



Burundi – DRC - Rwanda

Ruzizi III Hydroelectric Power Project
Quarries and Borrow Areas

Resettlement Policy Framework

Prepared for



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Abbreviations and Acronyms

Acronym	Full text
AFD	Agence Française de Développement (French Agency for Development)
AfDB	African Development Bank
BII	British International Investment
BOOT	Build, Own, Operate, Transfer
DRC	Democratic Republic of Congo
E&S	Environmental & Social
ECGLC	Economic Community of the Great Lakes Countries
EGL	Energie des Pays des Grands Lacs
EIA	National Environmental Impact Assessment
EIB	European Investment Bank
EICVMB	<i>Enquête Intégrée sur les Conditions de Vie des Ménages au Burundi</i>
EPC	Engineering, Procurement, Construction
ESIA	International Environmental & Social Impact Assessment
ESS	Environmental and Social Standard
GBV	Gender-Based Violence
GBVH	Gender-Based Violence and Harassment
GIS	Geographic Information System
GRM	Grievance Resolution Mechanism
HH	Household Head
HIV	Human Immunodeficiency Viruses
HPP	Hydropower Project
IFC	International Finance Corporation
IPP	Independent Power Project
IPS	Industrial Promotion Services Kenya Ltd
IRPV	Institute of Real Property Values
IRPV	Institute of Real Property Valuers
JIU	Joint Implementation Unit
KfW	<i>Kreditanstalt für Wiederaufbau</i>
km	kilometre
LADP	Local Area Development Plan
NGO	Non-Governmental Organization
NISR	National Institute of Statistics of Rwanda
OS	Operational Safeguard
PAP	Project-Affected Person
PPA	Power Purchase Agreement
PPP	Public-private partnership
PS	Performance Standard
RAP	Resettlement Action Plan
REL	Ruzizi Energy Limited
REMA	Rwanda Environment Management Authority
RPF	Resettlement Policy Framework
RWF	Rwandan Francs
SEA	Sexual Exploitation and Abuse
SEP	Stakeholder Engagement Plan
SNP	SN Power AS
STD	Sexually Transmissible Diseases
UNAIDS	Joint United Nations Programme on HIV and AIDS
USD	US Dollars



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Definitions

This Resettlement Policy Framework uses several terms in a technical sense that may be different from their use in everyday language. Some key terms are defined below.

Affected person	Any person who, as a result of the land acquisition required by the Project, loses the right to own, use, or otherwise benefit from a built structure, land (residential, agricultural, pasture or undeveloped/unused land), annual or perennial crops and trees, or any other fixed or moveable asset, either in full or in part, permanently or temporarily. Not all PAPs will need to move location due to the Project (see physical displacement).
Census	A Census is a list of affected persons. This list is established through a field survey carried out to enumerate and collect basic information on affected population, and to register the affected population by residence or locality.
Compensation	Compensation means the payment in kind, cash or other assets given in exchange for the taking of the land, or loss of other assets, in part or whole, because of the Project.
Cut-off date	The date after which anyone who moves into the Project area is no longer entitled to compensation and/or assistance. In practice, the cut-off date is the date of completion of the census of people and inventory of assets in the Project-affected area, unless there are local legal provisions for another arrangement. Persons found occupying the Project area after the cut-off date are not eligible to Project compensation or other resettlement benefits. Similarly, fixed assets (such as built structures or crops) established after the cut-off date will not be compensated.
Economic displacement	Loss of assets (including land) or access to assets that leads to loss of income or means of livelihood as a result of Project-related land acquisition or restriction of access to natural resources. People or enterprises may be economically displaced with or without experiencing physical displacement.
Expropriation	The process whereby a public authority, in return for compensation, requires a person, household or community to relinquish rights to properties (land and structures) that it occupies or otherwise uses. If an expropriation process is
Full replacement cost	This is usually calculated as the market value of the asset plus transaction costs such as taxes, stamp duties, legal and notarisational fees, registration fees, travel costs and any other such costs such as may be incurred as a result of the transaction or transfer of property. Compensation at full replacement value is sufficient for the affected person to replace Project-affected land, structures and other assets to the same or better standard in another location.
Host population	People living in or around areas to which people physically displaced by a Project will be resettled. The host population may, in turn, be affected by the resettlement or even be displaced themselves.
Involuntary resettlement	Resettlement is considered involuntary when affected individuals or communities do not have the right to refuse land acquisition that will result in displacement. This occurs in cases of lawful expropriation or restrictions on land use based on eminent domain; and in cases of negotiated settlements in which the buyer can resort to expropriation or impose legal restrictions on land use if negotiations with the seller fail.
Land acquisition	Land acquisition means the taking or alienation of land, buildings, or other assets for purposes of the Project. Land acquisition includes both outright purchases of property and purchases of access rights, such as rights-of-way.
Livelihood	The term "livelihood" refers to the full range of means that individuals, families, and communities utilize to make a living, such as wage-based income, agriculture, fishing, foraging, other natural resource-based livelihoods, petty trade, and bartering
Orphan land	Unacquired parts of a land parcel which are left unusable or undevelopable (either temporarily or permanently) as a result of the Project or expropriation.
Physical displacement	Relocation caused by a loss of house/apartment, dwelling or shelter as a result of Project-related land acquisition which requires the affected person(s) to move to another location.
Project Affected Persons	"Project affected Persons" (PAP) designate affected persons who, for reason of the involuntary resettlement and Project's land acquisition process suffer from direct economic and/or social impact, whether they are physically displaced or economically displaced.
Resettlement Action Plan	The document in which a client or other responsible entity specifies the procedures it will follow and the actions it will take to mitigate adverse effects, compensate losses and provide development benefits to persons and communities affected by an investment Project.



Replacement Cost	Replacement Cost is defined as a method of valuation yielding compensation sufficient to replace assets, plus necessary transaction costs associated with asset replacement. Where functioning markets exist, replacement cost is the market value as established through independent and competent real estate valuation, plus transaction costs. Where functioning markets do not exist, replacement cost may be determined through alternative means, such as calculation of output value for land or productive assets, or the undepreciated value of replacement material and labour for construction of structures or other fixed assets, plus transaction costs. Transaction costs include administrative charges, registration or title fees, reasonable moving expenses, cost for preparing the land to levels similar to those of affected land, and any similar costs imposed on affected persons. To ensure compensation at replacement cost, planned compensation rates may require updating in project areas where inflation is high or the period of time between calculation of compensation rates and delivery of compensation is extensive.
Vulnerable groups	These groups include people who, by virtue of gender, ethnicity, age, physical or mental disability, economic disadvantage, or social status, may be more adversely affected by displacement than others and who may be limited in their ability to take advantage of resettlement assistance and related development benefits.



0 Summary

A Preamble

A.1 Purpose of this Document

This document is the Resettlement Policy Framework (RPF) for the quarries and borrow areas required by the 206 MW Ruzizi III Regional Hydroelectric Power Project (hereafter “the Project”).

This document is to be read in conjunction with the Resettlement Action Plan (RAP) for the main Project components (‘Main RAP’), including the dam-reservoir, power generation facilities, temporary facilities, and the 7-km-long, 220 kV transmission line that evacuated the power generated by the Project.

A.2 Background

The main RAP covers resettlement required for the Project components excluding the quarries and borrow areas required during the construction phase. This is because at this stage in the Project development, the sites for quarries and borrow areas have not been confirmed.

Potential quarry and borrow areas have been identified by the Project. However, once contacted, the EPC contractor will select the sites to be exploited, and these may include some, or all of the potential sites identified by REL, or alternative sites. Consequently, it is not appropriate to include the quarries and borrow areas in the main RAP, and therefore this RPF has been prepared.

Once the sites of the quarries and borrow areas have been confirmed this RPF will be developed into a full RAP by the Project Proponent in alignment with Lenders’ E&S policies.

A.3 Project Overview

The Project will be constructed and owned as a public-private partnership (PPP) among the Republic of Burundi, DRC, and the Republic of Rwanda (together as the Contracting States) and the Project Proponent. It is an Independent Power Project (IPP) based on a Build, Own, Operate, Transfer (“BOOT”) structure and underpinned by a 25-year concession agreement and Power Purchase Agreements (PPAs).

A.4 Project Proponent

The Project Proponent is Ruzizi III Energy Limited (REL), a special purpose vehicle that has been established and registered in Rwanda to develop the Project. REL will be a public-private partnership during construction and operation of the Project.

After financial close, the shareholders of REL will be SNP, IPS and the Contracting States (comprising Burundi, DRC, and Rwanda), with the private and public parties holding 70% and 30% of the company’s share capital respectively. Energie des Pays des Grands Lacs (EGL) acts as the agent for the three Contracting States and the power purchasers from each Contracting State (Offtakers) for the Project. EGL is an organisation under the control of the Economic Community of the Great Lakes Countries (ECGLC) and is responsible for energy cooperation among the Contracting States.

A.5 Potential Lenders

Several potential lenders are considering providing financial support to the Project, including the African Development Bank (AfDB), British International Investment (BII), the European Investment Bank (EIB), the *Kreditanstalt für Wiederaufbau* (KfW), the French Agency for Development (AFD), and the World Bank (WB).



B Principles and Objectives

The principles adopted in this RPF, governed by the requirements of the Lenders, aim to:

- Preferably avoid, or otherwise minimize and mitigate, project-induced involuntary resettlement.
- Mitigate adverse socio-economic impacts resulting from unavoidable land acquisition or land use restrictions, by providing timely compensation for loss of assets at replacement cost and assisting project-affected people (PAPs) in their efforts to improve, or at least restore, their livelihoods and living standard, to pre-displacement levels.
- Provide PAPs with full and accurate information about the Project, as well as meaningful opportunities for participation in Project design, implementation, and monitoring, paying particular attention to the specific requirements of vulnerable people and women.
- Ensure that PAPs understand the resettlement process and the functioning of the Project's grievance resolution mechanism (GRM).
- Provide, when needed, special assistance for vulnerable groups.

To achieve these objectives, this RFP abides by the following principles:

- Inclusive compensation approach for all, including those without legal rights and those with recognized rights.
- Full replacement value compensation for land and assets.
- Transportation and disturbance allowances for PAPs who need to relocate.
- Measures to restore livelihoods and support vulnerable people.
- Continuous consultation, disclosure, and negotiation with PAPs.
- Accessible and transparent grievance resolution mechanism.
- Clear and transparent process for disbursement of monetary compensation.

C Quarries and Borrow Areas included in the RPF

Quarries and borrow areas concerned by land acquisition are listed in Table A below.

Table A – Potential Quarries and Borrow Areas Included in the RPF

Country	Site	Type of material	Area (ha)
DRC	Bwegera	River Sand	8*
	Kirindangumi	River Sand	8*
	Ruvubu River	River Sand, coarse grained gravelly sand	25
	Lower Nyarubare	Basalt Aggregates	1.3
	Upper Nyarubare	Basalt Aggregates	2.5
	Mt. Rubona	Sandstone Aggregates	8*
	Total DRC		52.8
Rwanda	Ntangara River	River Sand, Medium to coarse grained Sand with mica flakes	8*
	Kirimbi River	River Sand, Fine to medium with visible organic matter / mica	8*
	Kirimbi Delta	River Sand, Fine to medium grained with micas	8*
	Kigoya River	River Sand, Dark Brown Silty Sand	8*
	Karundura River	Whitish Grey, medium to coarse grained sand	8*
	Gihungwe	Mafic, fine grained columnal BASALT	8*
	Quartzite APD	Light grey, slightly foliated, Quartzite Schist	8*
	Gishoma Power Plant	Lateritic Clayey Soil for Dam Core	8*
	Coline Butambamo	Type of Material: Lateritic Clayey Soil	8*
	Nyagahand	Lateritic Clayey Soil	8*
Total Rwanda		80	
Burundi	Rukana II	Lateritic Clayey Soil	3
	Rukana I	Basalt rock	11
	Binyange	Lateritic Clayey Soil	6
	Total Burundi		20
Grand Total (DRC, Rwanda and Burundi)			152.8
* To be defined by the EPC Contractor, for the purpose of this RPF assumed to occupy an area of 8 ha.			



D Implementation of the RPF

Section 11 outlines the steps to proceed respectively with preparation and implementation of the RPF. The schedule for these steps to be taken is outlined in Section 11.2.

E Estimation of Potential Displacement Impacts

E.1 Preliminary Estimation of Maximum Potential Impacts

Table D presents a preliminary estimate of the maximum potential physical and economic displacement impacts. This estimate is conservative, and is based on the following main assumptions: i) all preidentified quarries and borrow sites will be finally selected by the EPC contractor and ii) for quarries and borrow areas where surface is unknown, surface has been estimated to 8 ha.

Table D – Preliminary Estimate of the Maximum Displacement Impacts

Country	Affected Households					
	Total affected households		Physically + Economically Displaced		Economically Displaced Only	
	Households	Persons	Households	Persons	Households	Persons
DRC	231	1,848	23	184	208	1,664
Burundi	410	1,120	0	0	410	1,120
Rwanda	178	3,584	38	304	140	3,280
Total	819	6,552	61	488	758	6,064

**It is assumed that all physically displaced persons are also economically displaced and that all preselected borrow sites will be selected for exploitation by the EPC contractor*

E.2 Minimisation and Avoidance

The location of quarry sites will be selected when the EPC contract is mobilised. After ensuring quality and quantity of materials in the proposed sites, the EPC contractor will have to submit a list of preferred sites to REL. Based on this list, REL will make a selection with the objective of avoiding and minimising displacement impacts as much as possible.

F Socioeconomic Profile of Potentially Affected Households

F.1 Socioeconomic Profile of Potentially Affected Households

The preselected quarries and borrow sites are located in the Sectors of Bugarama and Nzahaha in the Rusizi District in Rwanda, in the Groupements of Kamanyola and Karhongo in the Walungu territory of Sud-Kivu Province in DRC and the Rukana zone, Cibitoke Commune, Province of Bujumbura.

Rusizi district has 485,529 inhabitants with a population density of 871 inhabitants/km². The population in the district is eminently young: 60% of its inhabitants are under 25 years old. The Bugarama sector has 42,830 inhabitants, while the Nzahaha sector has 30,399 inhabitants. Population distribution is uneven between rural and urban areas.

The total population of Sud-Kivu province is 6,565,000 with a population density of 101 inhabitants/km². The population is young, with 68% of the population under the age of 25.

The population of Cibitoke province in 2023 is estimated at 747,202. The population density is 457 inhabitants/km². The population of the province of Cibitoke and the commune of Rugombo is young: 42% of the inhabitants of the province are under 15 years old and 40% in the case of the commune. In both cases, 2% of the inhabitants are over 65 years.

In Rwanda, the 2003 Constitution (revised in 2015) recognises private land ownership. Law no.43/2013 provides equal access to land without discrimination based on sex and origin, providing leases of 99 years for most agricultural land and of up to 49 years for foreigners. Unwritten customary law is recognised by article 201(3), but only when it has not been replaced by a written law.



Historically, in DRC small chiefdoms defined by boundaries of clans or ethnic communities, which were headed by the Mwami (the customary chief) and broken down into smaller units, each with their own customary leader. Land tenure in Sud Kivu is still mostly reliant on customary rights.

Land regulation in Burundi is governed by the Land Code, a crucial law enacted by the parliament in 2011. This legislation introduces measures like land certificates and decentralized administration, limiting the power of governors to allocate state land. It distinguishes between state and private land, with unused land falling under state ownership. Temporary occupation rights are granted on privately classified state land, particularly in densely populated areas where tenancy and sharecropping rates are high.

