus: <ul style="list-style-type: none"> <li>• Process for obtaining alternative structure shall be assisted.</li> <li>• Assistance for securing the livelihood depending on the PAP's situation.</li> </ul>
	Entire public structures are affected	Public/community	(w) <ul style="list-style-type: none"> <li>• Cash compensation for entire structure and other fixed assets, or alternative structure of equal or better size and quality in an available location which is acceptable to the PAP.</li> <li>• Relocation allowances which include those for disturbance, transportation and accommodation.</li> </ul>
	Structures are partially affected	Owner	(x) <ul style="list-style-type: none"> <li>• Cash compensation for affected building and other fixed assets</li> <li>• Cash assistance to cover costs of restoration of the remaining structure</li> <li>• Disturbance compensation equivalent to applicable rental costs or time that will take to finish construction work.</li> </ul>
	Remaining structures are viable for continued use		
Standing crops	Crops affected by land acquisition or temporary acquisition	Owner of crops	(y) <ul style="list-style-type: none"> <li>• PAP allowed harvesting crops if fully matured OR cash compensation of the crops equivalent to the market value for the mature and harvested crop.</li> </ul>
Trees	Trees lost	Owner of trees	(z) <ul style="list-style-type: none"> <li>• Cash compensation based on type, age and productive value of affected trees.</li> </ul>
Cultural properties	Loss of graves, archaeological sites	Owner of graves, Community	(aa) <ul style="list-style-type: none"> <li>• Compensation based on the relevant law (Graves (Removal) Act, 1969; Antiquities Act, 1964)</li> </ul>

## 5.2 CUT-OFF DATE

In Tanzania, the “cut-off date” refers to the date prior to the date of completion of the census survey which is conducted together with asset valuation for compensation. This PRAP however, does not set the any official cut-off date because the survey in this study is for preliminary valuation and won’t be approved by the Ministry of Lands, Housing and Human Settlements Development (MLHSD). In order to prevent an influx of ineligible people to the project area before the official cut-off date however, a preliminary cut-off date (date of completion of census for this PRAP, i.e. 9<sup>th</sup> December, 2015) was set up and local government leaders especially at village level were thereafter asked not to allow any individuals/groups to occupy or use the project area.

## **6. CONSULTATION WITH PAPs**

### **6.1 INTRODUCTION**

This section describes the participatory processes used to develop the RAP with key stakeholders in designing and implementing resettlement activities.

Consultations, public meetings, and discussions with PAPs were carried out during the resettlement planning meeting. Various stakeholders particularly Government officials at district levels were consulted and their issues are discussed below. Concerns, questions and suggestions raised by the project affected people have been elicited and incorporated as described and discussed below.

The process of consultation and participation ensured two-way exchange of information between the Consultant, community and PAPs.

### **6.2 MAIN OBJECTIVES OF PUBLIC CONSULTATION AND PARTICIPATION**

The main objective of consultation and participation of the PAPs/stakeholders is to exchange information regarding the resettlement, discuss its perceived and real potential impacts, to receive feedback and to provide opportunity for participation in RAP planning and decisions in a meaningful, timely, accessible and culturally appropriate manner.

Thus, public consultation and participation help to develop and maintain avenues of communication between the project, stakeholders and PAPs in order to ensure that their views and concerns are well incorporated into project preparation and implementation with the objectives of reducing negative impacts, unnecessary disputes between PAPs and government and enhancing benefits from the project.

### **6.3 CONSULTATION AND DISCUSSIONS WITH GOVERNMENT OFFICIALS**

Briefing about the project was done with district officials in Kilosa and Mpwapwa District Council and a number of issues were discussed including the need of the project due to problems caused by frequent floods that affect railway infrastructure.

## 6.4 CONSULTATION AND DISCUSSIONS WITH COMMUNITY

The Consultant team conducted meetings with all villages within the proposed corridor of impact to inform them about the project and their role in the forthcoming PRAP activities. Some of them expressed their views about the GoT on the commitment to promptly effect compensation to the affected persons.

In all conducted public meetings, consultations were preceded by introductory explanations provided by the consultant about the project which covered issues related to project background and objectives, policies, Resettlement Action Plan (RAP) and accompanied activities, laws/regulations, valuation procedures, entitlements, compensation procedures and grievances redress, relevance of participation of PAPs and other stakeholders, etc. This laid down the foundation and opened up participatory consultations with community.

During the public consultative meetings, varying views, concerns were expressed and questions about the impact on loss of properties or assets for PAPs within the impacted corridor of 25km dominated the discussions whereby several questions were asked and responses were provided by the Consultant team.

### **6.4.1 Meetings in December, 2015**

A series of consultation meetings with the PAPs were held at six villages to be directly affected by the land acquisition for the railway rerouting and the river-training works (Table 6). The purpose of the meeting was to disclose the proposed project location, identify the affected individuals, and obtain their opinion/consensus on the compensation policies. The meeting was called by the village leaders through the network among the villagers.

Agenda and the points of explanation in the meetings are listed below:

1. Opening remarks/self-introduction of the survey team
2. Purpose and meeting objective
  - ✓ It was explained that the survey is preliminary survey as a part of the feasibility study and the official valuation for compensation will be conducted after the official decision of the project.
3. Project information
  - ✓ The place which needs land acquisition was explained using project maps and clarification with attendees.
  - ✓ Draft plan of the temporary construction access road was also explained.
4. Ordinal compensation process based on the Tanzanian laws

- ✓ District valuers explained the process of asset valuation and compensation as well as allowances in accordance with the Tanzanian laws.
5. Compensation policies considering JICA's policies
- ✓ It was explained that the JICA's compensation policies would also be applied, combining with the Tanzanian laws, to minimize the social impacts.
  - ✓ Entitlement Matrix (in Swahili) which shows compensation policies for this project was explained and provided to the village leaders.
  - ✓ It was explained that Livelihood Restoration Program (LRP) is provided to the affected people and the contents would be decided based on the people's requirements.
  - ✓ Although it cannot be the official cut-off-date to restrict the land use and the transaction, it was explained that unnecessary development for being compensated should be prevented under observation by the village leaders and the villagers after the completion of the survey.
6. Identification of the affected people
- ✓ At the end of the meeting, affected people claimed to be identified under the witness of the other villagers.

The participants raised questions on the compensation policies and the details of the procedures, which were answered by the consultants and RAHCO (Table 7). No dissenting voice or objection against the project or the compensation policies was identified through the meetings.

**Table 6: Consultation Meetings with the PAPs (1-7 December, 2015)**

Date	Village name (Ward and District name)	Number of participants	
		Total	(Women)
1Dec.	Munisagara (Msanze, Kilosa)	130	(32)
	Mzaganza (Kidete, Kilosa)	30	(7)
2 Dec.	Kikundi (Kidete, Kilosa)	173	(74)
6 Dec.	Kisisi (Godegode, Mpwapwa)	116	(74)
	Godegode (Godegode, Mpwapwa)	181	(54)
7 Dec.	Gulwe (Gulwe, Mpwapwa)	138	(23)

