



**REVOLUTIONARY GOVERNMENT OF ZANZIBAR**  
**MINISTRY OF FINANCE AND PLANNING**

**BOOSTING INCLUSIVE GROWTH FOR ZANZIBAR (BIG-Z): INTEGRATED  
DEVELOPMENT PROJECT**

**AREA – BASED INTEGRATED URBAN UPGRADING PROGRAM IN UNGUJA  
(TOMONDO, SEBLENI- KWA WAZEE AND MEYA-MAGOMENI) AND SYSTEM C  
DRAIN WORKS PROJECT**

**RESETTLEMENT ACTION PLAN**

**MARCH 2023**

## TABLE OF CONTENTS

<b>Glossary of Terms</b> .....	<b>viii</b>
<b>Executive Summary</b> .....	<b>xiii</b>
<b>The RAP implementation amounts and associated details is kept for official use only.</b>	<b>xix</b>
<b>Chapter 1 – Project Overview and Description</b> .....	<b>1</b>
1.1 Project Context.....	1
1.2 Boosting Inclusive Growth for Zanzibar: Integrated Development Project (BIG-Z) .....	1
1.2.1 BIG -Z Project Objectives and Components .....	1
1.3 Project Description and Location.....	2
<i>i. Urban Upgrading Area 1: Sebleni-Kwa Wazee</i> .....	2
1.4 Administrative Area of Project Impact.....	6
1.5 Scope and Aim of RAP/LRP .....	6
1.5.1 Scope of the RAP/LRP .....	6
1.5.2 Objectives of RAP.....	6
1.6 Structure of the Report .....	7
<b>Chapter 2 – Approach and Methodology</b> .....	<b>9</b>
2.1 Introduction: Background of the Project .....	9
2.3 Quality control, Data Capture and Analysis .....	12
2.4 Data Limitations.....	12
2.5 RAP Compilation .....	12
2.6 Public Disclosure of the Resettlement Action Plan .....	13
<b>Chapter 3– Applicable Regulatory Framework</b> .....	<b>10</b>
3.1 National Legislations and Practice.....	10
3.1.1 Revolutionary Government of Zanzibar.....	10
3.2 The World Bank Operational Policy (OP/BP 4.12).....	14
3.3 Analysis of Zanzibar’s Policy and Legislation and World Bank OP/BP 4.12 .....	15
<b>Chapter 4 – Public and Stakeholder Consultations</b> .....	<b>17</b>
4.1 Project Consultation Process .....	17
4.2 Objectives of stakeholders’ consultations .....	17
4.3 Project Consultation Process .....	18
4.3.1 Stakeholder Identification.....	18
4.3.3 Consultation Activities .....	20
4.3.4 Details of the Consultations Conducted .....	23
<b>Chapter 5– Socio-Economic Characteristics</b> .....	<b>30</b>
5.1 Introduction.....	30
5.2 Geographic Characteristics of the Affected Areas.....	30
5.2.1 Demography of the Affected Population.....	30
5.3 Land Tenure and Land Use.....	33
5.4 Livelihoods and sources .....	33
5.5 Housing Condition and Sanitation Facilities .....	35
5.6 Social Infrastructure and Services.....	36
5.7 Social safety Networks.....	40
5.8 Assessment of Gender Aspects.....	41
5.8.1 Key Gender Issues.....	41
5.8.2 Measures to address key gender and GBV in resettlement .....	43



<b>Chapter 6 – Magnitude of Impacts.....</b>	<b>45</b>
6.1 Key anticipated benefits .....	45
6.2 Adverse Impacts.....	45
6.2.1 Impacts on Land.....	46
6.2.2 Impacts on Structures and Buildings.....	46
6.2.3 Impacts on Crops and Trees.....	47
6.2.4 Summary of Affected asset and Corresponding Compensation .....	48
6.3 Impacts During Construction.....	48
6.3.2 Temporary Destruction of Access.....	48
6.4 Proposed Mitigation Measures to Address the Adverse Impacts .....	49
<b>Chapter 7 – Entitlement and Eligibility .....</b>	<b>50</b>
7.1 Identification of PAPs and Resettlement Assistance .....	50
7.2 Eligibility Criteria .....	50
7.3 Eligibility for Compensation .....	50
<b>Chapter 8 – Valuation of Assets .....</b>	<b>57</b>
8.1 Basis of Valuation Methods.....	57
8.1.1 The Valuation Method.....	57
8.1.2 Compensation for Unanticipated Additional Construction Damage.....	58
8.1.3 Proposed Compensation Options and Packages for each PAP/PAH .....	58
<b>Chapter 9 – Livelihood and Income Restoration Plan.....</b>	<b>59</b>
9.1 Introduction and Objectives.....	59
9.2 Livelihood restoration for Vulnerable People .....	59
9.3 Monitoring and Evaluation of the LRPs.....	61
<b>Chapter 10 – Relocation Plan .....</b>	<b>62</b>
10.1 Activities to be completed prior to commencement of Compensation Payment.....	62
10.2 Activities to be completed prior to commencement of civil works .....	63
10.2.1 Process of Relocation .....	63
10.2.3 Dismantling of structures and Relocation of PAPs to new location: .....	65
10.3 Activities to be completed upon completion of all activities under RAP/LRP .....	65
<b>Chapter 11- RAP implementation Institutional Arrangements .....</b>	<b>68</b>
11.1 Roles and responsibilities for the implementing institutions.....	68
11.2 Institutional Arrangements for Delivery of Entitlements .....	71
<b>Chapter 12– Grievance Redress Mechanism .....</b>	<b>73</b>
12.1 Introduction.....	73
12.2 Objectives of the Grievance Redressal Mechanism (GRM).....	73
12.3 Likely Grievances .....	73
12.4 Principles to Effective Grievance Redressal.....	74
12.5 Grievance Management Committees’ Structure, and Functioning .....	74
12.6 Redressal Procedure .....	79
12.6.1 The Existing (traditional) GRM through Negotiations and Mediation .....	79
12.6.2 The Existing GRM through Judicial Procedure.....	81
12.7 Recommended Grievance Redress Mechanism in This RAP.....	81
12.7.1 Anonymous Filing of Grievances .....	82
12.8 Responsibility for addressing issues of GBV/SEA.....	82
12.8.1 Identify Service providers for the GBV.....	83
12.8.2 Coordination of SEA/GBV Reporting.....	83
12.8.3 Suggested ways of reporting GBV / SEA.....	84
12.8.4 Operationalization of the GBV redress .....	84



12.9 Timeframe.....	84
<b>Chapter 13–Estimated RAP implementation Budget.....</b>	<b>85</b>
<b>Chapter 14 – Monitoring and Evaluation .....</b>	<b>86</b>
14.1 Verifiable Indicators for M&E.....	86
14.2 Completion Audit and External Monitoring.....	87
<b>Annexes.....</b>	<b>88</b>
Annex 1: List of the Reviewed Documents.....	89
Annex 2: Compensation Agreement form.....	90
Annex 3: Sample of Grievance Form.....	92

## LIST OF TABLES

Table 1: – Structure of the RAP/LRP.....	7
Table 2: - Comparison of Zanzibar Laws and World Bank OP. 4.12 Regarding Compensation and Resettlement.....	10
Table 3: Typology of Stakeholders .....	18
Table 4 - Summary of Stakeholder Meetings, Focus Group Discussions and Interviews .....	20
Table 5- Focus Groups Discussion Participants by Gender .....	23
Table 6: Matrix of Issues, Concerns and Consideration in this RAP.....	25
Table 7: Gender Disaggregated Number of PAPs Shehia - Wise.....	31
Table 8: - Primary Source of Energy (% of PAPs) .....	39
Table 9: - Primary Means of Mobility (%of PAPs).....	40
Table 10 - Summary of Displacement Impacts in all Shehias.....	45
Table 11- Land to be Affected by the Project in each Shehia .....	46
Table 12: Number of Structures Affected by the projects.....	46
Table 13:- Level of Impacts on The Structures .....	47
Table 14: Summary of Affected Trees/Crops per Shehias including System C.....	48
Table 15 - Entitlement Matrix for Various Categories of PAP .....	52
Table 16- Vulnerable People Affected by the project.....	60
Table 17– Relocation Plan.....	64
Table 18 - RAP Implementation Schedule .....	67
Table 19: Matrix of Roles and Responsibilities.....	68
Table 20- List of Potential Nature of Grievances .....	73
Table 21-Existing GRM through Negotiation and Mediation Procedure .....	80
Table 22 - Grievance Redresses Procedure Through Judicial Procedures .....	81
Table 23 RAP Monitoring Indicators.....	86



## LIST OF FIGURES

Figure 1 – Upgrading Area 1 – Sebleni and Kwa Wazee Midterm Masterplan.....	3
Figure 2 - Upgrading Area 2 – Meya Magomeni Midterm Masterplan.....	4
Figure 3 –Upgrading Area 3: Midterm Masterplan .....	5
Figure 4– System C: Impact on Resettlement .....	5
Figure 5 - Gender Ratio among the Surveyed Households .....	31
Figure 6 - Age Structure Among the surveyed Population .....	32
Figure 7 - Marital Status in the Affected Population .....	32
Figure 8 - Breakdown of Type of Sources of Livelihoods.....	34
Figure 9: Income range among PAPs.....	35
Figure 10 - Types of Houses Found in The Project Area.....	36
Figure 11 - Vocational Training Centre in Magomeni.....	36
Figure 12 - Literacy Rate Among Those Completed Primary Education .....	37
Figure 13 - Water Kiosk and raised reserve tank in Magomeni.....	39
Figure 14 - Level of Education of PAPs .....	42
Figure 15 - Grievance Redress Procedures .....	82



## ABBREVIATIONS

ANGOZA	Association of Non-government Organizations of Zanzibar
BIG-Z	Boosting Inclusive Growth for Zanzibar
CBOs	Community Based Organizations
CCM	Chama Cha Mapinduzi (the ruling Political Party in Tanzania)
CERC	Contingent Emergency Response Component
CoC	Code of Conduct
ESIA	Environmental and Social Impact Assessment
ESMF	Environmental and Social Management Framework
FGDs	Focus Group Discussions
GBV	Gender Based Violence
GCRC	Gross Current Replacement Costs
GDP	Gross Domestic Product
GEMS	Global Environmental Management Support
GRC	Grievance Redress Committees
GRF	Grievance Recording Form
HIV/AIDS	Human Immune Deficiency/Acquired Immune Deficiency Syndrome
IEC	Information Education and Communication
LGA	Local Government Authority
LRPs	Livelihood Restoration Programs
M&E	Monitoring and Evaluation
NGO	Non-governmental organization
NMT	Non-Motorized Transportation
RGoZ	Revolutionary Government of Zanzibar
OP	Operational Program
OP/BP 4.01	World Bank Environmental Assessment Operational Policy/Bank Procedure 4.01
OP/BP 4.11	World Bank Cultural Properties Safeguard Operational Policy/Bank Procedure 4.11
OP/BP 4.12	World Bank Involuntary Resettlement Safeguard Operational Policy/Bank Procedure
PAP	Project Affected People
PCP	Participation and Consultation Plan
PME	Participatory Monitoring and Evaluation
PMT	Project Management Team
RAP	Resettlement Action Plan
RPF	Resettlement Policy Framework
RGoZ	Revolutionary Government of Zanzibar
SEA	Sexual Exploitation and Abuse
SIA	Social Impact Assessment
SEP	Stakeholders Engagement Plan
TSh	Tanzanian Shillings
UNESCO	United Nations Educational, Scientific and Cultural Organization
UMUZA	Umoja wa Madereva na Utingo Zanzibar (Drivers Association)
USAID	United States Agency for International Development
UNIDO-	United Nations Industrial Development Organization
VAWG	Violence Against Women and Girls
WB	World Bank



ZUMC Zanzibar Urban Municipal Council  
ZAWA Zanzibar Authority for Water  
ZECO Zanzibar Electricity Company  
ZUSP – AF Zanzibar Urban Service Project – Additional Funding



## GLOSSARY OF TERMS

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**Baraza:** The baraza has been defined as, “a place of public audience or reception, a veranda, a stone seat in the entrance hall, a bench against the wall outside a house or a raised platform with stone seats and sometimes roofed over in front of the house, for receiving visitors, holding an audience, transacting business, where men gather on a fairly regular basis, usually between *Magharibi* and *Isha* prayers. It is a male place of socialization par excellence with contrast to *ua*, the courtyard, where female members of the society get together *uani* (the backyard) for their talks and their domestic activities” (Saleh, 2004).

**Building or Structure:** refers to a dwelling unit/house or anything constructed for habitation or housing of a business enterprise or kitchen, toilet, kraal, etc.

**Business Owner:** The legal proprietor of a business. An individual or group that owns the assets of a firm and profits from them. A business owner is someone who owns, runs or operates a business, whether big or small. These people are out to make a living and make profit. Usually, they operate from their own premises and thus called “owners of structure and business.” In the event that they operate from someone’s premise as tenants or renters, they become “tenants/renter business owners.” In the latter case they are entitled to profit loss recovery.

**Cut-off Date:** is essential for protection against fraudulent claims. As OP.4.12 states, usually the cut-off date is the date the census begins. The cut-off date could also mean the date the project areas were delineated, prior to the census. Provided that there has been effective public dissemination of information on the area delineated and systematic and continuous dissemination subsequent to the delineation to prevent further population influx. Persons who encroach on the project area after cut-off dates are not entitled to compensation or any other forms of resettlement assistance.

**Developer:** The developer is the subproject owner or sponsor (private or commercialized public). In the case of private sector, developers can include off-grid service providers, cooperatives, and NGOs. In the public sector, developers can include service providers and operators in the electricity sector, such as the Ministry of Finance.

**Dwelling unit:** It may be defined as any structure – permanent, semi-permanent or traditional where people live and sleep. This is irrespective of the size of the household and building size. A household may contain one or several dwelling units.

- *Permanent structure:* Dwelling units built with durable materials, a roof made of iron sheets, tiles, concrete or asbestos and walls made of burnt bricks, concrete or stones.
- *Semi-permanent structure:* Dwelling units lacking materials of a permanent structure for wall or roof. These are built with non-permanent walls such as sun-dried bricks or non-permanent roofing materials such as grass thatch.
- *Traditional structure:* Dwelling units built with both thatched roofs and mud wall s

**Dwelling (or Structure) owner:** The owner of a dwelling unit/house or anything constructed for habitation or housing of a business enterprise.



**Encroacher:** A person who has extended their building, agricultural lands, business premises, or workplaces into public/government land without authority.

**Entitled person (EP):** A person who is adversely impacted by the project and is eligible for assistance as per the project entitlement framework.

**Environmental and Social Management Framework (ESMF):** A safeguard instrument (document) that establishes a mechanism to determine and assess future potential environmental and social impacts of productive investments of developers that have successfully qualified under BIG-Z, and then sets out mitigation, monitoring, and institutional measures to be implemented during the project cycle to eliminate adverse environmental and social impacts, or offset or reduce them to acceptable levels. This instrument has been prepared as a separate and stand-alone document to be used in conjunction with the Resettlement Management Framework (RPF).

**Fruit trees:** Any tree which is planted for fruit purposes are referred to as Fruit Tree while perennial crops are plants/crops that live for more than two years; these include all types of fruits such as guava, oranges, tamarind, tangerine, lime, mangoes, lemon jack fruit etc.

**Graveyard:** Any area designated and being used as a burial site in the community

**Improvement:** In relation to any land, means any work or product of work which materially adds value to the land and which is suitable to the land and consistent with the character thereof.

**Income:** Income of the PAP shall mean the amount prior to the cut-off date from all occupations/sources taken together calculated by an objective assessment.

**Kiosk:** A booth/stall/cabin/cubicle made of wood or iron or any other building material which could be shifted to another location as a single unit without much damage and is used for carrying out petty business/ commercial activities and has been in operation/existence prior to cut-off date.

**Land:** means the material of the earth, whatever may be the ingredients of which it is composed, whether soil, rock or other substance, and includes the surface covered with water, all things growing on that surface, buildings, other things permanently affixed to land and free or occupied space for an indefinite distance upwards as well as downwards, subject to limitations upon the airspace imposed, and rights in the use of airspace granted, by international law.

- Private land: All land which is owned, held or occupied under a freehold title, or a leasehold title and is registered as such under the Registered Land Act;”
- Freehold land: Land held absolutely privately in perpetuity on which no ground rent is paid.
- Leasehold land: land held privately for a term of years
- Public land: land held in trust for the people of Zanzibar and managed by government and includes any land held by the government or local authority and, land gazetted for national parks, forest reserves, and recreation areas, historic or cultural sites.



**Land holder:** Holder of a parcel of land or a proprietor of land, who is responsible for the payment of land revenue.

**Market rate:** Commercial terms according to Zanzibar law for sale of land.

**Minority group:** refers to a category of people who experience relative disadvantage as compared to members of a dominant social group. Minority group membership is typically based on differences in observable characteristics or practices, such as ethnicity (ethnic minority), race (racial minority), religion (religious minority), sexual orientation (sexual minority), or disability. An individual may simultaneously hold membership in multiple minority groups (e.g., both a racial and religious minority). Likewise, individuals may also be part of a minority group regarding some characteristics, but part of a dominant group regarding others. Minority group members often face discrimination in multiple areas of social life, including housing, employment, healthcare, and education, among others. While discrimination may be committed by individuals, it may also occur through structural inequalities, in which rights and opportunities are not equally accessible to all.

**Person:** Includes an individual, a firm, a Company or an association or a body of individuals whether incorporated or not.

**Project:** Refers to Boosting Inclusive Growth for Zanzibar (BIG-Z) or sub-projects to be taken up under BIG – Z.

**Project Affected Area:** Refers to the area of village or locality under a project for which land will be acquired or for which land belonging to the Government/Project Proponent will be cleared of encumbrances.

**Project Affected People (PAP):** Any tenure holder, tenant, Government lessee or owner of other property, or non-titleholder (unauthorized occupant) who on account of the project has been affected from such land or other property in the affected area will be considered as PAP. These people are affected because they may lose shelter or be denied or restricted access to economic assets, income sources, or means of livelihood.

**Project Affected Household (PAH):** A social unit consisting of a family and/or non-family members living together and is affected by the project negatively and/or positively.

**Project Displaced Person (PDP):** Any tenure holder, tenant, Government lessee or owner of other property, or non-titleholder who on account of the project has been involuntarily displaced from such land including plot or other property will be considered as PDP. A displaced person will always be a PAP, but all PAP may not be PDP.

**Rent:** Payment made in respect of the use of someone's property.

**Renter:** A person who has made payment in respect of the use of someone's property.

**Replacement House Structure:** House structure of different designs offered as in-kind compensation to PAPs in lieu of compensation in cash for those losing main dwelling or residential structure.



**Resettlement/Compensation Action Plan (RAP):** Document prepared by the developer when subproject activities require land appropriation that leads to physical displacement of persons, and/or loss of shelter, and/or loss of livelihoods, and/or loss, denial, or restriction of access to economic resources. The RAP is prepared by the party impacting people and livelihoods (the developer) and contains specific and legally binding actions to be taken by the developer to resettle and compensate the affected people (PAPs) before subproject construction.

**Resettlement Policy Framework (RPF):** Management instrument prepared by the borrower (government of Zanzibar, MoF: BIG-Z) to be implemented by developers to comply with the resettlement or compensation management required by the subproject. The BIG-Z.

**Seasonal / Annual crops:** Maize, ground nuts, soya beans, cotton, pigeon peas.

**Sexual Exploitation and Abuse (SEA):** Any actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially, or politically from the sexual exploitation of another. Sexual abuse is further defined as “the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions.” Women, girls, boys and men can experience SEA. In the context of World Bank-supported projects, project beneficiaries or members of project-affected communities may experience SEA.

**Sexual Harassment (SH):** Unwelcome sexual advances, requests for sexual favors, and other unwanted verbal or physical conduct of a sexual nature. SH differs from SEA in that it occurs between personnel/staff working on the project, and not between staff and project beneficiaries or communities. The distinction between SEA and SH is important so that agency policies and staff training can include specific instructions on the procedures to report each. Both women and men can experience SH.

**Shop:** Means and premises where any trade or business is carried on and where services are rendered to customers.

**Squatter:** A person who has settled on public/government land, land belonging to institutions, trust, etc., and or someone else’s land illegally for residential, business and or other purposes and/or has been occupying land and building/asset without authority.

**Temporary Impact:** Impact expected during implementation of the project in the form of earth spoil, tremors and vibrations, etc. affecting land and structure or loss of access.

**Tenant:** A person who holds/occupies land-/structure of another person and (but for a special contract) would be liable to pay rent for that land/structure. This arrangement includes the predecessor and successor-in-interest of the tenant but does not include mortgage of the rights of a landowner or a person to whom holding has been transferred; or an estate/holding has been let in farm for the recovery of an arrear of land revenue; or of a sum recoverable as such an arrear or a person who takes from Government a lease of unoccupied land for the purpose of subletting it.



**Unauthorized Occupant:** A person occupying public land for livelihood purposes, cultivation, shop but not living there and not having any adjacent land to the affected parcel of land.

**Violence against women and girls:** The 1993 UN Declaration on the Elimination of Violence against Women defined violence against women and girls as any act of gender-based violence that results in, or is likely to result in, physical, sexual or mental harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life (Article 1). Violence against women and girls shall be understood to encompass, but not be limited to, the following:

- Physical, sexual and psychological violence occurring in the family, including battering, sexual abuse of female children in the household, dowry-related violence, marital rape, female genital mutilation and other traditional practices harmful to women, non-spousal violence and violence related to exploitation;
- Physical, sexual and psychological violence occurring within the general community, including rape, sexual abuse, sexual harassment and intimidation at work, in educational institutions and elsewhere, trafficking in women and forced sex work;
- Physical, sexual and psychological violence perpetrated or condoned by the State, wherever it occurs (Article 2).

Violence against women and girls is a manifestation of historically unequal power relations between men and women, which have led to domination over and discrimination against women by men and to the prevention of the full advancement of women.

**Vulnerable person/ Household** was considered based on the social status of Household Head, besides the economic status of the entire Household with respect to Expenditure/consumption data. Categories were abandoned women; abandoned children; disabled; orphan; widows; elderly; HIV/AIDS

1. Other economic criteria were also used as follows:
2. Ultra-poor households with expenditure/consumption below Tsh1,595,050/= (\$693.5) per person/year; and with high dependency ratio i.e. 1 fit or able-bodied person with more than three dependents.

**Wage Earner:** Those whose livelihood would be affected due to the displacement of the employer. The person must be in continuous employment for at least six months prior to the cut-off date with the said employer and must have reliable documentary evidence to prove his/her employment; in absence of formal agreement, identification through premises owner or neighbor communities would be undertaken.

**Permanent/Standing Crop:** Any crops which is planted that live for more than two years for commercial or food stuff purposes are referred to as permanent or perennial crop: these include coco nuts, cashew nuts, brad fruit, sugar cane, banana, coffee, cloves, etc.

**Trees:** natural trees and exotic trees as contained in the Forestry Gazette, Government of Zanzibar.



## EXECUTIVE SUMMARY

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### ES1. Introduction

The Revolutionary Government of Zanzibar (RGoZ), through the Project Management Team (PMT) of Zanzibar Urban Services Project (ZUSP), has obtained World Bank assistance under the proposed Additional Finance for, inter alia, the Integrated Drainage and Resilient Urban Upgrading in Zanzibar Town. The project expects to implement upgrading works and system C drainage construction within two Municipalities – Urban and West B. The Shehias that will be covered include: Meya, Magomeni, Kwa Wazee, Sebleni, Tomondo, Uzi, Shaurimoyo, Amani, Kilimahewa Juu, Kilimahewa Bondeni, Mkele and Mapinduzi.

This report contains detailed information on the affected communities, land uses and socio-economic conditions of the area that will be affected by the Project. It also includes a description of the nature, magnitude, and measures to mitigate displacement impacts and compensate for those impacts. This report must be read in conjunction with the asset survey/valuation report and Environmental and Social Impact Assessment (ESIA) report for the project.

### ES2. Project Objectives and Components

**BIG-Z Project objectives:** The present RAP will be implemented in the framework of the “Big-Z”, Boosting Inclusive Growth for Zanzibar: Integrated Development Project. The BIG-Z project will further address the agenda and achievements under ZUSP (ZUSP original and Additional financing). The BIG Z objectives and outcomes are:

- The development objective of the project is increasing access to improved living conditions and service delivery in targeted areas in Zanzibar and to enhance institutional capacity of the government; and
- Expected outcomes of the project include improved access to infrastructure and basic services, improved mobility, and enhanced job and/or business opportunities for local residents of the targeted areas, as well as strengthened government institutions with increased capacity for managing urban development.

#### **The Big-Z main components:**

*Component 1:* Area Based Integrated Development (US\$126 million); *Component 2:* Strengthening Institutions for Urban management and Encouraging Innovation (US\$13 million); *Component 3:* Project Management, Operation, Monitoring and Evaluation (US\$11 million) and *Component 4:* Contingent Emergency Response Component (US\$0 million): This Contingent Emergency Response Component (CERC) is included under the project for situations of urgent need of assistance, as a project specific CERC.

### ES3. Project Description

The Integrated Drainage and Resilient Urban Upgrading in Zanzibar Town project falls under component 1 of Big-Z project. The project final goal is improving the liveability of the local population creating minimum displacement and resettlement impacts. The project will be implemented in 12 Shehias and all will be affected as dwelling land, business and a small fragment of urban agricultural land will be directly affected



resulting in physical and economic displacement, along with the effects to broader community on access to community services and facilities, roads and pathways. The project activities requiring land acquisition and resettlement are listed below:

**1. Urban Upgrading Area 1:**

- (i) Upgrading of Gongo Store-Kwa Wazee Road into Category I street;
- (ii) Upgrade and consolidate street network of Category III including a pedestrian elevated path on Sebleni detention pond;
- (iii) Upgrade and consolidate street network of Category III including a pedestrian elevated path on Sebleni detention pond;
- (iv) Green link project: upgrading and rehabilitation of the existing Sebleni secondary drainage culvert;
- (v) Upgrade Nemo-Mwembeni Road into Category III Street; and
- (vi) Upgrade and consolidate street network of Category III.

**2. Urban Upgrading Area 2:**

- (i) Upgrade and extension of Magomeni Kwa Najim Road into Category I street;
- (ii) Upgrade of Sogea Branch Road up to Denja into Category II(a) street,
- (iii) Upgrade Wandarasi road into Category IIb street;
- (iv) Upgrade Moss Street into Category IIb and III street; and
- (v) Secondary drainage intervention (Drain E(b)) from Magomeni Wandarasi to Vijibwa Pond.

**3. Urban Upgrading Area 3:**

- (i) Upgrade Francis Maria Road into a Category II(a) street from Mombasa to Manduka Saba including construction of a new bridge;
- (ii) Upgrade Mpigabodi Road into Category II(a) street;
- (iii) Upgrade and extend Changu Road between Kwerekwe Road and Royal Street into Category I street;
- (iv) Upgrade Royal Street-Ziwa Maboga Road into Category II(a) street; and
- (v) Four secondary drainage interventions.

**4. System C:**

- (i) Rehabilitation of the existing drainage channel and outlet.

**ES4: Need and Objectives of Resettlement Action Plan**

(i) *Need for the RAP:* The proposed sites are currently utilized for residential, commercial and small-scale urban gardening activities, whereby without proper planning and management, involuntary resettlement may result in long-term hardship for affected people and environmental damage to the locations in which they are resettled. Such potentially negative effects weaken the developmental impact of the project, smudge the reputation of the GoZ and the project financier. Resettlement Action Plan is in line with statutory requirement of the GOZ and it is in line with the World Bank's OP 4.12 to ensure that no one will be left worse off by the project development.

Therefore, this RAP is prepared to ensure that land acquisition is undertaken in compliance with various acts and regulations on land acquisitions and resettlement of



Revolutionary Government of Zanzibar (RGoZ) as well as World Bank safeguard policy and operational standards 4.12 for involuntary resettlement and other Bank Policies to this Project.

*(ii) Objectives of RAP:* The fundamental objective of this RAP is to provide an agreed plan for the land access, compensation and resettlement of communities and individuals affected by the proposed the project to be implemented in thirteen (13 Shehias Urban and West 'B' Municipal Council (ZMC) in Urban West Region. The plan provides a road map for resolving displacement, resettlement, and compensation issues to ensure that:

- (i) PAPs and communities are compensated in accordance with the RoGZ legal framework and the safeguard policies of World Bank;
- (ii) PAPs and communities can restore, at a minimum, or improve their living standards to at least pre-resettlement or pre-disturbance conditions and to share benefits from the Project;
- (iii) Principles and procedures are established and the interests and needs of PAPs are addressed in a RAP;
- (iv) Provision of stakeholders' engagement plan for the project;
- (v) Recommending of livelihood restoration plan for the project; and
- (vi) Preparation and submit a Resettlement Action Plan report that is compliant with World Bank Safeguard regulations and the Revolutionary Government of Zanzibar existing laws.