The villages in the study area are predominantly dependent on subsistence agriculture. Nonetheless, cash cropping and agricultural wage labour are important sources of livelihood that households resort to when money is required for basic expenses such as security taxes, medical fees or schooling payments.

Small commerce is limited. Apart from the main villages, where some small shops and agricultural processing activities have been identified, very small artisanal activities are infrequently taking place within the villages. These activities usually consist of small kiosks selling products or small shops.

Firewood is the main source of cooking fuel in the area. When charcoal is collected, it is collected alongside firewood, although women-headed households are less likely to collect charcoal.

Collecting medicinal plants from scattered bushes around villages is a widespread practice in all of the villages where households will be physically and economically displaced.

Fishing is practiced all throughout the area, although it is not a primary activity. Fishing is an activity exclusively practiced by men and does not represent an important source of livelihood compared to agriculture.

Overall, the study area has little access to basic health facilities. In the three countries, STDs and HIV as major challenges.

Water from the Ruzizi is used extensively for irrigation, especially households that cultivate on fields on the riverbanks.

F.2 *Vulnerable Groups*

According to the information gathered during the 2022 social survey conducted as part of the 2024 ESIA studies, the Project selected the following five categories of vulnerability amongst the physically and economically displaced population:

- Women-headed households, defined as any household headed by a woman.
- Elder-headed households, defined as any household headed by a person over 65 years old living without any 18 to 64-year-old non-disabled household member.
- Disabled-headed households, defined as any household headed by a mentally or physically disabled person living without any 18 to 64-year-old non-disabled household member.
- Landless households, defined as any household without any land title, customary ownership right or customary usage right over the land plots cultivated by the household members (relying solely on sharecropping and renting).
- Historically Marginalised Households, defined as households including at least one person from the Historically Marginalised (Rwanda) / Batwa (DRC) Community. This is to be adjusted to Burundi context as well depending on the survey results in the Quarries RAP.

F.3 *Gender*

In the villages affected by the land acquisition, women have (i) limited access to secure land tenure rights, (ii) little control over their income, domestic decision-making and economic transactions, and (iii) limited access to tools and resources to improve their livelihoods. Specific



measures are defined in this RPF to support women in the compensation and livelihood restoration process.

G Eligibility and Entitlements

G.1 Eligibility

The Lenders' policies define three categories of people eligible to compensation and/or livelihood restoration measures:

- People with formal legal rights to land lost in its entirety or in part.
- People who lost the land they occupy or use in its entirety or in part who have no formal legal rights to such land, but who have claims to such lands that are recognized or recognizable under national laws.
- People who lost the land they occupy in its entirety or in part who have neither formal legal rights nor recognized or recognizable claims to such land.

The Project will consider the following categories eligible to compensation:

- Landowners with formal legal rights and/or persons having a recognized or recognizable right to the land (with legal land title, or Landowners with a legal land title with recognized customary right, such as *Bugule* in DRC).
- Tenants paying rent in cash.
- Sharecroppers
- Land users without recognisable right, who will be compensated for the crops and assets they own on the affected lands.

The Resettlement Committees and affected people will be involved in the identification of landowners and tenants / sharecroppers.

G.2 Cut-off Date

According to the DRC's legal framework, the cut-off date is the date on which the public enquiry is launched. According to the Rwandan legislation, it is the start of the land survey and asset inventory. According to Burundi's legal framework, the date of the closing of the public enquiry is the cut-off date.

In compliance with the legal framework and Lenders' standards, the cut-off date will correspond to the first day of the asset inventory.

The cut-off date shall be valid for a 2-year period.

G.3 Preliminary Entitlement Matrix

The Preliminary Entitlement Matrix is given in Table I overleaf. This matrix is based on the Main RAP and the preliminary information on the quarries and borrow areas. It will be adapted as appropriate for the quarries and borrow areas RAP depending on the type of impacts and eligible parties.



Table I – Preliminary Entitlement Matrix

Type of impact	Eligible Party		Entitlements			
			Compensation in Cash	OR	Compensation in Kind	Livelihood Restoration
Loss of land	Landowners with recognisable rights	Landowners with legal title	<p>Compensation at full replacement cost (including transaction cost)</p> <p>When a land plot is only partially lost, the landowner will have the possibility to request the Project to acquire the entirety of the land plot if the remaining part is not economically viable (to be decided on a case-by-case approach)</p>		<p>Based on information gathered in 2022 (Main RAP), it was decided that land-for-land compensation will not be provided. This is due to (i) a preference of the affected people expressed during individual interviews and by deliberation of the resettlement committees and (ii) a lack of suitable alternative plots in the Project area due to land scarcity in the Project area.</p> <p>When a land plot is only partially lost, the landowner will have the possibility to request the Project to acquire the entirety of the land plot if the remaining part is not economically viable (to be decided on a case-by-case approach)</p>	<p>Disturbance allowance (5% of total cash compensation amount)</p> <p>Training for management of compensation</p> <p>Support to obtain a land title</p> <p>Transitional assistance</p>
		Landowners with customary rights	Same as above		Same as above	Same as above
Loss of access to land	Tenant of rented land (Tenants renting in cash)		<p>No compensation for land</p> <p>Advance notice to vacate the land</p> <p>Compensation for unexpired portion of the lease for the land lost</p> <p>Crops, trees and structures compensated as per the entitlements below.</p>		Non applicable	See measures for loss of structures, crops and trees below
	Sharecroppers		<p>No compensation for land</p> <p>Advance notice to vacate the land</p> <p>Crops, trees and structures compensated as per the entitlements below.</p>		Non applicable	See measures for loss of structures, crops and trees below
	Land users without recognisable rights		<p>No compensation for land.</p> <p>Crops, trees and structures compensated as per the entitlements below.</p> <p>Advance notice to vacate the land</p>		Non applicable	See measures for loss of structures, crops and trees below



Type of impact	Eligible Party	Entitlements		
		Compensation in Cash	OR Compensation in Kind	Livelihood Restoration
Loss of residential structure	House owner (including titled owners and informal land users)	Compensation at full replacement cost, at least be sufficient to enable purchase or construction of housing of similar or better standing and quality that the house lost, and as a minimum, of housing that meets acceptable minimum community standards of quality and safety. Right to salvage materials before the land is vacated.	Replacement house reconstructed by the Project of housing of similar or better standing and quality that the house lost, and as a minimum, of housing that meets acceptable minimum community standards of quality and safety. Right to salvage materials before the land is vacated.	Resettlement assistance and moving allowance. Disturbance allowance (5% of total cash compensation amount). Training for management of compensation. Support to obtain a land title.
	Tenant of affected house	No compensation for the structure Advance notice to vacate the house	No compensation for the structure Advance notice to vacate the house.	Allowance for house tenants (3 months of rent)
Loss of uninhabited structure, such as businesses and/or ancillary structures not used as housing (foundations, uncompleted buildings)	Structure owner	Compensation at full replacement cost. Right to salvage materials before displacement occurs.	No compensation in kind.	Disturbance allowance (5% of total cash compensation amount). Training for Management of Compensation.
Loss of annual crops, perennial crops and trees	Landowner cultivating/owning crops and trees	Compensation at full replacement cost. 3 months advance notice to vacate the land and right to harvest the crops before the date the land shall be vacated. Compensation at full replacement cost for improvements on the land made by the landowner.	No compensation in kind. 3 months advance notice to vacate the land and right to harvest the crops before the date the land shall be vacated.	Disturbance allowance (5% of total cash compensation amount). Training for Management of Compensation. Household-level Livelihood Restoration Measures (see section 9.2). Transitional assistance.
	Tenants or sharecroppers cultivating/owning crops and trees	Compensation at full replacement cost, allocation of compensation according to the arrangement (formal contract or informal arrangement) between the landowner and the tenant or sharecropper. 3 months advance notice to vacate the land and right to harvest the crops before the date the land shall be vacated. Compensation at full replacement cost for improvements on the land made by the tenant/sharecroppers.	No compensation in kind. 3 months advance notice to vacate the land and right to harvest the crops before the date the land shall be vacated.	Disturbance allowance (5% of total cash compensation amount). Training for Management of Compensation. Household-level Livelihood Restoration Measures (see section 9.2). Transitional assistance.



Type of impact	Eligible Party	Entitlements		
		Compensation in Cash	OR Compensation in Kind	Livelihood Restoration
Loss of Grave	Grave rightsholder / custodian	Compensation to cover the costs for grave relocation or loss of grave (lump sum).	Option will be offered to the affected households to have Project moving the grave at a new location chosen by the household.	Not applicable
Loss of beehives and / or fish ponds	Beehives and fishponds owners	Compensation at full replacement cost.	No compensation in kind	Disturbance allowance (5% of total cash compensation amount). Household-level Livelihood Restoration Measures (see section 9.2). Training for Management of Compensation. Transitional assistance.
Loss of business (no case identified so far)	Business owners (no case identified so far)	In addition to the compensation for the loss of land, structures and/or crops/trees, compensation for the loss of income for the time required to re-establish the business To be decided on a case-by-case basis, based on the average net income for the past year, with a minimum 3-month income, and a maximum of 1-year income.	No compensation in kind.	Training for Management of Compensation.
Loss of income due to loss of employment (no case identified so far)	Employees or regular workers of the businesses (no case identified so far)	One time allowance equivalent to 3 months minimum wage income.	No compensation in kind.	Training for Management of Compensation.
Impacts on livelihoods	Vulnerable households	Compensation for the loss of land and/or assets (structures, trees, crops) as defined above.		Specific livelihood restoration activities for vulnerable households (see section 9.2.7).
	All economically and physically displaced households	Compensation for the loss of land and/or assets (structures, trees, crops) as defined above.		Livelihood Restoration Programme (see section 9).
<p>Note: Entitlements are presented by category of loss and category of affected person. One affected household may qualify for entitlement in more than one category (for example, one household may lose one land plots they own, and at the same time losing access to another land plot they are renting, while losing trees and crops on both land plots. Some households are physically displaced and losing agricultural land at the same time).</p> <p>Affected households are only eligible one time for each category of livelihood restoration measure. For example, they will be eligible to one Training for Management of Compensation and one set of Household-level Livelihood Restoration Measures (see section 9.2), even if they are losing one land plot they own and cultivate, one other land plot they are renting and the crops they own on these 2 land plots.</p>				



H Valuation and Compensation

H.1 Valuation Process

An asset inventory and property valuation will be carried out as part of the future full RAP. The investigations will be performed under REL supervision, with the participation of the Resettlement Committees and village authorities.

Resettlement Committees will be established at the start of the land measurements and asset inventory process to represent the affected households and facilitate information sharing between the Project and the affected households. The Resettlement Committees and villages authorities will be involved at each step of the process.

All lands and assets will be compensated at full replacement cost, which is defined as the amount of money sufficient to replace all lost assets at current market value, plus transaction costs associated with asset replacement, without taking into account depreciation of any lost assets.

The Project Grievance Redress Mechanism defined in section 13 will be available for PAPs throughout the process.

H.2 Endorsement of Compensations by Affected Households

The first step of the compensation process will be the disclosure of the entitlement packages and compensation rates to the affected households. Resettlement Committees will be established at the start of the asset inventory and valuation process. These committees will be involved in the valuation process which will follow the census and asset inventory update and will be consulted to document market prices.

Once the Quarries RAP is approved, the Project will organise meetings with the Resettlement Committees to disclose compensation rates and entitlements (including livelihood restoration measures) to the affected persons. Local authorities will participate in these meetings. The final list of affected persons and compensation rates will be signed off by the Resettlement Committees.

After the Resettlement Committees have endorsed the compensation and entitlements packages, the Project will contact each affected households to present them their individual entitlements and compensations. A Compensation form will be given to each affected household. This form will include the inventory of affected assets and the measurements of the land plot, along with the unit rates and the total compensation amount and all livelihood restoration measures the household is entitled to.

To ensure all households members receive the information about the compensation amount and the livelihood measures they are entitled to, the endorsement of compensation packages (including livelihood restoration measures) will be done through a meeting with all adult member of the household. Both spouses will be invited to sign the compensation form.

One copy of the signed form will be given to the affected household, and another will be kept by the Project.

H.3 Payment of Compensations

All compensation will be paid and received by the affected persons prior to the Project taking possession of the land.

The payment of compensation will be undertaken as follows:

- The affected persons will be informed at least one month in advance of the payment date.
- The payment will be issued by REL to a bank account. For the households who do not already have a bank account, all costs of opening a bank account will be supported by the Project. The households who do not have any identity card will be assisted in the obtention of this document by the Project. REL will establish an agreement with local financial institutions to organise payment of compensations (see section 10.6)



- Once the payment is available, the affected households will be informed through meeting with the Resettlement Committees, as well as individual phone calls. Public meetings will also be organised by the project in each village to ensure the information is disseminated as much as possible. During these meetings, the Project will inform the affected households they have 3 months to vacate the affected lands.
- REL will then meet individually each affected household to invite them to sign a receipt stating they have received their compensation and explain the delay to vacate the land. All adult members of the households will have to be present for the signature of this receipt, to ensure the information is transmitted to all households' members and prevent gender biases.
- A copy of the Payments records will then be transferred to the corresponding land offices in each country to ensure the land rights are granted to REL.
- Once compensation has been paid, PAPs will have a maximum of 120 days to vacate the land. After each plot has been vacated by its occupants, the Project will document the payment receipt and date of PAP departure before clearing the land and demarcating its boundaries (see section 11.2).

H.4 *Gender Aspects*

To provide the same level of information of the payment and compensation process to both spouses, individual meetings for the endorsement of compensations and signature of the payment receipt will be held by REL with both spouses and all adult members of the affected households.

Compensation agreements will be issued in the names of both spouses or heads of household whenever legally possible. Whenever needed, assistance will be provided to open bank accounts under the name of husband and wife.

H.5 *Update of Compensation Rates if Payments are Delayed*

The World Bank ESS5 requires that compensation is paid before the land is acquired by the Project. In addition, it requires to update the planned compensation rates when the period of time between calculation of compensation rates and delivery of compensation is extensive.

To comply with the World Bank ESS5, the Project will apply an annual interest rate to the compensation rates, if compensation rates are not paid within one year after the valuation exercise. This interest rate will be the average percent of annual interest offered by commercial banks on fixed deposits.

I **Resettlement Assistance**

Each physically displaced household will be eligible for cash compensation at full replacement cost. Additionally, to ensure that all physically displaced households will be able to replace their house with a structure of equal or superior quality, the following support measures will be provided to all physically displaced households:

- Moving allowance for physical displacement.
- Assistance to find a replacement plot for the replacement house.
- Assistance for construction of the replacement house OR construction of the Replacement house by the Project.
- The Project will offer to all physically displaced households to assist them in their move, by providing a vehicle to transport their belongings.

J **Livelihood Restoration Measures**

All affected households cultivating crops and trees on the affected lands will receive a 3-month advance notice to vacate the land. During this period, they will have the right to harvest the crops before the date the land shall be vacated. To minimise as much as possible the disruption in the agricultural production of the affected households, the time of the displacement (the



time when the affected lands will have to be vacated) should be chosen at a period of the farming calendar when a round of harvest of annual crops has been done, before the next cultivation period for annual crops is initiated. According to the information collected during the Main RAP, this period would be in July or August. This period might be different for the quarries and borrow areas. This will be defined in the Quarries RAP. Once the EPC contractor will have been appointed, the timing of the displacement will be defined to align the time when the lands will be vacated.