Source: JICA Study Team

**Table 7: Major Comments and Response in the Meetings (1-7 December, 2015)**

<b>Subjects</b>	<b>Raised Issues</b>	<b>Response</b>
Project implementation /general frameworks	1) When will the construction activities be commenced? (Munisagara)	After completion of the feasibility study and the compensation.
	2) PAPs to be informed early in advance before project implementation to avoid further use of the project area.(Mzaganza)	PAPs will be informed when the official valuation is carried out.
	3) Who is going to compensate? The government of Tanzania or Japan? (Munisagara)	The government of Japan funds for the project. Compensation will be paid by the government of Tanzania.
	4) Progress of each step of the project should be informed from time to time after the meeting. (Mzaganza)	Noted.
Compensation/ valuation	5) Does RAHCO commit compensating for encroachers? (Munisagara)	RAHCO is requested to comply with JICA's policy.to compensate for encroachers.
	6) Will it be compensated if only half of the structure is affected? (Munisagara)	Yes. All affected asset will be compensated.
	7) Is it possible to continue construction of the house if it is already under construction?(Kikundi, Godegode)	Yes, because it is still preliminary valuation stage.
	8) Many people are lack of legal documents of land ownership. Is it possible to be compensated? (Kisisi)	Land ownership is recognized by inheritance, traditional and legal ownership.
	9) What about if graves are affected? (Kikundi, Godegode, Gulwe)	There is a law for compensating graves.
	10) What about if watering place is affected? (Kikundi)	If the land belongs to the village, the village will be compensated.
	11) Will natural tree be compensated? (Kisisi)	If it has value, it will be compensated.
	12) Compensation should be paid fairly, promptly and timely. (Munisagara)	It will be made in accordance with law.
	13) The government should fairly compensate to all affected persons in order to maintain their living standard together with their families (Mzaganza)	
	14) Assure of the compensation because the Tanzanian system is so prolonged. (Kisisi)	RAP committee team will be established for assurance.
	15) Construction should be started after compensation and resettlement (Mzaganza)	It will in accordance with both Tanzanian law and JICA's policy.
	16) What can we do if we don't satisfy the compensation payment? (Mzaganza, Kikundi, Gulwe)	You can appeal through the grievance mechanism.
	17) Valuation schedule should be informed in advance to the PAPs. (Munisagara)	Noted.

Source: JICA Study Team

#### **6.4.2 Meetings in June, 2016**

In order to provide a feedback of the results of the CRP, another series of consultation meetings with the PAPs were held at six affected villages (Table 8). The main purpose of the

meetings was to confirm the compensation policy and finalize their consensus. The participants were the PAPs called by the village leaders, and the word officers.

Agenda and the points of explanation in the meetings are listed below:

1. Introduction

- ✓ It was announced that the preliminary CRP has been completed in this study.
- ✓ It was informed that the final CRP would be taken place, expected to be in 2017.

2. Compensation policy of affected structure

- ✓ It was explained that the Tanzanian law would be the base of the valuation for compensation. The PAPs consent on this policy was confirmed.
- ✓ In addition, it was explained that a community support would be provided by JICA through RAHCO in accordance with JICA's policy.
- ✓ Although the details of the community support would be decided in the next study stage, the PAPs were inquired about their requests on the community support for information for the next stage.

3. Compensation policy of affected land

- ✓ Considering that the alternative spare land is limited in the project area, it was explained that land-for-land compensation would not be feasible although it was recommended by JICA's policy. The PAPs opinion on this issue was collected.
- ✓ It was confirmed that a Livelihood Restoration Program (LRP) would be provided based on the JICA's policy for the PAPs who lose farmland. PAPs were inquired about their requests on the contents of the LRP.

4. Cut-off-date

- ✓ It was confirmed that unnecessary development should be prevented until the final CRP survey stage.
- ✓ It was explained that a legal cut-off-date would be established in the final CRP which was expected to be taken place in 2017.

5. Grievance redress mechanism

- ✓ Grievance redress mechanism proposed in the CRP was introduced to the PAPs.

6. Provision of the reports

- ✓ Following documents were introduced and provided to the village leaders.
  - Summary of the preliminary RAP (CRP)
  - Entitlement matrix
  - Summary of ESIA report

The major results of the meetings are listed below:

- All participants at each village agreed that the compensation of structure would be based on Tanzanian law. They also appreciated the community support. They understood that the details of the support would be decided in the next stage together with the budget scale.
- All participants at each village agreed with cash compensation for the affected land considering limitation of spare land with exception of residential land in Kikundi. (In Kikundi, it was already agreed that residential land to be resettled would be developed for the PAPs.)
- Requests on the community support and the LRP are listed in Table 9 and Table 9.



The other major questions/comments from the participants and the responses by the consultant, RAHCO and the JICA Study Team are listed in Table 11.

**Table 8: Consultation Meetings with the PAPs (14-16 June, 2016)**

Date	Village name (Ward and District name)	Number of participants*	
		Total	(Women)
14 June.	Munisagara (Msanze, Kilosa)	26	(5)
15 June	Mzaganza (Kidete, Kilosa)	60	(17)
	Kikundi (Kidete, Kilosa)	38	(10)
	Kisisi (Godegode, Mpwapwa)	9	(0)
16 June	Godegode (Godegode, Mpwapwa)	27	(6)
	Gulwe (Gulwe, Mpwapwa)	66	(12)

\* including village leaders and word officers

Source: JICA Study Team

**Table 9: Request of the Community Support**

Village name	Requests
Munisagara	<ul style="list-style-type: none"> <li>- School infrastructure - especially class rooms and teachers' houses are inadequate;</li> <li>- Road to the village - the community faces difficulty and risk by utilising the railway as access to the village;</li> <li>- Dispensary – needs to be repaired</li> </ul>
Mzaganza	<ul style="list-style-type: none"> <li>- Dispensary since there is none;</li> <li>- Access road to the village since there is no road;</li> <li>- Safe and clean water supply - the villagers currently fetch water for domestic use from the river which is always turbid and not safe;</li> <li>- Completion of Kidete dam embankment - so that flooding to the downstream can be controlled;</li> <li>- Rehabilitation of church (Roman Catholic) buildings;</li> <li>- Rehabilitation of class rooms and teachers' house - since the school has 6 class rooms which are dilapidated and pose a safety risk to pupils;</li> <li>- Construction of village office</li> </ul>
Kikundi	<ul style="list-style-type: none"> <li>- Dispensary since there is none in the village;</li> <li>- Class rooms for their primary school since there are only 2 rooms;</li> <li>- Teachers' house - the school has no teacher's house which makes it difficult for teachers to stay far from school premises;</li> <li>- Water supply - requesting an additional water well;</li> <li>- Rehabilitation of the existing road to Mpwapwa</li> </ul>
Kisisi	<ul style="list-style-type: none"> <li>- Water supply for the village - water is a problem since they depend on Chinyasungwe river and others where they have to walk 7km to reach;</li> <li>- Dispensary - since they have to travel 9km to Godegode in search for health services;</li> <li>- Class rooms - Kisisi Primary School has 4 rooms where only 2</li> </ul>

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	rooms are in use. The other 2 are out of order and pose safety risks to pupils. Other pupils take their classes outside, sitting under tree shades
Godegode	<ul style="list-style-type: none"> <li>- Health centre - the existing dispensary is overloaded</li> <li>- Water supply - the village is experiencing water scarcity</li> <li>- Police station - to boost security</li> </ul>
Gulwe	<ul style="list-style-type: none"> <li>- Water supply - since the currently used sources are not reliable and unsafe;</li> <li>- Secondary school - since the village has no secondary school. Students travel a distance of between 15 to 20km daily for studies;</li> <li>- Health centre - since the existing serves 3 villages of Chiseyu, Uyuma and Gulwe, all found in Gulwe Ward.</li> </ul>

Source: JICA Study Team

**Table 10: Request of Livelihood Restoration Program (LRP)**

Village name	Requests
Munisagara	<ul style="list-style-type: none"> <li>- Assistance for agriculture</li> <li>- Poultry</li> </ul>
Mzaganza	<ul style="list-style-type: none"> <li>- Irrigation infrastructure</li> <li>- Bee-keeping</li> <li>- Entrepreneurship training e.g. soap making, raising of livestock (cows, poultry)</li> </ul>
Kikundi	<ul style="list-style-type: none"> <li>- Farming implements and inputs i.e. seeds, insecticides, machinery etc.</li> </ul>
Kisisi	<ul style="list-style-type: none"> <li>- Equipment for increasing agricultural production - tractors, ox, fertiliser, etc.</li> <li>- Capacity building on how to increase land productivity</li> <li>- Fish farming</li> <li>- Modern livestock keeping</li> </ul>
Godegode	<ul style="list-style-type: none"> <li>- Water pumps to enable water for irrigation reach their farms</li> <li>- Agricultural implements, e.g. tractors, power tillers etc.</li> <li>- Skills development through trainings on entrepreneurship</li> </ul>
Gulwe	<ul style="list-style-type: none"> <li>- Poultry</li> <li>- Open up vegetable gardens and give training on how to grow healthy vegetables</li> <li>- Piggery and milk cows rearing</li> <li>- Training on carpentry</li> <li>- Provision of agricultural implements</li> <li>- Beekeeping</li> <li>- Fish farming</li> </ul>