#### **ES5. Methodologies for RAP Preparation**

The core principle of this RAP is to minimize the impacts of the project to the affected communities as specified in Resettlement Policy Framework (RPF) 2020 prepared by Big-Z in accordance with various national, international resettlement policies and laws which require that any possible adverse impacts of proposed project activities are addressed through appropriate mitigation measures. Based on those principles, a range of methods and approaches were used in preparation and completion of this RAP without ignoring nature of the proposed project. These include, documents review, site verification and assessment, stakeholder engagement and consultation, PAPs Census and Socio-economic Surveys and asset inventories and valuation.

**Cut-off Date:** A cut of date for which this RAP was the date whereby valuation exercise in the proposed project was completed. There were three different dates for this project pertaining to valuation exercise proceeding in the different project areas. These dates were: 2 July 2020, 15 September 2020 and 10 November 2020. These dates were disseminated publicly in the project areas whereby all affected persons, Shehia leaders and other government authorities were informed of this date through community meetings during finalization of asset inventories. This means that any new inhabitants coming to the project affected area after this date are not eligible for compensation or resettlement assistance.

**PAPs Census Surveys:** The surveys were carried out within the project Areas from February to September 2020 under close collaboration with the project area Shehas. The census and socio-economic information provide resettlement planners with a



general understanding of the communities affected by the project and the scope of compensation and resettlement assistance necessary to mitigate adverse effects.

**Affected Asset Inventories and Valuation:** An inventory and survey of all assets affected by the project was carried out. The survey accounted for land acquisition and loss of physical assets as well as loss of income from the assets either temporary or permanent resulting from displacement of household members from employment or income-generating resources.

Valuation of affected assets was undertaken based on the current practices in Revolutionary Government of Zanzibar (RGoZ) and Tanzania in general for valuation and compensation of properties as stipulated under the Land Tenure Act No. 12, 1992(Amendment, Act No. 15 of 2003); and the Land Survey Act No. 9 (1990). valuation of affected assets also considered the accommodation, transport, and disturbance allowances as part of the valuation procedure.

### **Stakeholders Engagement and Consultations**

Stakeholder consultation and participation was a fundamental component. Consultations with the project-affected land users, households and communities aimed to provide information on RAP objectives, processes, and envisioned results. Through consultations the consultant was able to establish communication structures and procedures required for the RAP. During consultations, the RAP team solicited opinions and suggestions regarding the development and implementation of the RAP from government, local authorities and project affected people. The discussions between the RAP team and community members helped to manage expectations and misconceptions regarding the outcomes of the RAP and identify and address potential conflicts and/or risks that may arise. Subsequently, the PAPs agreed on RAP entitlements and compensation measures (as per Revolutionary Government of Zanzibar legislations) for inclusion in the RAP. Consultations served as a platform for the PAPs to explain their preferences in compensation payment. Whereas, majority of the PAPs indicated to prefer cash compensations while few opted for in-kind compensation. Consultations will be made in a second round during RAP implementation to confirm the preferences.

### **ES6. Applied Legal Frameworks**

Although there is no specific “resettlement policy”, Zanzibar has the requisite legal operating environment for acquisition of land and property as anticipated in the implementation of the Integrated Urban Upgrading Project. The requirements for replacement value and prompt compensation enshrined in the Zanzibar Constitution of 1984 and The Land Tenure Act No. 12 of 1992 (Amendment of 2003) are the tenets that will guide management of resettlement and related social issues that will arise due to project implementation. Zanzibar has other supporting laws and regulations on aspects leading to compensation including determination of eligibility, entitlement and property valuation as well as grievance redress mechanism operating at various levels including local laws and by-laws. The Zanzibar requirements are in accord with the World Bank safeguard policy on Involuntary Resettlement (OP/BP 4.12). A gap analysis was done, bridging recommendations made and used during the preparation of this RAP and proposals during its implementation.



## ES7. Magnitude of Impacts

### (i) Affected Population

The proposed interventions are estimated to impact about 457 people who own properties including structures, support structures, uncompleted buildings, housing plots and agricultural land.

(ii) *Impacts on assets:* The major impact of the project will affect number of private owned land, buildings/structures, and trees/crops. Table below presents the breakdown of the affected assets in the Shehias within the project areas.

S/N	Location (Shehia)	Number of PAPs			Land Size (SqM)	Building Number	Number of Crops and Trees
		Total	Male	Female			
1	Meya	52	32	20	6946.5525	20	545
2	Magomeni	47	29	18	1428.27	39	162
3	Kwa Wazee	19	16	3	1503.17	19	52
4	Sebleni	17	11	6	1356.98	18	18
5	Tomondo and Uzi	147	102	45	10283.35	111	334
	<b>Sub Total (Urban)</b>	<b>282</b>	<b>190</b>	<b>92</b>	<b>21518.3225</b>	<b>207</b>	<b>1111</b>
6	Shauri Moyo	31	21	10	703.15	23	39
7	Kilimahewa Bondeni	24	10	14	578.7	19	42
8	Kilimahewa Juu	14	6	8	325.99	8	75
9	Mapinduzi	33	23	10	698.29	20	134
10	Amani	63	37	26	1540.987	50	100
11	Mkele	10	5	5	215.47	21	21
	<b>Sub Total (Syst. C)</b>	<b>175</b>	<b>102</b>	<b>73</b>	<b>4062.587</b>	<b>141</b>	<b>411</b>
	<b>Total</b>	<b>457</b>	<b>292</b>	<b>165</b>	<b>25,581</b>	<b>348</b>	<b>1522</b>

## ES8. Eligibility And Entitlements

Based on the pre-construction impacts identified from the Asset Inventory exercise, the types of PAPs would be as follows: Land user or owner (having crops, trees and structures within the wayleave) – majority of the PAPs fall in this category; Vulnerable groups; Community Property Owners (Church, Schools, Borehole), besides one institutional PAP. Eligibility to entitlements require that: a) PAP must have been located within a direct impact zone of the Way leave before the cut-off date is established when the census is completed; suffers a loss that is quantifiable i.e. loses an asset partially or fully, either permanently on or a temporary basis or can be quantified in monetary terms (such as a tenant or a sharecropper who might be affected), etc.; and c) his/her ownership of the asset is either formally registered or at least recognized and his/her presence or association with the location is recognized or well known within the local community.

## ES9. RAP Implementation



During resettlement the RGoZ will implement compensation to the PAPs according to this RAP, after which it will issue notice for the PAP to vacate the land within 6 months. Depending on arrangements, the PAPs will move into rental homes or other forms of accommodation while constructing new ones at the chosen resettlement areas. For PAPs who opt for planned resettlement sites offered by RGoZ, they will be allocated land where available. While PAPs who settle randomly at other areas of their choice will use their compensation packages to recreate their homestead and livelihoods. To enable smooth re-establishment by the PAPs, this RAP proposes the government to ensure the new resettlement areas have social facilities i.e. school, health facilities, places of worship etc. and the requisite infrastructure (access roads, water and power supply etc.).

*Institutional Arrangement:* The project will use the existing institutional arrangements for RAP implementation that were established during preparations of previous RAPs and other completed projects. These existing institutions that will play a key role in RAP implementation processes at different levels and times include but are not limited to: Presidents Office Finance and Planning; Ministry of Land and Housing Development, President Office, Regional Administration, Local Government and Special Department; Urban and West 'B' District Councils; Wards; Shehia Councils.

*Delivery of Entitlements:* BIG-Z in collaboration with municipalities, district councils and Shehas will post notices in the affected areas advising PAPs to collect their compensation payments from designated places i.e., either from the BIG-Z Office for those being paid by cheque and from the specified banks (for those will be paid via banks). The office should prepare a written record, to be signed by the PAP, indicating that the PAP has received the payment. PAPs without bank accounts including those in vulnerable group will be assisted by BIG-Z in collaboration with local government authorities (Shehia and ward officials) to open bank accounts.

*Implementation Schedule:* The time period for implementation of activities of this RAP would be 3 months. Key implementation activities would be: Disclosure of Draft RAP and a disclosure workshop to all key stakeholders; commencement of internal monitoring by PMT; open Bank accounts for PAPs; and continue Additional Outreach Activities; hold Shehia level meetings to counsel the PAPs; payment of compensation and vacating of land; provision of employment.

#### **ES10. Grievance Redress Mechanism (GRM)**

Meetings were held before the census and inventory and valuation of assets began to explain to the PAPs and to the community leaders and representatives the need for having in place a robust procedure for receiving and resolving complaints and grievances that are likely to arise in the course of project implementation. Comparisons were made between the five options available to the Complainant: (i) a procedure that base on the existing traditional conflicts resolution mechanisms; (ii) a procedure that base on the existing religious conflicts resolution mechanisms; (iii) a procedure that base solely on the existing conflicts resolution mechanisms through the local government system; (iv) negotiation, mediation and resolution mechanisms proposed under this RAP; as well as (v) judicial procedures.



**ES 11. Monitoring And Evaluation**

A Monitoring and Evaluation (M&E) system and programme needs to be established to assess the quality, progress and processes during RAP implementation. In particular, the programme will track progress of compensation payments, resettlement and relocation activities, the effectiveness of public consultation and participation activities, implementation of income/livelihood restoration programs among affected communities, and ensuring that vulnerable people are assisted.

**ES 12. RAP COSTING AND BUDGET**

RAP budget has been prepared by considering (i) the costs of compensation for lost assets (land, buildings, crops and trees); (ii) disturbance allowance associated to land value; (iii) accommodation, and transport allowances associated to the fully displaced structures; (iv) Costs of livelihoods restorations programs; (v) Contingency to cater for unforeseen impacts on land and structures.

The RAP implementation amounts and associated details is kept for official use only.



## **CHAPTER 1 – PROJECT OVERVIEW AND DESCRIPTION**

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### **1.1 Project Context**

The Revolutionary Government of Zanzibar (RGoZ), through the Project Management Team (PMT) of Zanzibar Urban Services Project (ZUSP), has obtained World Bank assistance under the proposed Additional Finance for, inter alia, the Integrated Drainage and Resilient Urban Upgrading in Zanzibar Town. The project expects to implement upgrading works within the Shehias of Meya, Magomeni, Kwa Wazee, Sebleni, Tomondo and Uzi.

The project area is comprised of land primarily used for residential and, albeit to a lesser degree, commercial uses. As such, the resettlement of people to accommodate the implementation of this project is necessary and thus, the preparation of a RAP is inevitable. Therefore, RGoZ through the Ministry of Finance has appointed ARS Progetti SpA to prepare the initial RAP in order to address displacement-related impacts of the project and is being prepared in accordance with Zanzibar national legislations and international best practice standards. The RAP document is finalized by the BIG Z project inhouse expertise.

This report contains detailed information on the affected communities, land uses and socio-economic conditions of the area that will be affected by the Project. It also includes a description of the nature, magnitude, and measures to mitigate displacement impacts and compensate for those impacts.

### **1.2 Boosting Inclusive Growth for Zanzibar: Integrated Development Project (Big-Z)**

Boosting Inclusive Growth for Zanzibar: Integrated Development Project is prepared to scale up the achievement obtained under ZUSP. This project, to be implemented by the Revolutionary Government of Zanzibar with support from the World Bank; is expected to run between 2019 and 2026. Big-Z aim to improve service delivery, cultural heritage preservation, and integrated urban management, among other key areas. The project will use an integrated approach towards sustainable development in Zanzibar consequently improve the climate resilience through both mitigation and adaptation.

#### **1.2.1 Big-Z Project Objectives and Components**

The development objective of the project is to improve living conditions and promote local economic development in targeted areas of Zanzibar.

The project components include: i) Component 1: Area Based Integrated Development (US\$126 million) which finances various investments and activities in response to different development challenges in three types of areas: urban core, fast-growing urban areas, and emerging towns/villages; ii) Component 2: Strengthening Institutions for Urban management and Encouraging Innovation (US\$14 million) which focuses on institutional development and capacity building, including municipal finance, urban management, and enhancing the enabling and regulatory environment for development; iii) Component 3: Project Management, Operation, Monitoring and Evaluation (US\$10 million); and iv) Component 4: Contingent Emergency Response Component (US\$0 million)for situations of urgent need of assistance.

### 1.3 Project Description and Location

Urban upgrading project has number of activities as listed in the subsequent sections.

#### *i. Urban Upgrading Area 1: Sebleni-Kwa Wazee*

Sebleni-Kwa Wazee planning area is located to the west of the city centre, approximately 3km from Stone Town. It is located within the so-called inner-city boundary of the city. It includes the areas of the Shehias of Sebleni and Kwa Wazee. It is bounded by the activity corridors of Amani Road to the north and Mombasa Road to the east. Local secondary roads define its western and southern border. It has an approximate gross area of 75ha and a total estimated population of 10,218 inhabitants.

The area was previously farmland, owned and rented by the government for sowing crops and fruits. Land use began to shift starting from the mid-1960s, when development of the area of Sebleni began and the Old Persons Home was constructed on the land to be later designated as Shehia Kwa Wazee.

In order to move incrementally towards liveability objectives, the following interventions shall be promoted in the short-term perspective in the area:

- the upgrading and widening of the two main local streets (Kwa Wazee and Magazeti) comprehensive of drainage, public lighting and sidewalks;
- the upgrading of the waste collection points along these routes;
- the upgrade of Nemo Street (the main commercial route within Sebleni); and
- the upgrading of the existing unbuilt spaces that have remained after the completion of the construction of secondary drainages part of the ZUSP project into a "green link" and adjacent public open spaces of Mchicha and Mbarawa grounds.

In addition to the selected list of projects, the neighbourhood infrastructure investment component includes additional investments in drainage interventions to ensure the hydraulic functioning of the area in the short term.





Figure 2 - Upgrading Area 2 – Meya Magomeni Midterm Masterplan

### iii. Urban Upgrading Area 3: Tomondo-Mombasa

The planning area is located beyond the boundaries of the “inner-city” perimeter. It is located to the southeast of the city centre approximately 9 km from Stone Town. It embraces part of the Shehias of Tomondo and Mombasa. It is bounded to the west by a north-south road that connects Mwanakwerekwe swamp with Mombasa Shehia. Some sections of this road, when crossing Tomondo Shehia are inaccessible by cars due to the encroaching of housing units. To the south lies the main arterial road to access Zanzibar City from Fumba. The northern boundary is delimited by a local road to the south of Francis Maria Liebermann school. The area has an extension of approximately 125ha and an estimated population of 19,112 inhabitants. The settlement was created in the early 1980s from previously used farmland.

In order to move incrementally towards liveability objectives, the following interventions are promoted in the short-term perspective: the upgrading of the main local and neighbourhood streets within the area, comprehensive drainage, public lighting and sidewalks in order to improve the connection of the area with the city, but also to create the drainage system to complement the Ziwa Maboga drainage interventions. Among the main streets to upgrade highlight, the reinstatement of the main feeder roads and previous public transport route of Francis Maria Street, which has been currently encroached by buildings; the upgrade of Changu street which will improve the connection of the area with Mombasa market, and the upgrade of the main commercial route within Tomondo, Royal Street.



Figure 3 –Upgrading Area 3: Midterm Masterplan

**(iv) System C**

The implementation of System C drainage channel entails resettlement and land acquisition as shown in the map below. The total number of affected structures, support structures, lands, crops and trees as a consequence of the implementation of works has been estimated in 178. The map below are marked only the fully impacted structures. Any detail about impacted support structures, land and crops have been registered in the Asset Inventory Matrix.

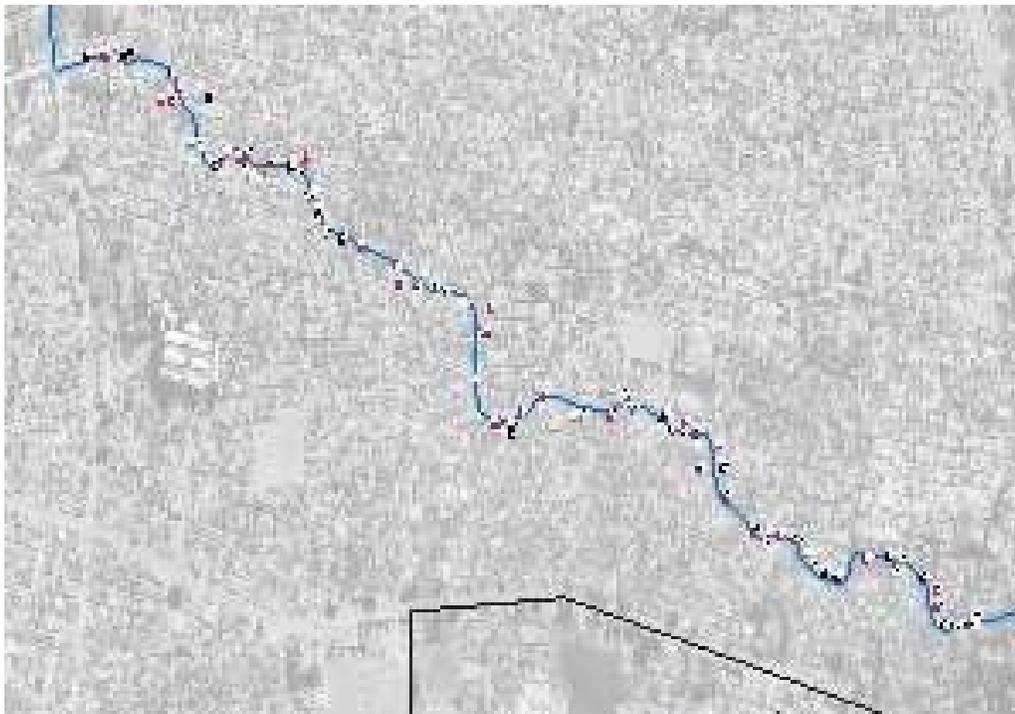


Figure 4– System C: Impact on Resettlement

## **1.4 Administrative Area of Project Impact**

The project expects to implement upgrading works within six Shehias of Meya, Magomeni, Kwa Wazee, Sebleni, Tomondo and Uzi, while system C sub project will be implemented across 6 Shehias namely: Shauri Moyo, Kilimahewa Bondeni, Kilimahewa Juu, Mapinduzi, Amani and Mkele.

## **1.5 Scope and Aim of RAP/LRP**

The part of investments under the BIG – Z Project will involve the construction of systems C Drainage; Conservation of Ziwa Maboga and upgrade of the urban areas. It is expected that these will result in land acquisition and involuntary resettlement. The project involves taking of easement/use rights of land on which the roads and associated side drains, pedestrian foot path, non-motorised lanes etc. Hence the scope of the RAP comprises all the privately and community owned assets such as structures, land, crop and tree and other resources that serve the community and fall within the estimated land size of 23.8ha around the entire green corridor project areas and are therefore impacted.

### **1.5.1 Scope of the RAP/LRP**

The scope of work for the development of this RAP/LRP therefore reflects requirements of the 1974 Constitution of Zanzibar, World Bank safeguards policy OP 4:12 on Land Acquisition and Involuntary Resettlement, dated January 2012.

The implementation of the proposed project will require land as major infrastructure development projects generally do. An assessment study of the adverse social impacts due to the proposed project has been carried out which provides a scope for developing a dedicated mitigation plan for minimizing the adverse social impacts. Thus, the main guidelines of resettlement plan and livelihoods restoration programs (RAP/LRP) have been planned and prepared based on the findings of the social impact assessment (SIA). The action plan will cover all components of adverse impacts incurred upon the affected population due to the implementation of the project.

Adverse impacts in the form of fresh land uptake, impact on structures on the proposed pedestrians' lanes, non-motorized lanes, roads and associated side drains, parking lots will be mitigated through constructive action stipulated in this RAP/LRP.

In addition, this RAP/LRP has defined entitlements for compensation to unavoidable impacts on people's properties, as well as actions to restore livelihoods that will be lost due to project implementation activities. The RAP/LRP will also have provisions of special assistances for vulnerable households for minimizing adverse impact on them if any<sup>1</sup>. Moreover, actions for prevention and control of gender-based violence and safeguard women issues during compensation forms part of this RAP/LRP.

### **1.5.2 Objectives of RAP**

The main objective of the preparation of Resettlement Action Plans (RAPs) and/or Livelihood Restoration Plans (LRPs), at this initial stage of the Project cycle is to establish workable mitigations for projects impacts that lead into resettlement of

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<sup>1</sup> So far at the development stage of the RAP there is no PAP identified as vulnerable. However provision has been made to attend any PAP who will be confirmed to meet the criteria defined for vulnerability.

project-affected communities as early as possible. This will allow for effective disclosure to key stakeholders, and subsequent feedback and inputs, prior to the project approval and commencement. It also meets the requirement in the world Bank’s Safeguards and Guidelines and Policy on Gender, as well as RGoZ’s national environmental laws and regulation. The main objectives of RAP/LRP have been envisaged as follows:

- Involuntary resettlement should be avoided where feasible, or minimized, by exploring all viable alternative project designs.
- Avoiding displacement of people without a well-designed compensation and relocation process; minimizing the number of PAP, to the extent possible.
- Where it is not feasible to avoid resettlement, resettlement activities should be conceived and executed as sustainable development programs, providing sufficient mitigation measures. Including compensating for losses incurred in terms of land, structures, trees and crops and displaced incomes and livelihoods.
- Affected people should be assisted in their efforts to restore their livelihoods and improve their livelihoods and standards of living, or at least to restore them, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.
- Affected people should be meaningfully consulted and should have opportunities to participate in planning and implementing resettlement programs.
- Ensuring resettlement assistance or rehabilitation, as needed, to address impacts on project affected people’s (PAP) livelihoods and their wellbeing.

## 1.6 Structure of the Report

The structure of the report is presented in **Table** below:

Table 1: – Structure of the RAP/LRP

Chapters	Brief Description of Contents
1	General background of the Project: description of the Project context, project and sub-project; aim and scope of the RAP/LRP; constraints faced in RAP Development
2	Methodology to RAP preparation including surveys, videography, disclosure and compensation agreement signing and report preparation
3	Legal Framework applicable to the project that includes review and applicability of: national legislations and practice; World Bank Guideline OP4.12
4	Analysis of Project Stakeholders; outcomes of sensitization meeting held with OP4.12 communities; proposed methods for continued sensitization/consultation during implementation/construction period of the project
5	Presents the profile of the project districts, demographic profile of the PAHs and socio-economic survey findings for sampled households and other major government/NGO programs in the district

Chapters	Brief Description of Contents
6	Presents the eligibility criteria of PAPs and definitions of various terms relating resettlement impact
7	Valuation approach to determine rates of different assets particularly replacement costs
8	Assessment of project impacts – positive impacts and adverse impacts – tangible and non-tangible on private and community property; Likely impacts during construction stage of a temporary nature
9	Livelihood enhancement measures for vulnerable PAPs
10	Relocation Plan for displaced households
11	Types of likely grievances and the need for a grievance’s redressal mechanism and grievance mechanism - processes and procedures in resolution and roles and responsibilities
12	Implementation responsibilities for the PMT and ZUMC, reporting structure and roles and responsibilities by activity. Database Design features for capturing: Asset Inventory Data, Census Data, Socio-economic Data. Disclosure Database preparation, Data with Asset valuation, Database with Spatial Reference, Data Analysis and Interpretation,
13	Implementation timelines for different activities RAP including those proposed to be completed prior to commencement of civil works and those to be completed for RAP to be considered complete
14	Estimates for RAP implementation including rates used for computation of compensation of different assets; assistances amount by type of assistance; Cost of mitigation measures towards PAPs, communities and cost of administration including contingency
15	Monitoring of RAP implementation – activities, inputs, outputs and outcomes
Annexes	This contains other relevant information: Annex 1: List of the Reviewed Documents; Annex 2: Compensation Agreement form; Annex 3: Sample of Grievance
Appendices <sup>2</sup>	This is a Separate file containing other technical formats: <b>Volume I – Appendices:</b> 1. <i>Guide Questions for Focused Group Discussions</i> 2. <i>Census/Socio-Economic Survey Form</i> 3. <i>Community Meetings Attendance Sheets</i> 4. <i>Valuation Report and Annexes</i> 5. <i>Georeferenced Spatial Maps of Affected Structures,</i> <b>Volume II</b> - Contains the Resettlement Database/spread sheet be presented separately in Compensation schedule format.

<sup>2</sup> All appendices are big file data sheets with PAPs information and amount of compensation that cannot be publicly disclosed but are available in the Project office.

### 2.1 Introduction: Background of the Project

A combination of deskwork review, field visits and stakeholder participation formed the basis of the preparation of this RAP. The details of the applied methods are provided hereunder:

#### 2.1.1 Documents Review

A review of the documents has been undertaken to obtain information relevant to the RAP preparation. The review included:

- Studies and reports concerning the proposed Project, specifically: BIG-Z Resettlement Policy Framework 2020 (RPF 2020); Environmental and Social Impact Assessment (ESIA) Report
- World Bank Policies and Protocols related to RAPs (OP 4.12 -Involuntary Resettlement Instruments);
- Relevant acts, policies and guidelines pertaining to land acquisition, displacement and compensation were also reviewed.

#### 2.2.2 Site Verification and Assessment

The team conducted site visits to observe, identify and determine the magnitude and type of resettlement impacts associated with the project (environmentally, socially and economically) and develop mechanisms to minimize those impacts.

#### 2.2.3 Stakeholder Engagement and Consultation

Stakeholder consultation and engagement is vital during the development of a RAP and is a requirement both within Zanzibar legislation and World Bank safeguard policies. The latter requires continuous, transparent and genuine communication between the Project, resettlement-affected parties and other stakeholders involved in the resettlement planning process. A range of methods and approaches were used to ensure that all key stakeholders are identified, consulted, and involved adequately throughout. These included:

**Meetings:** Several regular formal and public meetings were held as often as was deemed necessary with the affected parties, government authorities/departments, implementers, and other identified stakeholders to discuss RAP-specific issues and procedures. Minutes of meetings were recorded and documented accordingly following accepted best practices.

To ensure maximum participation, stakeholders and PAPs including women and vulnerable groups were accordingly informed about all consultation meetings<sup>3</sup>. People were invited to attend the meeting through letters, and through Shehia leaders (Shehas) who invited their community members by using speakers, word of mouth and phone calls. House visits were used to invite vulnerable groups.

**Interviews:** Throughout preparation of this RAP interviews have been helpful to identify and address several issues of importance to measuring losses and advise on redresses.

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<sup>3</sup> Women were given first priority in giving opinions and asking questions which were addressed to their satisfactions.

Interviews were conducted with the district commissioner, Shehas, religious leaders, ministry and municipal council officers and all others who could be reached. Selection of respondents for interview based on ability of the respondent, knowledge of the project impacts and role in the community.

**Focus Group Discussions:** FGDs were conducted with selected groups of up to 15 people in the project area where various issues were addressed. Groups that were consulted with FGD are women, youths, leaders especially assistants to Shehas and community development offices, and also religious leaders. FGD allows a smaller group of between 8 and 15 people to provide their views and opinions and to provide opinions regarding Census and Valuation exercises. It also aimed at obtaining views and opinions regarding RAP implementation and resettlement process with furthering discussions about Assistance Benefits and Development Opportunities during resettlement implementation with targets on Issues about services, livelihood sources, development, social and environmental interaction. Those issues formed the base for FGD which were later triangulated with other authorities which were consulted.

**Consultations:** In the process of preparing this RAP several consultations were conducted to various levels including ministry, municipal council government agencies, individual experts and officers in order to share experiences, knowledge and get information of procedures and approaches to furnish RAP requirements. Consultation helped to develop and joint approach and build team work in solving challenges that could face not only the project and affected population but also the RAP facilitators in their activities.

#### 2.2.4 PAPs Census Surveys Methodology

The surveys were carried out within the Upgrading Areas from February to September 2020 under close collaboration with the project area Shehas. The census information provides resettlement planners with an understanding of the demographic characteristics of the affected population. It helps to identify vulnerable groups living in the project area that need special resettlement assistance or particular attention from resettlement planners as they are less able to cope with the physical and/or economic displacement than the affected population in general e.g., household headed by burdened women and men, children, people with disabilities and elderly people. In addition, census captured the extremely poor households as well as groups that suffer social and economic discrimination, including people with chronic illness.

Census surveys have been carried out using semi-structured forms that were administered to each individual household during a door-to-door surveying.