Table J illustrates the Preliminary Livelihood Restoration Measures to support physically and economically displaced households as part of the RAP process.

Table J – Preliminary Livelihood Restoration Measures

Categories of Affected households	Livelihood Restoration Measures
All households receiving compensation, whether physically or economically displaced	Disturbance allowance (5% of total cash compensation)
	Training for the management of compensation
All households buying replacement land, whether physically or economically displaced	Support to obtain land documents for replacement lands
All economically displaced households (losing cultivated lands, annual crops, perennial crops, productive trees)	In-kind provision of seeds and fertilizers
	In-kind provision of 1 bicycle per household
	Payment of membership fees for one cooperative per household
	Support by one NGO to develop or improve sources of income (2 years)
	Transitional assistance: in-kind provision of staple food during 6-month
Vulnerable households physically and economically displaced	Longer transitional allowance: additional six months-worth of staple food
	Assistance to find replacement land
	Land-clearing and field preparation assistance after displacement

J.1 *Local Area Development Plan*

In addition to the measures described above, the Project will also implement a Local Area Development Plan (LADP). This Plan will not be limited to the households affected by the Project's land acquisition process: it will target all villages in the immediate vicinity of the Project footprints. It is a tool proposed by the Project to support the local communities to improve their living conditions, address development challenges and to take advantage of emerging opportunities.

The LADP will fund local development activities during the construction period and the operation phase to achieve sustained sharing of benefits with the project-affected communities. The LADP will be implemented in 2 phases: a first phase of 5 years, (year 1 to year 5) followed by a second phase of 5 years (year 6 to year 10). It will start as soon as the construction activities start. The second phase will be funded after evaluation of the activities implemented during the first phase.

K **Institutional Arrangements**

K.1 *Implementation Agreement between REL and the Contracting States*

The Implementation Agreement signed between the Contracting states, EGL and REL defines the distribution of responsibilities regarding the Project's acquisition of land and land rights. The main arrangements related to land acquisition are outlined below:

- REL shall identify all the lands and land rights required to develop the Project and provide a list of these lands to the Contracting States.
- The Contracting States will provide all State lands or lands possessed by any Public Authority needed for the Project.
- The Contracting States shall acquire the real property rights possessed by private landowners, and grant rights to these lands to REL.
- The Contracting States shall provide all necessary State-owned and private-owned land rights to REL in compliance with Applicable Law and International Environmental & Social Standards, including the IFC Performance Standard 5 (2012), free of any cost and encumbrances.



- The Implementation Agreement also states that REL should prepare an up-to-date RAP, in accordance with international Environmental & Social Standards.

According to the Implementation Agreement, the distribution of responsibilities and the steps to prepare and implement the RAP are as follows:

- REL will prepare the RAP and submit it to the Contracting states and to potential lenders for their approval.
- The Joint Implementation Unit (JIU), which includes the Contracting states, EGL and REL, will acquire the private lands and land rights required for the Project, in accordance with the principles defined in this RPF and future Quarries RAP.
- This JIU will approve the budget for the implementation of the RAP (including compensation, other assistance measures and implementation costs),
- Once the budget will have been approved and mobilized, it will be transferred to REL account to pay the compensations and other assistance measures.
- REL will then provide quarterly reports to the Contracting States detailing how the budget has been spent and presenting the progress made in the land acquisition process and resettlement process.

As specified in the Implementation Agreement, a JIU has been established in July 2021¹. This JIU is made of representatives of the Contracting states, EGL and REL. The JIU has the overall responsibility of approving the RAP, including its budget. It will also acquire the private lands and land rights required for the Project.

REL has the overall responsibility of the Project management, including all Environmental and Social Aspects amongst which the preparation of a RAP. This includes the update of the preliminary census, land survey, asset inventory and valuation of affected assets.

REL will establish an Environmental and Social Supervision Unit to coordinate and oversee the effective implementation of the Main RAP. This E&S Supervision Unit will be managed by REL E&S Manager and will include a team dedicated to the implementation of the RAP. It is expected that the REL RAP Team in place for the Main RAP will be also in charge of the Quarries RAP. It will be adapted in case that land acquisition also takes place in Burundi.

REL resources mobilised for the RAP team will be as in Table K below.

Table K REL RAP Team

Member	Responsibilities in the implementation of the RAP
Environmental & Social Manager	Responsible of the overall E&S performance of the Project Based in Kigali
One (1) RAP Manager	Report to REL E&S Manager Prepare RAP implementation monitoring reports Based on site
RAP and Livelihood Restoration Officers (7 in DRC, 4 in Rwanda, tbd in Burundi)	Report to the RAP Manager Responsible for the management of compensations payments and land acquisition, and for the implementation and monitoring of Livelihood restoration activities, including assistance to physical resettlement Based on site
Communications officers (1 in DRC, 1 in Rwanda, tbd in Burundi)	Responsible of communication materials for exchanges with the affected persons, local and national authorities, documentation of stakeholder engagement activities as part of the RAP, as defined in the Project's ² SEP Based on site
Grievances Officers (1 in DRC, 1 in Rwanda, tbd in Burundi)	Manage the Project Grievance Redress Mechanism in each country Based on site
Financing Officer	Control of compensation payments Based in Kigali
One (1) GIS and database officer	Managing the RAP GIS and database Based on site

¹ On 27 July 2021 and 30 July 2021 respectively REL JIU members and JIU members from EGL and contracting states

² REL, March 2022, Stakeholder Engagement Plan for Ruzizi III Hydropower Project



Member	Responsibilities in the implementation of the RAP
RAP Specialists and technical partners for the livelihood restoration programme	Recruited for specific tasks: <ul style="list-style-type: none"> > Support for RAP addendum: assistance in census, land surveys, asset inventories, valuation, planning and reporting, > Enumerators recruited for additional socioeconomic surveys when needed. > NGO or other third parties recruited for the implementation of specialized Livelihood Restoration Activities, such as sustainable livestock farming and sustainable agricultural techniques

L

Stakeholder Engagement and Information Disclosure

L.1

Past Engagement Activities

Stakeholder Engagement activities were performed between 2010 and 2012, when a first ESIA and RAP were prepared. The Project was then put on hold after 2015. New technical studies were performed in 2019, and a new design (the Alternative Project) was selected in 2020 to avoid landslide risks at the dam site. Preparation of a revised ESIA started in 2021, and Stakeholder Engagement process resumed in 2020.

L.2

Disclosure of the RAP and Engagement Activities during Implementation

The World Bank, EIB and AfDB require a public disclosure of the RAP for the projects they are funding. Once approved by EGL and the Lenders, the Quarries RAP will be publicly disclosed, both locally, on REL's Website and on the Lenders websites, as per their respective Information Disclosure Policy. Printed version will also be made available in (French and Kinyarwanda) at the Sector and Cell Offices in Rwanda, the Groupement Offices in DRC and zone offices in Burundi (as needed).

The Project has prepared a Stakeholder Engagement Plan. The engagement activities outlined in Table L will be performed with the affected households during implementation of the RAP.

Table L - Stakeholder Engagement Activities during the Implementation of the RAP

Steps	Action	Responsibility	Schedule
1	Management of grievances from affected households, including grievances related to GBVH	REL	Already started in 2021, will continue throughout the implementation of the Main RAP and the Quarries RAP
2	Public meetings with Resettlement Committees and affected households to present the entitlements and compensation packages to physically and economically affected households. Specific focus groups with women and vulnerable households will be performed to ensure that all information has been suitably communicated and that their concerns and opinions are heard.	REL's RAP Team	As soon as the Quarries RAP is approved by EGL and the Lenders
3	Public disclosure of the Quarries RAP locally	REL's RAP Team	As soon as the Quarries RAP is approved by EGL and the lenders
4	Public disclosure of the Quarries RAP as per the Lenders' requirements	Lenders	As soon as the Quarries RAP is approved by EGL and the lenders
5	Individual meetings with affected households to obtain their endorsement of Compensation Packages through the signature of a compensation agreement	REL's RAP Team	After the public meeting to present the entitlements and compensation packages
6	Individual announcement of the compensation payment date to affected households	REL's RAP Officers	After the public meetings to present the entitlements and compensation packages
7	Individual meetings with all households to document their payment receipt and announce the date of departure from the acquired land (3-month advance notice)	REL's RAP Officers	Once compensation has been paid
8	Regular formal and informal engagement throughout the implementation of livelihood restoration activities	REL's RAP Officers	Throughout the implementation of livelihood restoration measures



L.3 *Vulnerable groups and gender*

Specific engagement activities will be organised with vulnerable groups and women.

M Grievance Redress Mechanism

The Project has established a Grievance Redress Mechanism (GRM) in 2021. The GRM seeks to provide amicable resolution through a two-tier system, aimed at avoiding judicial redress by engaging in conversation with the complainant at (i) the Resettlement Committees level and (ii) at a mediation committee level with District and Groupement authorities (respectively for Rwanda and DRC) and REL representatives. Zone authorities in Burundi will also be involved in case that land acquisition also takes place in this country. May the aggrieved individual be dissatisfied with the outcome of the amicably provided solutions, he/she will be able to resort to Justice at any stage in the process.

A phone number specifically dedicated to receiving grievances and managed by REL’s Grievances Officer will be created. The reception of grievances will be centralised in each country by REL’s Grievances Officer. The grievances will be submitted in one of the following ways:

- Submitting a grievance directly to REL’s Grievances Officer through a phone call done by the complainant.
- By filling a written grievance registration form that will be available (i) with each village chief, and (ii) at the entrance of each construction site.

The points of contact for logging a grievance to the Project are indicated below:

Rwanda	DRC	Burundi
Ngirinshuti Emile Bugarama Tel : +250 788664422 Email: Emile.Ngirinshuti@ruzizienergy.com	Byamungu Bagereza Stephane Kamanyola Tel: +243810688129 Email: Stephane.Byamungu@ruzizienergy.com	TBD

A specific reporting mechanism has also been developed to address GBVH cases. The grievance mechanism system allows female PAPs to report gender-based violence (GBV) grievances related to land acquisition and compensation anonymously through a service provider, who will collect and document the information in a GBVH grievance database. If a woman prefers to report a GBVH grievance through the general grievance mechanism system, the service provider will propose a survivor-centered resolution within two weeks. The resolution will include support for the survivor and a sanction for the perpetrator. The Grievances Officer will ensure that the legal framework is respected, and specific indicators will be added to monitoring arrangements to assess GBV incidents and the demographics of victims.

N Monitoring and Evaluation

Monitoring and evaluation activities will cover both the Main RAP and the Quarries RAP. Table M below presents the schedule of planned monitoring and reporting activities during the implementation of the RAP.



Table M – Schedule of Monitoring and Reporting Activities

Activity	Reporting	Frequency
Internal Monitoring	Internal monitoring report to REL Management	Monthly during the implementation of both RAP, until 3 years after the payment of compensations.
	Quarterly monitoring reports to Lenders	Quarterly during the implementation of both RAP, until 3 years after payment of compensations.
External Monitoring	Reports from independent consultant to REL Management and Lenders	Every six months during the implementation of both RAP, until 3 years after payment of compensations.
Internal Completion Report	One report from REL to Lenders	3 years after payment of compensations.
Independent Completion Audit	One report from an independent consultant to REL and Lenders	After submission of the internal completion report to the Lenders.

o

Funding and Budget

As specified in the Implementation Agreement signed between REL, EGL and the Contracting states (see Section 4.3), the implementation of the Quarries RAP will be funded by the Contracting States (including compensations, other assistance measures and implementation costs). Once the budget is approved, each contracting State will provide its share of the funds necessary for the implementation of the Quarries RAP into an account from which REL will draw to pay the compensations and other assistance measures.

The budget for the preparation and implementation of the Quarries Resettlement Action Plan is estimated to \$8,037,600 for the upper range and \$3,319,000 for the lower range. This estimated budget will be adjusted and finalized in the Quarries RAP document.



1 Introduction

1.1 Preamble

1.1.1 Purpose of this Document

This document is the Resettlement Policy Framework (RPF) for the quarries and borrow areas required by the 206 MW Ruzizi III Regional Hydroelectric Power Project (hereafter “the Project”).

This document is to be read in conjunction with the Resettlement Action Plan (RAP) for the main Project components (‘Main RAP’), including the dam-reservoir, power generation facilities, temporary facilities, and the 7-km-long, 220 kV transmission line that evacuated the power generated by the Project.

This RPF defines the principles that shall be applied by the Project to avoid, minimise and manage physical and economic displacements resulting from land acquisition and land use restrictions related to the development and exploitation of the quarries and borrow areas by the Project. A RAP for the quarries and borrow areas (hereafter “Quarries RAP”) will be prepared once the quarries sites will be selected by the EPC.

1.1.2 Background

The main RAP covers resettlement required for the Project components excluding the quarries and borrow areas required during the construction phase. This is because at this stage in the Project development, the sites for quarries and borrow areas have not been confirmed.

Potential quarry and borrow areas have been identified by REL. However, once contacted, the EPC contractor will select the sites to be exploited, and these may include some, or all of the potential sites identified by REL, or alternative sites. Consequently, it is not appropriate to include the quarries and borrow areas in the main RAP, and therefore this RPF has been prepared.

1.1.3 Project Overview

The Project will be constructed and owned as a public-private partnership (PPP) among the Republic of Burundi, the Democratic Republic of Congo (DRC), and the Republic of Rwanda (together as the Contracting States) and the Project Proponent. It is an Independent Power Project (IPP) based on a Build, Own, Operate, Transfer (“BOOT”) structure and underpinned by a 25-year concession agreement and Power Purchase Agreements (PPAs).

1.1.4 Project Proponent

The Project Proponent is Ruzizi III Energy Limited (REL), a special purpose vehicle that has been established and registered in Rwanda to develop the Project. REL will be a public-private partnership for the construction and operation of the Project. The Company will be registered as a Community Enterprise at the level of the Economic Community of the Great Lakes Countries (ECGLC) in parallel with financing for the project construction. The Company will function in accordance with various consents issued by the Contracting States and at the ECGLC level as required for construction and operations. The shareholders of REL during the initial development period are Industrial Promotion Services (IPS) and SN Power AS (SNP).

After financial close, the shareholders of REL will be SNP, IPS and the Contracting States (comprising Burundi, DRC, and Rwanda), with the private and public parties holding 70% and 30% of the company’s share capital respectively. Energie des Pays des Grands Lacs (EGL) acts as the agent for the three Contracting States and the power purchasers from each Contracting



State (Offtakers) for the Project. EGL is an organisation under the control of ECGLC and is responsible for energy cooperation among the Contracting States.

1.1.5 Potential Lenders

Several potential lenders are considering providing financial support to the Project, including the African Development Bank (AfDB), British International Investment (BII), the European Investment Bank (EIB), the *Kreditanstalt für Wiederaufbau* (KfW), the French Agency for Development (AFD), and the World Bank (WB).