Source: JICA Study Team

**Table 11: Questions/Comments and Response in the Meeting (14-16 June, 2016)**

Subjects	Raised Issues	Response
RAP survey	1) How will I be compensated since I was not considered in the previous survey? (Godegode)	The survey exercise will be repeated. The previous survey was to get the overview of the situation. In the second survey, PAPs will be photographed while standing in their piece of land to be taken by

## Preliminary Resettlement Action Plan, Flood Protection Measures on the Central Railway Line

Subjects	Raised Issues	Response
		the project and requested to sign valuation report. Therefore, there is still a chance to come for updating the PAPs database.
	2) A tenant was recorded on my land and not me, how will I be considered? (Godegode)	There will be another survey which gathers PAPs details.
Compensation of structure	3) What Tanzania laws state for valuation and compensation of assets? (Mzaganza)	Tanzania laws take into consideration type of house, type of construction materials, age and current condition at the time of valuation (depreciation).
	4) If PAPs want to rebuild the affected house, how will it be considered during valuation? (Gulwe)	The laws in Tanzania do not consider replacement; only gives cash compensation.
	5) There was a plan that the project would re-build the affected houses at the resettlement site in Kikundi. Is the plan still valid? (Kikundi)	If the PAPs chose in-kind compensation, namely compensation by re-built houses, community support program will not be provided. ->The PAPs agreed with cash compensation so that they could build the houses at the resettlement site by themselves.
Compensation of land	6) Shall land be sold or taken by the project? (Mzaganza)	No land shall be taken without compensation.
	7) If I sell a piece of land to someone and that person constructs a house, how will that be handles? (Kikundi)	Compensation will be on owner of that land. However, that will be confirmed at the final survey to be undertaken in 2017.
	8) I have a piece of land on which a tenant has constructed a residential house. What will I get? (Kikundi)	Owner of the house will be compensated for a house and land owner shall be compensated for land.
	9) What guide is used to determine value of PAPs' land? (Godegode)	Value of land depends on size, location and current local price. The district has guidelines in determining the value of land for the entire district council jurisdiction.
	10) I used to cultivate food crops on my land. How will I continue my livelihood? (Godegode)	Land in Tanzania is vested in the custody of the President of the United Republic. If the government has national interest in your piece of land, then there are procedures laid down by law on how to acquire that land.
	11) Why is allowance not given on disturbance due to loss of land since it might take longer for PAPs to get a new piece of land considering the fact that land is limited in the village? (Godegode)	Bare land does not be considered for disturbance allowance. Moreover, land grown with crops is considered i.e. land is compensated and crops compensated as well
Community support	12) Who specifically are the beneficiaries of the community support program? (Munisagara)	Community support program intends to benefit the entire community.
	13) How do PAPs benefit if their assets are affected but community support program is extended to the entire community and not the PAPs? (Kisisi)	Apart from the compensation to each PAP, JICA wishes to contribute to the community of which structures are affected.
	14) Why is the entire community benefiting from JICA	Compensation for structures shall be governed by Tanzania laws, which take into consideration value

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Subjects	Raised Issues	Response
	through community support program while the PAPs are compensated by Tanzania only? (Godegode)	of structures and some additional allowances but no more support. JICA proposes to assist the entire community/village from which built structures are lost to the proposed project.
Livelihood Restoration Program	15) How long will the Livelihood Restoration Program last?	The program can be operated by JICA for 2- 3 years after which PAPs should be able to continue by themselves.
	16) Will the money for livelihood restoration be given directly to PAPs or shall be channeled through the district office?	Livelihood Restoration Program does not involve provision of cash to PAPs. The program shall sponsor what is required or requested by PAPs.
Cut-off-date	17) Since the valuation exercise is planned in 2017, can we continue crop cultivation until that time? (Munisagara, Gulwe)	Cultivation can be continued until the cut-off date is announced in the final RAP expected to be in 2017.
	18) If not compensated within 6 months of the cut-off date, where should we report? (Mzaganza)	Grievance handling procedure shall be established.
	19) What about those PAPs who had plans to construct extra rooms to their houses and now are not supposed to do any developments to the existing situation, how should they live? (Mzaganza)	Developments can be undertaken on emergency cases. If the PAP had plans to add rooms to the house before the preliminary survey was undertaken, it means there was need to do so in order to shelter the family.
	20) I was told to stop construction of my house. (Godegode)	If you already began constructing and you have a great need for that house for habitat and that there no other alternatives then should continue with construction. However, PAPs were cautioned not to construct houses beyond their requirements.
	21) What if land owners decide to build houses on the land earmarked for the project provided they are in need of that house? (Godegode)	Buildings to be compensated should be on felt and genuine requirements only and not targeting compensations. If extra houses are found and the assessment identifies possibilities of conflict raptures, it might be required to liaise with neighbors to the newly built houses on the reasons for building that house or otherwise the design might be forced to change.
Others	22) How will PAPs be sure that their money posted in the bank account is what was agreed upon? (Kikundi)	PAPs will be informed of the total amount of their compensation. If the amount posted is not what the PAP signed, then there will be a desk to handle such grievances.
	23) How will compensation be handled if the previously identified owner of land passed away? (Godegode)	In case the departed person did not prepare a will, then it is the family to resolve the ownership so that there wouldn't be setbacks during valuation exercise.
	24) What is the plan to deal with special groups of PAPs (disabled, elderly, and children) who are not able or capable to make use of compensation to rebuild their lives? (Gulwe)	Vulnerable groups will be assisted.
	25) Where will mobilization	The temporary road to be used for mobilization

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Subjects	Raised Issues	Response
	vehicles pass during re-routing of the railway? (Gulwe)	shall be opened within 30m buffer zone and other public roads that exist in the area. But if it is necessary to open up a route across the community areas, there will be memorandum of understanding signed between the Contractor and the particular person.
	26) A PAP has a conflict of land ownership with the village government of an area preliminary identified as affected by the re-routing. How will that be handled during valuation? (Gulwe)	The compensation team will not work on areas with conflicts. The village government was advised to resolve the misunderstandings so that during the valuation exercise, all conflicts should have been solved.

Source: JICA Study Team

## **7. CENSUS AND SOCIO-ECONOMIC CONDITION OF PAPs**

### **7.1 INTRODUCTION**

The socio-economic study involved only households and community institutions with land, buildings, crops and trees found on the new corridor. The study entailed a collection of information describing PAPs/PAHs current status. The aim was to develop socio-economic profiles of the PAHs and PAPs for resettlement planning and monitoring purpose.

Detailed record of the PAPs and their households were taken using questionnaire. Information collected was individual bio-data information, number of people s/he claims as household dependents, amount of land available to the individual or household at the time of the census, living conditions: standard of house and household services noting those that will be affected, level of income and of production, and access to social and economic services: roads, schools, health facility etc. The census of the PAPs / Project Affected Households (PAHs) and Affected Community was coupled with inventorying of their holdings.

### **7.2 NUMBERS OF PROJECT AFFECTED HOUSEHOLDS (PAHS), PROJECT AFFECTED PERSONS (PAPS)**

The proposed project will affect 201 households (PAHs) with a total of 952 household members (PAPs) and 11 community assets. This is as presented in the table below.

**Table 12: Numbers of PAHs and PAPs**

<b>Individual assets</b>				<b>Community Assets</b>	
<b>Location</b>		<b>Project Affected households</b>			
<b>Region</b>	<b>Village</b>	<b>PAHs</b>	<b>PAPs</b>	<b>Land</b>	<b>structure</b>
Morogoro	Munisagara	37	159	1 Land	
	Muzaganza	32	138	1 land	
	Kikundi	39	199	1 Land	1 well
Dodoma	Kisisi	4	27	1	
	Godegode	28	125	1	
	Gulwe	61	304	2 (1 village, 1 mosque)	3 (two roads, 1 warehouse)
Subtotal		201	952	7	4
Grand total		201	952	11	

**Table 13: Properties (land and structures) to be acquired**

<b>Structures</b>		<b>Land (in sq. meters)</b>	
Residential structures	263	Public	719,073
Warehouses:	21	Private	1,427,544
Animal sheds:	27		
<b>Total</b>	<b>311</b>		
grave yards	6		
<b>Grand Total</b>	<b>317</b>		<b>2,146,617</b>

### 7.2.1 Household Head and Household Structure

Within the project area, the head of the household is predominantly a man; of the 201s, about 73.6% (148/201) are headed by a man and a few (47/201), households are headed by women - (equivalent to 23.3% of the PAHs).