#### 2.2.5 Social Economic Survey Methodology

Household socio-economic surveys have been carried out using semi-structured questionnaires that were administered to each sampled individual household through households' survey. These questionnaires were prepared and administered to register, enumerate and gather basic information on the affected population by residence or locality such as demographic data (age structure, gender structure, marital status, family size, literacy etc.) and related social and economic information like occupation, means of livelihood/ income sources, living condition, such as standards of houses, health facilities, education facilities water supply, sanitation and energy as well as social

networks and support system among the affected people. Social economic survey to lay a framework (baseline) for subsequent socio-economic analysis needed to design, monitor, and evaluate and planning for sustainable income restoration or development livelihoods restoration interventions.

#### 2.2.6 Asset Inventories and Valuation Methodology

An inventory and survey of all assets affected by the project was carried out. The survey accounted for the affected land, structures and buildings as well as crops/tree. During assets inspection and inventories, owners or their representatives were required to countersign each completed asset inventory form. The aim is to minimize the possibility of subsequent claims or disputes regarding the number of assets and ownership. The following are important inventory categories:

**Land Parcels:** All lands affected by the project were surveyed, classified by type, and recorded. All affected lands are located in unplanned areas of Urban and West B Municipalities. Therefore, lands in RAP area were classified into three major categories: residential/dwelling lands, commercial lands and a mixture of residential and commercial depending on the nature of local communities and environment. No pastureland or forest reserve was found in the RAP area. A small-scale urban gardening agriculture was observed to be practiced in the SShehia of Meya, and Tomondo. Farmers in these area practice both rainfed agriculture for cassava and sweet potatoes and small-scale irrigation agriculture for vegetables.

**Houses and associated structures:** Houses (main Dwelling), separate kitchens, toilets, storerooms, and workshops were evaluated as per construction materials used in relation to construction rates provided by the respective ministry/department. All structures were included in the inventory regardless of whether they are permanently inhabited or occupied intermittently by transient populations.

**Crops and/trees assets:** These include assets such as standing crops; ornament/shed trees; fruit and fodder trees; firewood and timber trees, plantations (coconut trees) and fencing plants. All these assets were surveyed and recorded accordingly.

#### 2.2.7 Methods of Valuing Affected Assets and Compensation Payments

Valuation of affected assets was undertaken based on the current RGoZ legal frameworks for valuation and compensation of properties as stipulated under the Land Tenure Act No. 12, 1992 (Amendment, Act No. 15 of 2003); and the Land Survey Act No. 9 (1990). These acts require that compensation should be paid based on the market value of the affected property (land and structures) i.e., direct comparison/replacement cost method, and standing crops by using earnings approach as determined by the valuation assessments. This is generally in line with resettlement measures required by the WB OP 4.12, which recommends compensation at full replacement value of an asset at the time of valuation and not depreciated value. OP 4.12 also urges replacement of 'land for land' where appropriate for all PAPs (including those without a title/squatters). Details on OP 4.12, is provided in chapter 4. Nonetheless, valuation of affected assets also considered the accommodation, transport, and disturbance allowances as part of the valuation procedure. Details on computation of these allowances is provided in section 8.5.

## 2.3 Quality control, Data Capture and Analysis

Quality control measures were undertaken during fieldwork for data collection, including:

- Employment of skilled and experienced key and supporting staff (RAP Expert, GIS expert, valuer and enumerators all with undergraduate degree or above).
- Intensive training of the enumerators on the questionnaire content and in interviewing techniques;
- Enumerators were accompanied by the fieldwork supervisor (senior sociologist and RAP Expert) to a sample of the households they visited; and
- Completed questionnaires were checked for internal consistency (e.g., employment status for individual household members recorded during the census were checked against household-level information on sources of income as recorded during the detailed socio-economic survey).
- The photographic, GPS and questionnaire-based data collected during fieldwork were then captured in an electronic database and subjected to quantitative analysis to generate descriptive statistics and to identify trends and patterns in households' socio-economic characteristics and asset ownership.

## 2.4 Data Limitations

The socio-economic and asset data is subject to the following limitations;

- The asset survey partially coincided with election preparation, which meant that some asset owners were not readily available to participate. Time frame for data collection was extended to capture all affected people.
- Some asset owners were not available during the asset survey due to various reasons such as illness, political stands and travelling. They were followed up through local leaders and included in the survey.
- In some instances, it appeared that owners' representatives did not have in-depth information about the affected asset and household members. Survey team members gave them extra time to collect information from the right people/owners.
- Family conflicts and misunderstanding between spouses caused frequent changes on the names to be registered during asset valuation. The PAPs are given time to resolve their conflicts prior to compensation payments.
- The survey team relied on Shehas to identify the legal owners of affected properties, but most Shehas were new in their position thus they were not familiar with all people in their localities. Long serving members at Sheha's committees helped to identify the PAPs.

## 2.5 RAP Compilation

The outcomes of the aforementioned activities have been combined into this report, together with various other items of information needed to ensure successful completion of the resettlement process such as a grievance procedure, discussion on livelihood restorations, definition of organizational arrangements, an implementation schedule and cost estimate, as well as recommendations regarding monitoring and evaluation of RAP implementation.

## **2.6 Public Disclosure of the Resettlement Action Plan**

Before approval and disclosure, the RAP will be reviewed by the World Bank and BIG-Z. The approved RAP Report will be made publicly available in hard copy at the BIG-Z office in Stone Town and soft copy will be available at BIG-Z website as well as in the World Bank external website. The summary of the RAP Report will be translated into Kiswahili and for confidentiality reasons, contact details and associated compensations of the PAPs will be removed by the BIG-Z PMT. Hard copies in English and Kiswahili will be available at the following locations:

- BIG-Z Office
- Urban West Regional Commissioner's Office
- Urban and West B District Commissioners Offices
- Offices of the Executive Director in respective Districts
- Offices of the Ward Executive Officer (WEO) and Shehia

Asset inventory and valuation results will be disclosed to the affected persons after approval by BIG-Z where views and considerations shall be incorporated in the final valuation report before it is taken for approval at the Chief Government Valuer and later endorsement by respective government offices.

## Chapter 3– Applicable Regulatory Framework

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The section covers review of key legislations – national as well of other international agencies particularly the World Bank OP4.12 of 2012 guidelines applicable to this project.

### 3.1 National Legislations and Practice

Compensation policy is stipulated in Zanzibar’s Acts and Regulations. In principle, a person affected by compulsory purchase of his/her land or damage to his/her property should be paid a fair compensation so that he/she is neither better off nor worse off as a result of land acquisition. Review of key national legislations is presented below:

#### 3.1.1 Revolutionary Government of Zanzibar

**Land Acquisition Decree Cap 95:** This is the principal legislation guiding land acquisition in Zanzibar enacted under the colonial British rule. Though not in use, the act has not been revoked or amended. Several of its provisions are found in the new land acts enacted from the late 1990s onwards. In general, the Land Acquisition Act does not cover all aspects of resettlement affecting people who are displaced from their old settlements, but certain sections in the act are still relevant to-date:

- The Act sections 4 to 10-stipulates and emphasizes prior notification. The Act directs the District Commissioner to serve public notices and notices in the government gazette of land likely to be acquired for any public purpose or company, and the government or company to serve notice to occupiers of any property, building, garden, etc., prior to entry for purpose of survey, marking boundaries, etc. Section 2 demands payment for damages done to standing crops, trees, fences or buildings during survey, marking boundaries etc.
- Section 9 calls for compensation for acquired property by government or a company. Claims for compensation by all with interests in land should be made to the District Commissioner.

The responsibility of the District Commissioner pertaining to decisions on disputes as to the sufficiency of amounts paid for damages or for acquisition of property is repealed by the Land Tribunal Act, 1994 which confers the responsibility to the Land Tribunal established by the Act as the only lawful body that currently deals with all matters of land disputes.

**Land Tenure Act, No.12 of 1992; Amendment, Act No. 15 of 2003:** In this Act, *Section 5 subsection (2)* - gives the President of Zanzibar (or the Minister on behalf of the President) powers to impose right of use of land (easements) on any parcel of land and building/construction in respect of Right of Way, installation, support and clearance necessary for the establishment, maintenance and operation of roads, drainage, electric transmission lines classified in the public interest. In this case the authority is only used if the affected people along the project route reject the areas through which the road, drainage or transmission lines will pass. *Section 5(4)* requires the Government to pay compensation for the persons or communities concerned that is equal to the fair market value of land and any improvements thereon. Zanzibar land acts do not have legal provisions for grant of public land to the person entitled to compensation but take into account that land has value and should be taken into

consideration affecting that interest. This means if one acquires land, one will have to compensate owners for bare land in addition to unexhausted improvements. *Section 6* demand that any land that is acquired, and there is a dispute or disagreement relating to boundaries, right of use of land, compensation etc. shall be referred to the Land Adjudication Act or the Land Tribunal.

The Act under Section 6B considers it an offence (and imposes penalties) by any person to destroy or misuse land by erecting structures or buildings, dumping, digging holes or changing uses of the land, giving out all or part of the grant to other persons contrary to the Act. Under this Act, trees can be owned and held separately from a right of occupancy in land. The Amendment, Act 2008 recognizes the rights of persons holding '3 Acres' plots.

The land tenure Act of 1992 amended 2013 further defines "Ownership" in relation to land, except for the government which is the sole owner of all-natural land, refers only to the development on the natural land or any connected with and incidental to it, including a legal right of occupancy on that land. "right of occupancy" means the exclusive right to the use and occupation of land in accordance with the provisions of this Act. In section 18 of the land tenure Act it is stated that unless otherwise provided for under this Act, there shall be no restriction on the sale of a right of occupancy. Therefore, a person can only sale her/his right of occupancy not the land. Meaning that the government at any point of development it can acquire such land by compensating the right of occupancy which include the development made over the land in subject).

**The Land Transfer Act, No. 8 of 1994; Amendment Act, No. 10 of 2007:** Permanent transfer or long-term (3 years and over) lease of land takes place in Zanzibar only with approval of the Land Transfer Board. Special emphasis is put on the '3 Acres' plots. The Act is designed to prevent transactions that my result in depriving land owners of sufficient resources to support themselves, their dependents and future generations. The Act also aims at preventing improper change of uses of the land in question.

**The Land Tribunal Act, No. 7, 1994; Amendment Act, No 1 of 2008:** Land Tribunal Act establishes the Land Tribunal to deal with all matters of land disputes in Zanzibar. The Act demands that the Tribunal preside over any land that is acquired and there is a dispute or disagreement relating to any of the eighteen matters listed, (a) to (r), in the Act. Such matters relevant to the cable project include:

- a. Action involving claims to a right of occupancy and/or possession in respect of any Land
- b. Demarcation of Land which is connected to activities related to the subdivision of parcels and any matter for which demarcation or surveying must be carried out
- c. The use, development and capacity of land
- d. Land valuation and issues involving compensation of land
- e. All other matters relating to land

The Land Tribunal (Amendment) Act, no 1 of 2008, allows for appeal on the decision of the Land Tribunal in that any party who is aggrieved by the decision of the tribunal has the right to appeal to the High Court.

## **Government Gender Policies and Laws in Tanzania**

Following sections introduce the laws and policies that the Government of Tanzania implements either Tanzania-wide or in the mainland.

National gender policies: Tanzania formulated the Women and Gender Development Policy (WGDP) in 2000, and the National Gender Development Strategy (NGDS) in 2005 to implement WGDP. WGDP aims to mainstream gender perspective into policies, programs and strategies, as well to create opportunities for women to participate in the effort for poverty reduction and development. NGDS then serves as a document to further clarify the issues hindering gender equality in Tanzania, and suggests necessary strategies. The document includes the guidance to effectively carry out the WGDP, the strategies and activities to be applied in priority sectors (such as the decision-making and the delegation of authority, gender mainstreaming, collection of gender disaggregated data, and other related sectors such as education, economics and empowerment), and the mechanism to administer those strategies and activities. The government of Tanzania itself evaluates that 'NGDS contributed outreaching sensitization to the government ministries for addressing the challenges prioritized at the Beijing Platform Action and gender-desegregated data gathering, as well as gender-based planning and budgeting. Challenges nevertheless remain. One example is the Gender Focal Point (GFP) system which remains dysfunctional due to the lack of budget and the commitment from each ministry. As a result, the monitoring of activities has not been sufficiently undertaken.

The Amendments to Zanzibar's Constitution have made clear the definition of direct- and indirect discrimination and made respectable improvements to ensure gender equality and the rights of women in line with the CEDAW and other regional human rights documents. Those improvements include the protection of women from the laws which discriminate or do harm on women, employment security during pregnancy, equal employment opportunity for women, the provision of high-quality health service for delivery, and the increase of the quota seats for women in the parliament up to 50%.

Sexual Offences Special Provision Act SOSPA (1988) is a legislation formulated specifically to protect women and children from sexual harassment and abuses. It recognized for the first time in Tanzania that rape is a crime whose perpetrators shall deserve stricter punishment. The duration of punishment is minimum 30 years<sup>38</sup>, and life imprisonment will be imposed if the victim is a girl under 10 years old. The ban on FGM for girls under 18 on one hand is positive in protecting young women from sexual violence, while on the other hand the law lacks the provision to protect women over 18 from becoming the victim of FGM and therefore does not offer enough framework to protect women's right. Marital rape is banned under this law only when a married couple lives separately<sup>39</sup>, indicating that some part of the law still remains discriminatory against women. The article 15 of SOSPA, the clause that serves as the amendment of the articles 154-157 of the criminal law, imposes ban on homosexuality. According to this article, 30 years of imprisonment will be sentenced for those who 'committed a deed of embracing sexual desire toward person(s) of same sex', and 20 years of imprisonment for those who actually 'attempted committing such a deed'. Although the constitution claims itself as equally applicable to all sex and that the rights of all the citizens shall be protected, sexual orientation unless heterosexuality is discriminated, making lesbians, guys, bisexuals and transgender (LGBT) socially vulnerable.

**National policy Guideline for the health sector prevention and response to gender based violence (GBV) of 2011** assets the following:

Service providers must deliver GBV services to survivors with compassion and strict adherence to medical ethics. This mandate includes ensuring the safety, confidentiality, respect and dignity, non discrimination, and consent of the survivor or caretaker of a child (below 18 years old). Healthcare providers at all levels shall adhere to the following guiding principles of working with survivors and shall use a survivor-centered approach.

(a) Guiding Principles: Human Rights, Ethics, and Compassion

**Safety:** All actions taken for a survivor shall aim to restore or maintain safety.

**Confidentiality:** At all times, confidentiality of the affected person(s) and their families must be respected. This means only sharing necessary information with other providers as requested and agreed by the survivor.

**Respect and dignity:** Providers must listen to survivors' opinions, thoughts, and ideas and treat survivors with respect.

**Non-discrimination:** All survivors are equal and must be treated as such according to their needs; they must have equal access to services.

**Informed consent:** Consent shall be obtained for specific procedures and services— (1) physical examination and treatment only; (2) 1 + forensic evidence; (3) 1 + 2 + police investigation and legal justice.

**In the case of children:** Promote the child's best interest at all times; Comfort the child; Involve the child in decision making; Treat every child fairly and equally; Support and nurture the child's resilience

**(b) Rights of the Survivor:** All actors shall use a survivor-centered approach, respecting the rights of the survivor, which are to be Treated with respect and not encounter stigma, discrimination, and "blame the victim" attitudes; Given correct and understandable information to ensure informed consent and not to be told what to do, which contributes to feelings of powerlessness; Given privacy and confidentiality and not be subject to gossiping and shaming; Protected from discrimination, including differential treatment based on gender, ethnicity, or other factors. Given a choice in being attended by a male or female service provider. Given a choice in being accompanied by a relative or caretaker.

**(c) Obligations of the Service Provider:**

- Show empathy and be sensitive, discreet, friendly, and compassionate when dealing with the survivor.
- Provide correct information to the survivor and handle evidence according to guidelines to safeguard the chain of evidence; ensure informed consent for different services. Focus on the best interest of the survivor and respect her/his wishes in all instances.
- Ensure the physical protection and safety of the survivor and prevent any further suffering.
- Keep written information about the survivor in a safe place and maintain confidentiality at all times.

- Refer the survivor for further services as appropriate, depending on the nature and extent of physical, emotional, and psychological trauma.
- The service provider, if trained, shall provide counselling to the survivor prior to referral for further medical care and other services that the survivor needs or requests. In the case of children:
  - Ensure that a parent/guardian is present at all times (while also ensuring that the parent/guardian does not present a threat to the child).
  - Always prepare the child on what to expect and ensure that the child understands what is going to happen.
  - For children below age 18, obtain the parent/guardian's written consent on their behalf.

**Labour Relations and child labor Act, 2004:** The Labor Relations Act, describes for the fundamental labor rights at workplace. It emphasizes establishment of basic employment standards, provision of a framework for collective bargaining, and prevention and settlement of disputes and other labour related matters. Section 5 of the Act prohibits employment of children under the age of fourteen years. A child at the age of 14 year and above may only be employed for light works, which are not likely to cause harm to the child's health and development, and does not prejudice the child's attendance at school, participation in vocational orientation or training programmed approved by the competent authority or the child's capacity to benefit from the instruction received. The act also prohibits employment of a child under the age of eighteen years in any work site where work conditions may be considered hazardous. The construction of the System C project shall ensure that no children under 18 shall be employed.

### 3.2 The World Bank Operational Policy (OP/BP 4.12)

The overall objectives of the OP4.12 on involuntary resettlement are:

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

This policy covers direct economic and social impacts that are caused by the involuntary taking of land resulting in relocation, loss of shelter, loss of assets or access to assets; or loss of income sources or means of livelihood. WB Involuntary Resettlement Policy OP 4.12 requires that all projects screened for potential

environmental and social impacts be supported/guided by a RPF that identifies involuntary resettlements under the planned project, identifies impacts i.e. severe economic, social and environmental risks and based on this defines the scope of the resettlement assistant programme (i.e. RAP) for affected persons.

### **3.3 Analysis of Zanzibar’s Policy and Legislation and World Bank OP/BP 4.12**

A gap analysis has been undertaken in order to measure the difference between Zanzibar laws and the World Bank requirements, with special attention to legal rights to land, improvements made on it and other property and/or title and access to other basic resources; eligibility criteria and compensation packages etc. The results indicate that some aspects of Zanzibar laws and the World Bank Operation Policy are not in full accord. The World Bank Operational Policy 4.12 (Paragraphs. 15 and 16) recognizes that while non-landowners may have no right to compensation for the loss of the land that they are occupying (since they do not “own” the land), they should be provided with certain resettlement measures, provided that they occupy the project area prior to a cut-off date. This approach fully meets the requirement of the lesser standards. Thus, any Resettlement Action Plan has to be consistence with Zanzibar Laws and World Bank OP 4.12 and if there is gap or conflict between the two sets of laws and policy, OP 4.12 will prevail.

Table 2: - Comparison of Zanzibar Laws and World Bank OP. 4.12 Regarding Compensation and Resettlement

S/N	Resettlement Issue/factor	ZANZIBAR LAWS	WORLD BANK OP.412	GAP FILLING MEASURES
1	Landowners	Cash compensation based on market value, disturbance & transport allowance, loss of profits or accommodation, cost of acquiring land, other costs incurred to develop the land. Compensation to be paid promptly; if not paid in time, interest will be charged	Recommends land-for-land compensation. Other compensation is at replacement cost	While OP 4.12: when land taken is primary source of income and livelihood, PAPs should be provided with land ('land for land'). GoZ Prompt and fair compensation give room to PAPs to buy alternative land at their most preferable places. To Bridge the gap: <ul style="list-style-type: none"> <li>• PAPs would be given opportunity to choose preferred form of payment: cash or in-kind at other location</li> <li>• Compensation of structures at replacement cost</li> </ul>
2	Land Renters	Entitled to compensation based upon the number of rights they hold upon land	Are entitled to some form of compensation regardless of the legal recognition of their occupancy	Land Renters will be compensated for the unexpired portion of the lease or whatever oral agreement was made and rent was paid in advance.
3	Encroachers	Payment of disturbance, loss of accommodation, loss of profit and transport allowances.	Resettlement activities based on OP 4.12 is to restore standard of living and preferably improve livelihoods. At the least to pay for the investment they have made on the land and loss of livelihood related to that.	Encroachers of the public land who will be found at the time of survey (cutoff date) will be eligible for the compensation of the development over the land eg. Structures, permanent crops, trees and other entitlements eg. Shifting allowance. Encroachers of the impacted or compensated land after the cut off dates will not be eligible PAPs thus no entitlements
4	Role of depreciation	Depreciation is a factor used by a valuer under government system to determine a market price for compensations of an affected structure	WB OP 4.12 directs the valuer to determine value of a structure at a replacement cost	In order to safeguard a PAP from becoming worse off the WB policy will apply so as to enable a PAP to receive financial or in-kind compensation enough to replace the affected structure

S/N	Resettlement Issue/factor	ZANZIBAR LAWS	WORLD BANK OP.412	GAP FILLING MEASURES
5	Compensation for customary land	The land tenure Act of 1992 amended 2013 further defines “Ownership” in relation to land, except for the government which is the sole owner of all-natural land, refers only to the development on the natural land or any connected with and incidental to it, including a legal right of occupancy on that land. “right of occupancy” means the exclusive right to the use and occupation of land in accordance with the provisions of this Act. In section 18 of the land tenure Act it is stated that unless otherwise provided for under this Act, there shall be no restriction on the sale of a right of occupancy. Therefore, a person can only sale her/his right of occupancy not the land.	WB OP 4.12 landowners to be compensated the amount of money to enable the PAP to replace the land of same size and quality or better. OR PAP be provided alternative land of same or better quality and size.	PAPs that will lose land due to BIG – Z project will be compensated in cash or in kind at a replacement cost for the lost land plots.
6	Encroaching after cut-off date	Encroachers; Silent	Persons who encroach on the area after the cut-off date are not entitled to compensation or any form of resettlement assistance (Para 16)	Encroachers who will be found at the time of survey (cutoff date) will be compensated the development over the land and other entitlements eg. Shifting allowance.
7	Vacant or ‘inadequately developed’ land	Under the Land Tenure Act section 63(1), no compensation for the fair market value of the land shall be payable by the Government on termination of the right of occupancy under this Part.	Does not limit eligibility if the land is vacant, unused or undeveloped.	The Project will adapt WB OP 4.12 that does not limit eligibility if the land is vacant, unused or undeveloped. PAPs will receive compensation for their private land plots as per the replacement value.

S/N	Resettlement Issue/factor	ZANZIBAR LAWS	WORLD BANK OP.412	GAP FILLING MEASURES
		<p>Also, under subsection 2, compensation shall be provided for unexhausted improvements on the land with the value determined at the time of the order of termination.</p> <p>However, section 64 a (relinquishment of possession); require that an assessment of the value of the property to consider unexhausted improvements and, if appropriate, the land.</p>		
7	Livelihood restoration	Payment of disturbance, loss of accommodation, loss of profit and transport allowances. Compensation is on monetary basis only	Resettlement activities based on OP 4.12 is to restore standard of living and preferably improve livelihoods. Compensation for lost assets can be monetary, in-kind or both.	Payments of allowances help the PAP to improve the livelihoods. The PAP has a room to choose where to buy new land and it is easier to implement; resettlement must ensure that livelihoods from land use are not lost. The RAPs will inform all impacted livelihoods and suggest proper mitigations to restore the impacted livelihoods/incomes
8	Forms of payment	<p>Land acquisition decree Cap 95:</p> <p>a) sections 4 to 10--stipulates and emphasizes prior notification. The Act directs the District Commissioner to serve public notices and notices in the government gazette of land likely to be acquired for any public purpose or company, and the government or company to serve notice to occupiers of any property, building, garden,</p>	<p>WB: OP4-12 para 3(a) and 3(b), dictates that</p> <p>(a) The resettlement plan or resettlement policy framework includes measures to ensure that the displaced persons are provided prompt and effective compensation at full replacement cost for losses of assets attributable directly to the project.</p> <p>(b) If the impacts include physical relocation, the resettlement plan or</p>	<p>The Land acquisition Act preconditions to expropriation of property cover items in the OP4-12 requirements.</p> <p>The RAP provides compensation in monetary and in-kind as applicable.</p> <p>PAPs will be consulted to opt /choose the preferable payment form cash vs In-Kind.</p>

S/N	Resettlement Issue/factor	ZANZIBAR LAWS	WORLD BANK OP.412	GAP FILLING MEASURES
		<p>etc., prior to entry for purpose of survey, marking boundaries, etc.. Section 2 demands payment for damages done to standing crops, trees, fences or buildings during survey, marking boundaries etc.</p> <p>b) Section 9 calls for compensation for acquired property by government or a company. Claims for compensation by all with interests in land should be made to the District Commissioner</p>	<p>resettlement policy framework includes measures to ensure that the displaced persons are</p> <p>(i) provided assistance (such as moving allowances) during relocation; and (ii) provided with residential housing, or housing sites, or, as required, agricultural sites for which a combination of productive potential, locational advantages, and other factors is at least equivalent to the advantages of the old site.</p> <p>(c) Where necessary to achieve the objectives of the policy, the resettlement plan or resettlement policy framework also include measures to ensure that displaced persons are : (i) offered support after displacement, for a transition period, based on a reasonable estimate of the time likely to be needed to restore their livelihood and standards of living; and (ii) provided with development assistance in addition to compensation measures described in paragraph 6(a) (iii), such as land preparation, credit facilities, training, or job opportunities.</p>	
9	Resettlement options and alternatives	PAPs are to be informed about their rights, consulted on, and provided prompt and effective compensation at full replacement cost for lost assets attributable directly to the project.	PAPs are to be informed about their options and rights, consulted on, offered choices, provided with technically, economically feasible resettlement alternatives, provided prompt, and effective compensation at full replacement cost for lost assets attributable	RAPs developers should ensure that PAPs are well informed on the options. Document each option. As much as possible the options be incorporated in the RAPs. Compensation in Zanzibar laws gives PAPs the opportunity to choose alternatives.

S/N	Resettlement Issue/factor	ZANZIBAR LAWS	WORLD BANK OP.412	GAP FILLING MEASURES
		However, no clear mechanism set forth for the PAPs to be given chances to opt for the compensation type (eg. Cash vs In-Kind i.e resettlement sites and or design of the replacement houses)	directly to the project. PAPs have chance to choose compensation options (cash Vs In-kind), as well as resettlement sites and / or housing designs in case they have opted for the in-kind compensation.	This provides equal opportunity to all PAPs to restore the assets lost; but compensation in-kind, recommended by OP 4.12, and ensures permanent assets will replace those lost.
10	Replacement of lost assets	Construction of the project can take place after all PAPs receive their money and given time to vacate the compensated land and assets.	Resettlement activities required for the project implementation should be completed before the affected land, asset or resources is taken for project use. Provide prompt and effective compensation at full replacement cost for lost assets attributable directly to the project	All lost assets will be compensated at replacement value. This will asset for the additional measures for provision of trees seeding to replace the trimmed vegetation. Nonetheless, in-kind option will stand as a key option under the replacement value.
11	Grievance Redress /mechanism	National legislation such as the Land Tenure Act (1992), and Land Tribunal Act (1994), set out requirements and authority for dispute resolution. These laws set out the dispute resolution structure starting from the local level to the highest courts of law in Zanzibar. The law does not however set requirements for establishment of grievance mechanisms specific for resettlement cases among affected households.	Requires affordable and accessible procedures for third-party settlement of disputes arising from resettlement; such grievance mechanisms should take into account the availability of judicial recourse and community and traditional dispute settlement mechanisms.	The Project is implementing grievance mechanisms in line with OP 4.12, including the involvement of community representatives and the RWC in monitoring and helping to resolve grievances. Grievance books/forms shall be available at BIG -Z office to give the community a venue for submitting grievances. The Project will also be supportive of persons making use of dispute resolution measures identified in law, and raise awareness amongst affected communities of these legal rights for dispute resolution.
12	Disclosure, Consultation and Participation	Provide for notification and consultation of the parties with an interest in a targeted piece of land. ZEMA, 2015 require that all key stakeholders to be informed and consulted as an intergral part of ESIA.	OP 4.12 require that displaced persons to be consulted and fully informed about their options and rights pertaining to feasible resettlement options, planning and livelihood restoration measures.	The Project will adopt approaches to meet both the national requirements and the OP 4.12 requirements on disclosure of information, consultation and informed participation. BIG-Z have prepared stakeholders consultation plan

S/N	Resettlement Issue/factor	ZANZIBAR LAWS	WORLD BANK OP.412	GAP FILLING MEASURES
				together with establishment of resettlement committee.
13	Application of Cut-off date for eligibility	The cut -off date is referred as the date at which the property identification and valuation exercise ended. Any person who encroaches on the identified area of impact after valuation date is not entitled to compensation or any resettlement assistance.	OP 4.12 paragraph 22 defines cut-off date as the date the which census begins or the date on which the project area was delineated, prior to the census, provided that there has been an effective public dissemination of information on the area delineated.	In line with OP 4.12 guidance, the Project will use the date of the commencement of the valuation processes.
114	Absentee property owner	The project owner, Valuer and local leaders must make a sincere and necessary effort to contact the landowner or the representative during the valuation. Local government leaders will represent the interests of the unknown owner and the payments will be retained by district executive director while effort is taken to find the owner	In case of absentee owner, effort should be made to contact the owner and negotiate with them on the terms, type and amount of compensation. For absentee owners not contacted, sufficient funds to cover the future payments should be reserved	Digitalized RAPs with a proper database will provide a strong backup for verification of eligible and legitimate PAP. Hence enable all PAPs including the absentees to receive their compensation even after the project completion.
15	Unknown owner	Local government leaders will represent the interest of the unknown owner and the payments will be retained by district executive director while effort is taken to find the owner	For unknown owners, sufficient funds to cover the future payments should be reserved	Interest will be paid to the owner if the time lag will be more than six months from the date of acquisition or revocation.