1.2 Principles and Objectives

This RPF is part of the 2024 ESIA. The principles adopted in this RPF are governed by the requirements of the Lenders. They aim to:

- Preferably avoid, or otherwise minimize and mitigate, project-induced involuntary resettlement.
- Mitigate adverse socio-economic impacts resulting from unavoidable land acquisition or land use restrictions, by providing timely compensation for loss of assets at replacement cost and assisting project-affected people (PAPs) in their efforts to improve, or at least restore, their livelihoods and living standard, to pre-displacement levels.
- Provide PAPs with full and accurate information about the Project, as well as meaningful opportunities for participation in Project design, implementation, and monitoring, paying particular attention to the specific requirements of vulnerable people and women.
- Ensure that PAPs understand the resettlement process and the functioning of the Project's grievance resolution mechanism (GRM).
- Provide, when needed, special assistance for vulnerable groups.

To achieve these objectives, this RPF abides by the following principles:

- The Project will implement an inclusive approach to compensation entitlements, including compensation and assistance for people who do not have legal rights over affected lands, as well as people who own legal or recognized customary rights of use or ownership.
- Compensation for land and assets will be paid at full replacement value.
- Transportation and disturbance allowances will be provided to mitigate impacts on the livelihoods of PAPs who have to relocate.
- The Project will implement specific measures to restore the livelihoods affected by the Project, ensuring that PAPs maintain, or preferably improve, pre-displacement living standards.
- The Project will implement specific measures to support and assist vulnerable people.
- The Project will maintain a continuous process of consultation, disclosure, and negotiation with PAPs throughout the entire resettlement process, including the establishment of an accessible and transparent grievance resolution mechanism.
- The Project will implement a clear and transparent process for the disbursement of monetary compensation.

These principles will be implemented via the implementation of this RPF covering the Project's main components. The scope of this RPF is described in more detail in section 3.1. The steps to be implemented to prepare and implement the Quarries RAP are outlined in Section 11.



1.3 Structure of the Report

This RFP is structured as follows:

- Chapter 1 – Introduction of the document’s principles and objectives.
- Chapter 2 – Provides a description of the Project’s components.
- Chapter 3 - Provides an overview of the Project’s land acquisition requirements, as well as the resulting physical and economic displacement impacts.
- Chapter 4 - Analyses the legal framework which will guide the land acquisition process in Burundi, DRC and Rwanda, defining measures to meet the Lenders’ requirements on land acquisition and involuntary resettlement.
- Chapter 5Error! Reference source not found. - Presents an overview of the socioeconomic profile of communities potentially impacted by the development and exploitation of quarries and borrow areas and an estimation of the maximum potential displacement impacts.
- Chapter 6 - Presents the criteria for determining eligibility to compensation and assistance entitlements.
- Chapter 7 – Lays out the methodology for the valuation of compensation.
- Chapter 8 - Presents the resettlement assistance measures which will be provided to physically displaced households.
- Chapter 9 - Presents an overview of institutional arrangements and responsibilities for the implementation of the resettlement process, including the preparation and implementation of quarries RAP.
- Chapter 10 – Presents an overview and schedule for the implementation of the resettlement process.
- Chapter 12 – Identifies relevant stakeholders and establishes a plan for future engagement activities to be carried out as part of the resettlement process.
- Chapter 13 – Provides a grievance resolution system for resettlement-related complaints, including specific reporting requirements for grievances related to gender-based violence.
- Chapter 14 – Provides an overview and schedule of the reports and activities required to monitor and evaluate the implementation of the resettlement process.
- Chapter 15 – Presents the funding arrangements and an estimated budget for the preparation and implementation of the quarries RAP.



2 Project Description

2.1 Project Overview

The Project comprises the construction and operation of a 206 MW HEPP on the Ruzizi River on the Ruzizi River which flows from Lake Kivu to Lake Tanganyika. The Project includes a 7-km-long 220 kV transmission line that is located in DRC.

At the Project location, the river represents part of the border between Rwanda and DRC and the administrative limit between the Ruzizi District of the Western Province of Rwanda (Sectors of Bugarama and Nzahaha) and the Walungu Territory of the South Kivu Province of DRC (Groupements of Kamanyola and Karhongo). The Project is situated downstream from the existing 29.8 MW Ruzizi-I and 36 MW Ruzizi-II hydroelectric schemes, which started operation in 1959 and 1989 respectively.

The Project has completed a Feasibility Study, and the detailed design and construction will be managed by an EPC Contractor in the next stage of the Project. Construction duration is estimated at 56 months, requiring an estimated workforce of 500-1,000 workers during the period of peak activities.

On completion of the Project construction, the operation of the scheme will be handed over to an operating company that will be created or nominated at a later stage. The Project will operate in a coordinated manner with the Ruzizi-I and -II hydroelectric schemes upstream which operate with periods of peak and off-peak flows. The Project's peak flows (150 m³/s) are identical to the peak flows from Ruzizi-I and -II.

2.2 Potential Quarries and Borrow Areas

Quarries and borrow areas will be required during the construction phase. Potential quarry and borrow areas have been identified by REL (see Table 2-1). However, the EPC contractor will select the sites to be exploited, and these may include some or all of the potential sites identified by REL or alternative sites. The locations of the potential quarries and borrow areas identified by REL are illustrated in Figure 2-2.



Table 2-1 - Potential Quarries and Borrow Areas Concerned by this RPF

Country	Site	Type of material	Area (ha)
DRC	Bwegera	River Sand	8*
	Kirindangumi	River Sand	8*
	Ruvubu River	River Sand, coarse grained gravelly sand	25
	Lower Nyarubare	Basalt Aggregates	1.3
	Upper Nyarubare	Basalt Aggregates	2.5
	Mt. Rubona	Sandstone Aggregates	8*
	Total DRC		52.8
Rwanda	Ntangara River	River Sand, Medium to coarse grained Sand with mica flakes	8*
	Kirimbi River	River Sand, Fine to medium with visible organic matter / mica	8*
	Kirimbi Delta	River Sand, Fine to medium grained with micas	8*
	Kigoya River	River Sand, Dark Brown Silty Sand	8*
	Karundura River	Whitish Grey, medium to coarse grained sand	8*
	Gihungwe	Mafic, fine grained columnal basalt	8*
	Quartzite APD	Light grey, slightly foliated, Quartzite Schist	8*
	Gishoma Power Plant	Lateritic Clayey Soil for Dam Core	8*
	Coline Butambamo	Type of Material: Lateritic Clayey Soil	8*
	Nyagahand	Lateritic Clayey Soil	8*
	Total Rwanda		80
Burundi	Rukana II	Lateritic Clayey Soil	3
	Rukana I	Basalt rock	11
	Binyange	Lateritic Clayey Soil	6
	Total Burundi		20
Grand Total (DRC, Rwanda and Burundi)			152.8
* To be defined by the EPC Contractor, for the purpose of this RPF assumed to occupy an area of 8 ha.			

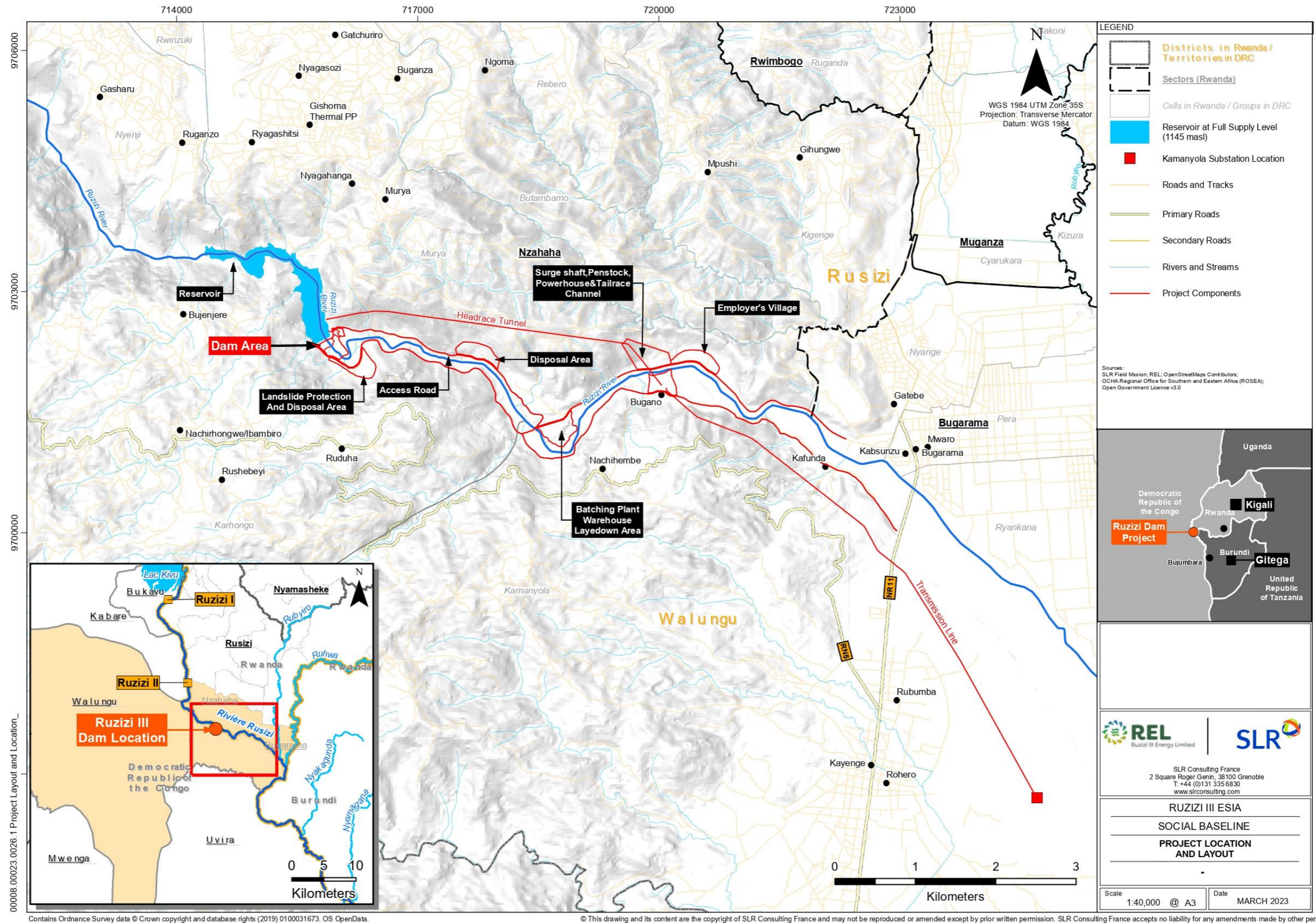


Figure 2-1 - Project Location and Layout

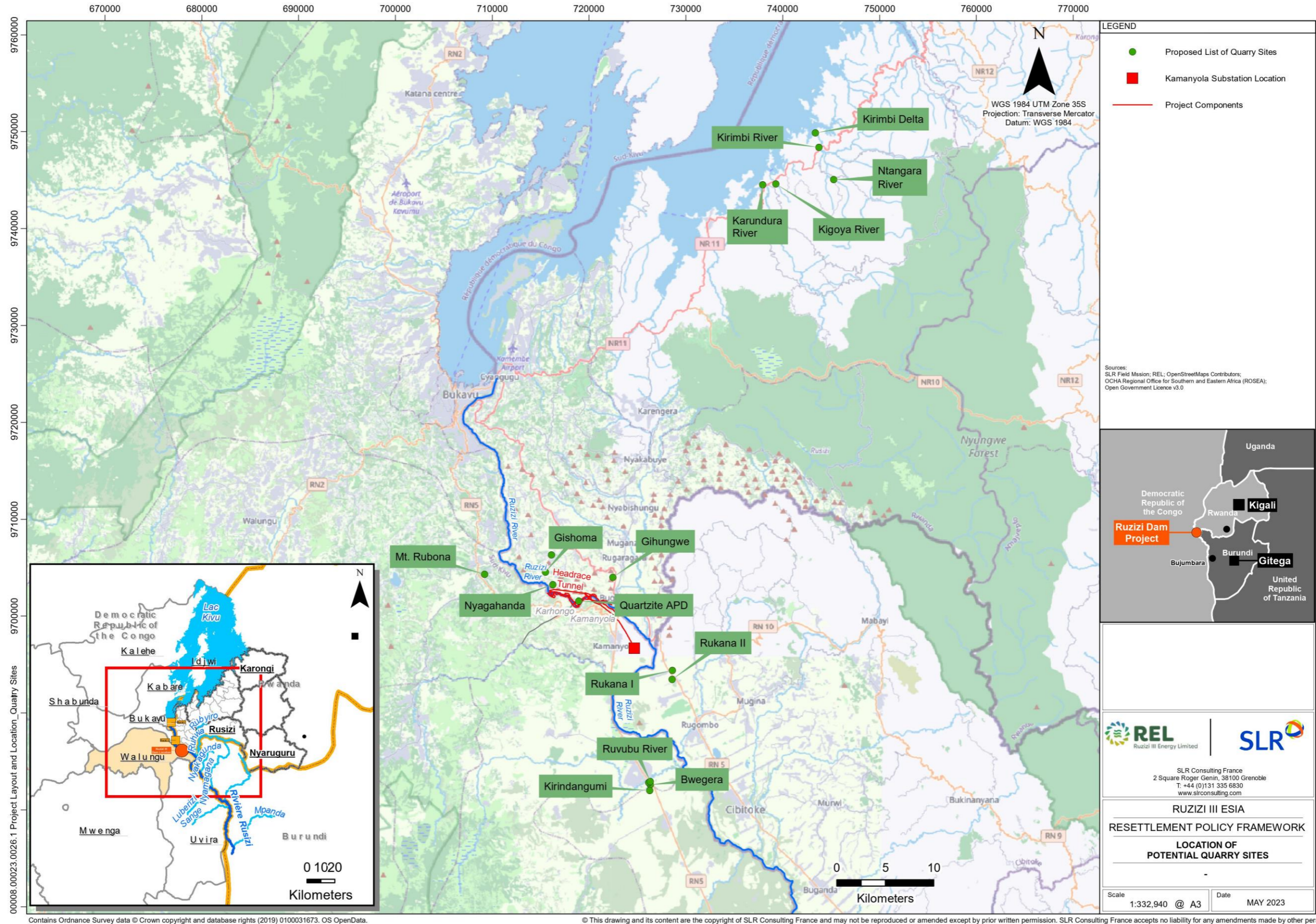


Figure 2-2 - Location of Potential Quarry Sites



3 Scope of Land Acquisition and Resettlement

3.1 Scope of the RPF

The preparation of an RPF is required by World Bank Performance Standard (PS) 5 when displacement impacts cannot yet be identified or quantified comprehensively.

The borrow areas are yet to be defined by EPC contractor. The number, location and extension of these borrow areas are to be confirmed. Consequently, an RPF has been developed because it is not possible at this stage to comprehensively assess and mitigate the Project's displacement impacts. The current document is based on the information available on the potential borrow areas at this stage and various working assumptions.

A RAP will be produced for the quarries (hereafter, 'Quarries RAP'), whose footprint will be determined at a later stage (see Section 2.2). As part of the Quarries RAP, a census and asset inventory will be performed to count all households and assets which will be affected by the Project.

The steps to be implemented to prepare and implement the RAP are outlined in Section 11.

3.2 Past Land Access and Acquisition

The following paragraphs outline any past land access and acquisition process which was undertaken before the preparation of this RPF.

3.2.1 Access Roads (2012)

An ESIA and a RAP were prepared by SOFRECO and financed by the European Investment Bank (EIB) in 2012, based on the technical studies which established the Original Project Design in 2009. In 2021, the ESIA was updated with the alternative dam location design.