### 7.2.2 Household Demographic characteristics

An average number of household members in the PAHs is relatively small, i.e. 5 persons per household. Specifically, the structure of the majority of PAHs, 75.6% (equivalent to 152 PAHs) revealed to have members ranging from 1 to 6 (probably mostly nucleus families), while few households, constituting 23% (46 of all PAHs) were found to have many members, ranging from 7 to 20 members. An overall number of PAHs members is 952. This has an implication in the transportation costs to be incurred by project implementers during the resettlement programme.

### 7.2.3 Household Heads Age Structure

Most of the heads of PAHs, 146 (72.6%) are aged between 26 to 64 years. Only few 8% (equivalent to 16 heads of PAHs) are young people aged 25 years and below. And, only 19.4% (39/201) are aged 65 years and above. Elderly people of 65 years and above are classified as one the vulnerable groups which according JICA Guidelines require special assistance during resettlement and livelihood restoration programmes.

#### **7.2.4 Household Heads Marital status**

The majority of PAHs heads 132, equivalent to 65.6% of all PAHs were found to be married. Also there were 21 (10.4%) unmarried PHs heads, 19 (9.4%) divorced and 5 (2.5%) widowed women. Women, who are household heads either due to widowhood, separation or whatever reason, constitute another vulnerable group which according to JICA Guidelines require special assistance.

#### **7.2.5 Education Levels**

While a significant number of heads of PAHs 30 (equivalent to 15%) of all PAHs were found to be illiterate (could neither read nor write Kiswahili), the majority of the heads of PAHs, 150 (76%) were primary school leavers (capable of reading and writing Kiswahili). Only few 5.4% were had attended secondary education and the other 4 PAPs had vocational education (training).

#### **7.2.6 Location of Asset in Relation to the Existing Railway Line**


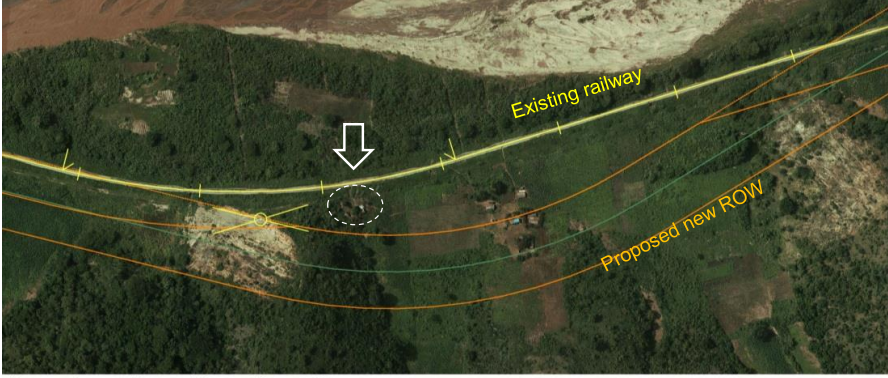


The area within the existing ROW, thirty meters width from the centre line of the railway track, is owned by RAHCO and any erection of structures and execution of works are forbidden without permission. Considering that WB OP4.12 recognizes those persons who encroaches the ROW as eligible for the compensation while Tanzanian law does not, the status of each affected asset in the existing ROW are investigated. The results and the resettlement policy for each case are presented in Table 14




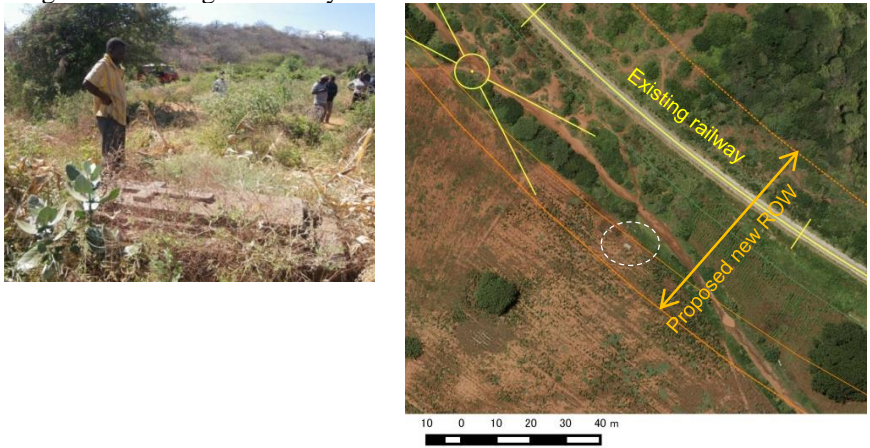
Table 14: and Table 15.

Table 14: Affected Assets in the Existing ROW


Survey date: 14-16 June, 2016

No.	Location	Type of Asset and the Condition
1	Km 302 Munisagara  Rerouting section (2)- 600m	Three structures. Not in the new ROW.  
2	Km 305 Munisagara  Rerouting section (2)- 3800m	Two structures. Not in the new ROW.  

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No.	Location	Type of Asset and the Condition
3,4	<p>Km 315 Kikundi</p> <p>Rerouting section (3)- 2500m</p>	<p>One house and one well. The well is not in the new ROW, while the house is.</p> 
5	<p>Km 371 Gulwe</p> <p>Rerouting section (9)- 8800m</p>	<p><b>【Just outside of the existing ROW】</b> One grave of a villager killed by a train accident in 2004.</p> 

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No.	Location	Type of Asset and the Condition
6	Km 305 Munisagara  Rerouting section (2)- 3600m	Crops (sunflower, maize) along the railway, about 200m. 
7	Km 371 Gulwe  Rerouting section (9)- 8200-8800m	Crops (sunflower, maize) along the railway, about 600m. 

Source: JICA Study Team

**Table 15: Resettlement Policy on Assets without Land in the Existing ROW**

No. <sup>*1</sup>	Type of Asset	Condition			Resettlement Policy	
		Within the Existing ROW? (30m from the existing rail)	Recognized as Encroacher?	Within the New ROW?		
1	Three structures	Yes	Yes	No	No resettlement	
2 <sup>*2</sup>	2-1	Two structures	Yes	Yes	No	No resettlement
	2-2	One structure	No	No	No (To be scrutinized in the detailed design stage.)	No resettlement (same policy in case the structure will be within the new ROW)
3	One structure	Yes	No	Yes	It will be compensated by the Tanzanian Government because the structure is in the existing ROW due to the relocation of the existing railway.	

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4	Well	<b>Yes</b>	No	No	It needs to be relocated because it will be separated from the community. Development of a new well at the resettlement site has already been planned.
5	Grave	No	No	<b>Yes</b>	It will be compensated by the Tanzanian Government
6	Crop	<b>Yes</b>	<b>Yes</b>	<b>Yes</b>	The PAP is allowed harvesting crops that are within the affected area. The deadline for the harvest shall be discussed and determined with the PAP during the Detailed Design stage.
7	Crop	<b>Yes</b>	<b>Yes</b>	<b>Yes</b>	The PAP is allowed harvesting crops that are within the affected area. The deadline for the harvest shall be discussed and determined with the PAP during the Detailed Design stage.

\*1 The number is consistent with Table 14.

\*2 The three structures are owned by one household and the structure 2-2 is their residence. In case the structure 2-2 would be resettled, JICA thinks that the other two structures 2-1 should be resettled together. However, the other two structures cannot be compensated under the Tanzanian laws and regulations because they are in the existing ROW. Therefore, RAHCO and JICA came to an understanding that it might be better to have an option for the PAPs that the three structures can be left there even though the residence might cross the new ROW because the construction activities can be implemented not affecting the structures. RAHCO pointed out that in case the structures would be left there, the PAPs shall not make any new development with the proposed ROW. The decision on this matter would be made in close consultation with the PAPs during the Detailed Design.