**Reconciling Policy and Practice:** World Bank OP4.12 on Land Acquisition and Involuntary Resettlement provides that when host regulations differ from the levels of and measures presented by the EHS guidelines, projects are expected to achieve whichever is more stringent. If less stringent levels or measures are appropriate in view of the specific project circumstances, a full and detailed justification for any proposed alternatives is needed.

While, RoGZ has the practice of not paying compensation for acquisition of customary land, under this project POFP will pay the compensation as required by WB norms commensurate to the extent of impacts. As this may end up in clash of WB policy with RGoZ's practice, Compensation Agreements would be drawn up in an appropriate manner and signed to be used as the basis for the making payment. In this way, WB norms will have been met and potential double claims forestalled in future. It could be challenged on grounds such as discrimination when compared with the rights of registered leasehold or freehold owners of land.



## Chapter 4 – Public and Stakeholder Consultations

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This section presents a summary of public consultations held in accordance with the Provision of World Bank's Policy on Involuntary Resettlement Policy (4.12 of 2013) that all displaced persons and host communities should be meaningfully consulted early in the planning process and encouraged to participate in the planning and implementation of the resettlement program. The Policy further asserts that the feasibility of holding separate women's meetings and fair representation of female heads of households, in addition to mixed meetings should be explored. Also, the way in which information is disseminated should be cautiously planned as levels of literacy and networking may differ along gender lines. Public consultations in RAP development, not only are they regarded as best practice on ethical and moral grounds, but they are widely documented as resulting in project developments that are more sustainable and cost-effective in the long term, and acceptable to all those who are affected directly and indirectly. In addition, the consultation process provides an opportunity for PAP to express their views and opinions on the project, and on their present and possible future.

### 4.1 Project Consultation Process

Public consultation and disclosure of information for the Urban Upgrading started in June 2019. The process ensured two-ways communication between the project developer (PMT) and relevant stakeholders and assure accountability and transparency in the development process. An intense public consultation and disclosure program is therefore required to ensure that Project benefits are maximised and that the Project is implemented sustainably.

As the Project proponent, the PMT has advocated all the project implementers to ensure that they take the public consultation process forward, with consideration given to all stakeholders, supportive institutional arrangements, and a program of implementation. The subsequent section present details of the consultation taken around the Project to date, and actions required for the future, particularly in aspects relating to involuntary resettlement.

### 4.2 Objectives of stakeholders' consultations

Guided by the RPF, the consultations with stakeholders are essentially a continuous process that will be conducted throughout the project implementation period. The Objectives of consultations with various stakeholders include:

- To identify and document views, concerns and expectations of the stakeholders relating to the project construction activities
- To establish linkages and identify role demarcation in effort to avoid role overlaps
- To collect project documents relevant to the experts' assignment
- To get further acquainted with the progress of feasibility and designs of the infrastructure
- To prevent conflicts through increased transparency in the processes during implementation
- To reduce the risks and performance challenges in the RAP implementation and subsequent construction works through timely relocation of private owned assets and utilities from the construction corridor.
- To assess resettlement issues particularly sensitive areas near the project sites.



- Consultations with PAPs to identify gender disparities, ethnicity, income groups, minorities, vulnerable persons etc.

### 4.3 Project Consultation Process

Over the history of the Project consultation has been fairly extensive and involved the following processes:

- Consultations took a two-way dialogue structure with provision of project related information and obtaining feedback from participants. The participants' opinions were analysed and be used to improve project design and mitigation plans.
- All consultations were well documented and reported in this RAP/RAP. While the list of participants is presented in (Annex3: details of consultations), the issues raised, and response provided to those issues and how feedback incorporated in the design are summarised in table below.

#### 4.3.1 Stakeholder Identification

The identification of stakeholders for this Project followed the procedures outlined in OP 4.12, which requires the proponent to identify the range of stakeholders that are directly or indirectly affected by the Project. The approach for systematically identifying stakeholders' groups was guided by the following criteria:

- Groups or individuals on whom the Project sponsor/developer will depend in one way or another in order to operate;
- Groups or individuals who are directly affected by the project, whether positively or negatively;
- Groups or individuals to whom the project sponsor has, or in the future may have, legal, commercial, operational or ethical and moral responsibilities;
- Groups or individuals who will need immediate attention from the project sponsor with regard to social, environmental and RAP issues associated with the project;
- Groups or individuals who can have impact on the Project with regard to strategic planning and operational decision making; and
- Groups and individuals whose views can lead to a new understanding of the situation and the identification of opportunities for action that may not otherwise occur.

Table 3: Typology of Stakeholders

Engagement Level	Organization	Role in Resettlement
<b>National Level</b>		
President's Office, Finance and Planning (POFP)	PMT	Project coordination, funding and implementation
Ministry of Land and Housing Development, Water	<ul style="list-style-type: none"> <li>▪ Commissioner for Land,</li> <li>▪ Chief Government Valuer</li> <li>▪ Department of Lands and Registration</li> </ul>	<ul style="list-style-type: none"> <li>▪ Issuing right of occupancy on land, oversees land use planning and issues related to compensation and resettlement.</li> <li>▪ Streamline Procedures for Land Acquisition, Valuation, Compensation and Allocation</li> </ul>



Engagement Level	Organization	Role in Resettlement
	<ul style="list-style-type: none"> <li>Department of Survey and Urban Planning</li> </ul>	<ul style="list-style-type: none"> <li>Regularization of Informal Settlements.</li> <li>Preparation of legal Framework for Land Valuation</li> <li>Approval of compensation schedule</li> </ul>
<b>National Regulatory Bodies</b>	Zanzibar Water Authority (ZAWA)	Responsible for issuing water permits and rights; enforces laws and regulations for water quality and utilization and to ensure effluents standards are met. Management of water resources and water supply for both urban and rural areas.
	Zanzibar Environment Management Authority (ZEMA)	<p>Planning and implementation of all environmental matters and the articulation of environmental policy and guidelines necessary for promoting and protecting the environment.</p> <ul style="list-style-type: none"> <li>Enforcement of laws and regulations for environmental management and protection (Environmental Management Act, 2015,)</li> <li>Advisor to the government on all environmental matters and performs the technical arbitration role in undertaking of environmental Audits and ESIA's.</li> </ul>
	Occupational Health and Safety (OHS)	Responsible for Occupational Health and Safety (OHS) in the workplace and the respective surrounding environment
<b>Regional Administration</b>		
Urban West Regional	RC, RAO, Regional Development Committee and Regional Security Committee	<ul style="list-style-type: none"> <li>Responsible for community welfare, investment development, environment management and security on a regional level.</li> </ul>
<b>Local Administration</b>		
Urban and West B Municipal Councils	DC, DAO, DED, Council Management Team (CMT), District Development Committee and District Security Committee District Land Allocation Advisory Committee	Responsible for welfare and development throughout the district
		Land Allocations issues
Wards	Ward Councillors Ward Executive Officers Ward Extension Officers Ward Community Development Officers	Administration, community development, social welfare, environment and land management on a Ward level in collaboration with Sheha.

Engagement Level	Organization	Role in Resettlement
	Shehias Sheha Shehia Advisory Council Shehia Executive Officers (SEO)	Responsible for welfare and development at Shehia level. Specific roles include: <ul style="list-style-type: none"> <li>▪ Implementation of all the Government laws, orders, policies and directives, for maintenance of law and order;</li> <li>▪ Coordination of public meetings.</li> <li>▪ Land development process/land delivery as witnesses</li> <li>▪ Resolution of land disputes</li> <li>▪ Initiation and mobilization of local development projects.</li> <li>▪ The control of immigration in his Shehia and keeping records thereof;</li> </ul>
Non-Governmental Organizations	The existing local community and private institutions such as schools, hospitals, law enforcement, churches, mosques, CBOs and NGOs.	Responsible for provision of social services (health, education, safety, security, worshiping and education but could also take part in observing environmental and social issues.
<b>Community members</b>		
All community members in the affected Shehias.	Community members of Meya, Magomeni, Kwa Wazee, Sebleni, Tomondo, Uzi	Responsible for providing inputs during Project planning and resettlement process.
All People Affected by the Project	Land and property owners including no mention of women, vulnerable groups or other interested parties from all affected areas. i.e. Shehias of Meya, Magomeni, Kwa Wazee, Sebleni, Tomondo, Uzi	Community members located in the footprint of the Project area and may directly be impacted by the Project, in terms of economic and/or physical displacement.

#### 4.3.3 Consultation Activities

In the process of preparation of this RAP, several consultations were made at all levels from the top ministerial level to individual PAPS in the project area.

Table below presents a summary of stakeholder meetings that have been undertaken as part of the RAP process.

Table 4 - Summary of Stakeholder Meetings, Focus Group Discussions and Interviews

S/N	Date	Location	Participants	Purpose
<b>1. Activity1: Kick off meeting</b>				



S/N	Date	Location	Participants	Purpose
1.	July 2019	Ministry of Finance and Planning (ZUSP)	PMT	<ul style="list-style-type: none"> <li>Report to the Client ready to start EIA and RAP preparation for the project</li> <li>Get general background of the Project</li> <li>Request and collect necessary documents in relation to the project.</li> <li>Requesting counterpart person to assist consultant with various issues/information during the EIA study and RAP assignment.</li> </ul>
<b>2. Consultation meeting with Government Departments</b>				
2	Sept 2019	ARS	Project Designer	<ul style="list-style-type: none"> <li>Get drawings on project design</li> </ul>
3		Ministry of Lands and Housing Development (Department of Lands and Registration)	Commissioner of Lands Officer/assigned Land Officer or valuer	<ul style="list-style-type: none"> <li>Get insight on specific laws and regulations governing valuation, compensation and relocation during land acquisitions for various purposes.</li> </ul>
4	October 2019	Department of Environment, ZEMA Office	Director/Assigned Officer (EIA Department)	<ul style="list-style-type: none"> <li>Get insight on specific laws and regulations governing environmental management and protection and ESIA studies.</li> </ul>
5	November 2019	Ministry of Finance and Planning	PMT	<ul style="list-style-type: none"> <li>Formally introduce the Project and seeking their views with regard to the proposed project</li> <li>Coordination of public meetings in their areas of jurisdiction</li> <li>ESIA Study, RAP preparation</li> </ul>
<b>3. Consultation meetings with Shehia leaders (Shehas)</b>				
6	November 2019	Urban District Commissioner's Office	Meya and Magomeni	<ul style="list-style-type: none"> <li>Formally introduce the Project and seeking their views with regard to the proposed project</li> <li>Raise awareness on ESIA and RAP preparation and implementation</li> </ul>
7	November 2019	Urban District Commissioner's Office	Kwa Wazee and Sebleni	<ul style="list-style-type: none"> <li>Formally introduce the Project and seeking their views with regard to the proposed project</li> <li>Raise awareness on ESIA and RAP preparation and implementation</li> <li>Inventory and valuations of project affected assets</li> <li>Compensation Framework i.e. established government compensation guidelines; Compensation and assistance eligibility criteria; and how and when compensation will be paid.</li> </ul>



S/N	Date	Location	Participants	Purpose
				<ul style="list-style-type: none"> <li>Creation of Community Working Groups.</li> <li>Awareness on grievance redress</li> </ul>
<b>4. Activity 4: Community awareness consultation</b>				
8	November 2019	Meya Magomeni meeting	Men, women, youth and people with disabilities in Shehia	<ul style="list-style-type: none"> <li>Formally introduce the Project and seeking their views with regard to the proposed project</li> <li>Raise awareness on ESIA and RAP preparation and implementation</li> <li>Inventory and valuations of project affected assets</li> <li>Compensation Framework i.e. established government compensation guidelines; Compensation and assistance eligibility criteria; and how and when compensation will be paid.</li> </ul>
9	November 2019	Kwa Wazee - Sebleni meeting held	Men, women, youth and people with disabilities in Shehia	<ul style="list-style-type: none"> <li>Creation of Community Working Groups.</li> </ul>
<b>5. Activity 4: Grievance redress meeting</b>				
10	June 2020	Tomondo meeting held	Community planning teams	<ul style="list-style-type: none"> <li>Awareness on grievance redress</li> </ul>
14	August 2020	Sebleni, Kwa Wazee, Tomondo, Meya, Magomeni	Groups of men, women, youths, and Vulnerable people from Shehias of	<ul style="list-style-type: none"> <li>Allow a smaller group of between 8 and 15 people to provide their views and opinions</li> <li>Allow PAPs to provide their views and opinions regarding Census and Valuation exercises.</li> <li>Getting views and opinions regarding RAP implementation and resettlement process.</li> <li>Discuss about Assistance Benefits and Development Opportunities during resettlement implementation.</li> </ul>
<b>7. Activity 5: Community consultation awareness meeting with Shehia leaders</b>				
15	September 2020	Uzi and Mombasa Meeting	RAP expert, Community Engagement Specialist.	<ul style="list-style-type: none"> <li>Compensation Framework i.e. established government compensation guidelines; Compensation and assistance eligibility criteria; and how and when compensation will be paid.</li> <li>Inventory and valuations of project affected assets</li> <li>Awareness on grievance redress</li> </ul>
16	September 2020	Urban and West District	Consultation meeting	<ul style="list-style-type: none"> <li>Formally introduce the project and seeking their views with regard to the proposed project</li> </ul>



S/N	Date	Location	Participants	Purpose
		Commissioner's Office	Community planning team, Shehia leaders from all project areas	<ul style="list-style-type: none"> <li>Coordination of public meetings in their areas of jurisdiction</li> <li>ESIA Study, RAP preparation</li> </ul>
<b>8.Activity 6: Key informant interviews with Shehia leaders</b>				
17	October 2020	Shehia offices of Meya – Magomeni	Shehas	<ul style="list-style-type: none"> <li>Gather general information on Shehia's social-economic framework and project in general.</li> </ul>
18	October 2020	Shehia office of Kwa Wazee - Sebleni	Shehas	<ul style="list-style-type: none"> <li>Gather general information on Shehia's social-economic framework and project in general.</li> </ul>
19	October 2020	Shehia office of Tomondo	Sheha	<ul style="list-style-type: none"> <li>Gather general information on Shehia's social-economic framework and project in general.</li> </ul>

**Focus Groups Discussion (FGD):** FGDs were conducted in all Shehias under project areas. The main purposes were: (i) to allow PAPs to provide their views and opinions regarding Census and Valuation exercises. (ii) Getting views and opinions regarding RAP implementation and resettlement process. (iii) Discuss about Assistance Benefits and Development Opportunities during resettlement implementation.

Table 5- Focus Groups Discussion Participants by Gender

Date	Place	Total	Male	Female
30/6/2020	Shehia offices of Meya – Magomeni	98	58	40
1/7/2020	Sebleni and Kwa Wazee	59	40	19
4/7/2020	Tomondo/Uzi	131	81	50
5/8/ 2020	System C	186	106	80

#### 4.3.4 Details of the Consultations Conducted

Attitudes expressed by various stakeholders including affected communities with regard to the proposed project are diverse. On one hand, there are fears that people will be displaced off their settlements, most available business opportunities will vanish, and that the Project could have significant negative economic and social impacts, especially if compensation to be paid will not consider those issues. However, such fears are generally outweighed by positive expectations that the project will help to overcome the problem of flooding which has been drastically impacting on the communities' wellbeing, including:

- Drowning during the rainy season, especially children in flooded areas at Tomondo.
- Destruction of houses by flooding water in Ziwa Maboga and Tomondo
- Diseases such as Malaria, Schistosomiasis, Bilharziasis, Typhoid, and Cholera – Meya Magomeni and Sebleni
- Unsettled life due seasonal migration during rainy season.
- Congestion in unaffected households, poor roads and non-accessibility during emergencies
- Loss of Income

Construction of the project channel will:



- assist in controlling various water borne diseases thus improvement on sanitation and community health
- allow access to areas that were inaccessible during flooding
- help to reduce government expenditures on drugs and other humanitarian assistances which were needed during flooding tragedy thus the money can be invested on other development projects and community services



Table 6: Matrix of Issues, Concerns and Consideration in this RAP

S/N	Issue/concerns	Responsible	Response	Consideration in the RAP
1	Regarding whether Valuers should enter inside the house during evaluation.	PAP Meya/Magomeni	Yes, Valuers should be allowed to enter inside the building if there is a need to do so.	During asset inventory, all spaces within the buildings were carefully inspected and recorded.
2	What if the building is owned by two different people on the same plot (in front and at the back)?	PAP Meya/Magomeni	As long as there is evidence that two different people own part of the building, they are both entitled to compensation according to their agreement, which must be attested by the local authorities (Sheha).	In asset inventory taking, the scenario was not found as even those with two people had agreed that one person represent the other. At the point of compensation payment, verification will be required of each of the owners of the building in order adequately assign the entitlements.
3	What should one do in situation in which the husband died and left behind a widow and children?	PAP Meya/Magomeni and Sheha	The family, through local authority (Sheha), should appoint one family member to stand as owner	Shehas assisted to identify the potentially affected Households even in asset where owners had passed away. Widows have been identified and have been categorised to be in a vulnerable position. They shall be compensated and overseen accordingly.
6	Majority of the PAPs have no access to legal service; how will people be assisted in case they need legal support?	PAP Meya/Magomeni	Access to legal services is a right to any individual. This exercise shall take care of the PAPs concerns such that we do not expect legal consultation to override the exercise. However, if need be there are available legal services which one can refer in case of serious grievances.	The grievance mechanism has opened up directives for all dissatisfactions and complaints filing at the relevant Sheha, so as to ensure that they feel comfortable expressing themselves.
7	What about institutions/NGOs that might be affected by the project?	PAP Meya/Magomeni	There are institutions such as learning centres, worship buildings and health centres. We will try our level best not to	This RAP took all steps to avoid impacts on these structures, however in the event that they are disrupted, it



S/N	Issue/concerns	Responsible	Response	Consideration in the RAP
			affect them, however those affected shall be valued and an added package given to them for restoration within the vicinity with the assistance of the owner.	advises in-kind restoration to such assets within the project area.
	Where will the affected persons go?	PAP Meya/Magomeni	Where PAPs require payment in kind, arrangements shall be made to offer them accommodation and new settlements shall be found and allocated accordingly.	Compensation and livelihoods restoration involve care for where to reside during implementation of the project.
10	We need to know the boundaries are where the affected buildings are and how those who are affected will be cared for during and after demolitions.	PAP Meya/Magomeni	Marks and numbers shall be marked in all buildings and owners will be involved in all these activities. Enough time will be given to arrange for leaving the areas, but assistance may be given where situations require.	Buildings were properly marked during asset inventory and only areas affected will be removed to pave space for further operations.
11	Needed clarification about what the cut-off date is.	PAP Meya/Magomeni	The date that affected persons are not allowed to do any development/ investment to the assets. Any development/investment done after cut-off date will not be compensated.	The cut-off date was fixed and adhered to during whole RAP preparation.
12	There is a conflict of ownership of the house used by one of the NGO for the blind people at Kwa Wazee, both parties are claiming to be owner of the building.	Sebleni /Kwa Wazee	Sheha agreed to follow up the issue involving both parties the DCs 'office and the line Ministry to establish the real owner of the house. The exercise shall take care of the rights of all parties.	Grievance mechanisms are in place to address all persistent conflict arising within the project area.
13	There are already lines planned for the roads. Why is there a need to expand beyond these to people's properties	Sebleni /Kwa Wazee	All existing road and lines need to be improved and developed to urban standards, which necessitates taking off more stretches of land. However, all will be properly verified, valued and paid for according to relevant laws.	The RAP has taken to only those areas which are earmarked and designed.

S/N	Issue/concerns	Responsible	Response	Consideration in the RAP
14	Inform people the date of assessment for them to be available.	Sebleni /Kwa Wazee	Information will be provided through Sheha.	All PAPs got information and participated effectively in asset inventory
15	Some of the owners of buildings or plots are working far from the area and thus there is nobody living in the building.	Sebleni /Kwa Wazee	Those need to be informed as it is necessary for the owners to appear in person during this exercise. Sheha must inform owners to come for the exercise.	Representatives were allowed to show the property during inventory and later owners came to be verified and photo was taken.
16	What about houses that have no title deeds, will they be considered for assessment and compensation?	Sebleni /Kwa Wazee	They will all be assessed and taken on board for compensation.	All land within the project area had no titles and all were inspected and valued accordingly.
17	Are the roads one way or double carriage?	Sebleni /Kwa Wazee	There are different categories of roads - 3, 6, 8 meters - according to the accepted designs. All these are made to suit the uses and needs of the settlements where the roads are planned.	This is as provided in the designs that were given. The width depends on the specific designs and needs which were assessed and incorporated in the feasibility study.
18	What should be done by those landlords who have given their tenants long-term leases and need to renew?	Sebleni /Kwa Wazee	From the cut-off date a new lease should not exceed 6 months, but can be renewable to short-term only for affected properties e.g. not more than 3 months.	Continuous communication with Shehas to land lords to maintain short leases of the affected buildings.
19	We need to be informed prior to commencement of the valuation inspection as we have other engagements to attend.	Tomondo	Information will be availed three days before the exercise. Shehas will inform all affected PAPS on the dates of evaluation and census.	Before census and asset inventory taking information were shared 3 days before. Exercised were taken at convenient time of the day with respect to prayer times.
20	In regard to the cut-off date, if my door has broken can I fix it, or it will be against regulation?		You can still fix your door but not allowed to make extended developments. Minor repairs are allowed throughout.	Maintenance with same material is allowed until notice to relocate is issued.



S/N	Issue/concerns	Responsible	Response	Consideration in the RAP
21	When will the buildings be demolished? How will widowed people like me be considered?	Shauri Moyo, Kilimahewa Bondeni , Kilimahewa Juu,	After compensation is announced, time shall be given to prepare and leave the acquired properties, however, it shall not exceed 6 months after compensation is paid.	Buildings will be demolished according to the guides after 6 months from compensation payment and or after a notice is issued to vacate.
22	Will compensation be in kind or in cash?	Shauri Moyo, Kilimahewa Bondeni , Kilimahewa Juu,	Compensation is assessed in monetary terms on reported market values. Decisions for payments shall be made and consulted during the disclosure exercise during which each PAP will be informed of how much are entitled to.	This RAP advises to obtain more opinions after each PAPs gets the amount for compensation.
23	Who will be responsible for payment of compensation? We do not want the government to take our money and decide how much to pay without consideration of our assets like they did in other projects such as Fuoni Road.	Shauri Moyo, Kilimahewa Bondeni , Kilimahewa Juu,	BIG-Z and the President's Office Finances and Planning are the responsible organs of the project. The government is the overseer of all activities and therefore takes an upper hand to all projects on behalf of the public including issues of payments. Setbacks are normal but there is still much trust in our government which has brought us this project also. It is assured that the government through its organs and agencies will supervise the whole project successfully.	This RAP advises openness in compensation payments and where issues arise, eloquent clarifications should be given to affected PAPs in proper channels. The project, through the government, shall be responsible for the payment of compensation.
24	There are public and private water pipes within the area. Also pipe crossings need to be made at some intervals	Mapinduzi, Amani and Mkele	This observation is noted and shall be reported so that during construction the lines can be marked and restored favourably.	Water pipes and electric lines were checked during inventories. Their positions are advised to be properly found during implementation.
25	How are the vulnerable people in the community who lose their assets treated?	Mapinduzi, Amani and Mkele	Vulnerable individuals including widows, sick people, elderly, people with disabilities, etc. have special treatment in	Further consultations with vulnerable PAPs are advised to ensure that livelihoods are sustained.



S/N	Issue/concerns	Responsible	Response	Consideration in the RAP
			the exercise. Their details will be taken in Census interview so that their packages can be prepared properly.	
26	What if there are conflicts in the property and is not yet resolved?	Mapinduzi, Amani and Mkele	Parties must report any conflict to the Sheha so as to resolve them. If it is not resolved by inspection date, the property will be assessed with all parties but compensation will not be paid until the conflict is resolved and reported.	The grievance addressing structure together with administrative authorities are in place to work and resolve RAP related conflicts. If there are issues between two people outside of the grievance mechanism, it is their responsibility to address these issues separately.
27	One district leader urged the stakeholders to provide support to the project in all stages as in few months they will have water and well-built roads which shall improve their property values also	Mapinduzi, Amani and Mkele	Good credit to the project. Thanked by the RAP Expert	Cooperation to all levels of the community is insisted during finalisation of RAP and project implementations.

### 5.1 Introduction

The project is located on the Island of Unguja of Zanzibar (Unguja) under two districts/municipalities of Zanzibar Urban Municipal Council and Zanzibar Urban West B municipal council in Urban West Region. Zanzibar Urban Municipality is the capital of Zanzibar archipelago and it is also the economic, political, and cultural centre of the Islands as well as the administrative headquarters of the Government. Unguja, as the national capital, plays a major role in trade and tourism, and thus contributes to a major portion of the GDP.

### 5.2 Geographic Characteristics of the Affected Areas

Climate: The project area has a tropical climate, with an average temperature of 26.9°C (78°F) and monthly average temperature between 25.1 - 28.8°C (77°F - 84°F). The annual rainfall ranges between 1,500 mm to 2,000 mm. There are two rainy seasons, with most of the rainfall coming between March and May and smaller rainy season between November and December. Drier months are January - February, and a longer drier season between June to October. The period from November to March is relatively hot and humid with maximum temperatures exceeding 30°C (the northeast monsoon) and the coldest month is July at 24°C (75.2°F).

Vegetation: In the project area, the natural vegetation has been cleared and replaced by secondary vegetation cover, namely planted trees including, among others, palms, mango trees, *Terminalia almond* (“Mikungu”), “Miti ulaya”.

Natural Resources: There is no wildlife resource in the project area due to its location within a concentrated urban neighbourhood with major ecological transformations. Only domesticated animals such as goats, chicken, ducks and very few cows (Tomondo) are found in the area.

Population: According to the 2012 Tanzania National Population and Housing Census (PHC) the Shehias interested by the upgrading project had an estimated total population of 106,837 people (50,262 men and 56,575 women). The average household size is 5.3 members, with a population density of 82.1 persons per hectare. Based on annual growth rate of 3.8% the population of the project area in 2020 was projected to be 143,979 people as presented in table 9 below.

#### 5.2.1 Demography of the Affected Population

**Affected Population:** The project is estimated to affect 457 Project Affected Households. 282 PAPs are from the urban upgrading areas while 175 households will be affected due by system C drainage infrastructures construction activities. Table below shows number of the PAPs owners of the affected assets from the project benefitting Shehias.

Table 7: Gender Disaggregated Number of PAPs Shehia - Wise

Sub Project Component	Shehia	Total PAPs	Females	Males
Urban Upgrading	Sebleni	17	6	11
	Kwa Wazee	19	3	16
	Meya	52	20	32
	Magomeni	47	18	29
	Tomondo & Uzi	147	45	102
	<b>Sub Total</b>		<b>282</b>	<b>92</b>
System C Drainage	Shauri Moyo	31	10	21
	Kilimahewa Bondeni	10	5	5
	Kilimahewa Juu	63	26	37
	Mapinduzi	33	10	23
	Amani	14	8	6
	Mkele	24	14	10
	<b>Total</b>		<b>175</b>	<b>73</b>
<b>Grand Total</b>		<b>457</b>	<b>165</b>	<b>292</b>

**Ethnicity:** the project area is occupied by ethnically diverse population, The large population belong to the admixture of Shirazia and Tumbatu tribes (84%) followed by other tribes originating from Tanzania Mainland, including Makonde, Makua, Zaramo, Nyamwezi, Nyakyusa, Mwera, etc. (12%). Arab occupies 3% while Ngazija people is 1%.

**Population Ratio between Men and women:** The average gender ratio among the surveyed households in the three Upgrading Areas is 44% men, 56% women, and 58.7% of the population in the affected households is under the age of 25.