The 2021 updated ESIA (SOFRECO, 2021) describes that land has been acquired before 2012 for the construction of an access road in Rwanda. The companies in charge of the land acquisition process were SEBULIKOKO (Rwanda) and SAFRICAS (DRC). The ESIA states that the land required for the access road was acquired without compensation. This access road has only been constructed up to the future powerhouse site and is currently used by the local community.

3.2.2 Geotechnical Studies (2020 and 2021)

In 2020 and 2021, geotechnical investigations and other technical surveys were performed for the Project. Boreholes were drilled to assess the geotechnical conditions in several locations. Temporary access tracks had to be created for the drilling equipment to be taken on site. This led to the destruction of some crops and the temporary occupation of some areas of land plots used by local farmers.

Between February 2020 and January 2022, REL paid compensation for this temporary impact. Inventories of affected assets (crops and land used temporarily) were conducted by the Project. Compensation agreements were signed by the affected persons. The valuation methodology used was the same as the one described in section 7, based on the rates prevailing at the time of the temporary impact.



A total of 708 persons received compensations for crop damage or temporary land occupation by the geotechnical field investigations. The compensation payments are illustrated in Table 3-1. Figure 3-1 shows the type of activities performed, and Figure 3-2 shows the location of the boreholes drilled.

Table 3-1 – Summary of Compensations for Impacts from Geotechnical investigations

Country	Total amount paid	Number of affected persons	Number of compensations agreements (for crops destruction or temporary land use)
DRC	86,313.6 US\$	85	104
Rwanda	110,137,469 RWF	623	1,051
Total		708	1,155



Figure 3-1 – Borehole Drilling During Geotechnical Studies

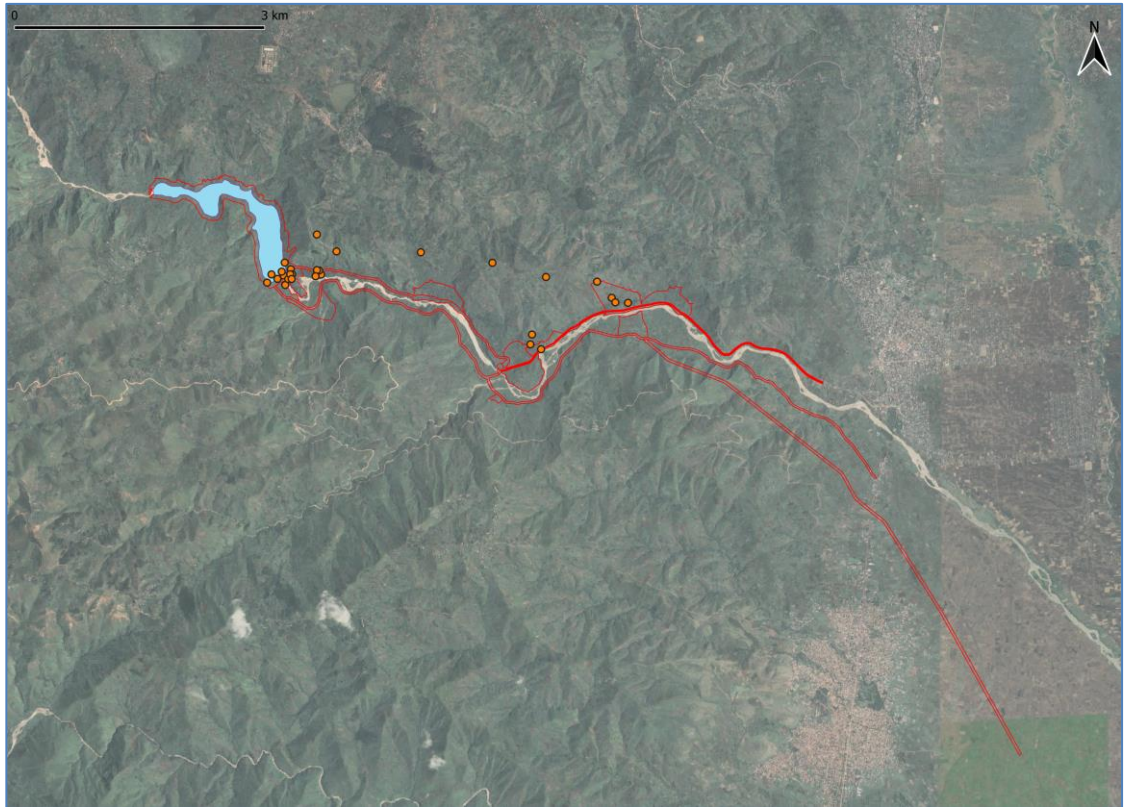


Figure 3-2 – Location of Boreholes Drilled during Geotechnical Field Investigations.

3.2.3 Main RAP

A census of affected people and an inventory of affected assets were undertaken in February 2022 in Rwanda and DRC for the Main RAP. In 2022, the Project identified 2,249 economically affected households and 50 physically affected households. As all Project’s component covered by this Main RAP are located in Rwanda and DRC, no impact were identified in Burundi.

3.3 Estimation of Potential Displacement Impacts

Table 3-2 presents the estimation of the estimated maximum potential physical and economic displacement impacts. This estimate is conservative, and assumes all quarries pre-identified will be used. A more detailed review of displacement impacts is outlined in section 5.2.

Table 3-2 – Summary of Estimated Maximum Potential Involuntary Displacement Impacts

Country	Affected Households					
	Total affected households		Physically + Economically Displaced		Economically Displaced Only	
	Households	Persons	Households	Persons	Households	Persons
DRC	231	1,848	23	184	208	1,664
Burundi	410	1,120	0	0	410	1,120
Rwanda	178	3,584	38	304	140	3,280
Total	819	6,552	61	488	758	6,064

As part of the Quarries RAP, a census and asset inventory will be performed to identify all households and assets which will be affected by the Project.



3.4 Minimisation and Avoidance of Displacement Impacts

The location of quarry sites will be selected when the EPC contract is mobilised. After ensuring quality and quantity of materials in the proposed sites, the EPC contractor will have to submit a list of preferred sites to REL. Based on this list, REL will make a selection with the objective of avoiding and minimising displacement impacts as much as possible. The list of preferred sites produced by the EPC contractor will have to be identified based on the predefined list outlined in Table 2-1.



4 Legal Framework and Gaps with Lender Policies

4.1 Introduction

This section provides an overview of the national regulation in Burundi, DRC and Rwanda with respect to expropriation, an overview of Lenders; policies with respect to land acquisition and a gap analysis presenting how the Project Company will address difference between the national regulations and Lenders' Policies.

As there are no national Laws framing the legal requirements with respect to physical displacement, consequently this section provides only a description of the national legal frameworks on expropriation.

The Project's land acquisition is governed by the Implementation Agreement, signed by the Contracting States, EGL and REL. This Agreement is described in section 4.3, which describes the distribution of institutional responsibilities for the implementation of the land acquisition and resettlement processes.

4.2 National legislations on expropriations

4.2.1 Rwanda's legislation on expropriations

The 2003 Constitution, revised in 2015, establishes the right to individual or collective private property. Private property is guaranteed by the State and is inviolable except when it interferes with the public interest. Land in Rwanda is divided into public land (public and private domains of the State, public institutions, and local communities) and the private domain. According to Law No. 43/2013 of 16 June 2013, there are two types of private ownership:

- Full ownership (perpetual possession).
- Emphyteutic lease (land granted for 20, 49 or 99 years), which is the predominant form of ownership.

According to Organic Law No. 08/2005 of 14/07/2005, the state has the right to own and use land for public interest and to expropriate, if necessary, through procedures established by national law and ensuring adequate compensation. Law No. 32/2015 of 11 June 2015 established that Projects wishing to expropriate for the public interest must provide at their own cost a list of the land and people to be expropriated and make provision for the amount of compensation from their own budget.

To begin the procedure, the Project developer must do an application for expropriation in the public interest. The following documentation must be included in this application (Art. 10):

- The nature of the project.
- The justification of the Project's relevance for being in the general interest.
- The master plan of the land on which the project will be carried out (demarcations, maps, nature of assets, list of holders of rights registered on the land titles).
- A document indicating that the project has no detrimental effects on the environment.
- A document confirming the availability of funds for fair compensation.
- An explanatory note detailing that such land or place suits the project.
- Minutes of the consultative meeting indicating that the concerned population has been made aware of the Project and its importance.
- A study indicating the consequences of expropriation on PAP's living conditions.



The competent committee in charge of monitoring projects of expropriation in the public interest considers the relevance of the project within a period not exceeding 30 days after receiving the request for expropriation (Art. 11).

The expropriated persons shall receive a fair and just compensation covering not only the price of the land but also compensation for the activities carried out on expropriated plots such as crops, plantations or buildings, or other activities aimed at improving the productivity of the land. However, no activity undertaken after the official publication of the expropriation decision shall be subject to compensation (Art. 17). The amount of compensation shall be set according to prevailing market prices estimated by the Institute of Real Property Values in Rwanda. The unit prices of land and property thus established are published annually in the Official Gazette (Art. 22). The District or City of Kigali administration or the relevant Ministry must inform the persons to be expropriated of the expected start date of the measurement of the land and inventory of property incorporated thereon. This information must be conveyed via posters at the Unit's office at the project location, or by messages on the radio or in the press (media with a large audience or readership). If necessary, other means of communication may be used (Art. 24).

Anyone claiming expropriation rights must provide proof of their property rights (Art. 26).

Compensation for disruption (5 % of the basic compensation) shall be granted to those expropriated (Art. 27).

If the person to be expropriated is satisfied with the amount of compensation, he/she shall sign or fingerprint the compensation report (Art. 32). If the person to be expropriated is not satisfied, s/he has the right to contest the amount based on the work of a valuer recognized by the Institute of Real Property Valuers in Rwanda, at his/her own expense and within a maximum of 10 days (Art. 33). In the absence of an arrangement, the dispute will be dealt with in court, but the compensation initially planned will be paid before the court's decision to avoid delay of the expropriation (Art. 34). The amount of compensation must be paid within 120 days of approval by the District Council. After receiving fair compensation, the expropriated person must move out within a period not exceeding 120 days. The person to be expropriated is not allowed to plant crops that require more than 120 days of growth before they can be harvested (Art. 36). The compensation shall be made in Rwandan currency or in any other form agreed upon (in kind) between the expropriating party and the expropriated person but must be paid before the resettlement (Art. 35). Monetary compensation shall be deposited into the account of the person to be expropriated opened with a recognized locally based bank or financial institution of his/her choice (Art. 38). Compensation in kind shall be paid in line with the agreed upon method (Art. 39).

Table 4-1 summarises the steps included in the public expropriation process, alongside the institution responsible for each of them.

Table 4-1 - Summary of Steps for Public Expropriation in Rwanda

#	Activity	Description	Responsibility	Time
1	Application for expropriation in the public interest	The application for expropriation shall be prepared according to article 10 of Law No. 32/2015 of 11 June 2015	Project developer	Once affected people have been enumerated and the required land has been demarcated and surveyed
2	Approval of the application	A competent committee in charge of monitoring expropriation for public interest projects will consider the relevance of the project within 30 days from reception of the application.	Land Commissions and Land Committees (District, Sector and Cell level), which are in charge of monitoring public expropriations.	No later than 30 days after reception of the application



#	Activity	Description	Responsibility	Time
3	Publication of the official decision of expropriation	Once the application is approved, the decision of expropriation will be published. No activity undertaken after the official publication of the expropriation decision shall be subject to compensation.	District Council	Once the application has been approved
4	Land measurement and asset inventory	The District or City of Kigali administration or the relevant Ministry must inform the persons to be expropriated of the expected start date of the measurement of the land and inventory of property incorporated thereon (radio, press and posters). At this stage, the validity of land tenure rights will be assessed. If needed, required land documents can be updated or produced at this stage.	District Land Office	Once the official decision has been published
5	Establishment of compensation payments	The amount of compensation shall be set according to prevailing market prices estimated by the Institute of Real Property Values in Rwanda. The unit prices of land and property thus established are published annually in the Official Gazette	Project developer, according to the expert judgment of registered real property valuers from the Council for Regulation of the Real Property Valuation	Once the official decision has been published
6	Agreement or disagreement with compensation	If satisfied, the expropriated person signs the compensation report. All compensation reports are sent to the district council for validation.	Affected person	Once the affected person agrees with the compensation
		If dissatisfied, the expropriated person can demand an evaluation of their property	If an agreement is not reached after the second evaluation, the expropriated person can still resort to justice	The expropriated person has 10 days from the proposal of compensation to request an evaluation
7	Payment of the agreed compensations	The amount of compensation must be paid within 120 days after approval by the District Council. All compensations must be paid before the affected people are resettled	Project developer	Within 120 days from the District Council's approval
8	Evacuation of the acquired land	After receiving fair compensation, the expropriated person must move out within a period not exceeding 120 days. The person to be expropriated is not allowed to plant crops that require more than 120 days of growth before they can be harvested.	Affected person	Within 120 days from the payment of compensation

4.2.2 DRC's legislation on expropriations

The Constitution of 18 February 2006 stipulates that *'the State guarantees the right to individual or collective property, acquired in conformity to the law or to custom', and that 'one may only be deprived of his property for reasons of public utility and in return for a just and prior indemnity conceded under the conditions established by the law.'*

Law no. 73-081 of 20 July 1973 (Land Law), amended and completed by Law no 80-008 of 18 July 1980, states that soil is the exclusive, inalienable and imprescriptible property of the State. The State's domain includes a public domain and a private domain (Art. 54). Land in the private



domain may be the subject of a concession, defined as a contract whereby the State grants a community, a natural person, or a legal entity of private or public law the right to enjoy a piece of land under the terms and conditions provided for by this law and its implementing measures (Art. 57 and 61). The different kinds of concessions recognised by the law are:

- A perpetual concession, where the State grants a natural person of Congolese nationality the right to indefinitely enjoy a plot of land as long as the conditions provided for by the law are met; or,
- An ordinary concession (most common), granted to a natural or legal person of private or public law in one of the following forms:
 - Emphyteutic lease: full use of an uncultivated plot of land belonging to the State with responsibility to develop and maintain the land and to pay the State a fee in kind or in money, for a maximum period of 25 years renewable.
 - Surface area contract: the right to enjoy the land and to dispose of the buildings, wood, trees and other plants thereon, for a maximum period of 25 years renewable.
 - Usufruct contract: the right to enjoy the land, like the State itself, but with responsibility to keep it in good condition, for a maximum period of 25 years, renewable.
 - Contract of use: recognized right of a person to enjoy a plot of land with his/her family, either by living on it or by creating warehouses for him/herself for a maximum period of 5 years renewable.
 - Rental contract: enjoyment of land for a specific price that the lessor undertakes to pay to the State for a maximum period of 3 years, generally preparatory to another type of concession.

According to Article 18 of Law 11/022 of 24 December 2011, each local community is recognized as having customary land rights exercised collectively or individually on the land. State lands can indeed be inhabited and used by local communities – individually or collectively – in accordance with local customs and practices. Land where customary rights are exercised may be subject to expropriation in the public interest: in this case, the identification of entitled persons will have to take into account the traditional system of land allocation and management.