Source: JICA Study Team

### **7.2.7 Vulnerable Groups or Persons requiring Special Provisions**

Some of the PAPs are people regarded as vulnerable due to their inability to perform or meet their basic needs and require special treatment. These individuals will need support during and after the relocation process to enable them, maintain/improve their livelihoods or at least restore their livelihood to their pre-project conditions. The survey identified only 97 people categorized as vulnerable as elaborated in table 4 below. These are the people who will need special attention and assistance during RAP implementation. The respective RAP implementation team should ensure that social worker(s) either from the municipal/district

offices are involved in the compensation exercise to ensure that vulnerable people get special attention.

**Table 16: Number and types of vulnerable PAPs**

<b>Vulnerability</b>	<b>Frequency</b>
Disease /Sick	4
Elderly	39
Orphan	2
Widow	5
Women household heads	47
<b>Total</b>	<b>97</b>

### **7.2.8 Residence Tenure**

While the majority of the PAPs, in 177 households (equivalent to 88%) were found to be permanent residents of the project area, temporary residents and 11 (5.4%) of all PAHs were tenants in the project area. This implies that the real RAP is likely to find in place more or less the same number of residents since most of them (residents) are permanent.

### **7.2.9 Occupation**

The large majority of PAHs, i.e. 184 PAHs (equivalent to 91.5% of all PAHs) are small scale farmers (peasants). This shows that the project area is predominantly an agricultural area. Other occupations are done by very few PAPs, i.e., 2 fishermen/women, 7 business people, 2 artisanal workers and 2 extension services officers. Figure 3 below is illustrative of this case.

### **7.2.10 Income and Expenditure**

The majority of PAHs, i.e. 78% (equivalent to 157 PAHs) earn least than 7 million Tanzanian shillings per year. That is, while 34.8 % (70 PAHs) earn less than 2 million Tshs; 43.2% (87 PAHs) earn between 2 million and 6 million Tshs. per year. A small number of PAHs 17 (8.4%) earns between 6 million and 9 million Tshs.

### **7.2.11 Living conditions: standard of house**

The majority of the houses (75.1%), equivalent to 151 houses are either traditional or mixed (traditional and modern). Those which are traditional, i.e. 63 of all houses (equivalent to 31.3%) are built with mud floor, tradition roofing and mud blocks. And, those which are mixed, i.e. with both traditional and modern features, are 43.7% (equivalent 88 houses). Here a house may for instance be iron roofed but mud floored and walled. Few houses 16.4% of all houses (equivalent to 33 houses) were classified as modern, i.e. iron roofed, cement/tiles floored, brick walled etc. The variation in type of construction materials and size will imply variations in the compensation rates that PAPs will receive.

#### **7.2.12 Availability and Distance to Social services**

There are a number of social services within and around affected area. These include source of drinking water, health services, schools and other public utilities. While some services such as schools, water sources, shops/kiosks etc. could be easily accessed within 1000 meters distance, some other services such as health facilities, police stations, bus stops etc. are located away, 2000 or more meters away from PAHs.

#### **7.2.13 Source of drinking water**

The majority of PAHs (70.6%) equivalent to 142 PAHs have access to drinking water within 1000 meters, while small percent of households (7.5%) equivalent to 15 PAHs have their sources of drinking water located beyond 1000 meters. It should however be noted here that the main source of drinking water in the project area is dirty/brown water in the boreholes dug on the channel of rivers Mkondoa/Chinyasungwi.

#### **7.2.14 Main source of cooking energy**

The majority of households (65.2%) equivalent to 131 households depend on firewood (collected from villages forest reserves) followed by charcoal 24.8% of all PAHs equivalent to 50 PAHs.

Table 17: Summary of Socioeconomic Conditions of PAPs

Variable	Output				
PAH and PAPs	No. of PAH		No. PAPs		Community Assets
	201		952		11
Household head	Male		Female		
	148 (73.6%)		47 (23.3%)		
HH Demographic characteristics	≥ 6 members		≤ 7 members		
	152 (75.6%)		46 (22.8%)		
HH Head Age Structure	≥ 25 years		26-64 years		≤ 65 years
	16 (8%)		146 (72.6%)		39 (19.4%)
HH marital status	Married	Divorced	widow		Unmarried
	132 (65.6%)	19 (9.4%)	5 (2.5%)		21 (10.4%)
HH education Level	Illiterate	Primary	Secondary		Vocational training
	30 (14.9%)	176 (87.5%)	5.4%		4 (2%)
Occupation	farmers	Artisanal workers	Fishermen/women		Extension officers
	184 (91.5%)	2 (0.9%)	2(0.9%)		2(0.9%)
Residence tenure	Permanent (owner)		Tenant		
	177 (88%)		11 (5.4%)		
Location of asset (encroachment)	Within the existing line		Both within and outside the existing line		
	4 (2%)		7 (3.5%)		
Vulnerability	Sick	widow	Elderly	orphan	Women heads
	4	5	39	2	47
Preferred mode of payment	Cash		Land for land		
	108		27		

### 7.2.15 Tenants

Five affected tenants of land are identified through this survey. Information of those tenants is summarized in



Table 18.

**Table 18: Information of affected land tenants**

Tenant	Village	Description
1.	Gulwe	Small scale peasant, a tenant on the father's land; has another small farm away.
2.	Godegode	Rents a land on which he grows seasonal crops (maize, sunflower). Has another plot in the nearby village
3.	Kikundi	A rich peasant living in Dar es Salaam; rents land at Kikundi for irrigation farming for commercial reasons. Has other source of income.
4.	Mzaganza	Rents on land of his father in law on which he grows maize. Does not have another plot.
5.		Rents a plot on which he grows seasonal crops. Has other source of income.

## **8 REPLACEMENT COST (UNIT PRICES)**

### **8.1 INTRODUCTION**

The laws of Tanzania require full, fair and prompt payments of compensation within 6 months after the Valuation Report is approved. Since this is just a preliminary RAP, after which a precise RAP will follow, people were not prohibited from further developments of their properties and for this reason, compensation payments will not be paid within 6 months.

### **8.2 COMPENSATION FOR HOUSES AND OTHER STRUCTURES**

Compensation for structures is was computed using the un-depreciated replacement cost method. And, compensation amount depended on type of structure and purpose/use, details of construction (wall, floor, and roofing materials), and accommodation characteristics (number of rooms). The table indicates the unit prices for different structures in the project area.

**Table 19: Unit Cost for Structures**

<b>Type</b>	<b>Modern</b>	<b>Mixed modern and ultra modern</b>	<b>Ultra modern</b>	<b>Mixed traditional &amp; modern</b>	<b>Traditional</b>	<b>others</b>
<b>Unit (Tsh. per sq. meter)</b>	180,000.00	150,000.00	130,000.00	120,000.00	60,000.00	50,000.00

### **8.3 COMPENSATION FOR LAND**

Compensation for land was computed basing on location, size, and use. Land in the project is for agricultural production and pasture. Compensation was computed at 200Tsh. per square meter.

### **8.4 COMPENSATION FOR AGRICULTURAL PRODUCTION**

And compensation for crops was based on earnings approach to assess the market value of crops assessment. The table below indicates unit cost for each agricultural asset in the project area.

**Table 20: Unit Cost for Agricultural Crops**

<b>TYPE OF CROP</b>	<b>UNIT</b>	<b>VALUE (TSH)</b>
<i>Mwembe</i> (Mango)	Plant	60,000
<i>Ndizi</i> (Bananas)	Plant	38,000
<i>Mahindi</i> (Maize)	Acre	585,000

### **8.5 ALLOWANCES**

Allowances are listed in table 13 below.