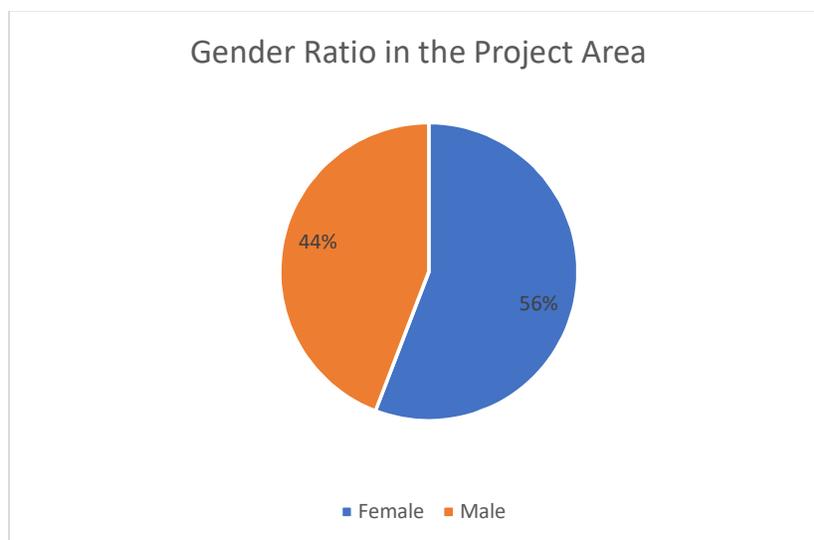


Figure 5 - Gender Ratio among the Surveyed Households

**Age grouping:** In general terms, the population in the Project area is dominated by young (able bodied) people of age between 26 and 60. Figure below presents the age groups.

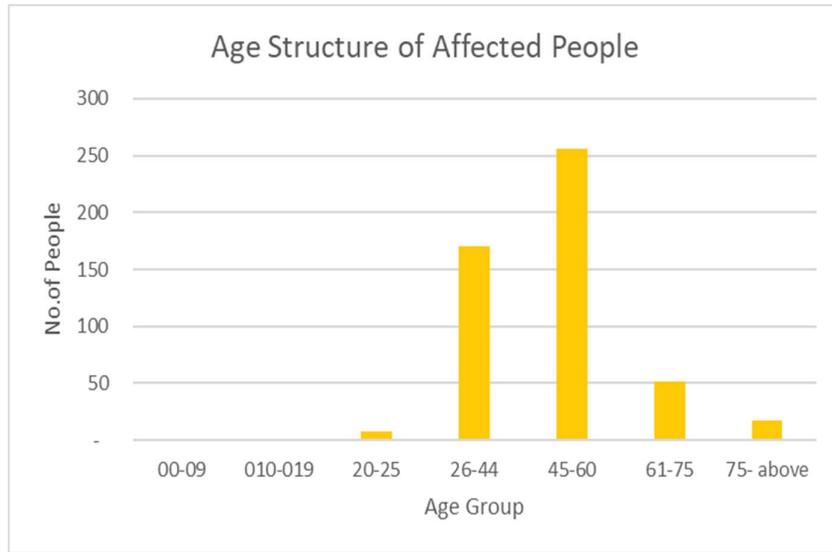


Figure 6 - Age Structure Among the surveyed Population

**Gender of the Heads of Households:** More than 70% of households in the affected population are headed by males. While 30% are headed by females. Many female household heads are often widows, single mothers and divorced. Figure below presents the marital statuses of the affected population.

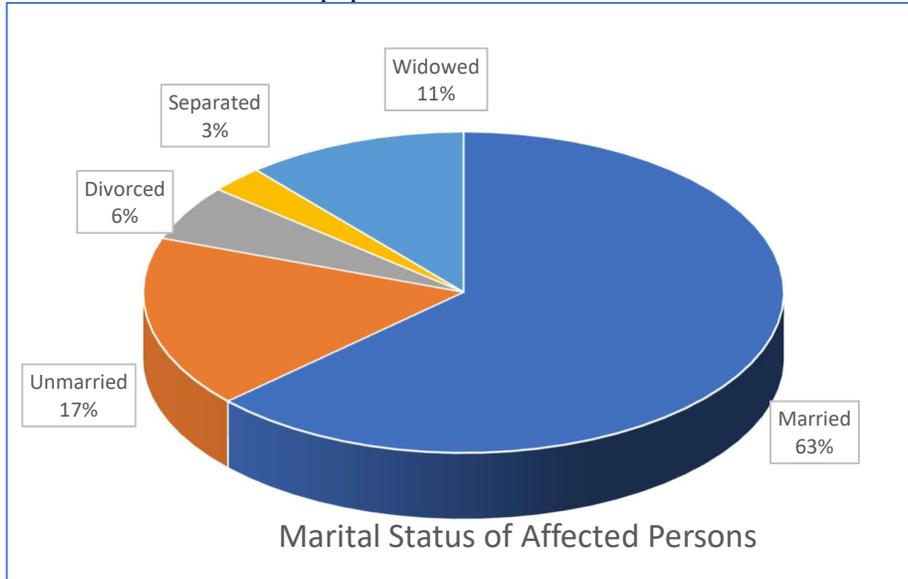


Figure 7 - Marital Status in the Affected Population

**Household sizes:** Average household size among the affected population is between 5 and 6 members. However, there is some variation in household sizes, with some households having up to 12 members.

**Governance:** The existing local government structure in Zanzibar including the project area is based on the Decentralization and Local Government (District and Urban)

Authorities Act of 1986 (as amended from time to time) and the regional administration Authority Act (1998 No. 10). Governance at Shehia level is such that the power in decision-making is decentralized from the central government (The President Office, Regional Administration, Local Government and Special Department) to the local government. The ministry is responsible for coordination and administration of the connection between different tiers of the government, i.e., Regional and District administration; and Local government as well as Municipal Council, Town Council and Shehia / Village Council.

Regional administration is responsible for coordinating all development activities in their respective areas and supervision of the implementation of government policy and formulating plans for the area and mobilization of the local communities under the leadership of Regional Commissioner (RC) assisted by a Regional Administrative Officer (RAO) and Regional Development Committee (RDC).

District administration has the function of coordinating development activities at the district level. Each District has a District Commissioner (DC) assisted by a District Administrative Officer (DAO) and District Development Committee (DDC). The District Councils have an element of local democratic choice but have no financial powers and no infrastructure to enable them to function effectively.

In the project area the local administrative structure is highly influenced by government administration systems. This constitutes the Urban Council which includes Municipal or Town Councils, which are subdivided into Wards and further subdivided. Shehia Council is the lowest level in the system and is a defined administrative and political unit in urban or rural areas. Each Shehia has an advisory committee of at least 8 members, (one third should be 60 years old or above); and other committees on different issues. A Shehia is led by Sheha who serves as the Chief Government Officer and is appointed by the DC from among retired and or public officers. The Sheha reports directly to the DC and is responsible for all matters in the communities, including implementation of Government laws, orders, policies and directives, for maintenance of law and order; coordination of public meetings; Initiation and mobilization of local development projects; keeping records of his/her residents and resolution of social and family disputes.

### **5.3 Land Tenure and Land Use**

Land in the RAP Area and the surrounding areas is largely under informal / customary ownership. Land use and tenure is normally overseen by the RGoZ through the Ministry of Land, Housing, Water and Energy. Within the customary land tenure system, land is held privately by individual households or families while other urban lands such as parks/ reserved forests are owned communally under ZUMC and West 'B'. During the socio-economic survey, a large number of interviewed households indicated that they have access to land. The size and number of plots per household varies considerably (some households own up to four plots) but the majorities have only one land parcel.

The common land use within the project area is categorized as residential and small-scale commercial use, though to a large extent is a mixture of both. This situation is largely influenced by history and culture of Zanzibaris specifically in Unguja whereby a single building is used for residential and commercial purposes.

### **5.4 Livelihoods and sources**

Being in urban areas most of the communities within the project areas are heavily dependent on small and medium trading activities. Veranda petty businesses are also very common in the area, whereby food is the



most commonly sold item. In the project area there is no designated agricultural land, therefore urban agriculture is mainly practiced along the natural drainage courses, swamps and around the houses in a very small scale mostly growing vegetables, coconut trees and banana trees.

Overall, employment among the members of households are government employees constituting 9.39%, private sectors employees constituting 20.80% and self-employed (46.16%) including fishing, petty trading, household work operating transport means. Unemployment (23%) is seen amongst all age groups yet is most prevalent among youth (under 35), whereby one third is not working

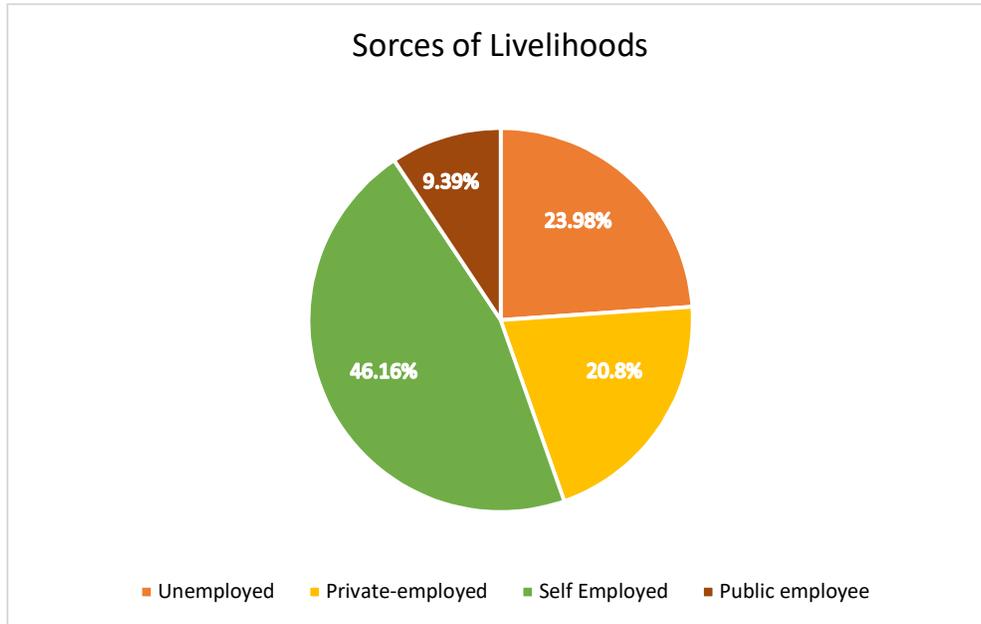


Figure 8 - Breakdown of Type of Sources of Livelihoods

**Household Incomes Sources:** Approximately 90% of surveyed households have some form of cash income. About 5.2% of the working aged population is not working and thus does not have a regular monetary income as they rely mostly on non-cash-based livelihoods such as aids and remittances. Major reasons for not working include elderly (1.4%), illness (0.6%), physical handicaps (0.1%), not allowed to work especially women (0.1%).

The average household monthly income is between TZS 200,000 and 500,000, while 26.67% have an average monthly income below TZS 200,000.00. There is no significant disparity in income between male-headed and female-headed households.

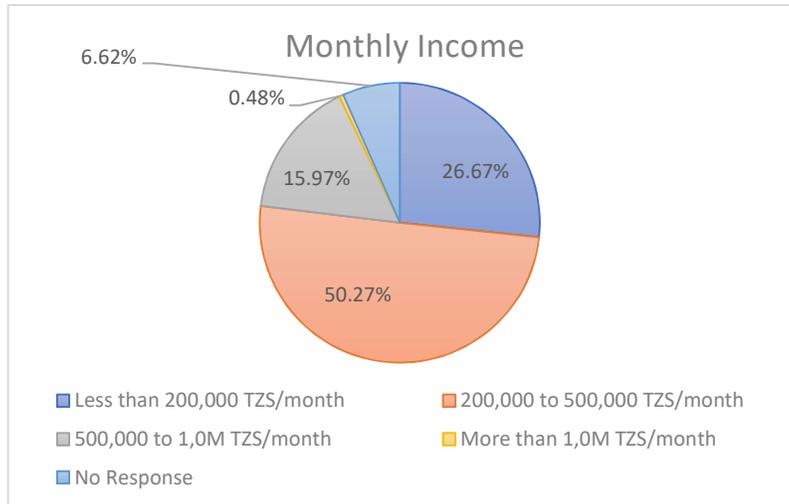


Figure 9: Income range among PAPs

The most common forms of household expenditure are food, water, lighting and cooking energy (electricity, charcoal and kerosene), clothing, personal hygiene items, health and medical care, education expenses, transport and communication and remittances.

### 5.5 Housing Condition and Sanitation Facilities

Information on housing and structures was collected as part of the asset survey. Information on the type of structures and building material used that are found in the proposed project area is detailed in asset valuation summary. Many households have dwellings that are comprised of several structures occupied for varying lengths of time. The most common construction material is cement block walls (not mortared), with corrugated iron sheet roofs, cement floors, wooden doors and windows made of wire mesh buttoned on timber frames. The number of rooms ranges between three to six, some being located in the backyard, disconnected from the main house. It is apparent that most houses have capped foundations while some have a second level foundation on them to avoid and protect them from flood damage.

In some places, houses have been severely damaged by frequent flooding and have thus been abandoned by the owners. Most houses have a separate kitchen in the backyard, and some use a porch/corridor area for cooking and preparing meals. Very few households have separate washing or shower facilities. Housing in the three upgrading areas is almost solely comprised of 30- 60m<sup>2</sup>, Swahili-style dwellings, with four rooms used for sleeping, and built around the 2000s by informal builders. The use of materials for roofing and walls is nearly exclusively iron sheeting for the roof, and cement for the walls, whereas the material of the flooring is most often cement, with just under a quarter of the households using ceramic.



Figure 10 - Types of Houses Found in The Project Area

The common sanitation facilities among the affected households are traditional pit latrines and modern pit latrines (those furnished with western type toilet sink). These toilets usually overflow during heavy rainfall due to the rise of water-table causing strong odours and spillage of human waste into the surrounding environment, including water courses. There is a significant number of houses that use flush /western type of toilets with septic tanks emptied regularly by the municipality. The sizes of septic tanks vary from 1.5x2x3m to 2x2x5m. Houses also have separate bathrooms with waste water discharged directly to a natural course or storm water drainage systems.

## 5.6 Social Infrastructure and Services

**Education Facilities:** The total number of schools in the project affected Shehias are 16 (nursery 4, primary 8, and 4 secondary schools) which is 14.0% of all nursery and primary schools in Zanzibar town (116).

More than 68% of these schools are government owned. Four vocation training centres are also found within the project area.



Figure 11 - Vocational Training Centre in Magomeni

There is no institution for higher education in any of the affected Shehias, and thus they depend on the State University of Zanzibar – SUZA for higher education. There are four government secondary schools in Tomondo, Kwa Wazee and Sebleni, which is not adequate when compared to the population of the area, as some of Shehias do not have their own secondary school. As such students from the surrounding Shehias, such as Meya and Magomeni need to go to the secondary schools elsewhere. The schools face a lot of challenges including large number of students per classroom and inadequate infrastructure. We have purposefully avoided to the best extent possible, all schools, and the contractor will be advised to ensure that the safety of all students is guaranteed during the phase of construction, that access is not disrupted and measures are taken to minimize and control dust, noise and vibrations that interfere with the learning environment.

**Literacy Rate:** In the project area, literacy rate is relatively high (91.05%)<sup>4</sup>. A significant number of children (34.4%) in the enumerated households were attending schools in different levels at the time of the socio-economic survey. Among those completed primary education; 7.7% did not know how to read or write while 13.2% were able to read only. About 14.3% completed ordinary level secondary education while 10.2% attained an A’ level secondary education. 0.9% got a specialized training certificate, 2.8% had a diploma certificate and 2.3% attained a university undergraduate degree. Among adults between the ages 45-65 who do not know how to read or write only 12.64% took an initiative to join literacy program that involve learning to read and write. Before compensation is paid, a financial literacy exercise shall be held for all illiterate PAPs in order to explain to them how to best manage their compensation money. Additionally, assistance in either opening a bank account or helping complete any sort of administrative steps shall be provided.

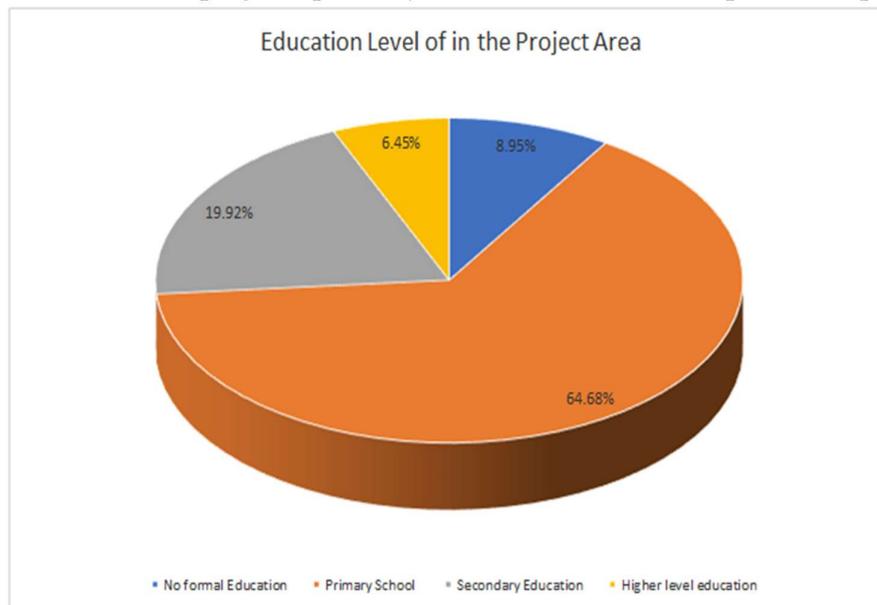


Figure 12 - Literacy Rate Among Those Completed Primary Education

The majority of people have secondary education. Changes can be seen amongst age groups and gender, whereby the younger generations are more likely to be educated, and

<sup>4</sup> Have attended formal education

women are more likely to have formal schooling through secondary, at which point men are more likely to hold a diploma and first degree.

**Health Services:** There are 11 dispensaries in the project Areas combined, of which 7 are owned by the government and 4 privately. Within Kisauni there are two privately owned dispensaries, Neema and Mjimpya Dispensaries, which provide services to the people. Within Tomondo along Royal Street, one dispensary known as Royal Dispensary, is the only health service source to the Shehia's population. The existing dispensaries face a number of problems including lack of medicine and shortage of healthcare workers in relation to a number of patients. Effort has been made by the government to improve the situation by inviting expatriates and volunteers from the medical sector to provide their services. However, none of the dispensaries are affected by the project.

Health condition among the affected households is good. During household surveys, 90.5% of respondents didn't get sick or injured in a period of one month. For those who got sick, were mainly suffering from malaria (24.7%), followed by respiratory system diseases (17.8%) and diarrhoea by 16%. Consequently, about 1.6% of the total population involved in household surveys had a particular form of physical disability (1.2%). Types of diseases affecting people around the area include Malaria, Typhoid, Cholera and Schistosomiasis.

**Water Services:** Zanzibar, including project affected Shehias, is largely dependent in underground water sources, primarily Mto Pepo springs. As such water for domestic purposes is most often obtained from public water supply systems provided by ZAWA (61.5%). Private wells drilled by individual households are also relatively common and serve 11 % of the project affected population. Differences among Shehias are very evident especially for Tomondo where only 14% declared to have tap water supplied to plot.

The roads upgrading interventions will create disruption to water supply service. Contractors implementing the works shall ensure that disruption is mitigated and residents are not left without service for long time. The Contractors will be requested to prepare a works schedule preventing the complete interruption of services to residents by foreseeing daily shifts, for instance planning and interruption during daytime and repristinating the service after work time.



Figure 13 - Water Kiosk and raised reserve tank in Magomeni

**Electricity Supply:** Within the project area, 97.6% of households are connected to the national electricity grid. The most common sources of energy for lighting is electricity (90.3%); while for cooking is charcoal (46.3%); followed by gas and firewood respectively 18.8% and 23.7%. During household interviews, many households admitted that there is no problem in electricity supply in Unguja especially after the installation of undersea cables.

Table 8: - Primary Source of Energy (% of PAPs)

Areas	Shehias	Charcoal for cooking (% of PAPs)	Electricity for Lighting (% of PAPs)
<b>Upgrading Area 1</b>	Sebleni	50%	95.8%
	Kwa Wazee	50%	95%
<b>Upgrading Area 2</b>	Meya	37%	89%
	Magomeni	37.5%	91%
<b>Upgrading Area 3</b>	Tomondo	57%	81%
<b>Average in Upgrading Areas</b>		<b>46.3%</b>	<b>90.3%</b>

Existing electricity lines will be indeed affected during road improvement works implementation. Contractors shall be requested to make any effort to ensure that people are not left without power for extended period of time: This is a key issue with regards to safety and studying which might take place in the evening. Hence it is recommended that works on electricity lines are performed during the day and the service is activated in the evening.

**Security:** There are two police stations serving Meya and Magomeni - Mwembe Madafu along Jang'ombe road and Ng'ambo Police Station located in the Shehia of Mitiulaya (Urban District) which also serve Kwa Wazee and Sebleni Shehias. In Tomondo and Uzi

there are two police stations located at Mwanakwerekwe about 2 kilometres from the area and Mazizini Police station which also serves Kisauni, Mombasa.

**Road and Transport:** Urban West and Urban Central districts are well connected with tarmac road networks. The current road network is sufficient to support current traffic volumes, but with the given population and motorization growth rates challenges are obvious. All affected Shehias have access to public transport along the main roads, however, there are very few street roads that can be accessed within the settlements because of unplanned settlement densifications, and as a result walking has become the most dominant mode of transport in the Upgrading Areas. The roads rehabilitation has been selected as a priority intervention to complement the flooding mitigation measures. The primary main of transportation to move outside the neighbourhood is the Public Transport for 59.7% of the PAPs.

Table 9: - Primary Means of Mobility (%of PAPs)

Upgrading area	Shehias	Primary Main mean of mobility (% of PAPs)				
		Public transport	Motorbike	Car	Bicycle	Walking
Upgrading Area 1	Sebleni	62.5%	12%	16%	9.5%	0%
	Kwa Wazee	75%	10%	10%	5%	0%
Upgrading Area 2	Meya	59%	22%	4%	10%	4%
	Magomeni	56%	19%	12.5%	3.5%	9%
Upgrading Area 3	Tomondo	43%	31%	7%	5%	14%
<b>Average in Upgrading Areas</b>		59.7%	18.8%	9.9%	6.6%	5.4%
<b>System C</b>						
	Shaurimoyo	60.40%	15%	17%	8.00%	0%
	Kilimahewa Bondeni	74%	10%	11%	5%	0%
	Kiliomahewa Juu	60%	19%	3%	9%	9%
	Mapinduzi	78%	8%	4.00%	2.00%	8%
	Amani	72%	12%	7%	2%	7%
	Mkele	65.00%	15.00%	5.00%	4.00%	11.00%

In designing the upgrading interventions for the road network, attention has been given to minimize the resettlement impact. In line with this principle, conservative standards for roads development have been applied. Existing corridors and roads have been selected for rehabilitation and proposed width for local roads reached maximum up to 8 meters width in comparison to the 12 meters recommended by the ZansPlan for the same typology of roads.

During works implementation the contractor shall be responsible for placing signage to ensure that the flow of all form of transportation is ensured and is safe during construction. The RAP will ensure this during the monitoring phase.

## 5.7 Social safety Networks

The communities are united and led by Islamic religion thus they hac combated contemporary effects of globalization like drug and alcoholic abuse/addiction which rank



very low, while gender based and sexual abuse rank quite moderately. There are availability of social support networks and/or organizations that render assistance to households' members who are experiencing difficulties. The findings of the socio-economic survey indicate that 50 -55% of the population are in the working age but a significant number do not have any job. They rely on extended family /neighbourhoods' social safety networks for support. TASAF has initiated support program to the very poor households by providing some cash (TZS 20,000-44,000/=) on monthly basis for food for the most needy and other needs for school children.

**Culture:** The Culture of people in the project area is mostly influenced by the Arab culture, though people have different origins such as Shirazia (82.9%), Arabs (3.5%), Ngazija (0.9%), Bantu from the mainland (12.6%) and very few originating from Comoros Islands. The official languages are Kiswahili and English. 98.9% of population in the project area practices the Islamic religion faith. The dominance of the Muslim religion within the project area makes the Islamic practices stronger within the project area. Social interaction in in the project area is through major community events such as funerals and wedding ceremonies where their famous tradition music of Taarab or Tarab is usually played. They also interact with large Zanzibari community in annual festivals such as Sauti za Busara music festival and community social events such as marriages and funeral practices.

Community life, family and social cohesion are dominant themes in people's lives. All interviewed Shehas believe that the communities feel a strong sense of belonging to their community, which is also correlated to the communities' respective boundary-line. During all consultation meetings, the cultural guidelines, including gender norms, timing of meetings, language, etc., shall be followed and respected.

### **5.8 Assessment of Gender Aspects**

Gender issues are a serious concern in Zanzibar due to its social cultural and religious practices and background. The position of asset ownership is more dominated by male sides as compared to females. This does not only count on income disparities between men and women but also development opportunities and thus striking gender inequalities. Assessment reports on poverty (Zanzibar Poverty Assessment 2017) show that the total average income of men is 2.5 times higher than that of women; unemployment among women was as high as 22.9 percent in 2014, 16.8 percentage points higher than that of men in Zanzibar, and 15.5 percentage points higher than that of women in mainland Tanzania; underemployment rate (working less than 40 hours a week) of women is nearly 17 percent, more than three times that of men.

The constitution of the United Republic of Tanzania (Zanzibar) article 12 (4) and (5) of the 1984 constitution prohibits discrimination and contends for Human Rights and Gender Equality. Further then new National Land Policy of Zanzibar 2020 insist of equal access to land for all people and specifically between men and women. This RAP has taken strict observance of gender inclusions for promoting sustainable development even after resettlements.

#### **5.8.1 Key Gender Issues**

During preparation of this RAP its was discovered that there is potential occurrence of Gender Based Violence (GBV) within the project areas. The drivers were identified and addressed in the following;



*Lack of landownership and property rights:* This RAP found out that 45% of women in male headed households in the project areas have doubts of getting anything from resettlement due to the fact ownership of the assets was totally under men who are de facto heads of households and this denies women’s equal access to compensation despite care and services they make to the properties. 7 women in Meya Magomeni and Tomondo approached the RAP Experts seeking to access some compensation as they didn’t trust if their husbands will share them after getting paid.

Low levels of education and training among women: The level of education among community members affected by the project is still minimal whereby 73.63% still fall within below secondary level education with only 6.45% at higher learning with a degree education and 19.92% of all affected people at secondary education level. This RAP advises that the municipality and ministry of lands provide education be provided on land matters and needs of formalising land rights for their socio-economic development.

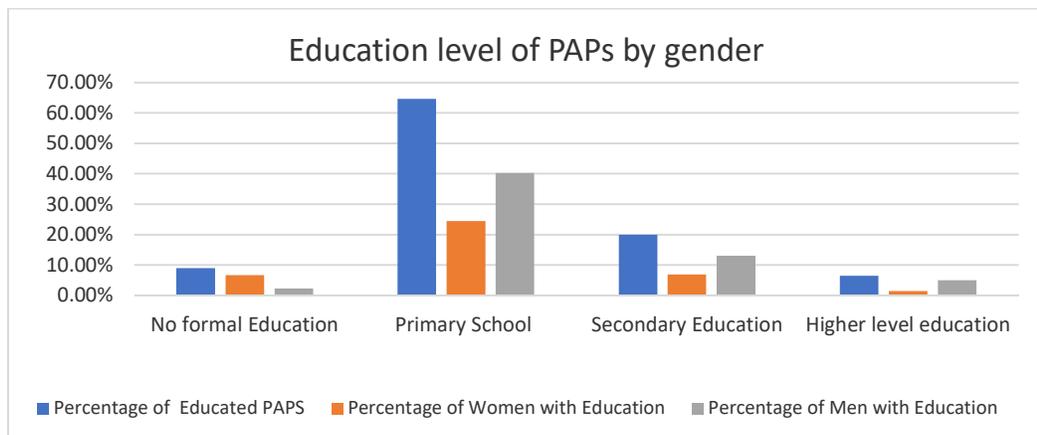


Figure 14 - Level of Education of PAPs

Women<sup>5</sup> with secondary education are 6.88% while those below secondary education to non-formal education are 31.15%. This indicates that a greater percentage of women cannot pursue legal land rights which requires more formal knowledge and procedures. This RAP advises support to women with low education level by members of the community in getting compensation payments and also BIG-Z in collaboration with the Municipal councils to organise community working groups with training on livelihood and entrepreneurship.

*Dislocation impact on women :* Displacement from resettlement has more of an impact on women than men. This is due to low flexibility and household liabilities which require sedentary presence of women to the family. Relocation due to project implementation leads to a break of not only social networks but also support from neighbours in women’s’ activities such as taking care of children when they move out for livelihoods, sources of financial supports through local women funding arrangement Village Communities Banking (VICOBA) and also sharing of food and services such as vegetables and salt, etc.