There are four different types of land titles in DRC:

- The Certificate of Registration (most common) formalises the right to enjoy land conceded by the State. The private ownership of buildings on a concession is always considered separately from that of the land and is only legally established by the registration of the buildings on the Certificate of Registration establishing the concession ('ownership by incorporation'). Without this registration, the ownership of the buildings is not legally recognized.
- The 'Titre de propriété foncière' (Land Title) for land acquired in accordance with the rules before the publication of the Land Law, provided that it has been sufficiently developed.
- The 'Titre d'occupation provisoire' Provisional Occupation Title, preparatory to the concession of rural land exceeding 10 ha intended for agricultural or livestock farming purposes.
- The 'Livret de logeur' or equivalent title in a city: a perpetual concession on a piece of land in a district divided into plots and registered in the land register under the private domain of the State, exclusively for national citizens.

Immovable property, perpetual concessions, emphyteutic concessions, surface area concessions and the rights of enjoyment of local communities to State lands are all eligible for public expropriation.

The procedure of expropriation is outlined in Law 73-021 of 20th July 1973 and in Law 77-001 of 22nd February 1977 of expropriation for public utility.

According to articles 4-7 of Law 77-001 of 22nd February 1977, the procedure of expropriation starts with a decision pronouncing the public utility of the project and ordering the expropriation.



In the case of expropriation of collective or individual rights of use exercised by local populations on state-owned land, the expropriator shall base his compensation proposals on a survey prescribed and carried out in accordance with the provisions of articles 193 to 203 of law no. 73-021 of 20 July 1973. Expertise and survey can be made prior to the opening of the expropriation procedure.

Articles 193 to 203 of the Land Code describe, in the case of an application for a concession, the data that must be collected during the appraisal of the property to be expropriated, including the collective and individual rights of enjoyment exercised by the local populations on State lands. The enquiry prior to the concession (a public enquiry) includes:

- On-site verification of the delimitation of the requested land boundary;
- A census of the persons present on the land or who carry out any type of activity thereon;
- A description of the site and an inventory of what exists on it in terms of woods, forests, watercourses and traffic routes;
- A hearing of anyone making oral complaints or observations; and,
- A record and study of all written information.

The enquiry is carried out by the Zone Commissary or by a functionary or agent charged with this task. The enquiry is opened by posting of a notice in the locality where the land is located. A copy of the application specifying the land concerned shall be annexed to the posted notice. The investigation is closed by a report indicating all the information gathered and the conclusions of the agent who was in charge. Any document useful to support the report shall be attached to it.

Within one month, the author of the enquiry sends two copies of his/her report to the competent administrative authority. The applicant may obtain a copy of the letter of transmission of the file. The various levels of administration involved in the expropriation may request a review of the enquiry. When the enquiry file is deemed satisfactory, it is sent to the Public Prosecutor who has one month to approve the enquiry report or to communicate his/her observations. The administration must respond to all of the Public Prosecutor's observations. If this one-month period is exceeded the report is automatically accepted.

Once that the public prosecutor has validated the enquiry report, the decision of expropriation is made by ministerial order (ordinary expropriation) or presidential decree (expropriation by area) and published in the Official Gazette. The decision of expropriation will set a date for eviction. Expropriated people will be notified by registered letter either delivered by post with acknowledgement of receipt or hand-delivered with a dated and signed receipt. When the expropriation concerns collective rights of enjoyment, the population is notified by a communication made to the representative of the community by the Zone Commissioner or his/her delegate. If a person cannot be reached, the administration notifies the Public Prosecutor who issues an instruction to continue the investigation. In case of failure, the Public Prosecutor asks the Court of First Instance to appoint an administrator of the property to be expropriated, who will represent the person to be expropriated in the expropriation procedure and the legal establishment of the compensation.

Following receipt of the letter, the person to be expropriated has in principle one month to communicate his/her observations and claims to the ministry in charge of land matters. During this period, which may be extended by the competent authority, the expropriator and the expropriated person may reach an agreement on the amount of compensation. If an agreement has not been reached, the authority sends the person to be expropriated a compensation proposal, based on an expert report drawn up and signed by two land surveyors from the Land Registry, and possibly a specialist on the type of property to be expropriated (for example, an agronomist for agricultural property). If the expropriated person does not accept the compensation, the expropriator will resort to the court's judgment. Within 15 days following the summons, the court hears the parties. Within 8 days from the hearing, three experts are appointed to submit a report within an established deadline. This period may not exceed 60 days or exceptionally 90 days. Within 8 days from the submission of the experts' report, the court summons the parties to a hearing. No later than one month after this hearing, the court decides on the amount of compensation and deadline for eviction.



The compensation due to the expropriated person must be based on the value of the property at the date of the court's judgment. It must be paid before the registration of the transfer and at the latest 4 months from the date of the judgement establishing the compensation. Once this period has elapsed, the party to be expropriated can take legal action for the expropriator to cancel the expropriation.

Table 4-2 summarises the steps included in the public expropriation process in DRC, alongside the institution responsible for each of them.

Table 4-2 Summary of Steps for Public Expropriation in DRC

#	Activity	Description	Responsibility	Time
1	Public enquiry	A public enquiry will be opened by displaying posters and closed by a conclusions report. The public enquiry will identify the rights enjoyed by local populations on the land, describe the environment and enumerate the people using the land through a census.	Ministerial officer	Once land to be acquired has been demarcated
2	Transmission of the conclusion report to the competent administrative authority	Within one month, the author of the enquiry sends two copies of the report to the competent administrative authority.	Competent administrative authority	Within one month from opening the enquiry
3	Transmission of the enquiry to the public prosecutor for approval	When the enquiry file is deemed satisfactory, it is sent to the Public Prosecutor who needs to approve it or communicate his/her observations. The administration must respond to the Public Prosecutor's observations.	Competent administrative authority	The public prosecutor has to approve the enquiry within 1 month from reception
4	Declaration of Public Utility	The decision declaring the public interest of the works and ordering the expropriation is made by ministerial order or presidential decree and published in the Official Gazette.	Ministry of Land Affairs	Once the public prosecutor has approved the enquiry report
5	Notification of expropriated people	This decision, setting an eviction date, is notified to the expropriated people by registered letter delivered by post with acknowledgement of receipt or hand-delivered with a dated and signed receipt	Ministry of Land Affairs	Once the declaration of public utility is published
6	Negotiation of compensations	Once informed, the expropriated people have one month to communicate their claims and observations to the Ministry of Land Affairs. During this period, which may be extended by the competent authority, the expropriator and the expropriated person should reach an agreement on the amount of compensation and indemnity.	Ministry of Land Affairs	Within 1 month from the notification of expropriation
7	Agreement or disagreement with compensation	If satisfied, the expropriated person signs the compensation report.	Expropriated person	As soon as a compensation is agreed upon
		If dissatisfied, a compensation amount is proposed based on an expert report prepared and signed by two land surveyors from the Land Registry and a specialist on the type of property to be expropriated, as required	If an agreement is not reached after the evaluation, the expropriated person can resort to justice	If an expropriation case goes to court, three experts are appointed to submit a report within 60 days from the first hearing. Within a month after the delivery of the report, the court decides on the amount of compensation.



#	Activity	Description	Responsibility	Time
8	Payment of compensation	The compensation will be based on the value of the property at the date of the judgement ruling on the regularity of the procedure.	Expropriating authority	Compensation must be paid 4 months from the date of the judgement establishing compensation
9	Eviction of the acquired land	The evacuation date is set in the declaration of public utility.	Affected person	By the evacuation date set in the declaration of public utility

4.2.3 Burundi's Legislation on Expropriations

Land use is governed by the Law 1/13 of August 9, 2011 (Land Code), which replaced Law 1/008 of September 1, 1986. The main objective of the revision of the Land Code was to formalise unwritten rights and reconcile the legitimacy of local actors' land tenure practices with the legality of legislative and regulatory texts. This law recognises three categories of land ownership (Article 2):

- Land under the public domain of the State or other public entities.
- Land belonging to the private domain of the State or other public entities.
- Land belonging to private individuals or legal entities – as Article 313 establishes, these titles are granted by the Communal Land Service.

Expropriation is enshrined in Article 36 of the Constitution (June 7, 2018), which lays down the principle that *"Every person has the right to property. No one may be deprived of his property except for reasons of public utility, in the cases and in the manner established by the law and in return for fair and prior compensation or in execution of a judicial decision having the force of res judicata"*. Paragraph 5 of the Land Code sets out the expropriation procedure.

The first step of expropriation is outlined in Article 417 of the Land Code. This article that the Project developer requiring a land concession will have to file an application for expropriation in the public interest, justifying the Project's land requirements. The validation of the expropriation file will lead to a provisional declaration of public utility, published by ministerial decree. After this step, an enquiry report will be produced for the validation of the National Land Commission. Once the enquiry report is accepted, a decree of order of expropriation is published by:

- The Ministry of rural lands for areas of rural lands which do not exceed 25 hectares.
- The Ministry of urban planning for urban areas which do not exceed 1 hectare.
- The President of the Republic for a rural land exceeding 25 hectares or an urban area exceeding 1 hectare.

The Decree of Order of Expropriation needs to be posted for the comments and observations of interested parties at the communal administration for a month. All comments are compiled in a report sent to the competent authority. During this phase, the expropriated people will be proposed a compensation offer, following which:

- If the expropriated person accepts, a deed of sale by mutual agreement is prepared.
- If the person disagrees, she will be able to resort to justice according to article 428.

Compensation rates for land, crops and buildings are set by Ministerial Order No. 710/540/553 of May 2022. This ordinance establishes the modalities for calculating compensation, based on formulas adapted and applied to annual and biennial food crops, perennial crops (banana, coffee, tea, etc.) and buildings. Article 1 of this order specifies that the payment of compensation is in all cases prior to any action for the expropriated person. According to Article 14, the rates should be updated every 3 to 5 years to reflect socio-economic changes.

Table 4-3 summarises the steps included in the public expropriation process, alongside the institution responsible for each of them.



Table 4-3 Summary of Steps for Public Expropriation in Burundi

#	Activity	Description	Responsibility	Time
1	Application for expropriation in the public interest	A file describing the Project and justifying the land needs for which expropriation will be necessary is compiled by the Project developer and sent to the competent ministry.	Project developer	Before receiving a declaration of expropriation
2	Provisional declaration of public utility	The validation of the expropriation file will lead to a provisional declaration of public utility, published by ministerial decree	Competent ministry	Once the application for expropriation in the public interest has been approved
3	Enquiry Report	An enquiry report is prepared by a ministerial officer for validation by the National Land Commission	Ministry of Land Affairs	Once the declaration of public utility is published
4	Decree of order of expropriation	Compensation is set according to the unit prices of land and property published annually in the official gazette. The order of expropriation will be sent to the communal administration concerned for the public enquiry stage. The decree of order of expropriation sets the deadline for the occupants' expropriation.	<ul style="list-style-type: none"> > Ministry of rural lands for rural areas over 25 ha. > Ministry of urban planning for urban areas over 1 ha. > President of the Republic for rural lands over 25 ha or urban areas over 1 ha. 	Once the enquiry report is validated by the National Land Commission
5	Public enquiry	Article 420 establishes that the Decree of Order of Expropriation needs to be posted for the comments and observations of interested parties at the communal administration for a month. The results of the enquiry are compiled in a report sent to the competent authority.	Communal administration	For a month, from the transmission of the decree of order of expropriation to the communal administration
6	Agreement or disagreement with compensation	If satisfied, the expropriated person signs the compensation report.	Affected person and Project expropriator	As soon as an agreement on compensation is reached
		If dissatisfied, the expropriated person can bring legal action before the competent court. The court will appoint three experts and set a time limit for filing the report.	Competent court	The amount of compensation is established by the court within a month from the delivery of the report.
7	Payment of the agreed compensations	The compensation will be based on the value of the asset at the time of evaluation.	Expropriator	Compensations will be paid 4 months after the legal or amicable judgment at latest.
8	Eviction from the acquired land	The eviction limit will be set in the order of expropriation	Affected person	By the date set in the order of expropriation



4.3 Implementation Agreement between REL and the Contracting States

The Project will be constructed and owned as a public-private partnership (PPP) among the Republic of Burundi, DRC, and the Republic of Rwanda (referred together as 'the Contracting States') and the Project Proponent, REL. It is an Independent Power Project (IPP) based on a Build, Own, Operate, Transfer ("BOOT") structure and underpinned by a 25-year concession agreement and Power Purchase Agreements (PPAs). The ECGLC Organisation for *Energie des Pays des Grands Lacs* (EGL) acts as the agent for the three Contracting States and the power purchasers from each Contracting State (Offtakers) for the Project.

The Implementation Agreement signed between the Contracting states, EGL and REL defines the distribution of responsibilities regarding the Project's acquisition of land and land rights. The main arrangements are outlined below:

- REL shall identify all the lands and land rights required to develop the Project and provide a list of these lands to the Contracting States,
- The Contracting States will provide all State lands or lands possessed by any Public Authority needed for the Project,
- The Contracting States shall acquire by agreement with private landowners or by expropriation the real property rights possessed by private landowners, and grant rights to these lands to REL.
- The Contracting States shall provide all necessary State-owned and private-owned land rights to REL in compliance with Applicable Law and international Environmental & Social Standards, including the IFC Performance Standard 5 (2012), free of any cost and encumbrances.
- The Implementation Agreement also states that REL should prepare an up-to-date RAP, in accordance with international Environmental & Social Standards.

According to the Implementation Agreement, the distribution of responsibilities and the steps to prepare and implement the RAP are as follows:

- REL will prepare a RAP and submit it to the Contracting states for their approval.
- The Joint Implementation Unit (JIU) formed by the Contracting states, EGL and REL will acquire the private lands and land rights required for the Project, in accordance with the principles outlined in this RAP.
- The JIU will approve the budget for the implementation of the RAP (including compensation, assistance measures and implementation costs).
- Once the budget is approved, each contracting State will provide its share of the funds necessary for the implementation of the RAP into an account from which REL will draw to pay the compensations and other assistance measures.
- REL will then provide quarterly reports to the Contracting States detailing how the budget has been spent and the progress in the land acquisition and resettlement process.
- If some lands cannot be acquired through the previous steps 6 months after the RAP is received by the Contracting States, they will exercise their right of eminent domain and start a legal expropriation process to acquire these lands.



4.4 Lenders Policies and Applicable Standards

The AFD and the KfW are applying the 10th Environmental and Social Standards (ESS) of the World Bank Environmental and Social Framework (2018)³. The requirements of the AfDB Integrated Safeguards System (AfDB ISS) are defined in the 5 Operational Safeguards (OS) of the AfDB Group's Integrated Safeguards System (2018)⁴. The Requirements of the EIB are defined in the Environmental and Social Standards (2022)⁵.

The Lenders' Policies on land acquisition and involuntary resettlement are as follows:

- The 2018 World Bank Environmental and Social Standards n°5 on Land Acquisition, Restrictions on Land Use and Involuntary Resettlement (ESS 5);
- The 2013 AfDB Operational Safeguard n°2 on Involuntary resettlement, land acquisition, population displacement and compensation;
- The 2022 EIB Environmental and Social Standard n°6 on Involuntary Resettlement.