**Table 21: Allowances**

<b>ALLOWANCE</b>	<b>VALUE</b>
Transport allowance	30,000 TSH/Household

Accommodation allowance	36 months rates
Disturbance allowance	5% of total compensation cost

## 8.6 COMPENSATION OF COMMUNITY ASSETS

Community property that will be affected include, two moram roads at Gulwe, warehouse at Gulwe, mosque land at Gulwe, and village lands in all the 6 villages.

## 8.7 TOTAL COMPENSATION BY TYPE OF ASSET

**Table 22: Total compensation by type of asset**

TYPE	LOCATION	VALUE COST (TSHS)
<b>Crops and Trees</b>		
	Munisagara	11,940,000.00
	Muzaganza	120,000.00
	Kikundi	407,000.00
	Kisisi	
	Godegode	1,948,000.00
	Gulwe	
	<b>Total</b>	<b>14,415,000.00</b>
<b>Land</b>		
	Munisagara	116,051,600.00
	Muzaganza	34,775,600.00
	Kikundi	8,076,400.00
	Kisisi	163,752,400.00
	Godegode	
	Gulwe	116,913,200.00
	<b>Total</b>	<b>439,569,200.00</b>
<b>Housing structures</b>		
	Munisagara	70,752,796
	Muzaganza	77,435,952
	Kikundi	128,981,094
	Kisisi	
	Godegode	206,928,889
	Gulwe	
	<b>Total</b>	<b>484,098,731</b>
<b>Transport Allowance</b>		
	Munisagara	600,000.00
	Muzaganza	840,000.00

TYPE	LOCATION	VALUE COST (TSHS)
	Kikundi	1,020,000.00
	Kisisi	
	Godegode	840,000.00
	Gulwe	
	<b>Total</b>	<b>3,300,000.00</b>
<b>Disturbance allowance</b>		
	Munisagra	9,937,220
	Muzaganza	5,616,578
	Kikundi	6,873,225
	Kisisi	
	Godegode	24,477,124
	Gulwe	
	<b>Total</b>	<b>46,904,147</b>
<b>Accommodation Allowance</b>		
	Munisagra	19,044,000.00
	Muzaganza	19,618,000.00
	Kikundi	16,056,000.00
	Kisisi	
	Godegode	22,228,000.00
	Gulwe	
	<b>Total</b>	<b>76,946,000.00</b>
<b>All Assets and coast per village</b>		
	Munisagara	228,325,616
	Muzaganza	138,406,129
	Kikundi	161,413,719
	Kisisi	
	Godegode	537,087,613
	Gulwe	
<b>Grand total</b>		<b>1,065,233,077</b>

‘Compensation costs for housing structures’ considers depreciation of 30%.

## 8.8 PREFERRED FORM OF PAYMENT

### 8.8.1 Compensation in cash

A total of 108 (53.7%) PAPs out of the 201 property owners preferred this form of payment. Monetary payments made to replace the cost of lost assets (land, housing structure) or buy inputs (seeds) to grow crops/ plant trees at new farms to compensate for crops / trees cleared by the project. Though this contradicts JICA Regulation of land for land compensation, it is

an option for the majority of PAPs. The reason for this option is that much of the environment is precarious: hilly, periodically flooding, dry, inaccessible; as such PAPs argued it is them who could know where to get another land for settlement not people from outside the project area

### **8.8.2 In-Kind compensation**

This is compensation in other means particularly land for land rather than for money. 27 (13.4%) out of 201 property owners indicated that they would accept another piece of land as compensation as long as the new parcel of land is of the same value (in terms of market value and productivity level) as the land the PAP has to relinquish. In discussion at Kikundi village, the largest settlement in the study area, village leaders were of the idea that if the hill between Kikundi and Mzaganza would be leveled/ flattened, it would be a proper good residential place for them because it is close to their original residence. In addition, 11 community properties (village land and warehouse at Gulwe) should also be compensated in cash.

### **8.8.3 In cash and kind compensation**

42 PAPs (equivalent to 20.8% of all property owners) preferred both in kind and cash compensation for their land. The reason they gave is that most of the lands in the project area are hostile (less life supporting). So these PAPs thought that if they were given some money they could be able to buy pieces of land which can support life in addition to those which would be given could given to them for compensation.

## **8.9 OTHER ASSISTANCE TO MINIMIZE LOSSES**

### **8.9.1 Accessibility of Jobs During Infrastructure Construction**

During the construction works, the project team (irrigation engineers) and the RAP team will ensure that the contractor gives the PAPs first priority during job allocation at the site. Such activities include those involving manual labour i.e. clearance of vegetation, carrying construction material inputs from stockpiles to construction sites, food vending at construction sites etc. 113 PAPs (equivalent to 56.2%) of all PAPs revealed that they expected employment and business opportunities during the construction phase.

**8.9.2 Supply of construction materials and service provision by PAPs / community**

The Contractor will be encouraged to accept quality construction materials (i.e. stones, gravel, sand, fill materials etc.) supplied by PAPs and community members. Other services include supply of water, catering (food and refreshments) by local vendors preferably among the PAPs, disposal of wastes at approved sites etc. Equally, construction materials such as cement can also be procured from local dealers wherever and whenever possible.

**8.9.3 Provide for free recyclable and reusable materials from construction activities**

Construction outputs such as cut trees and other usable cleared vegetation should be given free to PAPs. Similarly at demobilization stage or the left over and excess unused materials should be provided free to PAPs.

## **9 LIVELIHOOD RESTORATION PROGRAMME (LRP)**

Beyond compensation and resettlement programmes, JICA Guidelines provide for the project owner (in this case RAHCO in collaboration with JICA) to restore PAPs livelihoods to their original state (before the project) or even optimize it. The logic behind LRP is therefore to ensure that PAPs' lives do not fall below standards to which they were before the project; instead, they should either be maintained or even optimized. What is supposed to be restored is income, food access, services access, networks, etc. The manner in which LRP is carried out is dependent on the prevailing circumstances of the project at hand. As such, at least three aspects can be spelt as far this project is concerned:

- i) Short term income restoration activities such as subsistence allowance, transport allowance, prioritizing PAPs to get project related employment (both of manual labour and those which demand skills depending on PAPs' ability). This can be during construction and post-construction maintenance.
  
- ii) Long term livelihood restoration activities include:
  - a) Assisting land based PAPs to restore or optimize their pre-project production levels. This would include assisting them to get more productive lands, providing them extension services for efficient and effective production, linking them to markets etc. Such measures however, presuppose availability of spare land near the project area. As far as this project is concerned therefore, the above measure would work only for those who either have large plots or have other piece(s) of land outside the project area (e.g. in another village). Specifically, land based activities would work for 67 (33%) property owners of whom 42 (20.8%) preferred compensation in terms of both land and cash (partly cash, partly land), and 27 property owners (13.4%) who preferred land for land compensation (which may still be hard to find given the geographical and ecological circumstances described above). In addition, they requested for extension services and farm implements in order to optimize their production.
  
  - b) The second aspect is non-land based livelihood restoration activities. As far as this project is concerned, this measure seemed to be of interest to more than half of all the property owners, i.e. 108 (51.4%) who prefer cash compensation.



The fact that spare land is very scarce in the project area makes non-land based livelihood sources a more likely option. As such, activities such as petty trading, arrangement for small/soft loans scheme, grocery; skill-related schemes such as, tailoring, carpentry, masonry were mentioned by most PAPs, particularly youths as more viable means of livelihood restoration. Horticulture, poultry and beekeeping were also mentioned as viable livelihood options. Consequently, JSB recommends such income generating activities as important options for PAPs in the context of this project. For this reason, project implementers (RAHCO/JICA) should consider contracting professional agency/NGO to train or sending PAPs to relevant training institutions so that they attain the required skills.

Moreover, while all PAPs need to have their livelihoods restored, vulnerable groups should be given special consideration. Discussion with heads of vulnerable households revealed that most of them need land for land compensation first, after which they would need livelihood optimizing activities especially extension services in order to optimize agricultural production. 97 vulnerable PAPs (4 sick, 2 orphans, 5 widows, 39 elderly and 47 women household heads) have been identified for this project.