<sup>5</sup> The level of education among women who are affected by the project is very low as of all educated people within the project area only 1.48% are women with higher learning i.e. first-degree level.

*Injudicious use of compensation funds by men:* In all sensitization meetings and Focus Group Discussions, women shed doubts on whether compensation money shall care for women and children. During FGD with women and vulnerable people in Meya and Magomeni, 4 women showed fear that the fact that men are legally and religiously allowed to have multiple marriages, their husbands may add more wives if compensation money is paid leaving the current families in difficulties. At Tomondo 2 women had similar fears on misuse of compensation money due to the fact financial matters are not planned together between men and women in the households.

## **5.8.2 Measures to address key gender and GBV in resettlement**

Gender-based violence exists among project affected people in the targeted project area. In order to minimise the adversaries of GBV, the following are proposed in this RAP:

### *1. Effective women's involvement and participation in RAP*

In the process of RAP development women have been fully involved and involved in all stages. From initial stages of project inception women have worked hand in hand with the RAP team. In the project areas women have been involved in carrying out surveys and even asset inventory. Furthermore, through focus group discussions and consultation meetings women have given their views and contribution to improvement and inclusions in the RAP. Further training on RAP was organised in September 2020 where of the 13 trainees, 7 were women who work with various government departments in Zanzibar.

### *2. RAP data collection to prioritise gender issues*

Data collection for the social economic survey, census and asset inventories prioritised gender and especially women's data. Data on number of women in the project area, number of affected women by the project, women livelihood assets, incomes, education, asset ownership and shares, and several other data have been collected and analysed.

### *3. Strengthening Gender rights*

This RAP has identified women assets and livelihoods which need to be rebuild with involvement of the women themselves. The entitlement matrix provides for inclusion of packages on women affected business also proving entrepreneurship training to women and vulnerable people to enhance their businesses skills and revivals.

### *4. Advise compensation options on gender balances*

Denial of access to compensation is evident due to matrilinear dominance in land and property ownership. Up to 40% of women in project affected people fear losing rights as all money is paid to husbands. BIG Z, ZUMC and West B District offices and Shehas need to ensure that no household members are denied livelihood restorations. This RAP proposes a making a directive on household planning for compensation money in order to protect women (including wives) from misuses and difficulties.

### *5. Ensure tenure security on women*



Widows and single mothers are identified in the project area as affected persons. It is important to ensure that after resettlement all are assisted to access property and obtain formal ownership documents (certificate of titles) from responsible authorities, it is further advised that the land offices to promote joint property ownership of assets between men and women so as to secure gender property rights.

6. *Gender responsive Grievance Redress Mechanisms*

The Grievance Redress Mechanism GRM is structured to address all complains and dissatisfaction arising from this project resettlements. The grievance committee at Shehia level comprise of 6 members of who 2 must be women. At district level the GRC is structured to comprise 8 members of who 3 are women. In all these, women are well represented and take up gender rights. The Grievance Redress Mechanisms also provides for prompt responses which are not costly and affordable even to low-income women.

7. *Gender considerate Monitoring and Evaluation*

In monitoring and evaluation of the project, a gender considerate mechanism is advised with clear terms of women livelihood restorations. Monitoring and evaluation must map out women affected but the project in all Shehias and struggles they fated to restore assets and livelihoods. The Monitoring and evaluation team must work with gender yardsticks with scores for success of the project.



## Chapter 6 – Magnitude of Impacts

### 6.1 Key anticipated benefits

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

- Increased access to improved living conditions and service delivery in targeted areas in Zanzibar
- Enhanced institutional capacity of the government.
- Improved access to infrastructure and basic services, improved mobility, and
- Enhanced job and/or business opportunities for local residents of the targeted areas,
- Increased capacity of the government institutions in managing urban development.

An indirect future positive impact will be an improved urban facility around the project areas, will result in increase and stabilization of services thereby leading to enhanced business and economic development opportunities. At the project level, there would be work opportunities for unskilled labor in the project areas thereby providing an opportunity for supplementing their income.

### 6.2 Adverse Impacts

The proposed urban upgrading project and its associated infrastructure is expected to directly affect assets owned by people living in the project areas within West B and in Urban Municipal councils. Table below presents a summary of impacts on private and community assets.

Table 10 - Summary of Displacement Impacts in all Shehias

S/N	Location (Shehia)	Number of PAPs			Land Size (SqM)	Number of Buildings	Number of Crops and Trees
		Total	Male	Female			
1	Meya	52	32	20	6946.5525	20	545
2	Magomeni	47	29	18	1428.27	39	162
3	Kwa Wazee	19	16	3	1503.17	19	52
4	Sebleni	17	11	6	1356.98	18	18
5	Tomondo and Uzi	147	102	45	10283.35	111	334
<b>Sub Total (Urban)</b>		<b>282</b>	<b>190</b>	<b>92</b>	<b>21518.3225</b>	<b>207</b>	<b>1111</b>
6	Shauri Moyo	31	21	10	703.15	23	39
7	Kilimahewa Bondeni	24	10	14	578.7	19	42
8	Kilimahewa Juu	14	6	8	325.99	8	75
9	Mapinduzi	33	23	10	698.29	20	134
10	Amani	63	37	26	1540.987	50	100
11	Mkele	10	5	5	215.47	21	21
<b>Sub Total (System C)</b>		<b>175</b>	<b>102</b>	<b>73</b>	<b>4062.587</b>	<b>141</b>	<b>411</b>
<b>Total</b>		<b>457</b>	<b>292</b>	<b>165</b>	<b>25,581</b>	<b>348</b>	<b>1522</b>

Source: Field Data 2020



## 6.2.1 Impacts on Land

The asset inventory results indicate that 25,581m<sup>2</sup> of land will be permanently affected by the project as indicated in table 28 below, where 333 PAPs will lose parcel of land of various degrees. The ownership status for affected properties especially land and houses have no formal recognised titles.

Table 11- Land to be Affected by the Project in each Shehia

Municipal	Shehia	Number of PAPs	Land Size in m <sup>2</sup>
Urban Municipal	Meya	52	6946.5525
	Magomeni	47	1428.27
	Kwa Wazee	19	1503.17
	Sebleni	17	1356.98
	Shauri Moyo	31	703
	Kilimahewa Bondeni	24	579
	Kilimahewa Juu	14	326
	Mapinduzi	33	698
	Amani	63	1,541
	Mkele	10	215
	<b>Total</b>		<b>315</b>
West B	Tomondo and Uzi	147	10,283
<b>Total</b>		<b>147</b>	<b>10,283</b>
<b>All-inclusive Total</b>		<b>462</b>	<b>25,581</b>

Source: Field Data 2020

## 6.2.2 Impacts on Structures and Buildings

A total of 348 structures will be affected by the project; out of this 342 are residential structures, while 6 constitute commercial as well as institutional structures. Table below presents the numerical impacts.

Table 12: Number of Structures Affected by the projects

S/N	Location	Residential	Commercial	Institutional	Total
<b>Urban District Council</b>					
1	Meya	20	0	-	20
2	Magomeni	38	0	1	39
3	Kwa Wazee	18	0	1	19
4	Sebleni	17	1	0	18
5	Shaurimoyo	22	0	1	23
6	Kilimahewa Bondeni	19	0	0	19
7	Kilimahewa Juu	8	0	0	8
8	Mapinduzi	19	0	1	20
9	Amani	50	0	0	50
10	Mkele	21	0	0	21
<b>TOTAL</b>		<b>232</b>	<b>1</b>	<b>4</b>	<b>237</b>
<b>WEST B MUNICIPAL COUNCIL</b>					



S/N	Location	Residential	Commercial	Institutional	Total
1	Tomondo & Uzi	110		1	111
<b>TOTAL</b>					<b>111</b>
<b>GRAND TOTAL</b>		<b>342</b>	<b>1</b>	<b>5</b>	<b>348</b>

Of all structures, 81 will be totally affected and removed while 267 will be partially affected through the loss of a wall, a front veranda, a foundation, a room or other important house facility such as toilet, outside kitchen, or a septic tank, etc. The details on affected structures are presented in Table below.

Table 13:- Level of Impacts on The Structures

S/N	Location	Magnitude of Impact		Total
		Totally Affected (100%)	Partially Affected (house plus other structures)	
<b>URBAN DISTRICT COUNCIL</b>				
1	Meya	8	12	20
2	Magomeni	8	31	39
3	Kwa Wazee	6	13	19
4	Sebleni	5	13	18
5	Shaurimoyo	1	22	23
6	Kilimahewa Bondeni	0	19	19
7	Kilimahewa Juu	0	8	8
8	Mapinduzi	0	20	20
9	Amani	3	47	50
10	Mkele	0	21	21
	<b>TOTAL</b>	<b>31</b>	<b>206</b>	<b>237</b>
<b>WEST B MUNICIPAL</b>				
1	Tomondo & Uzi	50	61	111
	<b>TOTAL</b>	<b>50</b>	<b>61</b>	<b>111</b>
<b>GRAND TOTAL</b>		<b>81</b>	<b>267</b>	<b>348</b>

This RAP recommends that all affected structures to be compensated at replacement cost. The Eligible PAPs will be paid topping up allowances such as transport costs, disturbance allowances as well as the accommodation allowances as per details provided in the Entitlement Matrix.

### 6.2.3 Impacts on Crops and Trees

Land acquisition for the project leads to loss of trees including exotic trees, indigenous trees, fruits trees as well as permanent crop trees. Major trees that are significant in terms of earning livelihoods include mango, banana, pawpaw or papaya, sugarcane clusters, guava, coco yam, lemon, orange, coconut, Pomegranate, Avocado, Bread fruit, Passion, guava, Lemon and Tamarind. Others have medicinal and cultural values such as Moringa, Pine, Ashok, Palmyra and Hedge. The number of trees that are likely to be felled is 729. These trees were valued and the owners will be paid compensations. Table below presents the impacts on trees and crops in West B and Urban Municipal Councils.

Table 14: Summary of Affected Trees/Crops per Shehias including System C

Category	Number
Fruit trees	270
Permanent	427
Exotic trees	23
Indigenous	9
<b>TOTAL</b>	<b>729</b>

#### 6.2.4 Summary of Affected asset and Corresponding Compensation

THIS INFORMATION IS HELD FOR OFFICIAL USE.

### 6.3 Impacts During Construction

#### 6.3.1 Disrupted social infrastructure services

##### (i) Water Infrastructure

There are a number of water supply pipelines owned by ZAWA in the project area. Specifically, within Magomeni 123 metres of water pipes will be affected along the project line road, in Kwa Wazee a length of 132 metres will be affected whereas for Sebleni water pipe are located along the road for about 213 metres on the main road and 96 metres along the road to Sebleni pond and Tomondo and Kisauni a total of 435 metres of water propels are located along the project road. Several water pipes connecting to private house are also identified within the project areas. Among these infrastructures, some will be temporarily closed or out of service, while boreholes and shallow wells will be permanently lost.

Underground water supply pipes connected from mosque, public schools, and community boreholes to individual households. All affected structured will be restored by the project in close consultation with responsible institutions.

##### (ii) Disruption on Electrical, Telecommunication

This project will affect 17 electrical poles belonging to Zanzibar Electricity Company – ZECO. Among these, four (4) are located in the Shehia of Meya, six (6) Magomeni, four (4) Kwa Wazee and three (3) at the Shehia of Sebleni. In addition to electrical poles, 30 TTCL poles and underground lines will also be affected in the Shehias of Tomondo (5), Mombasa (5) these infrastructures are with their cabling and poles which need to be removed and replaced in nearby areas.

#### 6.3.2 Temporary Destruction of Access

Main and side roads will be affected either temporarily or permanently during construction phase and local communities will be affected by lack of access to these roads. During demolition of buildings and also Project construction activities will have a temporary notable visual disturbances impact to the communities' users if the project roads especially from falling structures of affected buildings and structures as well as during excavations and storage of soil piles from the trenches.



## 6.4 Proposed Mitigation Measures to Address the Adverse Impacts

BIG-Z, Urban and West B Municipalities in collaboration with a contractor, has considered feasible alternative Project designs to avoid and/or minimize physical and economic displacement impacts, while balancing environmental, social, and financial costs and benefits. Following the preparation of various design options, BIG-Z, ZUMC and West B have decided to carefully locate drainage systems following the existing natural drainage course and focus on rehabilitation and upgrading existing channels that require very minimal acquisition of new land. In other areas, the required construction standards have been relaxed through expansion of diameters or extension of lengths of existing roads/trails and drainage channels. In areas of Meya and Magomeni, which are very congested with built commercial structures, the system will pass on the main road in order to minimize resettlement within the project area.

However, this RAP advises that assets such as water pipes, electrical and telecommunication infrastructures be reinstated by the contractor with close collaboration with respective institutions to ensure that these services are recovered and return to normal within a short time. With respect to available water sources to be affected, the contractor will avail alternatives to available space. For the case of affected water pipes, the contractor will provide temporary public water lines for the use of affected community until the services returned to normal. Another measure that will be taken to alleviate the problem of impacted water pipes, electrical and telecommunication is to ensure that the time of disconnection and connection are as short as possible and that affected communities shall be informed about the temporary cut of these services so as to take necessary measures to reduce the impacts. Regarding affected roads and bridges, alternative roads and pathways shall be provided to the affected areas.



### 7.1 Identification of PAPs and Resettlement Assistance

According to the above-mentioned laws and policies the affected person(s) (group(s) /individual(s) were those who stood to lose assets or denied access to legally designated social and economic services as a result of proposed project activities, whatever the extent of loss, lost assets may be land, structures, trees etc. During the census and public consultation conducted along the project area three major categories of PAPs were found; these categories include:

- (i) **Category 1:** Owners of plots without buildings along the road corridors; these include the PAPs losing land (customary and leased);losing trees and crops.
- (ii) **Category 2:** PAPs owners of plots with houses and other buildings in the along the road corridors; and whose houses are to be fully relocated.
- (iii) **Category 3:** PAPs owners of plots with houses and other buildings in the along the road corridors; and whose houses are to be partially relocated – less than 20 % of the structures are affected.
- (iv) **Category 4:** these are the property less PAPs; they own neither land nor structure. These include tenants.

### 7.2 Eligibility Criteria

All PAPs, including those who have no recognizable legal right or claim to the land they are occupying, are eligible for compensation or other assistance commensurate with the nature and extent of the impact involved. Eligibility to entitlements require the following;

- a. PAP must have been located within a direct impact zone of the Corridor/Way leave before the cut-off date established when the census is completed;
- b. Suffers a loss that is quantifiable i.e. loses an asset partially or fully, either permanently on or a temporary basis or can be quantified in monetary terms (such as a tenant or a sharecropper who might be affected), etc.
- c. his/her ownership of the asset is either formally registered or at least recognized and his/her presence or association with the location is recognized or well known within the local community.

Based on the above, affected persons shall be considered eligible for compensation in cases where structures, trees and crops are present along proposed project corridor.

### 7.3 Eligibility for Compensation

According to the World Bank Policies and Guidelines, PAPs are defined as any person who, as a result of the implementation of a project, loses the right to own, use, or otherwise benefit from a built structure, land (residential, agricultural, or pasture), annual or perennial crops and trees, or any other fixed or moveable asset, either in full or in part, permanently or temporarily. Therefore, the eligible individual(s) for compensation are those who:

- a) The compulsory taking of land and other assets resulting in the following:
  - i) Relocation or loss of shelter;
  - ii) Loss of assets or access to assets; and

- iii) Loss of income sources or means of livelihood whether or not the affected persons must move to another location.
- c) The forceful denial to access legally designated social economic services, with adverse impacts on livelihood of the displaced individuals.

The PAPs shall be considered irrespective of their tenure status, with respect to land that they own, occupy or use provided they own, occupy or use the affected land prior to the cut-off-date. Cut-off date for eligibility to resettlement entitlements for the project shall be when the valuation of affected properties started. For the purposes of this RAP, there are three cut off dates selected based on the commencement of valuation exercise in the proposed project. The cutoff date for urban upgrading is 2nd July 2020, for Uzi and Mombasa new areas the cutoff date was taken to 15th September 2020 and cutoff date for System C was 3rd November 2020. These dates were disseminated publicly in the project areas and thus all affected persons, Sheha leaders and other government authorities were informed of the dates through community meetings during finalization of asset inventories. As such, any new inhabitants which came to the Project affected area after this date is not eligible for compensation or any resettlement assistance.

Assets that shall be eligible for compensation shall include buildings, land, and developments made on the land such as crops, trees, bore holes etc. The affected public social services such as power supply will be enumerated for costing, replacement and construction at suitable sites. For public utilities infrastructures such as pipes, water main distribution pipes/customer pipes, and control valves with chambers, tunnel bulk meter, electric reticulation poles, and telephone cables shall be valued separately. The cost for relocating these utilities shall be developed by the respective utility authority. The community structures will be replaced in kind or cash after meaningful consultation with the community user of the facility.

Table 15 - Entitlement Matrix for Various Categories of PAP

S/N	Type of loss	Unit of entitlement	Compensation for Lost Assets	Disturbance Allowance	Other Allowances and Assistance
1	Residential Structure	Individual PAP ( <i>owner of the structure</i> )	Compensation of Residential structure at Replacement value (current cost of development <i>without Depreciation</i> )	Disturbance Allowance (calculated at 15% of value of affected land)	<ul style="list-style-type: none"> <li>• Transport Allowance Only on occupied main dwelling house transport of 12tons at 20km distance = ths 250000</li> <li>• Loss of accommodation allowance if lost where structure is occupied residential (calculated as monthly market rent for the acquired property x 36 months.</li> <li>• Need deliberate assistance PAP to access a similar property for residence in case of women and vulnerable PAP.</li> </ul>
2	Business Structure	Individual PAP ( <i>owner of the structure</i> )	Compensation of commercial structure at Replacement value (current cost of development <i>without Depreciation</i> )	Disturbance Allowance (calculated at 15% of value of affected land)	<ul style="list-style-type: none"> <li>• Transport Allowance Only on occupied main dwelling house transport of 12tons at 20km distance = ths 250000</li> <li>• Loss of accommodation allowance if lost where structure is occupied residential (calculated as monthly market rent for the acquired property x 36 months.</li> <li>• Need deliberate assistance PAP to access a similar property for</li> </ul>



S/N	Type of loss	Unit of entitlement	Compensation for Lost Assets	Disturbance Allowance	Other Allowances and Assistance
					residence in case of women and vulnerable PAP.
3	Support to structure (e.g. septic tank)	Individual PAP	Compensation at full Replacement Value	N/A	Assistance to obtain merchandise /craftsmen for construction and replacements.
4	Crops / Trees on undeveloped land	Individual PAP ( <i>owner of the crops/trees</i> )	Compensation at market value of the crop/tree. Computed based on the approved government rates		Disturbance Allowance (calculated at 15% of the land compensation cost)
5		Renter and /or encroacher	Compensation at market value of the crop/tree. Computed based on the approved government rates	N/A	
6	Land	Individual PAP	Compensation at full Replacement Value	Disturbance Allowance (calculated at 15% of value of affected land)	<ul style="list-style-type: none"> <li>The municipality to arrange for allocation of resettlement land with Inclusive costs to access a similar land and attain all procedures to Shehas and Land offices.</li> <li>Vulnerable PAPS and women to be given education and support to ensure security of their land rights.</li> </ul>
7	Crops on developed land	Individual PAP	Seasonal Crops such as vegetables	N/A	<ul style="list-style-type: none"> <li>Depending on the maturity of the crops the PAPs are allowed to harvest.</li> </ul>



S/N	Type of loss	Unit of entitlement	Compensation for Lost Assets	Disturbance Allowance	Other Allowances and Assistance
					<ul style="list-style-type: none"> <li>The PAPs are allowed to be harvested, subsequently all cultivation on the affected land will be restricted by the cut off dates.</li> </ul>
			Compensation of permanent crops and trees Compensation at full Replacement Value based on the market value of the crop	N/A	<ul style="list-style-type: none"> <li>Depending on the maturity of the crops and market or commercial value</li> </ul>
8		Renter and /or encroacher	Compensation of crops if they were out of way and be found on the ground by the contractor due to realignment of the corridor	N/A	<ul style="list-style-type: none"> <li>Seasonal Crops such as vegetables are allowed to be harvested but no new crops to be planted by tenant PAP.</li> <li>GVT through the Shehas offices to assist the tenant PAP to be refunded by the landlord if there are any terms of the lease remaining.</li> </ul>
9	Live assets	Livestock and other animal keepers	N/A	N/A	Provision of shifting assistances for livestock and animal keeping facilities in areas outside of resettlement or assistance to carry out animal keeping in area permitted to do so. This is to one PAP in Tomondo area
<b>Impacts on Community Assets</b>					



S/N	Type of loss	Unit of entitlement	Compensation for Lost Assets	Disturbance Allowance	Other Allowances and Assistance
10	Recreation and social gathering facilities.	Concrete benches and maskani structures	N/A	N/A	Rebuilding of the same facilities within the vicinity such as Mzalendo Football ground where there is still space for shifting the structures.
11	Public structures / infrastructure (utility service providers)	Public institutions / community asset	Compensation at Replacement Cost	N/A	Acquiring entity to liaise with utility and owners of the infrastructure to replace the lost structure/ infrastructure at alternative location of resettlement.
		Loss of collection sites	Community dump sites to be reinstated	N/A	GVT in consultation with the Shehas assist to construct new in settlement collection points within vicinity. E.g. Tomondo Shehia.
<b>Livelihoods Restoration Programs</b>					
12	Houses	Vulnerable PAPs (Deprived widows/single mothers/elderly /ill/disabled or illiterate PAPs)	Receiving assistance in the following: (i) Dismantling salvageable materials from their original home. (ii) Compensation payment procedure (e.g. specifically explaining the process and procedures, making sure that documents are well understood. (iii) Physical assistance when moving, e.g. assisting persons/households with relocating their possessions.	NA	Provision of all other possible assistance including security



S/N	Type of loss	Unit of entitlement	Compensation for Lost Assets	Disturbance Allowance	Other Allowances and Assistance
			(iv) Counselling in matters related to compensation and displacement.		
13	Informal businesses	Vulnerable PAPs (deprived widow/single mothers/elderly/ill/disabled or illiterate PAPs)	Livelihood capacity building and empowerment	NA	(v) Conduct livelihood reconstruction trainings and skills empowerment to capture life opportunities
14	Informal businesses	Vulnerable illiterate PAPs	Financial literacy course	NA	

The chapter describes the valuation approach and methodology used in the valuation of project affected assets.

### 8.1 Basis of Valuation Methods

According to section 4 of The Land Tenure Act 1992, the main basis of Valuation for Compensation is the “Market Value”. This includes the market values of land, buildings, crops, trees and other unexhausted improvements such as boreholes, electrical systems, fencing walls, etc. Conversely, according to WB OP. 4.3 the main basis is the "Replacement cost". Replacement cost is the method of valuation of assets that helps determine the amount sufficient to replace lost assets and cover transaction costs. In applying this method of valuation, depreciation of structures and assets should not be taken into account. Also, for losses that cannot easily be valued or compensated for in monetary terms (e.g. access to public services, customers, and suppliers; or to fishing, grazing, or forest areas), attempts are made to establish access to equivalent and culturally acceptable resources and earning opportunities.

Therefore, the methods used to estimate the market values of land, buildings, crops and allowances are as follows:

#### 8.1.1 The Valuation Method

The valuation exercise was administered by registered Valuer with the valuation inspection form obtained from the Department of Lands and Registration- Zanzibar. Value determination methods were as follows:

**Valuation of Land:** Land was valued based on the current market value of the piece of land to be acquired by the project. Procedures for assigning value to the land involved determination of the size of the affected land to be acquired, inventory of land parcels affected by the project including names, assets ID number, asset location and usage.

**Valuation of Building and structures:** Market value (without depreciation) The valuation of affected housing structures found within the project site used replacement cost without including depreciation, taking into consideration the market value of the structures which was calculated based on the market price of the material at the time of valuation. Structures were assigned values depending on the type of structure, number of outer support structures, size of the structure, details of the construction materials used, usage of structure and percentage of loss. Most of housing structures found in the project site include occupied residential structures, unfinished structures for residential purpose and foundations built to erect housing structure

**Valuation of Trees/crops:** Trees or crops were valued based on the market rates for various species as provided in the crop schedule for the Zone by the Ministry of Agriculture /Land. The value depends on age/maturity of the tree or crop, potential use and the number of trees. The main type of species found are permanent trees.

The laws of Zanzibar require full, fair and prompt payments of compensation within 6 months from time the Valuation Report is approved. The timing / schedule of RAP implementation revolves around the date when valuation was done and PAPs are required not to undertake any further development on the land and properties that have been inventoried and valued. (Details on the valuation method are provided under Annex 4: valuation methods).

### 8.1.2 Compensation for Unanticipated Additional Construction Damage

This RAP also considered compensation for unanticipated damages during construction phase (on-spot compensation). These types of on-spot compensation will be executed by the Contractor using contingency funds provided under the RAP budget.

Allowances / Other Assistancess: A part from the above parameters, valuation of affected assets also considered the following allowances as part of the valuation procedure.

- (i) **Loss of accommodation:** Accommodation allowance is among the allowances given to the tenants who are forced to terminate the tenancy contract due to project impact. Residential rent is estimated at the market demand as could be established from the locality. In this RAP rent rates have been used based on the type of building and location which ranges between 3 months based on the valid tenancy contract at the time of cutoff date. The amount be deducted from the compensation of the land lord).
- (ii) **Loss of profit:** The net monthly profit of the business carried out shall be assessed, evidenced by an audited account where necessary and applicable and multiplied by 36 months in order to arrive at the loss of profits payable. (*i.e., Loss Profit = Net profit/per month x 3 months*). It is payable to all affected business with legal recognitions. An enquiry to tax authorities on rates of charged tax in similar businesses also can be made to make estimations on informal businesses without audited accounts.
- (iii) **Transport allowance:** Transport allowance is computed on the basis of prevailing market rates within an area and is paid only to PAPs who occupied the residential/commercial structure. *Transport Allowance shall be the actual costs of transporting twelve tons of luggage by rail or road (whichever is cheaper) within twenty Kilometers from the point of displacement (i.e. Transport allowance = 12 tons x Actual Cost/ton/km x 20km).*
- (iv) **Disturbance allowance:** This was calculated by applying the Zanzibar compensation Act of 1950 CAP 95 land Acquisition and CAP 96 Acquisition of land (assessment of compensation Therefore, based on the total compensation value, obtain the 15% of the value land All PAPs who are illegible for any kind of compensation shall receive a disturbance allowance. *Disturbance allowance = (Land Compensation Value x 0,15).*

### 8.1.3 Proposed Compensation Options and Packages for each PAP/PAH

In the project areas, **monetary compensation** will be adopted to compensate all affected properties. However, there will be no compensation for lost land as in Zanzibar, most of the project land is essentially under the custodian of Urban Municipal Council but overtime there has been encroachment to the buffer zones of natural drainage course and existing drainage channels due to poor law enforcement. To comply with the World Bank OP 4.12, these land users will be paid cost recovery to compensate unexhausted development made. Thus, Entitlement Matrix provide the details of proposed compensation for various losses and other assistances that will be provided to PAPs by BIG-Z.



### 9.1 Introduction and Objectives

The World Bank consider it a good practice to implement additional livelihood improvement measures for the project affected people (PAP), in order to restore livelihoods at pre-project level, as well as to improve livelihoods in order to reduce vulnerability and gender inequality. One of the objectives of this RAP is to ensure that livelihoods are improved or restored to pre-displacement levels. Compensation for affected property will therefore seek to facilitate full and smooth recovery without exposing the PAPs to vulnerability. In cases where resettlement affects the income-earning capacity of the displaced families, compensation alone does not guarantee the restoration or improvement of their living standards. As noted in the previous chapters, WB encourages project sponsors to undertake resettlement as a sustainable development initiative, that is, an initiative that leads to an improved standard of living for project affected people. OP 4.12, therefore, requires the following measures when development projects result in the relocation of people:

- Improve, or at a minimum, restore the livelihoods and standards of living of displaced persons and households, in particular vulnerable and/or disadvantaged persons;
- Ensure that affected vulnerable people receive additional and/or targeted assistance, if required; and
- Provide opportunities to displaced people to derive appropriate development benefits from the Project, by means of employment creation, capacity building and socioeconomic development.

Accordingly, a livelihood restoration programme is normally incorporated in resettlement planning when affected households are socially and/or economically vulnerable and/or stand to lose their livelihood assets/resources (or a portion thereof), as a result of resettlement. It is intended to offset the effects of losses that cannot be adequately compensated through monetary payments and/or the replacement of assets, such as the disruption of support networks, reduced access to markets, the time required to reinstate their businesses to their former productivity, etc.