Resettlement is considered involuntary when affected individuals or communities do not have the right to refuse land acquisition that result in displacement. As the Project can resort to expropriation or impose legal restrictions on land use, WB ESS n°5, AfDB OS n°2 and EIB ESS n°6 are triggered and their requirements must be met. Although these policies may be slightly different in wording, they are similar in substance and spirit. The objectives of these policies are the following:

- To avoid involuntary resettlement or, when unavoidable, minimize involuntary resettlement by exploring project design alternatives,
- To avoid forced eviction,
- To mitigate unavoidable adverse social and economic impacts from land acquisition or restrictions on land use by: (a) providing timely compensation for loss of assets at replacement cost and (b) assisting displaced persons in their efforts to improve, or at least restore, their livelihoods and living standards, in real terms, to pre-displacement levels,
- To improve living conditions of poor or vulnerable persons who are physically displaced,
- To conceive and execute resettlement activities as sustainable development programs, providing sufficient investment resources to enable displaced persons to benefit directly from the project, as the nature of the project may warrant,
- To ensure that resettlement activities are planned and implemented with appropriate disclosure of information, meaningful consultation, and the informed participation of those affected.

Affected persons are those affected by physical displacement (relocation, loss of residential land or loss of shelter), or economic displacement (loss of land, assets or access to assets, leading to loss of income sources or other means of livelihood). The Lenders policies recognise three categories of affected persons:

- Those who have formal legal rights to land or assets;
- Those who do not have formal legal rights to land or assets, but have a claim to land or assets that is recognized or recognizable under national law; or
- Those who have no recognizable legal right or claim to the land or assets they occupy or use.

³ The full definition and details of each ESS can be found at the following webpage: <https://www.worldbank.org/en/projects-operations/environmental-and-social-framework>.

⁴ The full definition and details of each OS can be found at the following webpage: <https://www.afdb.org/en/documents/document/afdb-integrated-safeguards-system-policy-statement-and-operational-safeguards-34993>.

⁵ The full Environmental and Social Standards can be found at the following webpage: <https://www.eib.org/en/publications/eib-environmental-and-social-standards>



4.5 Gap Analysis between National Legislation and Applicable Standards

Table 4-4 analyses the gaps between the legal frameworks and the requirements of the Lenders on involuntary resettlement. The gap analysis indicates how the Project will address differences between the national regulations and Lenders Policies. Figure 4-1, Figure 4-2 and Figure 4-3 illustrate the interconnections between the RAP process and the legal land acquisition procedures respectively in Rwanda, DRC and Burundi.



Table 4-4 – Gap Analysis Between the National Legal Frameworks and the Lenders Policies on Involuntary Resettlement

Topics	Provision in Congolese legislation	Provision in Rwandan legislation	Provision in Burundian legislation	World Bank ES5, EIB ESS6 and AfDB OS 2 requirements	Actions to be taken to close the gap
Avoidance and minimisation of displacement	No legal requirement to avoid or minimize physical and economic displacement	No legal requirement to avoid or minimize physical and economic displacement	No legal requirement to avoid or minimize physical and economic displacement	The first objective of these policies is to avoid involuntary resettlement or, when unavoidable, minimize involuntary resettlement	Alternatives have been considered to minimise involuntary resettlement impacts (see section 3.2.3). Further efforts will be implemented to minimize the number of households physically displaced (see section 5.2.1).
Eligibility	<p>Agricultural Law 11/02 of 24/12/2011 recognizes the customary land rights of each local community exercised collectively or individually on the land; these communities are therefore compensable. Expropriation Law no. 77-001 of 22/02/1977 stipulates that individual and collective rights of enjoyment may be subject to compensation. It states that expropriated landlords must notify tenants. If an identified rightful claimant cannot be reached at the time of expropriation, they will be represented, and their interests defended by an administrator of expropriable property appointed by the Regional Court.</p> <p>The Congolese texts do not mention the case of irregular (untitled and non-customary) occupants.</p>	<p>Law no. 32/2015 on expropriation specifies that persons claiming expropriation rights have to provide proof of their ownership rights. The first land registration campaign in Rwanda was finalized in June 2012, allowing for the legal allocation of all private-status land to title holders or customary occupants. The status of customary occupant is thus formalized by a certificate of registration (most frequently an emphyteutic lease).</p> <p>Rwandan legislation on expropriation does not provide for compensation for untitled occupants, especially since all private plots were in principle allocated in 2012. Law no. 32/2015 specifies that persons claiming expropriation rights have to provide proof of their ownership rights.</p> <p>Rwandan legislation on expropriation does not provide for compensation for untitled occupants, especially since all private plots were in principle allocated in 2012. Law no. 32/2015 specifies that persons claiming expropriation rights have to provide proof of their ownership rights.</p>	<p>According to articles 411 and 415 of the Land Code, any person with a land title, land certificate, administrative title or customary mode of acquisition, may be expropriated in the public interest.</p>	<p>Affected persons are those affected by physical displacement (relocation, loss of residential land or loss of shelter), or economic displacement (loss of land, assets or access to assets, leading to loss of income sources or other means of livelihood).</p> <p>Affected persons may be classified as persons:</p> <ul style="list-style-type: none"> > Who have formal legal rights to land or assets; > Who do not have formal legal rights to land or assets, but have a claim to land or assets that is recognized or recognizable under national law; or > Who have no recognizable legal right or claim to the land or assets they occupy or use. <p>People under the third category are eligible for compensation for loss of assets (but not land) and are entitled to resettlement and livelihood restoration assistance, as the other categories. Tenants are eligible to resettlement and livelihood restoration assistance.</p>	<p>Legislation in DRC recognizes compensation for these untitled customary occupants. In Rwanda, Law no. 42/2013 of 16 June 2013 on land tenure has allowed customary occupants to acquire legal titles of occupation. The legislations of Rwanda and of DRC do not provide for the compensation of irregular occupants.</p> <p>The Lenders' requirements also include affected persons who have no recognizable legal right or claim to the land or assets they occupy or use. The eligibility criteria of the Lenders will be applied. See section 6.1.</p>



Topics	Provision in Congolese legislation	Provision in Rwandan legislation	Provision in Burundian legislation	World Bank ES5, EIB ESS6 and AfDB OS 2 requirements	Actions to be taken to close the gap
Cut-off date	According to Land Law no. 73-081 of 20/07/1973 and Expropriation Law no. 77-001 of 22/02/1977, the cut-off date is the date on which the public enquiry is launched; this date must be clearly notified at the expropriation site.	According to Law no. 32/2015 on expropriation, it is the start date of the land measurement and property inventory, which is notified via posters at the office of the Project Site Unit, or by messages on the radio or in the press (media with a large audience or readership). If necessary, any other means of communication may be used (Art. 24). This law also specifies that no activity undertaken after the official publication of the expropriation decision shall be subject to compensation (Article 17).	According to articles 420 to 422, the public enquiry allows interested individuals to claim ownership rights over affected land, and owners to name all other parties which have real rights over the property. Once the enquiry is closed, the expropriation will begin. Consequently, the date of the closing of the enquiry is the cut-off date. According to article 422, the enquiry lasts a maximum of 30 days by decision taken by the competent authority under proposition of the communal administrator, advised by the National Land Commission.	For both ESS n°5 and OS n°2, a cut-off date shall be established for eligibility prior to the assets inventory. Information about the cut-off date should be disseminate throughout the project area of influence in a culturally appropriate and accessible manner, before taking any action on clearing land or restricting local community access to land.	The legislations of Rwanda and of DRC converge with the Lenders' requirements. A cut-off date corresponding to the start of the census and asset inventory update has been established (see section 6.1.2).
Valuation of compensation	The 2006 Constitution stipulates that expropriation compensation must be fair. Land Law no. 73-081 of 20/07/1973 and Expropriation Law no. 77-001 of 22/02/1977 specify that the compensation due to an expropriated person must be based on the value of the property on the date of the judgement ruling on the legality of the process. Expropriation Law no. 77-001 of 22/02/1977 also specifies that compensation is estimated by surveyors working alongside specialists in the activities carried out in the field (agronomists for agricultural activities, for example). It may be assumed that the amounts of compensation correspond to the nature of the property lost and take into account the investments made and the expected returns. Agricultural Law no. 11/022 provides that "The State, the	Law no. 32/2015 of 11 June 2015 on expropriation for reasons of public interest stipulates that expropriated people must receive fair and equitable compensation covering not only the price of the land but also the activities carried out on the expropriated plots such as crops, plantations or buildings, or other activities aimed at improving the productivity of the land. This law specifies that the amount of compensation will be set according to prevailing market prices estimated by the Institute of Real Property Values in Rwanda. The unit prices of land and property thus established are published annually in the Official Gazette (Art. 22). It should be added that the law also provides for compensation for disruption to cover moving expenses. This compensation amounts to 5 % of the amount	According to article 424, the compensation for expropriation must fully compensate the expropriated party for the loss suffered. It shall be negotiated amicably between the interested parties or, failing that, by the competent court. In this case, according to article 426, the land affairs ministers fix by joint ordinance the minimum level of compensation rates for real estate by nature and by incorporation, after the opinion of the national land commission. These rates shall be regularly adjusted. Compensation can be provided as a monetary award or an in-kind exchange.	PAPs should be compensated at full replacement cost in real terms. The replacement cost is a method of valuation yielding compensation sufficient to replace assets, plus necessary transaction costs associated with asset replacement. Transaction costs include labour cost, administrative charges or registration or title fees, and any similar costs imposed on affected persons. The valuation method used for determining replacement cost should be transparent and documented.	A market survey was done to establish the compensation rates at full replacement cost (section 7).



Topics	Provision in Congolese legislation	Provision in Rwandan legislation	Provision in Burundian legislation	World Bank ES5, EIB ESS6 and AfDB OS 2 requirements	Actions to be taken to close the gap
	province and the decentralized territorial entity shall set up information systems on the markets and prices of agricultural products" (Art. 64), but these systems do not appear to be in force at present. However, resettlement studies show that relevant scales are developed on a case-by-case basis.	of property compensation (Art. 28).			
Timing of the Payment of Compensations	The 2006 Constitution stipulates that expropriation compensation must be paid before dispossession. The date of dispossession shall be notified in the declaration of public utility. Compensation must be paid before the transfer of property, i.e. before the new certificate of registration is drawn up in the name of the State and before annulment of the expropriated person's certificate, and no later than four months (120 days) after the date of the judgement setting the amount of compensation (Expropriation Law no. 77-001 of 22 February 1977).	According to Law no. 32/2015 of 11 June 2015 on expropriation, fair compensation for the expropriated party must be paid before their move. The amount of compensation must be paid within 120 days of approval by the District Council. After receiving fair compensation, the expropriated person shall move out within a period not exceeding 120 days (Art. 35 and 36).	Article 1 of Ministerial Order No. 710/540/553 of May 2022 specifies that the payment of compensation is in all cases prior to any action for the expropriated person.	Land plots and related assets should be acquired for the Project only after full payment of compensations and, where applicable, after the displaced people have been resettled and moving allowances have been provided to the displaced persons in addition to compensation.	The Project will acquire land only after compensation has been paid and resettlement assistance has been provided to the affected persons (see section 7).
Resettlement assistance and Livelihood restoration	Apart from compensation for the land and property affected, DRC's legislation does not provide for any special assistance to displaced persons, regardless of their status.	Support for displaced persons is limited to the payment of compensation for disruption, as provided for by Law no. 32/2015 on expropriation.	According to article 424, a partial compensation needs to be provided, whenever appropriate, for the relocation of property.	Resettlement assistance shall be provided to the affected persons. Requirement to provide assistance to the affected people improve or at least restore their livelihoods and standards of living compared to pre-displacements levels. Transitional assistance should also be provided during the time needed to restore the livelihoods.	Resettlement assistance measures will be implemented according to the principles defined in section 8. A Livelihood Restoration Programme will be implemented according to the principles defined in section 9.



Topics	Provision in Congolese legislation	Provision in Rwandan legislation	Provision in Burundian legislation	World Bank ES5, EIB ESS6 and AfDB OS 2 requirements	Actions to be taken to close the gap
Vulnerable people	In DRC, legislation on expropriation does not make special provision for vulnerable groups or disadvantaged individuals or families.	Rwanda's legislation on expropriation does not make special provision for vulnerable groups or disadvantaged individuals or families.	Burundi's legislation on expropriation does not make special provision for vulnerable groups or disadvantaged individuals or families.	Vulnerable people must be identified and those who warrant specific assistance must be identified and supported throughout the resettlement compensation process.	Vulnerable groups have been identified and specific assistance measures will be implemented accordingly (see section 6.2.3).
Gender	DRC's legislation does not include any gender-related provisions in its expropriation procedures.	Rwandan legislation does not include any gender-related provision in its expropriation procedures.	Burundi's legislation does not include any gender-related provision in its expropriation procedures.	The Lenders' policies require the promoter to ensure that compensation is paid without discrimination on the basis of gender, ethnic group, religion, or disability. When compensation takes the form of new housing, it is recommended that the title deeds be issued in the name of the head of household and his wife, and not in the name of the former alone.	The national legislations do not address gender-related aspects in their expropriation procedures. Specific measures will be implemented to mainstream gender throughout the resettlement process, as defined in section 6.2.4.
Consultation with affected persons	The public enquiry procedure defined by Land Law no. 73-081 of 20/07/1973 and reiterated in Expropriation Law no. 77-001 of 22/02/1977 prescribes poster advertising in the place concerned and a census of the occupants and persons carrying out an activity on the land to be expropriated, along with a hearing of anyone who makes complaints or observations orally.	Law no. 32/2015 on expropriation states that (Art. 11 and 16): the committee responsible for monitoring expropriation projects shall review the appropriateness of the project within a period not exceeding 30 days of receipt of the request and shall hold a consultative meeting with the population who live where the land is situated to discuss the appropriateness of the expropriation project. The decision to expropriate in the public interest shall be announced on at least one radio station with a wide audience and in a newspaper with a wide readership for the attention of the parties concerned. If necessary, other means of communication may be used. The list of registered rights holders for land titles and property incorporated on the	According to article 420 of the Land Code, an enquiry has to be carried out after the provisional declaration of public utility, in order to gather observations from interested parties on the utility of the project or on the existence, nature and extent of the rights claimed over the lands which are targeted by the expropriation.	Resettlement activities shall be planned and implemented with appropriate disclosure of information, meaningful consultation, and the informed participation of those affected.	Affected people will be engaged and informed according to the stakeholder engagement programme presented in section 12.