**Table 23: Summary of Livelihood Restoration Preferences**

Livelihood Restoration Preference	Number of Respondents	Description of PAHs
<b>1. Agricultural production based assistance.</b> That is, training on modern/scientific farming, access to credits and lucrative markets.	67	-Mainly aged PAPs (50 years and above) -PAPs who have extra land either within the same village or in another village. -PAPs who preferred land for land compensation Vulnerable households headed by the older persons
<b>2. Non-farm based assistance.</b> -training on small enterprising, especially in agricultural products; access to credits; practical skills training e.g. carpentry, masonry, tailoring, etc.	104	Mainly persons of young age in 20s to early 40s.

## 10 INSTITUTIONAL ARRANGEMENTS AND SCHEDULE FOR RAP IMPLEMENTATION

### 10.1 INSTITUTIONAL ARRANGEMENTS

Since the main purpose of this preliminary RAP is just cost estimation in order to determine the feasibility of the project, no arrangements of RAP were put place. When the actual RAP is developed however, the team responsible for development of RAP, will turn into a Compensation and Resettlement Implementation Committee. The Committee will consist of representatives from RAHCO and local governments, including village leaders as representatives of affected community and the consultant contracted by RAHCO/JICA to advise on proper implementation of the RAP. Basic responsibilities of the relevant agencies for implementing the RAP are proposed in Table 16 below:

**Table 24: Responsibilities of Relevant Agencies for Implementing the RAP**

Agency	Responsibility
MLHHS	A. Approval of the RAP, including valuation results for compensation. B. Ensuring that compensation is paid or resettlement is undertaken as agreed.
<b>RAHCO</b>	<b>C. Overall responsibility on implementing the RAP, including compensation payment and LRP.</b>
<b>Committee</b> Regional government	D. Facilitating and assisting local governments.
<b>Committee</b> District government, Ward government, and Village government.	E. Consultation with affected people, F. Arrangement of plots for resettlement, G. Assisting mobilization, H. Assisting LRP implementation, I. Receiving grievances from affected villagers.
Consultant commissioned by RAHCO	J. Coordinating with relevant agencies for proceeding with the activities, K. Preparing plots/structures for resettlement coordinating with RAHCO and the contractor, L. Assisting vulnerable affected people, M. Implementation of LRP, N. Recording progress of the RAP implementation, O. Monitoring and evaluating the process.

Source: JICA Study Team

### 10.2 EXPECTED IMPLEMENTATION SCHEDULE FOR THE RAP

Expected implementation schedule of the RAP is presented in Table 17. During the Detailed Design, this PRAP will be updated together with the implementation of official asset

valuation. The survey will be commenced after the project area is demarcated on the ground based on the Detailed Design.

**Table 25: Implementation Schedule**

	Year 2017				Year 2018										Year 2019	
	Month 9	10	11	12	1	2	3	4	5	6	7	8	9	10	.....	9
1. Demarcation of the project area	█	█														
2. Compensation Process																
2.1 Consultation with PAPs/Establishment of Committee		█	█													
2.2 Census and Socio-Economic Survey			█	█												
2.3 Valuation (field survey and filling valuation form)				█	█											
2.4 Preparing the Report (RAP/Valuation Report)				█	█	█										
2.5 Approval of the RAP/Valuation Report by the Ministry of Land including coordination with local government					█	█										
2.6 Compensation Payment							█	█								
2.7 Handling Greivances							█	█	█	█	█	█	█	█	█	█
3. Preparing Resettlement Site and LRP																
3.1 Detailed Design of the Resettlement Site and Cordination with the Village Government		█	█	█												
3.2 Selecting Construction Contractor for the Resettlement Site				█	█	█										
3.3 Construction of the Resettlement Site							█	█								
3.4 Preparing Implementation Plan of the LRP		█	█	█												
4. Relocation/LRP/Monitoring																
5. Start of construction																█

Source: JICA Study Team

## 11 GRIEVANCE REDRESS MECHANISM

### 11.1 INTRODUCTION

Meetings were held before the census and inventory and valuation of assets begun to explain to the PAPs and to the community leaders and representatives the need for having in place a clear-cut procedure for receiving and resolving complaints and grievances that are likely to arise in the course of project implementation. Discussed were the traditional and community resolution mechanisms, negotiation and mediation procedures and judicial procedures. Since this PRAP will not go as far as executing compensation for and resettlement of PAPs however, only few relevant grievances were noted during its development. Such grievances were mainly related to specification of boundaries between/among neighbouring PAPs and the misunderstandings between parents and their children regarding whether or not the latter own the pieces of land they are given by their parents to farm.

Regarding boundaries between/among neighbouring PAPs, we asked the village governments to make tentative decisions upon which we relied for this preliminary RAP, after which a mutually acceptable ruling would be sought by the involved parties. On grievance between parents and their children, we relied on parents' position. While we hinted on the grievance redress mechanism and the manner in which it operates, the above noted grievances were not expected to go that far because being a preliminary RAP, none would be compensated basing

on it. During the real RAP which would involve compensation for any acquired properties, any property ownership grievances which would emerge, would be addressed through the following procedures:

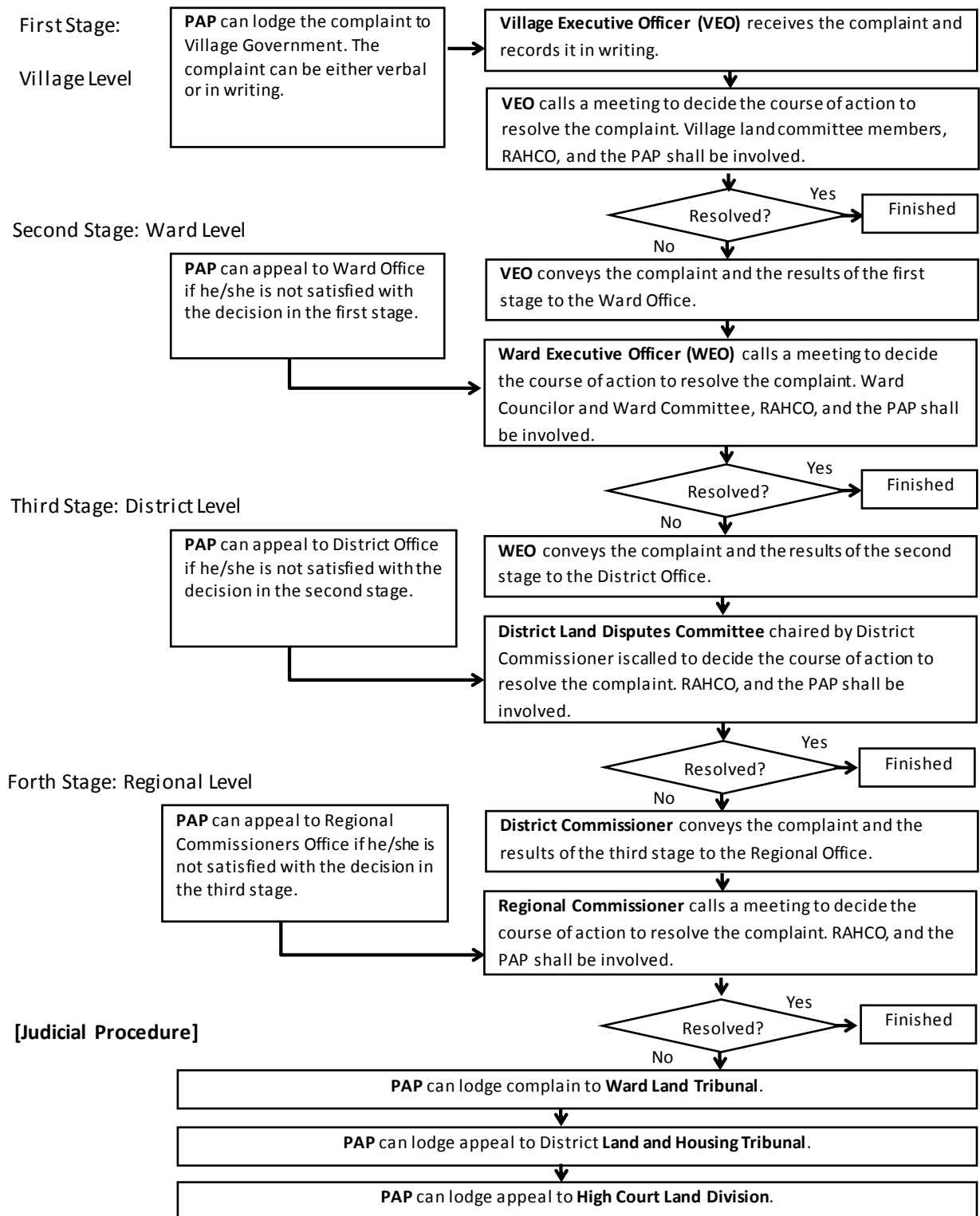
## 11.2 NON-JUDICIAL PROCEDURE

This procedure of complaint goes through utmost five procedures starting from village government level to regional commissioner's office level. That is, the PAP lodges a complaint to the Village government and the village executive officer convenes a land committee meeting to look at the matter. If the PAP is satisfied with the decision reached by this committee the complaint ends. If the PAP is not satisfied, he/she appeal to ward government. At this level the Village Executive officers convenes the meeting to decide on the matter. If not satisfied, he/she appeals to the District Commissioner's office. If the decision so reached by this office does not satisfy the PAP, he/she appeals to the Regional Commissioner's office. If not satisfied, the PAP goes for the judicial procedure which is detailed here below.

## 11.3 JUDICIAL PROCEDURE

If the negotiation and mediation procedure up to RC office does not resolve the complaint, PAP is advised to lodge formally into the legal system with court of law at ward level.

**[Negotiation and Mediation Procedure]**



**Figure 3: Flowchart of Grievance Redress Procedure**

Source: JICA Study Team

## **12 MONITORING PROGRAMME**

Monitoring of the RAP starts with this PRAP whereby documenting and keeping record of socio-economic conditions of PAPs and their household; inventory of affected land and land assets; and affected assets valuation will begin. The RAP to follow after this PRAP, will be used to confirm and update information gathered during this PRAP. Once the RAP is approved by relevant authorities, the process of documentation on completion of project resettlement obligations will continue including record of payment of the agreed-upon sums for all permanent and temporary loses; resolution of grievances; construction of new structures; and compensation for unanticipated additional construction damage.

At the conclusion of the RAP implementation the full information on every individual impacted by the project will provide the evaluation of status of PAPs and measuring Resettlement Plans (RAP) performance.

Several indicators are used to measure these impacts, namely: a comparison of income levels before-and-after the project; changes in standards of housing and living conditions; access to various social services i.e. health care, education, water supply, road, markets etc. and improvements in level of participation in sub-project activities. Measures to verify these basic indicators would be mainly to compare these new conditions with pre-project conditions.

In addition to the internal monitoring, RAHCO shall engage an independent agency to undertake an external monitoring. Scope of the independent agency is listed below:

1. To develop specific monitoring indicators for undertaking monitoring of the Resettlement Action Plans (RAPs).
2. To review and verify the progress in land acquisition/resettlement implementation of the Project.
3. Identify the strengths and weaknesses of the land acquisition/resettlement objectives and approaches as well as implementation strategies.
4. Evaluate and assess the adequacy of compensation given to the APs and the livelihood opportunities and incomes as well as the quality of life of APs of project-induced changes.
5. Identification of the categories of impacts and evaluation of the quality and timeliness of delivering entitlements (compensation and rehabilitation measures) for each category and how the entitlements were used and their impacts and adequacy to meet the specified objectives of the Plans. The quality and timeliness of delivering entitlements, and the sufficiency of entitlements as per approved entitlement matrix.
6. Provide a summary of whether involuntary resettlement was implemented (a) in accordance with the RAPs, and (b) in accordance with the stated policy.

7. To review the quality and suitability of the relocation sites from the perspective of the both affected and host communities.
8. Verify expenditure & adequacy of budget for resettlement activities.
9. To analyze the pre-and post-project socio-economic conditions of the affected people. The methodology for assessment should be very explicit, noting any qualifications.
10. Review results of internal monitoring and verify claims through sampling check at the field level to assess whether land acquisition/resettlement objectives have been generally met. Involve the affected people and community groups in assessing the impacts of land acquisition for monitoring and evaluation purposes.
11. To monitor and assess the adequacy and effectiveness of the consultative process with affected people, particularly those vulnerable, including the adequacy and effectiveness of grievance procedures and legal redress available to the affected parties, and dissemination of information about these.
12. Identify, quantify, and qualify the types of conflicts and grievances reported and resolved and the consultation and participation procedures.
13. Describe any outstanding actions that are required to bring the resettlement activities in line with the policy. Describe further mitigation measures needed to meet the needs of any affected person or families judged and/or perceiving themselves to be worse off as a result of the Project. Provide a timetable and define budget requirements for these supplementary mitigation measures.
14. Describe any lessons learned that might be useful in developing the new national resettlement policy and legal/institutional framework for involuntary resettlement.
15. Verifying internal reports by field-checking delivery of compensation to PAPs, including the levels and timing of the compensation; readjustment of land; preparation and adequacy of resettlement sites; construction of houses; provision of employment, the adequacy of the employment, and income levels; training; special assistance for vulnerable groups; repair, relocation, or replacement of infrastructure; relocation of enterprises, compensation, and adequacy of the compensation; and transition allowances;
16. Interviewing a random sample of PAPs in open-ended discussions, to assess their knowledge and concerns about the resettlement process, their entitlements, and the rehabilitation measures;
17. Observing the functioning of the resettlement operation at all levels, to assess its effectiveness and compliance with the RAP;
18. Checking the type of grievance issues and the functioning of grievance redress mechanisms by reviewing the processing of appeals at all levels and interviewing aggrieved PAPs:

19. Advising RAHCO regarding possible improvements in the implementation of the RAP.



## 13 BUDGET AND SCHEDULE

**Table 26: Cost/budget estimates for implementation and monitoring**

S/N	Resettlement Activity	cost (Tsh)	Contingency (Tsh)	Activity Cost (Tsh)	Source of fund/ Responsibility	Timeline/D eadlines
1	Compensation costs for Crops and Trees	14,415,000	1,441,500	15,856,500	RAHCO	Feb.,2018
2	Compensation costs for Land	439,569,200	43,956,920	483,526,120	RAHCO	Feb.,2018
3	Compensation costs for Housing Structures	484,098,731	48,409,873	532,508,604	RAHCO	Feb.,2018
4	Transport allowance	3,300,000	330,000	3,630,000	RAHCO	Feb.,2018
5.	Disturbance allowance	46,904,147	4,690,415	51,594,562	RAHCO	Feb.,2018
6.	Accommodation allowance	76,946,000	7,694,600	84,640,600	RAHCO	Feb.,2018
7.	Resettlement Assistance	100,000,000	10,000,000	110,000,000	RAHCO	Feb.,2018
8.	Community support	217,844,429	21,784,443	239,628,872	RAHCO	Feb.,2018
9.	Livelihood Restoration Program	1,200,000,000	120,000,000	1,320,000,000	RAHCO	Mar.,2018 – Feb.,2020
10.	Grievance handling	12,000,000	1,200,000	13,200,000	RAHCO	Oct.,2017-
11.	Management & administration	80,000,000	8,000,000	88,000,000	RAHCO	Sep.,2017-
12	Monitoring & evaluation	200,000,000	20,000,000	220,000,000	RAHCO	Feb.,2018- Jan.,2021
<b>TOTAL COST</b>				<b>3,162,585,258</b>		

Note: contingency is estimated as 10% of the cost.

**REFERENCES**

- JICA Study Team Draft Final Report, Preparatory Survey on Flood Protection Measures for Central Railway Line in the United Republic of Tanzania
- JICA Environmental Regulations/ World Bank Operation 4.12
- United Republic of Tanzania,(URT), Land Act, 1999, No. 4
- United Republic of Tanzania, (URT), Village Land Act, 199, No. 5
- United Republic of Tanzania, (URT), Environmental Management Act, (EMA), 2004
- United Republic of Tanzania (URT) Occupational Health and Safety Acts