For the purpose of this RAP, livelihood restoration is specifically focused on displaced persons and on ensuring that their livelihoods are improved or at least restored to pre-resettlement levels and provide the required assistance to the vulnerable people in the affected area. Furthermore, all assets lost/affected will be compensated by the project. The compensation will cover the individual land lost, residential structures, unfinished structures, permanent crops/trees and seasonal crops. PAPs losing residential houses or business premises will receive allowances for loss of accommodation / loss of profit lasting 36 months to enable them to pay rent while building their new houses/ re-establishing their businesses. Farming households will be assisted in obtaining alternative locations to re-establish their lost vegetable gardens. No resettlement will be done before compensation is fully paid to PAPs. Notice to vacate the land will be given to PAPs after compensation is fully paid and they will be allowed to salvage materials from demolished structures, such as iron sheets, windows, doors, bricks etc.

### 9.2 Livelihood restoration for Vulnerable People

The WB OP 4.12 defines vulnerable persons as those below the poverty line, the landless, the elderly, women and children, indigenous peoples, ethnic minorities, or other displaced



persons who may not be protected through national land compensation legislation. As per the RFP 2020, definition of vulnerable persons/households, are namely a poor or ultra-poor household with comparatively low expenditure/consumption with high dependency ratio, i.e., one fit or able-bodied person with more than three dependents as categorized to be elderly above 65 years, members between 0-18 years, those with a disability, HIV/AIDS, or chronic illness. For this project, vulnerable people have been considered as those individuals with disability to perform or meet daily undertakings and thus need assistance. This includes:

- Elderly above 65 years, below 0-18 years;
- Those with physical or mental disability, HIV/AIDS, together with all those suffering from chronic illness.
- People on economic setbacks, such as those who spend less than TShs.720,000 per year or a mean income of less than TShs.2,500 per day.
- Widows above 60 years and with high dependency ratio are categorised as vulnerable in need of special support.

The following chart illustrates the vulnerable households within each of the communities. Vulnerable groups also include households headed by children, or those members who are socially stigmatized (as a result of traditional or cultural prejudice) and economically marginalized.

This RAP identified about 121 vulnerable people within the project area as shown in the table below:

Table 16- Vulnerable People Affected by the project<sup>6</sup>

Type of Vulnerability	Number in Affected Persons	Percentage in Affected Vulnerable	Percentage in Affected People
Physical disability	27	22%	5%
Non-communicable disease	11	9%	2%
Mental illness	7	6%	1%
Widows	41	34%	8%
Dependent single mother	22	18%	4%
Child Headed Household	0	0%	0%
Elderly persons	13	11%	3%
<b>Total</b>	<b>121</b>	<b>100%</b>	<b>24%</b>

The kind of support offered to these people is specified according to their loss. In particular:

- Vulnerable PAPs that will lose their residential housing structures will be assisted in the construction of new houses /affected rooms
- Vulnerable PAPs that will lose other support structures will need to be assisted in construction of new facilities e.g., walls, business veranda, septic tanks and foundations.

<sup>6</sup> Source: Census survey



- Vulnerable PAPs losing their means of livelihood will be supported through capacity building and empowerment trainings.
- Illiterate PAPs will be supported through alphabetization and financial literacy courses.

### **9.3 Monitoring and Evaluation of the LRPs**

Monitoring of the Livelihoods Restoration Programs will be part of the RAP monitoring (see Indicators in table). The consultant will effectively monitor and evaluate the actions for intended outcomes. PMT will revise as necessary on a timely basis



The structures falling within the way leave corridor will need to be relocated to outside the way leave. Sections below present the relocation plan for all physical and non-physical activities

### 10.1 Activities to be completed prior to commencement of Compensation Payment

- i) **Operationalize Grievance Redressal Mechanisms:** Proposed GRMs at Shehia/Community level and District level would be operationalized following provision of: a) TORs for the committee at each level and b) commensurate training and resources to enable effective functioning.
- ii) **Finalize identification of Payment Agent and formulation of RAP implementation Team**
  - a. Memorandum of Understanding with RAP Payment Agent;
  - b. Formulation of RAP Implementation Team comprised of community liaison officer, valuer and accountant (within PMT)
- iii) **Disclosure of Draft RAP:** Following the approval of the Draft RAP by PMT and World Bank, the document needs to be disclosed by PMT on their site as for any feedback from general public.
- iv) **Approval and Disclosure of final RAP:** The final RAP will be approved and cleared by the government of Zanzibar and the World Bank. Subsequently executive summary, it will be translated into the local language and disclosed locally to PAPs and stakeholders in a culturally appropriate manner. RAP will also be disclosed in the Ministry website and World Bank external website. For any changes made to this disclosed instrument the same clearance and disclosure protocols will be followed”.
- v) **RAP approval and public disclosure-cum-Launch Workshop:** A Public consultation-cum- Disclosure workshop would be conducted at locations in each of the Project Shehia to launch the RAP implementation. The workshop will have participation from representatives of the affected people, other stakeholders/partner agencies and Shehas. The objective of the workshop will be to:
  - create awareness on the overall features of BIG-Z
  - contents of the RAP particularly with respect to applicable entitlements process; and
  - Provide information on mechanisms and processes for sensitization, participation and consultation and grievance redressal for compensation.
- vi) **Updating and finalization of RAP database:** All information regarding PAPs – asset details, household level details, changes to preferences will be updated for provision to PMT and thereon to the Payment Agent, Construction Contractor for Replacement Houses.
- vii) **Opening of Bank accounts for PAPs:** RAP Implementation Unit would counsel all PAPs due to receive compensation amounts above the agreed threshold and provide necessary information to open Bank accounts or provide account details if they already have bank accounts.
- viii) **Hold Shehia level meetings to counsel the PAPs:** Shehia level meetings would be held to inform PAPs about the processes and agencies involved in compensation



payment, RAP implementation and civil works commencement. Such meetings would be organized by the RAP Implementation Unit.

- ix) **Internal Monitoring:** Internal monitoring by PMT will commence soon after RAP approval which would specifically record:
  - a) Project inputs including readiness of institutions such as GRMs, contracting of Payment Agent,
  - b) Project outputs including number of persons affected and compensated, replacement housing provided; and
  - c) Measure overall physical and financial progress to assess readiness with respect to site handing over and commencement of construction.

The above would be carried out based on reviews of reports produced by RAP Implementation Unit, supplemented with field visits to project areas as deemed necessary and regular updating of RAP Database. It would produce fortnightly reports for usage within PMT, WB, SE and ZUMC. The activity would continue across subsequent stages and till the end of the Compact or up to a desired period as deemed necessary based on review of progress/completion of activities.

## 10.2 Activities to be completed prior to commencement of civil works

The structures falling within the corridor of the project infrastructure will need to be relocated to outside the corridor of Impact. Sections below present the findings steps wise processes to relocate the household that will be losing their main dwelling structure;

- i) Consultations with the affected households on the impacted assets and the entitlements
- (ii) Disclosure of the house designs and the allowances (disturbance, shifting, vulnerability assistance etc..);
- (iii) Assess land availability and site assessment for those having alternate lands and
- (iv) Liaise with Shehas and PAP committee to identify land parcels from the earmarked host Shehias,
- (v) Prepare database with geo reference points for each PAP indicating the place of origin and relocation site.
- (vi) Prepare a map showing how PAPs are spread in the new areas.

### 10.2.1 Process of Relocation

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

- i. Those losing main commercial structure and opting for in-kind compensation i.e. PAPs for whom there is a need to have the replacement structures ready before they can be shifted;



- ii. Those losing main commercial structure and opting for self-relocation i.e. taking compensation in cash and building their own house outside the way leave; and
- iii. Those losing temporarily shifting their business premises (hawkers) will only be paid cash disturbance.

**Table** below indicates the step wise process of relocation along with responsible agency and timelines:

Table 17– Relocation Plan

Step No.	Activity	Timeline (to be completed within)	Responsibility	Support Agency
<b><i>For PAPs opting for Cash</i></b>				
1	Opening of Bank account	within 2 weeks	RAP Implementation Agency	PMT
2	Ensure PAPs have received all due compensation (for land under wayleave, homestead land) and allowances (except for shifting allowances that shall be paid at the time of shifting)	4 week from start of RAP implementation	RAP Implementation Agency	PMT
3	Conduct meeting with PAPs to ensure PAPs of follow up actions, particularly those without alternate land		RAP Implementation Agency	PMT
4	Indicate date of dismantling shifting to outside the way leave	4 weeks from above	RAP Implementation Agency	PMT
5	Provide support in leveling of land as required for installation of business benches			
6	Provide Support to PAPs on a case-by-case basis	within this period	RAP Implementation Agency	PMT
7	Complete the process of relocation	Total 3-4 months from start)	RAP Implementation Agency	PMT

Relocation process would be followed as per timelines as any delay in this regard is likely to: i) cause problems for safe storage of the personal belongings of these PAPs as they shall have no place to operate their business from and ii) might require the project authorities to provide with interim or temporary areas for their businesses. Further, as disturbance allowance determination might be difficult following aspects would be taken into consideration:

- i. ensure that PAPs well document in the data base
- ii. PAP is registered in the market/association authority and have legitimate identity



- iii. the process of disturbance allowances should be i) completed in minimum time possible and ii) avoided fraud or any kind of dubious acts.
- iv. Records will be kept of PAPs who were allocated space as per format below:

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

### 10.2.3 Dismantling of structures and Relocation of PAPs to new location:

Once the compensation is paid, all PAPs who are losing entire buildings will be given time to dismantle their old dwelling structures and salvage any material if they wish to and relocate to their new locations.

**Handover of site for construction:** Once all property on the stated land is vacated, the site will be considered as free from encumbrances to hand over to the Contractor for commencing construction related activities.

### 10.3 Activities to be completed upon completion of all activities under RAP/LRP

- (i) **Identification of PAPs affected by location of Suspension Towers and Payment of Compensation:** Once the Civil Works Contractor has confirmed the layout of the project foot print, RAP Implementation Unit will assess the layout to enumerating the emerging PAP due to designs alterations and record the affected assets on the parcel of land to compute compensation payable. It will inform PMT for its approval, provide details of the PAP, to WB for onward transmission to the PA for payment.
- (ii) **Updating of digitalised RAP Database and Preparation of supplementary RAP:** The above details will be recorded into the supplementary RAP and the RAP Database will also be updated.
- (iii) **Provision of employment, jobs with contractor and other services:** Even though a linear project of this nature would have limited work opportunities at every location, the Contractor would be required to give preference to all able-bodied men and women for local labour and other associated services. Municipal administration would place notifications indicating requirement of labour on their notice boards.
- (iv) **Preparation of Periodic Internal Monitoring Reports:** Internal Monitoring Reports will be produced periodically and shared internally and with external stakeholders.
- (v) **Implementation Completion Audit:** As all activities relating to RAP implementation will be expected to be completed in less than 1 year, Implementation Completion Audit would be carried at the end of Year 1 from the start date of RAP implementation to assess



whether the project has met with the RAP objectives as a whole.

- (vi) **Annual BIG - Z Review Workshop:** Review of RAP implementation at Annual Workshop would be carried in the first quarter of next year soon after findings of Implementation Completion Audit are available.
- (vii) **Submission of RAP Implementation Completion Report:** Upon completion of all Implementation activities, the contracted RAP Implementation Unit and Payment Agent (PA) shall separately produce Implementation Completion Report for submission to PMT for its review. PMT will compile and collate the findings along with its findings internal monitoring and submit a Consolidated Implementation Completion Report same to World Bank.



Table 18 - RAP Implementation Schedule

S.N O.	ACTIVITY	MONTHS													
		1	2	3	4	5	6	7	8	9	10	11	12	13	14
<b><i>Activities to be completed prior to commencement of Compensation Payment</i></b>															
i.	Operationalize Grievance mechanisms ( <i>grievance handling will be carried out throughout the project life</i> )														
ii.	Finalize Contracts with Support Agencies for RAP Implementation														
iii.	Disclosure of Draft RAP														
iv.	RAP approval and public disclosure-cum-Launch Workshop														
v.	Undertake Financial Literacy awareness programs														
vi.	Updating and finalization of RAP database														
vii.	Internal Monitoring														
<b><i>Activities to be completed prior to commencement of civil works</i></b>															
viii.	Opening of Bank accounts for PAPs														
ix.	Implement Livelihood restoration plan specific to skill development														
x.	Hold Shehia level meetings to counsel the PAPs														
xi.	Payment of compensation and vacation of land														
xii.	Procurement and distribution of Seedlings														
xiii.	Dismantling of structures and Relocation of PAPs to new location														
xiv.	Handover of site for construction														
<b><i>Activities to be completed of all activities during construction</i></b>															
xv.	Provision of employment, jobs with contractor and other services, if any														
xvi.	Preparation of Periodic Internal Monitoring Reports														
xvii.	Implementation Completion Audit														
xviii.	Submission of RAP Implementation Completion Report														



## Chapter 11- RAP implementation Institutional Arrangements

The Area Upgrading Project (AUP) will use the existing institutional arrangements for RAP implementation that were established during preparations of previous RAPs under ZUSP albeit with some additions. These existing institutions that will play a key role in RAP implementation processes at different levels and times include the following:

### 11.1 Roles and responsibilities for the implementing institutions

**President’s Office Finance and Planning:** Responsible for the overall management of BIG-Z activities, offering overall coordination and technical support to participating institutions i.e. Zanzibar Municipal Council (ZUMC) and West B municipality Council. The councils take the primary duty of implementing own sub-projects including environmental and social safeguards, and reporting requirements.

#### Project Management Team (PMT)

PMT will be the main implementing agency and would be responsible for all projects under BIG - Z. It shall be in charge of all activities relating to resettlement (compensation payment, grievance redressal), procurement, construction works, etc. As the RAP implementation activities are varied, different departments within PMT would be involved. The different departments along with their expected roles and responsibilities would be the following:

Table 19: Matrix of Roles and Responsibilities

Departments	Roles and Responsibilities in RAP preparation and implementation of RAP BIG - Z
<i>Coordinator</i>	➤ Providing leadership and guidance in the RAP development process
<i>RAP and Social Team<sup>7</sup></i>	<ul style="list-style-type: none"> <li>➤ Focal point for provision of guideline to digitalized RAP development and preparations.</li> <li>➤ Focal point for provision of training to GRM member on GRM – procedures and processes to identified committee personnel across all project districts</li> <li>➤ Undertake PAPs verification and prepare relocation schedules</li> <li>➤ undertake site visits as necessary during RAP implementation to review progress in provision of necessary measures to communities as outlined in the RAP</li> <li>➤ Undertake field visits to participate in obtaining community feedback and perceptions on issuance of payments, relocation of displaced households and livelihood support to vulnerable households</li> <li>➤ Participate in monthly review meetings with all relevant stakeholders and provide</li> </ul>

<sup>7</sup> BIG-Z RAP team is expected to take a form of the RAP team established under ZUSP consisting a Team Leader (Senior RAP specialist), A surveyor, a valuer, a data manager, a GIS expert, Community consultation specialist and a social worker.



<b>Departments</b>	<b>Roles and Responsibilities in RAP preparation and implementation of RAP BIG - Z</b>
	<p>inputs to the minutes of the meetings to the PMT</p> <ul style="list-style-type: none"> <li>➤ Produce and distribute ID cards</li> <li>➤ Report on awareness and outreach meetings – lessons learnt and best practices</li> <li>➤ Facilitate and/or oversee provision of In-Kind Compensation</li> <li>➤ Prepare monthly progress reports for each RAP that includes progress as against the scheduled timeframe of RAP implementation, which shall include physical and financial progress,</li> <li>➤ Assist in Grievance Redressal process</li> <li>➤ Assist Contractors of works with resettlement related issues</li> <li>➤ Prepare assignment completion report</li> <li>➤ Participate in all Review missions/Workshop of BIG-Z</li> </ul>
<i>Communication</i>	<ul style="list-style-type: none"> <li>➤ Providing guidance and advice on communication and community outreach services to the stakeholders and PAPs</li> <li>➤ Facilitate sensitization activities across the project areas by interactions with district authorities and at community level</li> <li>➤ Provide inputs to and participate actively in the disclosure of the RAP at the district level;</li> <li>➤ Acts as the focal point on training on Financial Literacy by provision of necessary support to the RAP Payment Agent (and the RAP Implementation Unit) in communication with PAPs on the financial products;</li> <li>➤ Be the focal point in the additional community outreach activities aimed at creating awareness and appreciation of BIG-Z vide planned activities such as radio programs, formation of radio listening clubs, development of brochures, flyers, and other communication material as deemed necessary;</li> <li>➤ undertake site visits as necessary during RAP implementation to review effectiveness of community outreach activities;</li> <li>➤ coordinate with councils particularly in urban areas to facilitate work of RAP preparation and subsequently implementation</li> <li>➤ Participate in monthly review meetings with all relevant stakeholders and provide inputs to the minutes of the meetings to the PMT</li> <li>➤ Provide inputs to the scope of work of the Agency proposed to be contracted for the Implementation Completion Audit of the RAP Implementation of BIG-Z from the point of assessing efficacy of the outreach activities</li> <li>➤ Review reports of the Implementation Completion Audit</li> <li>➤ Participate in all RAP related Review missions/Workshop for BIG-Z projects</li> </ul>
<i>Monitoring, Evaluation</i>	<ul style="list-style-type: none"> <li>➤ Act as the focal point on Internal Monitoring of the BIG - Z;</li> <li>➤ Provide inputs to the usage of RAP Database as a tool for monitoring the project progress;</li> <li>➤ Provide inputs to the review of RAP progress reports;</li> <li>➤ Provide inputs to the scope of work of the Agency proposed to be contracted for the Implementation Completion Audit of the RAP Implementation in BIG-Z projects;</li> </ul>



<b>Departments</b>	<b>Roles and Responsibilities in RAP preparation and implementation of RAP BIG - Z</b>
	➤ Review reports of the RAP Implementation Completion Audit;
<i>Procurement</i>	<ul style="list-style-type: none"> <li>➤ Providing procurement guidance and advice on all consultancies and services</li> <li>➤ Ensure timely procurement of all contracts – goods and services relating to RAP implementation as well as Compensation Payment Agent, (local Bank)</li> </ul>
<i>Accounts Department</i>	<ul style="list-style-type: none"> <li>➤ Providing finances to consultants in a timely manner for payment for deliverables</li> <li>➤ Providing finances for payments to IDIQ building contractor, RAP consultant, RAP Payment Agent for PAPs, District Council officials who will be facilitating RAP implementation activities</li> </ul>
<i>Legal Directorate</i>	➤ Providing legal advice on issues such as vetting of Compensation Agreements and other issues arising during RAP implementation

### **Supervising Engineer**

The Consulting Engineer (CE) would be responsible for supervising contractor hired for constructing the infrastructure. Further CE would be:

- helping to realign the routes in places where there are resettlement issues;
- Monitoring any issues where contractors affect private property, etc.

**Ministry of Land, Housing, Water and Energy:** Is the principal ministry responsible for land management and land delivery (planning and processing, allocating and registering land) through departments of the Ministry for Lands and its departments. The ministry is also responsible with environmental management (ZEMA and Department of Environment - DoE); Water management and supply-ZAWA; Electricity supply –ZECO; and Utility regulatory - ZURA.

**President Office, Regional Administration, Local Government and Special Department:** Responsible for coordination and administration of the connection between different levels of the government i.e. regional administration, district administration and local government; municipal council, town council and Shehia committees.

### **Urban District Council:**

- Notifying the affected Ward and Shehia Council of the proposed Project.
- Advise Shehia Council on the management of public land.
- Participate in the land and asset valuation process.

### **Ward level:**

- Advisory services to Shehia Council.
- Review and approve compensation schedules (Ward Committee).

### **Shehia Councils:**

- Participate in Project consultation and disclosure meetings.
- Mobilise affected households and provide feedback / notification to PAPs on project related issues.
- Participate in identification of affected households and witness property valuation exercise.



- Participate and witness land survey and mapping of project area.
- Support PAPs during the preparation and submission of their compensation claims.
- Witness the compensation payment process.
- Support ZUSP in the land acquisition process and during registration of the relocation site.
- Participate in RWC meetings.

## **11.2 Institutional Arrangements for Delivery of Entitlements**

PMT in collaboration with ZMC, district councils and Shehas will post notices in the affected areas advising PAPs to collect their compensation payments from designated places i.e. either from the PMT Office for those being paid by cheque and from the specified banks (for those will be paid via banks). The office should prepare a written record, to be signed by the PAP, indicating that the PAP has received the payment. PAPs without bank accounts including those in vulnerable group will be assisted by PMT in collaboration with local government authorities (Shehia and ward officials) to open bank accounts.

Once the account is opened and compensation is credited to the appropriate account, each PAP shall be informed of the transaction. Once compensation payments have been made to PAPs, they will be notified immediately after receiving their compensation packages to begin the process of salvaging any materials from demolished structures such as metal/wooden frames, roofing iron sheets and bricks and farmers will be given notice to harvest their crops. In addition to these activities, the RAP team shall work with communities to ensure effective restoration of pre-project levels.

Several organizations and institutions will be involved with RAP implementation processes at different levels and times. However, the overall coordination of RAP activities will be under the PMT and other institutions and organizations that have the legal obligations to carry out functions related to resettlement and or compensation including various local authorities.

### **Responsibility of Stakeholders**

- i. Ministry of Finance and Planning PMT will be responsible for implementing the RAP
- ii. External Audits shall include the evaluation of the implementation of the resettlement action plans in routine annual audits. Without undue restrictions, the audits may include assessment of:
  - Resettlement conditions where relevant;
  - Consultation on compensation options, process and procedures;
  - Adequacy of compensation; and
  - Adequacy of specific measures targeting vulnerable people.
- iii. RAP Paying Agent responsibilities of the Paying Agent (PA) by during execution phases are detailed below:
  - PA shall be responsible for the provision of training and information to PAPs on its financial services which the PAPs will need in the management of their compensation money;
  - PA shall be responsible for ensuring that PAPs receive compensation in accordance with the payment schedules provided by PMT;



- Verify and confirm identity of each beneficiary based on his/her national identity card, driving license, or passport), and confirm eligibility based on the compensation schedule provided by PMT;
- Facilitate funds transfers with newly opened bank accounts and assist with opening bank accounts for those beneficiaries required to hold bank account but who do not have one or who choose to receive their compensation in a bank account;
- Make available to beneficiaries (from the PAs designated payment points or at the offices of a PA), compensation payments according to defined period and agreed terms and for the duration used;
- Maintain an updated register of PAPs who have choose to receive their compensation in a bank account (as per threshold amounts) and those who are still outstanding, in line with the compensation schedule received from PMT;
- Provide PMT with proof of receipt of payment and photographs of PAPS who have received payments and maintain accompanying receipts for filing at PMT;
- Verify amounts received are consistent with the compensation schedule provided by PMT;
- The PA under no circumstance will hand over compensation to a person other than the PAP as listed and clearly identified by the national identity card, biometric thumb print or an Identity card processed by RAP developer with the POFP's legal officer's stamp and signature;
- Notify the RAP implementation consultant when compensation funds have been transferred into bank accounts;
- Take all reasonable steps necessary to ensure that compensation provided by the PMT reaches the beneficiaries referred without undue delay and in any event, within five (5) working days to the date of transfer of funds by PMT to the PA Account;



## Chapter 12– Grievance Redress Mechanism

### 12.1 Introduction

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

The sections in this report present the likely grievances, objectives of the GRM, the principles that need to be adhered in formulation of effective procedures and processes, operationalizing requirements of GRMs, redressal procedure steps involved in recording and redressal of grievances. The GRM shall be implemented over the life of the Project.

### 12.2 Objectives of the Grievance Redressal Mechanism (GRM)

The primary responsibility to address all complaints and grievances lies with project. The GRM will comprise two levels or tiers to handle grievances – first level will be at community where Shehia-GMC will be clustered, while the next or second level will be at the district level. The primary objectives of creating a GRM are:

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

### 12.3 Likely Grievances

Types of grievances that could occur/have already occurred during the preconstruction i.e. survey stage and those likely to occur during the RAP implementation followed by construction stage are listed below:

Table 20- List of Potential Nature of Grievances

Stage	Types of grievances (indicative)
<i>Planning/Pre-construction</i>	<ul style="list-style-type: none"><li>• lack of awareness of the project foot print, wayleave/corridor;</li><li>• missing of parcel, error in identification and/or incorrect measurement (or perceptions over incorrect measurement) of affected assets;</li><li>• disagreement regarding inheritance or ownership of assets and fearing loss of compensation;</li><li>• lack of adequate communication on the project developments, not enough consultation/sensitisation;</li><li>• disagreement over the rates utilized valuation of affected assets;</li><li>• mistakes in the formulation of compensation agreement documents;</li></ul>



Stage	Types of grievances (indicative)
<i>RAP Implementation followed by Construction</i>	<ul style="list-style-type: none"> <li>• non-payment for improvements carried out to structures post survey and valuation but prior to compensation payments;</li> <li>• mode of payment of compensation and time delays;</li> <li>• dissatisfaction over alternate housing provided;</li> <li>• not enough work during construction stage / dissatisfaction over wages given;</li> <li>• wrong identification of livelihood restoration schemes, their inadequacy, training support and lack of necessary assistances;</li> <li>• increased cases of HIV/AIDS due to intercultural interactions;</li> <li>• likelihood of increase in Gender Based Violence (GBV);</li> <li>• loss of access not addressed;</li> <li>• loss of property due to theft allegedly by construction personnel;</li> <li>• damage to crops caused due by ongoing construction work e.g., deep cutting/excavations;</li> <li>• dissatisfaction over replacement structures;</li> <li>• inadequate support in relocating to resettlement sites/replacement structures; and</li> <li>• Snag in cost reductions causing non restatement of the soil leading to risk of flooding and blockage of the drains.</li> </ul>
<i>Post construction</i>	<ul style="list-style-type: none"> <li>• Manifestation of the missing PAPs.</li> </ul>

#### 12.4 Principles to Effective Grievance Redressal

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

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

#### 12.5 Grievance Management Committees’ Structure, and Functioning

There will be three tiers’ levels of grievance management committees. BIG - Z will be responsible for operationalizing the Shehia - GMCs by providing them with specific TORs for



the execution of required work immediately after the approval of the RAP, and committees' compositions are presented in the subsequent sections while the estimated financial resources for GRC trainings and operationalization are presented in the Budget section of this RAP.

### Shehia - GMCs

The committee will:

- i. Represent the interests of PAPs and communities in the project's zone of influence.
- ii. Act as a grievance handling point for all grievances lodged by Complainants arising from resettlement activities. By resolving all matter within the mandate of Shehia committees.
- iii. Act as an exit point for all grievances lodged by Complainants arising from resettlement activities which could not be resolved by Shehia committee and refer the same to district committees.
- iv. Ensure the Responses and resolutions reach PAP within the agreed timeline of 7days.
- v. Act as BIG-Z, ZMC's local monitoring and oversight committee on the corridor encroachment, construction materials vandalism and finally to sensitize the community from misusing the infrastructures.
- vi. Monitor safety standards, labour requirements and community health issues during construction works and report to BIG-Z or ZUMC.
- vii. Prepare progress reports and present them to the GMC during monthly meetings.

### Composition of Shehia- GMCs

At the community level, the Resettlement and Grievances Management Committee will be in Shehias depending on numbers of PAPs in a particular area. Total members of Shehia - GMCs would be between 10 and 15. The committee may at any time co-opt any member to help in resolving grievances if it deems necessary. Composition of the committee as formed is presented below:

- i. Chairperson – Sheha
- ii. Deputy Chairperson
- iii. Secretary PAP
- iv. Elected PAP representative of the affected areas (blocks/Zones)
- v. Women Representative
- vi. Community Development Officer (Deputy secretary)
- vii. NGO representative (co – opted depending on the pertinent issues within the areas preferably GBV and SEA)

### Functioning

Details on functioning, meeting schedule and procedures, requisite training and reporting are provided below:

**(i) Meeting Schedule:**

As it is anticipated that at the initial stages – prior and post compensation payments, the PAPs would have issues to seek clarification on and also report any grievances, the DGRMCs will:

- Meet once in a month – or more frequently if the situation so demands;
- Meet once a month, depending on review and internal monitoring of grievances – type and nature;



- May decide on frequency of meetings as deemed appropriate upon commencement of construction works which may lead to additional disturbance and damages to and thereby grievances from committees

**(ii) Committee Meeting Procedures:**

The meeting procedures are described below:

- At the first meeting of the Committee, the Members shall elect a Chairperson and Secretary from amongst themselves who shall serve in that capacity for a specified period (depending of the project time span).
- The Chairperson of the Committee shall preside over and maintain due and proper conduct of meetings and ensure that the rules and regulations of the Committee are properly administered at all times. In the absence of the Chairperson, the Interim Chairperson will be nominated and duly seconded to preside over the meeting.
- The Committee Secretary will be responsible for taking minutes and circulation of the duly signed copy of such minutes.
- The Quorum at any meeting of the Committee shall be fifty (50) percent of the total number of members of the Committee eligible to attend the meeting.
- The Committee shall enforce at all times transparency and accountability in the conduct of its affairs.
- PAPs with grievances will not always be expected to attend the meetings but will be called upon to attend when the Committee deems it necessary.

**(iii) Training:**

Once formed, Training would be imparted to the members of the Committees on the following topics:

- Orientation of types of likely grievances and the levels for handling the same
- Legal framework governing the project, and specifically on the different norms as applicable under WB OP 4.12
- Details of the compensation entitlements i.e., different rates applied for trees (fruits trees, indigenous trees, exotic trees, crops (permanent vis a vis seasonal crops); structures etc.
- Provision in event of damage during construction
- Redressal Procedure including:
  - ✓ Helping illiterate PAPs record their grievances
  - ✓ Approach to investigating issues, usage of grievance recording forms
  - ✓ Frequency of meetings, minute taking and reporting etc.
  - ✓ Communication of resolution status of the grievance to the PAP

**(iv) Dissemination of Committee's Resolution:**

The Committee's resolution status on any grievance received and discussed will be communicated to the PAP or any claimant **within 5 working days** of the Committee's decision.

- *Program Reporting Requirement:* The Shehia - GMCs will work hand in hand with BIG- Z, and ZUMC on all matters arising and progress.



- *Location and Period of Execution:* The Shehia - GMCs will be meet at Shehia's meeting venue in existing communities or BIG - Z board rooms and travel to project sites as necessary.
- *Operational duration:* In terms of duration, the following shall be the key considerations:
  - The committees would need to operate till the project continues to have an interface with affected communities
  - It should remain operational even after end of the construction period as it is likely that there could be issues relating to the operational phase.
  - The duration till when such a grievance redressal system needs to be maintained post construction can be determined and can be mutually agreed between BIG - Z, ZUMC and Districts upon by review of suitable indicators such as
    - ✓ nature and type of grievances received, addressed;
    - ✓ pending resolution; and
    - ✓ Referred for arbitration/ court.
- *Interfacing with the complainant*  
Community Development Assistant (Deputy secretary) will be responsible for preparation of invitation and resolutions letters. In the event of submitting the invitation letter the CDO will send the letter and make a follow up by phone. During the dissemination of the resolutions the CDO and committee secretary will seek appointment to meet the complainant and submit the resolution to the complainant after cancelling.

### **District- GMCs – Scope, Composition and Functioning**

BIG - Z will be responsible for operationalizing the District - GRMCs by providing them with specific TORs for the execution of required work, commensurate training and resources.

### **Scope of Work of District -GMCs**

The committee will:

- i. Represent the interests of PAPs and communities in the district.
- ii. Support the project in identification of PAPs and envisaged land, enterprise or livelihood losses.
- iii. Act as an appeal point for all grievances lodged by Complainants arising from resettlement activities. By resolving all matter remains unresolved at Sheha committees and referred to the District Committee.
- iv. Act as an exit point for all grievances lodged by Complainants arising from resettlement activities which could not be resolved by district committee and refer the same to court of law.
- v. Ensure the Responses and resolutions reach PAP within the agreed timeline of 7days.
- vi. Ensure transparency and accountability during property valuation and loss of livelihood claims through public participation.
- vii. Act as (ZUMC's) local monitoring and oversight committee on encroachment of the compensated corridor
- viii. Monitor safety standards, labour requirements and community health issues during construction works and report to District and PMT GRCs.
- ix. Prepare progress reports and present them to the District Commissioner during monthly meetings.



## Composition of District - GMCs

At the District level, the composition of the committee will include a mix of representatives from within and outside the district administration. It will include the Shehas as they preside over the District and are widely respected within their areas. The composition of the Committee will be as follows:

- i. District Commissioner – Chair person
- ii. District Lands Officer;
- iii. District valuer
- iv. Sheha from the concerned Shehia;
- v. District Environment Officer;
- vi. Representative from Community Support Organization (CSO)/Non-Government Organization NGO (local / international) preferably those related to gender based violence, Sexual Exploitation and Abuse
- vii. District Community Development Officer; and
- viii. Official from BIG - Z;

## Functioning

Details on functioning, meeting schedule and procedures, requisite training and other details are provided below:

### i) Meeting Schedule:

As it is anticipated that at the initial stages – prior and post compensation payments, the PAPs would have issues to seek clarification on and also report any grievances, the district - GMCS will:

- meet monthly - or more frequently if the situation so demands; depending on review and internal monitoring of grievances – type and nature;
- may decide on frequency of meetings as deemed appropriate upon commencement of construction works which may lead to additional disturbance and damages to and thereby grievances from committees

### ii) Committee Meeting Procedures:

These are described below:

- At the first meeting of the Committee, the Members shall elect a Chairperson and Secretary from amongst themselves who shall serve in that capacity for three (3) years.
- The Chairperson of the Committee shall preside over and maintain due and proper conduct of meetings and ensure that the rules and regulations of the Committee are properly administered at all times. In the absence of the Chairperson, the Interim Chairperson will be nominated and duly seconded to preside over the meeting.
- The Committee Secretary will be responsible for taking minutes and circulation of the duly signed copy of such minutes.
- The quorum at any meeting of the Committee shall be fifty (50) percent of the total number of members of the Committee eligible to attend the meeting.
- The Committee shall enforce at all times transparency and accountability in the conduct of its affairs.
- PAPs with grievances will not always be expected to attend the meetings but will be called upon to attend when the Committee deems it necessary.

### iii) Training:



Once formed, Training would be imparted to the members of the Committees on the following topics:

- Types of grievances likely to be escalated to their level
- Legal framework governing the project, particularly the WB requirements
- Details of the compensation entitlements
- Provision in event of damage during construction
- Provision of in-kind and
- RAP timeline and updating procedures

#### **iv) Dissemination of Committee's Resolution:**

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

- *Program Reporting Requirement:* The District Grievances Management Committees will work hand in hand with the RAP Consultant, Urban & West B Municipalities and BIG - Z Communications and Outreach officer reporting on all matters arising and progress.
- *Location:* The District - Grievances Management Committees will be housed within the District Headquarters and provided with a separate space to work. They would undertake travel to project sites as necessary.
- *Operational duration:* In terms of duration, the following shall be the key considerations:
  - The committees would need to operate till the project continues to have an interface with affected communities
  - It should remain operational even after end of the construction period as it is likely that there could be issues relating to the operational phase.
  - The duration till when such a grievance redressal system needs to be maintained post construction can be determined and can be mutually agreed between BIG - Z, Urban and West B Districts upon by review of suitable indicators such as
    - ✓ Nature and type of grievances received, addressed;
    - ✓ Pending resolution; and
    - ✓ Referred for arbitration/ court.
- *Interfacing with the complainant*

Community Development Officer (Deputy Secretary) will be responsible for preparation of meetings notification to the committees' members. Also, the secretary will be responsible to prepare letters to inform the PAPs on the resolutions reached by the committees on the complaints. During the dissemination of the resolutions the CDO and committee secretary will seek appointment to meet the complainant and submit the resolution to the complainant after counseling.

## **12.6 Redressal Procedure**

### **12.6.1 The Existing (traditional) GRM through Negotiations and Mediation**

This grievance procedure is simple, administered at the local level to facilitate access, and to the extent possible flexible and open to various proofs. Under the existing GRM, those seeking redress and wishing to state grievances reports to their Shehia offices by filling grievance form that will be made available at the Sheha office and the matter is referred to the Shehia Advisory Committee for resolution. Sheha Advisory Committee composed of all community leader of



Shehia sub-units. For this matter the Committee will be strengthened by addition of members from Project Management Team, District and representative of the complainant.

If at Shehia levels matter remains unresolved, Sheha will refer the case to the District Commissioner's (DC) Office where the DC Grievance Committee for which DC is the chairperson will find resolution. The District Grievance Committee members are usually constituted from the DC office, the relevant District functional department (i.e. Land Office/Valuer in case of land disputes), Shehia office, and a representative of the complainant and the defendant. The committee would consult with the lower local government levels and other records to determine the validity of claims, and if valid recommend appropriate remedial measures, or compensation etc. The District through the Shehia office would notify the complainant regarding recommended settlement. If the matter is not able to resolve at District level, the grievance is referred to the Regional Commissioner who with the assistance of his respective department leaders and representative from District, complainants, government valuation office will hear the grievance and provide response within 2 weeks from the date of the complaint.

Table 21-Existing GRM through Negotiation and Mediation Procedure

STEP	ACTION/ ACTIVITY	RESPONSIBLE
1	PAPs are informed of their rights and entitlements	RAP Team (Valuer)
2	PAP rejects (i.e. the values given) and lodge complaint	RAP Team (Valuer) gives justification of the figure
<b>PAP NOT SATISFIED</b>		
3	Lodge appeal to Village Government (Shehia) Office by filling Grievance Form	Sheha receives complain ↓ Shehia Advisory Committee
<b>PAP STILL NOT SATISFIED</b>		
4	PAP with assistant of Sheha will Lodge appeal to District Office	District Grievance Committee chaired by District Commissioner include members of RAP Team
<b>PAP STILL NOT SATISFIED</b>		
5	Lodge appeal to Regional Commissioner's Office	RAS / Regional Commissioner (in consultation with RAP Team / ZUSP) ↓ Court of Law

*Source: RAP Report; Kibele Landfill Project*

### Time Frame

Under negotiation and mediation procedure, the time frame for grievance resolution is as follows;

Sheha Advisory Committee will acknowledge receipt of the complaint within 5 working days from the day complain was reported.

- Within 10 days of the receipt of the grievance, Sheha Advisory Committee will conduct the investigation and provide a response to the complaint.



- District Grievance committee will acknowledge receipt of a grievance in writings within seven (7) business days from the day complaint was reported.
- Within 14 days of receipt of the grievance, District grievance committee will conduct the investigation and provide a response to the complainant.
- RAS office will acknowledge receipt of grievance within 7 days and will finalise the process within 14 days.

### 12.6.2 The Existing GRM through Judicial Procedure

Where the negotiation and mediation procedure up to office of Minister responsible for land matters does not resolve the complaint, PAP is advised to lodge formally into the legal system with court of law at Ward level as shown in table 29.

Table 22 - Grievance Redresses Procedure Through Judicial Procedures

STEP	ACTION/ ACTIVITY	RESPONSIBLE
6	PAP lodge appeal to District Land and Housing Tribunal	District Land and Housing Tribunal
<b>PAP STILL NOT SATISFIED</b>		
7	PAP lodge appeal to High Court Land Division	High Court Land Division

### 12.7 Recommended Grievance Redress Mechanism in This RAP

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

#### STEP 1 – LOGGING AND RECORDING OF GRIEVANCE:

As a first step, all complaints and grievances relating to any aspect of the project are to be properly lodged by the PAP through the representative member of the Grievance Management Committee and then recorded in the Grievance Form<sup>8</sup> by the Grievance committee secretary or other member of Shehia GRC. The contact details of the Shehia -GMC members will be made public to the PAPs. Additionally, the Shehas will also be available to help the PAPs to channel their grievances to the committee. Grievance Form feeds into the RAP Database managed centrally at BIG - Z. Complaints that are not connected to the Project are to be filtered by the Shehia Committee secretary and referred to relevant local committees and claimants informed accordingly within 5 days. Some cases may just require provision of required information or clarification and may therefore not be required to be referred to Step 2.

#### STEP 2 – REDRESSAL AT SHEHIA- GRIEVANCE MANAGEMENT COMMITTEE LEVEL:

The Shehia- GMC shall maintain a record/register of all complaints/grievances received so that these can be recorded collectively. At this step, all cases are to be heard by the Shehia- GMC and addressed. There after consultations conducted with the PAPs in a transparent manner and aimed at resolving matters through consensus. In order to ensure transparency, all meetings aimed at resolving such complaints are conducted places specifically designated for this purpose. Minutes of such meetings shall be kept and if the resolution proposed by the Shehia-GMC is accepted by the PAP, the PAP will sign the grievance form to show agreement and the

<sup>8</sup> Grievance form is in annex 7



grievance will subsequently be closed, otherwise Step 3 below will be followed in appeal. A **period of 14 days is provided to hear and redress the grievance.**

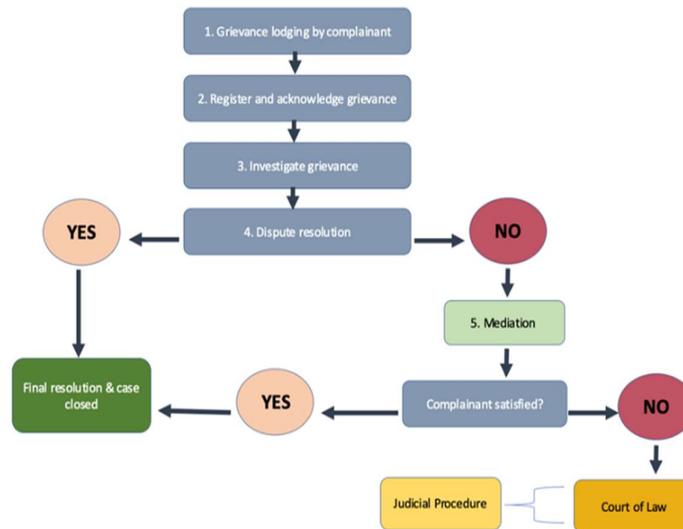
**STEP 2 –REDRESSAL AT DISTRICT - GRIEVANCE MANAGEMENT COMMITTEE LEVEL**

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

**STEP 3 – CIVIL COURTS OPTION:**

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

Figure 15 - Grievance Redress Procedures



**12.7.1 Anonymous Filing of Grievances**

When required PMT will place a grievances box at the office for the PAPs /communities to drop their grievances in a confidential way hence helping the RAP team in investigation, analyzing and reporting of gender issues within appropriate time possible.

**12.8 Responsibility for addressing issues of GBV/SEA**

The World Bank’s ESF requires that: “the Borrower [is] to provide a grievance mechanism, process, or procedure to receive and facilitate resolution of concerns and



grievances of project-affected parties arising in connection with the project, about the Borrower's environmental and social performance. A grievance mechanism will be proportionate to the risks and impacts of the project." In compliance to this WB requirement PMT will undertake the following steps

### **12.8.1 Identify Service providers for the GBV**

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

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

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

### **12.8.2 Coordination of SEA/GBV Reporting**

PMT will support for to community development officers; existence in GRC. The Community Development officers will do the following:

- Upon receiving the complaints, the Community Development officers will send the complaints to GBV Services Providers.
- The GBV service provider will identify the survivor in accordance with international standards that articulate a minimum basic package of services, ideally including case management support, health services, psychosocial support, police support and security, access to legal services, and shelter, if needed. When identifying GBV Services Providers, the quality-of-service provision should be a key consideration. In keeping with a survivor-centered approach, accessing services should be the



choice of the survivor. Access to police and justice services should be made available in the instance that the survivor would like to pursue charges through the local justice system.

- PMT Social Expert will follow up with service providers on the mitigation and progress of resolving GBV related matters. The reports will be documented as part of quarterly reports.

### 12.8.3 Suggested ways of reporting GBV / SEA

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

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

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

### 12.8.4 Operationalization of the GBV redress

The costs of operating the GRM are usually modest and should be financed by the PMT as part of the general project management costs. The GRM needs to be in place prior to the contractor mobilizing.

The GRMs will have multiple channels where complaints can be registered. Particularly for GBV, where risks of stigmatization, rejection and reprisals against survivors create and reinforce a culture of silence, complainants may be reticent to directly approach the project management team. Additional measures may therefore be needed to enable reporting.

The GRM will basically be operated by the PMT. However, for GBV PMT will create synergy with active and competent GBV Services Provider for adequate handling of the issues

## 12.9 Timeframe

The total timeframe provided from the stage of recording of grievances to their redressal would **not be more than 14 days, unless referred to court of law**. The Implementation Completion Audit exercise that is proposed to be carried out too can provide relevant recommendations in respect to the Continuance of the committees.



## **CHAPTER 13–ESTIMATED RAP IMPLEMENTATION BUDGET**

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RAP budget has been prepared by considering (i) the costs of compensation for lost assets (land, buildings, crops and trees); (ii) disturbance allowance associated to land value; (iii) accommodation, and transport allowances associated to the fully displaced structures; (iv) Costs of livelihoods restorations programs; (v) Contingency to cater for unforeseen impacts on land and structures.

**The RAP implementation amounts and associated details is kept for official use only.**



## CHAPTER 14 – MONITORING AND EVALUATION

PMT will be the responsible for the M&E of implementation for the resettlement/compensation plans.

The M&E objective will be to make a final evaluation to determine:

- (i) If PAP have been compensated in full before implementation of subproject activities; and
- (ii) If PAP is now living at a higher standard than before subproject implementation, living at the same standard, or if they are poorer.

RAP monitoring will be carried out by independent consultant. The consultant will be required in the first place to undertake a baselines survey to update the baseline information in this RAP and to confirm the information including the total number of PAPs shifting to other unaffected land so as to establish the number of shifted and how many are outstanding. A number of socioeconomic indicators will be used to determine the status of affected people (compared to pre-project, land being used, standard of house, and level of participation in project activities, how many children in school, health standards, and others). Therefore, RAPs will set three major socioeconomic goals by which to evaluate success:

- (i) Affected individuals, households, and communities are able to maintain their subproject standard of living, and even improve on it;
- (ii) Local communities remain supportive of the project; and
- (iii) Absence or prevalence of conflicts.

The indicators in Table below will be used to monitor and evaluate the implementation of resettlement and compensation plans.

### 14.1 Verifiable Indicators for M&E

The consultant will consolidate efforts in periodical monitoring the indicators listed in following matrix.

Table 23 RAP Monitoring Indicators

Parameters	Indicators	
Impacts on assets and people	Number of Affected assets compensated	Quarterly
	Number of replaced trees and structures	Quarterly
	Number of restored livelihoods and income	Quarterly
Financial (compensation/ establishment)	Amount of total compensation disbursed	Completion Evaluation
	Amount of compensation paid to PAPs	
	Number of PAPs paid compensation (disaggregated by gender) in cash/cheque/bank account	
	Number of PAPs already having bank accounts and those yet to open	
Relocation/ Rehabilitation /Income Enhancement	Number of PAPs who allocated alternative business space	Quarterly
	Number of total PAPs enrolled into financial literacy trainings programs	Quarterly
	Number of youths, unemployed employed in construction works by type of services provided	Quarterly



Parameters	Indicators	
	Number of emerging PAPs due to unforeseen construction impacts	Monthly
	Number of Consultations meetings held with communities	Quarterly,
	Time taken for issuance of expropriation order and date of vacating the land	Quarterly,
Institutional Strengthening	Number of trainings provided to the committees (GRCs)	Quarterly
	Number of grievances committees with full staffing and functioning	Quarterly
	Number of members of each grievance committee disaggregated by gender, age and education levels	Quarterly
	Number of grievances resolved by 'level' (first level, second level and third level) of resolution	Quarterly
	Number of cases that have been referred to courts	Quarterly
	Number of GBV incidences reported, resolved and the number of GBV cases referred to the NGO responsible for GBV handling.	Quarterly
Compensation usage	Number of men and women operating their businesses from the new premises	Quarterly
	Number of men and women planted trees to replace the lost ones	Quarterly
	Number of men and women who could not afford to operate their businesses from the new premises	Quarterly

#### 14.2 Completion Audit and External Monitoring

A RAP Completion Audit will be undertaken not later than six Months after the completion of implementation of the resettlement and compensation plan. The key objective of completion audit, is to evaluate whether the outcome of the RAP conforms with the WB's involuntary resettlement policy; to determine whether PMT's efforts to restore the living standards of the affected population have been well conceived and executed; to verify if all physical inputs committed in the RAP have been delivered and all services provided and to evaluate whether the mitigation actions prescribed in the RAP have had the desired effect.

The socio-economic status of the affected population, including the host population, will be measured against the baseline conditions of the population before displacement, as established through the census and socio-economic studies. The findings and recommendations of the completion audit will be undertaken as the concluding activities of the resettlement.

# *Annexes*

## Annex 1: List of the Reviewed Documents

Revolutionary Government of Zanzibar (RGoZ), (2013), The Zanzibar Environmental Policy, 2013

Revolutionary Government of Zanzibar (RGoZ), (2011), The Zanzibar Disaster Management Policy (2011)

Revolutionary Government of Zanzibar (RGoZ), (2011), The National Health Policy (2011)

Revolutionary Government of Zanzibar (RGoZ), (1984), The Zanzibar Constitution, 1984

Revolutionary Government of Zanzibar (RGoZ), (1977), The Constitution of the United Republic of Tanzania, 1977

Revolutionary Government of Zanzibar (RGoZ), (1992), The Land Tenure Act No 12, 1992 (Amendment, Act No. 15 of 2003)

Revolutionary Government of Zanzibar (RGoZ), (1992), The Land Tenure Act, No. 12 of 1992 (Land Allocations Regulations 2008)

Revolutionary Government of Zanzibar (RGoZ), (1990), The Land Survey Act No. 9 (1990)

Revolutionary Government of Zanzibar (RGoZ), (2015), The Zanzibar Environmental Management Act, 2015

Revolutionary Government of Zanzibar (RGoZ), (2004), The Labour Relations Act, 2004

Revolutionary Government of Zanzibar (RGoZ), (2014), The Zanzibar Local Government Authority Act of 2014

Revolutionary Government of Zanzibar (RGoZ), (2002), The Ancient Monuments Preservation Act, 2002

Revolutionary Government of Zanzibar (RGoZ), (2008), The Land Tribunal Act, No. 7, 1994; Amendment Act, No 1 of 2008

Revolutionary Government of Zanzibar (RGoZ), (2015), The Valuers Registration Act, 2015

World Bank (2004), Involuntary Resettlement Policy OP 4.12 (Revised April 2013)

(Anti-Discrimination Board of Australia, 2007)

Corporate Social Responsibility Initiative, 2008

Inventory Acc.942 Papers of Sir John Kirk GCMB KCB and Lady Kirk née Helen Cooke. National Library of Scotland: Manuscripts Division.

URT, (2002), The Land (Assessment of the Value of Land for Compensation) Regulations, 2001 and the Village Land Regulations, 2002

URT, (2003), The Environmental and Social Management Framework and Resettlement Policy Framework for the Local Government Support Programme (LGSP), 2003.

URT, (2003), The Participatory Agriculture Development and Empowerment Project (PADEP), Resettlement Policy Framework: February 2003

Davidson F. et al (1993) Relocation and resettlement manual: a guide to managing and planning resettlement. IHUD, Rotterdam

IFC (2002), Handbook for Preparing a RAP, International Finance Corporation, 2121 Pennsylvania Avenue, NW, Washington, DC 20433 USA

RPF 2020 Zanzibar Urban Services Project.

## Annex 2: Compensation Agreement form



**Revolutionary Government of Zanzibar  
PRESIDENT'S OFFICE - FINANCE AND PLANNING  
Boosting Inclusive Growth for Zanzibar (Big-Z): Integrated Development Project**

<b>COMPENSATION AGREEMENT FORM (FOMU YA MARIDHIANO YA FIDIA)</b>		
<b>Asset details (Mchanganuao wa Mali zinazofidiwa )</b>	<b>Amount in Tsh (Thamani (Sh)</b>	
<b>OPTIONS (Chaguo)</b>	<b>CASH (Fedha)</b>	<b>IN – KIND (Amali)</b>
Compensation for Land (in SqM) ( <i>Thamani za Fidia ya ardhi</i> )		
Compensation for Standing Crops( <i>Thamani za fidia ya Mazao</i> )		
Compensation for Fruit Trees ( <i>Thamani ya miti ya matunda</i> )		
Compensation for Exotic Trees( <i>Thamani ya miti Ya kupandwa</i> )		
<b>Compensation for All structures (in sq.m) (Thamani Ya majumba)</b>		
<i>Structure /House/Building (Nyumba)</i>		
<i>Stalls (Vibanda vya biashara)</i>		
Disturbance Allowance of Additional 15% on top of compensation in case of expropriation of land ( <i>Fidia ya Usumbufu– 15%</i> )		
Shifting allowance ( <i>Gharama za usafiri</i> )		
Rental amount for Tenant (Rural area/ Urban Area) for residential structure ( <i>Gharama za Kodi ya Pango</i> )		
<p>I/WE (<i>mimi/sisi</i>).....resident(s) of (<i>wakazi wa</i>), .....Shehia .....District (<i>Wilaya</i>).....confirm that the above listed assets belong to us/to me (<i>tumekubali kkuwa mali zilivyoainishwa hapo juu ni zetu</i>). We have agree to receive (<i>tumeridhia kupokea</i>) Tsh..... (<i>Amount in words: (kiasi kwa maneno) .....</i> ) As full and final compensation and other entitlements due to me/us for loss of the above-mentioned items (<i>kama fidia halali ya mali iliyo athirika na kuorodheshwa hapo juu</i>).</p> <p><b>GENERAL OBLIGATIONS OF THE BENEFICIARIES AFTER FULL COMPENSATION (JUKUMU LA MPOKEAJI WA FIDIA )</b></p> <p>I agree to vacate the land /house and forfeit usage of trees and crops thereon under the way-leave to the Areas Upgrading Project within 30days from the date of receiving compensation. (<i>nimekubali kuwa nitahamisha mali zangu na kuhama ili kuruhusu utekelezaji wa shughuli za mradi wa uboreshaji Miji ndani ya siku 30 baada ya kupokea fidia yangu</i>).</p>		
<b>PAP SIGNATURE DETAILS</b>		

Full Name of recipient PAP (as in ID card) <i>(Jina la mlipwa fidia kama lilivyoandikwa kwenye kitambulisho ID)</i>	Full Name of recipient Spouse (as in ID card) <i>(Jina la mwenza wa mlipwa fidia kama lilivyoyoko kwenye kitambulisho ID)</i>
Signature/Thumb Impression(Saini/dole gumba)	Signature/Thumb Impression (Saini/dole gumba)
Full name of Sheha( <i>Jina La Sheha</i> )	Signature/Thumb Impression (Saini/Dole Gumba )
<b>PMT AND DISTRICT</b>	
Name (Jina)	Signature & Stamp (Saini na mhuri wa mwanasheria)
<i>Resettlement Officer of PMT ( Mhusika wa Fidia wa PMT)</i>	
Name (Jina)	Signature & Stamp (Saini Ya DC)
<i>Witness (District Commissioner Official) (Shahidi kwa niaba ya DC)</i>	

### Annex 3: Sample of Grievance Form

<b>REVOLUTIONARY GOVERNMENT OF ZANZIBAR</b> <b>PRESIDENT'S OFFICE FINANCE AND PLANNING</b>				
				
<b>BOOSTING INCLUSIVE GROWTH FOR ZANZIBAR (BIG-Z): INTEGRATED DEVELOPMENT PROJECT</b>				
<b>GRIEVANCES RECORDING FORM</b>				
<b>1. Date of Grievance Reporting</b>				
<b>2. Reference No</b>				
<b>3. PAP ID</b>				
<b>4. Full Name</b>				
<b>5. Address of Complainant</b>				
<b>6. Gender of Complainant</b>				<b>7. Vulnerability Type</b>
<b>8. Contact Information</b>	Address			
	Phone: _____ E-mail: _____			
<b>9. Mode of communicating grievance (circle one)</b>				<b>(circle one)</b>
Oral 1	Oral (but not PAP) 2	Written (self) 3	Written (by other) 4	
<b>10. Mode of contact (circle one)</b>				<b>(circle one)</b>
VH 1	Mail 2	Phone 3	Email 4	Others (specify) 5
<b>11. Preferred Language (circle one)</b>				<b>(circle one)</b>
English 1	Kiswahili 2	3	4	Other (specify) 5
<b>12. Type of Grievance reported (circle as many)</b>				<b>(circle as many)</b>
unaware of the boundary of impacted area	1	safety of women	10	
Parcel missed in measurement	2	loss of property due to theft	11	
Parcel measurement error	3	damage to crops due to construction	12	
Inheritance	4	dissatisfaction over replacement structures	13	
disagreement over rates used for valuation	5	inappropriate livelihood restoration scheme	14	
mistakes in compensation agreement/ID card	6	loss of access	15	
delay in compensation payment	7	sag in powerline causing safety issue	16	
lack of construction opportunities	8	Disconnected water supply	17	
Disrupted access	9	Others (Specify)	18	
<b>13. Description of Grievance</b>				
<b>14. Frequency of grievance</b>				
One time incident				1