Topics	Provision in Congolese legislation	Provision in Rwandan legislation	Provision in Burundian legislation	World Bank ES5, EIB ESS6 and AfDB OS 2 requirements	Actions to be taken to close the gap
		land shall be posted in a place accessible to the public in the district, sector, and the unit where the land is located, within a period not exceeding 15 days of the date of approval of expropriation in the public interest.			
Grievances management	<p>Expropriation Law no. 77-001 of 22 February 1977 provides for action in the civil court (the 'legal phase' of the procedure) in the event of a disagreement between the expropriating party and the expropriated person(s) on the amount of compensation. The court first verifies the legality of the proceedings and then automatically appoints three experts agreed on by the parties and sets the deadline for their report (maximum 60 days, or 90 days in exceptional cases).</p> <p>Within eight days of the experts' report being filed, the court summons the parties to a hearing, which the experts also attend. Within one month of this hearing, the court rules on the amount of compensation and ancillary costs and, if the expropriated person so requests, the deadline for dispossession.</p>	<p>Law no. 32/2015 of 11 June 2015 on expropriation stipulates that whoever contests the value attributed, shall, at their own expense, hire an appraiser or firm of appraisers approved by the Institute of Real Property Values in Rwanda to provide a counter-assessment. The counter-assessment report must be provided within 10 days of its request. If the disagreement remains after the expropriating party's examination of this report, the expropriated person may take the case to the competent court within a period of 15 days of signature of the report, indicating the areas of disagreement (Articles 33 and 34).</p>	<p>According to article 428 of the Land Code, expropriated people can turn to the competent jurisdiction to contest the basis of expropriation, the compensation paid and the time limit for the eviction.</p>	<p>According to the Lenders' policies, the Project shall establish a grievance mechanism to address specific concerns about compensation, relocation or livelihood restoration measures raised by displaced persons (or others) in a timely fashion. The grievance mechanism will be proportionate to the potential risks and impacts of the project and will be accessible and inclusive. Handling of grievances will be done in a culturally appropriate manner and be discreet, objective, sensitive and responsive to the needs and concerns of the project-affected parties. The mechanism will also allow for anonymous complaints to be raised and addressed</p>	<p>A lender-compliant, project-specific grievance mechanism is defined in section 13. All interested people will be informed of the existence and functioning of the system (see section 12).</p>



Topics	Provision in Congolese legislation	Provision in Rwandan legislation	Provision in Burundian legislation	World Bank ES5, EIB ESS6 and AfDB OS 2 requirements	Actions to be taken to close the gap
Monitoring and evaluation	DRC's legislation on expropriation does not provide for monitoring and evaluation procedures.	Rwandan expropriation legislation does not provide for monitoring and evaluation procedures but the REMA, which is responsible for monitoring impact assessments, is supposed to control social impacts.	Burundi's legislation on expropriation does not provide for monitoring and evaluation procedures.	As per the Lenders' requirements, The Project shall establish procedures to monitor and evaluate the implementation of the Resettlement Action Plan. The extent of monitoring activities will be proportionate to the project's risks and impacts. These policies require the promoter to provide the resources, staff and procedures necessary to develop a monitoring and evaluation system for the resettlement process.	A monitoring and evaluation programme compliant with the Lenders' requirements is defined in section 14.

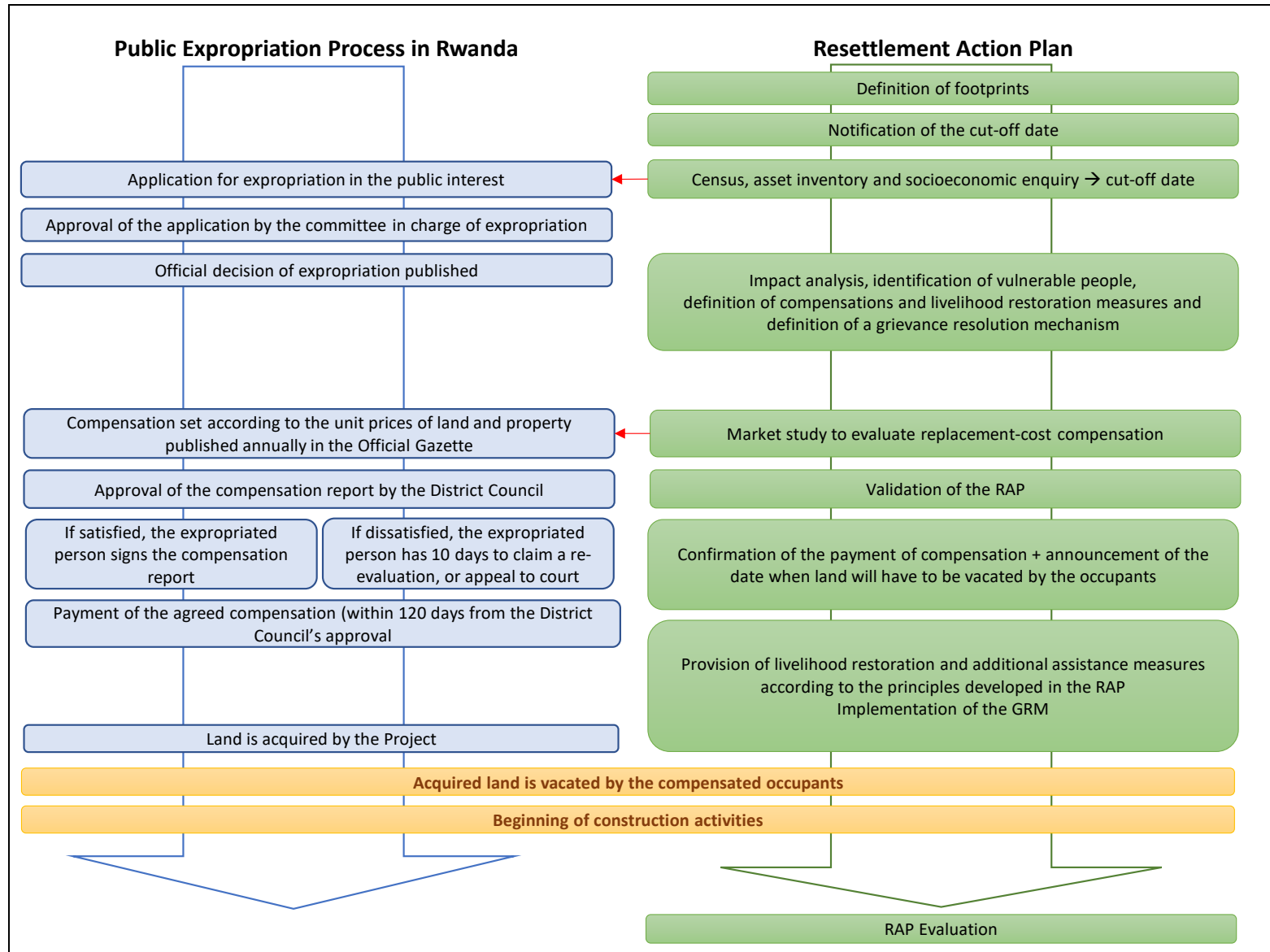


Figure 4-1 Synergies between the Legal Land Acquisition Process and the RAP Process in Rwanda

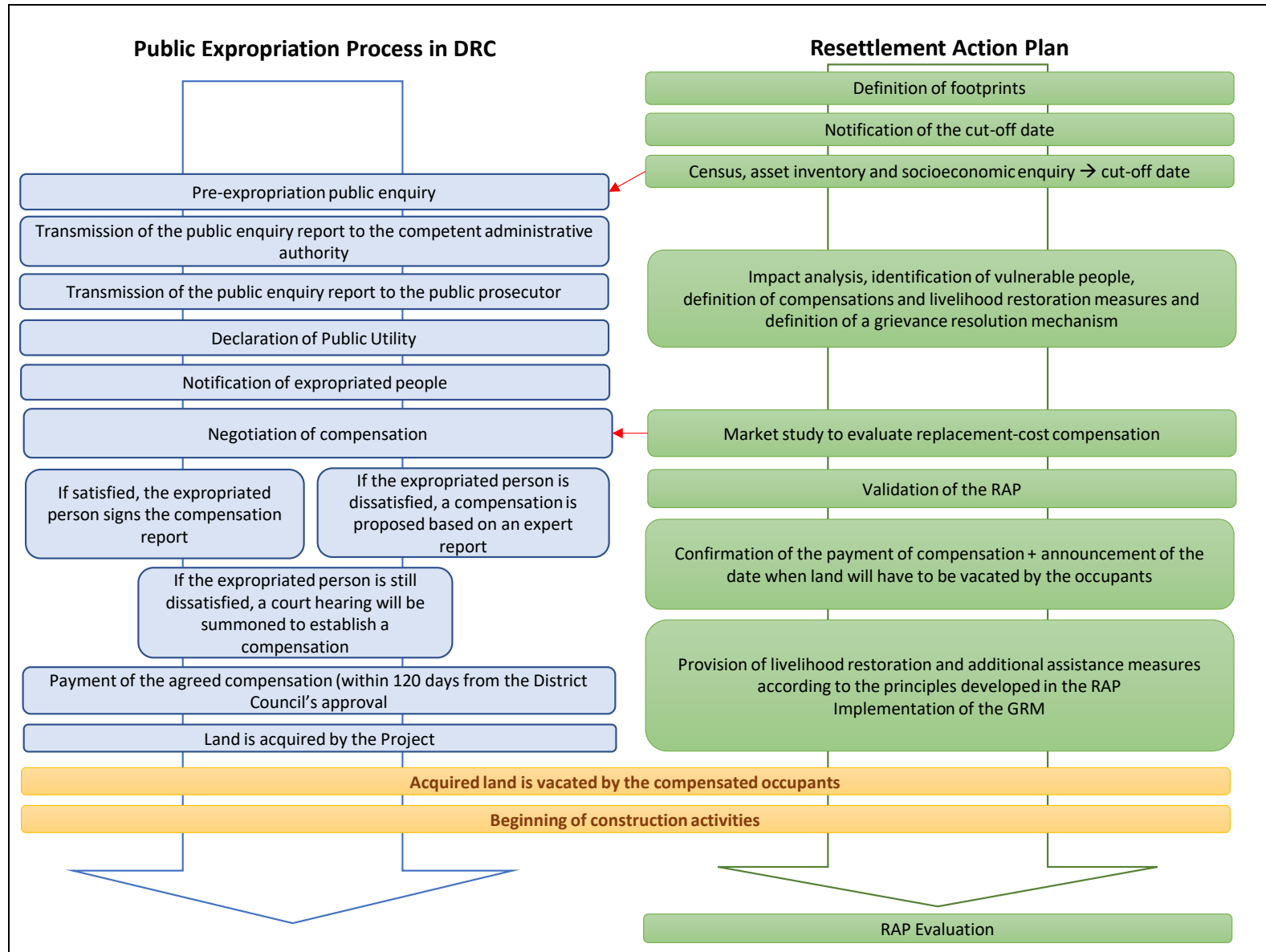


Figure 4-2 Synergies between the Legal Land Acquisition Process and the RAP Process in DRC

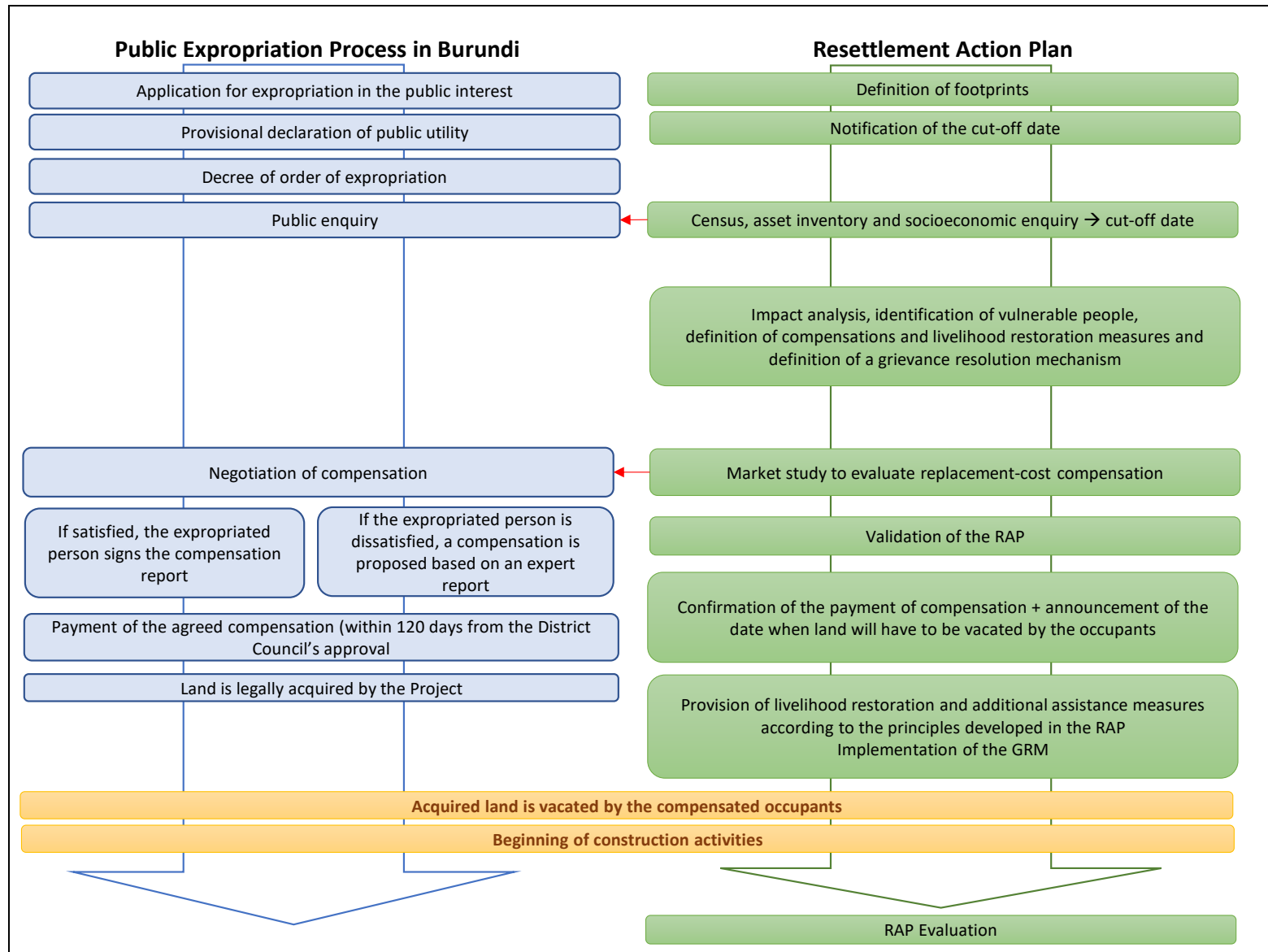


Figure 4-3 Synergies between the Legal Land Acquisition Process and the RAP Process in Burundi



5 Estimation of Potential Displacement Impacts and Profile of Potentially Affected Communities

5.1 Socioeconomic Profile of Potentially Affected Communities

This section describes the socioeconomic profile of the areas located in the areas potentially affected by the quarries.

5.1.1 Methodology

Secondary data has been used to describe the socioeconomic profile of potentially affected communities. The sources used are official statistics from the three countries, the Ruzizi HPP Main RAP (2022) and literature review.

5.1.2 Limitations

No household surveys among the Project affected persons have been carried out for this RPF as the quarries and borrow areas have not been yet selected. However, as comprehensive household surveys were carried out for the main HPP facilities in 2022 for Rwanda and DRC, the socioeconomic profile is expected to be similar for the quarries and borrow areas. Nevertheless, no field surveys were conducted in Burundi as no households were affected by the HPP components included in the Main RAP.

For this report, the presented statistical data from Burundi are based on the pre-2023 reform of the administrative divisions. No data on the new divisions is yet available. Therefore, Rukana and Rukana II which nowadays sit within the Cibitoke Commune and Bujumbura Province, are to be considered within the Rugombo Commune and Cibitoke Province.

5.1.3 Administrative Organisation

The quarries and borrow areas are located in the Sectors of Bugarama and Nzahaha in the Rusizi District in Rwanda, in the Groupements of Kamanyola and Karhongo in the Walungu territory of Sud-Kivu Province in DRC and the Rukana zone, Cibitoke Commune, Province of Bujumbura in Burundi.

In Rwanda, the District is an autonomous administrative entity responsible for the promotion of democracy and solidarity and represents a basis for development services. The Rusizi district, concerned by the Project, is divided into 18 sectors: of these, the sectors of Bugarama and Nzahaha are concerned by the quarries. Below the Sectors, the cell is an entity in charge of providing basic services through a council, an executive secretariat and development consultative committee. Cells are constituted by a council, an executive secretary and an executive committee.

In DRC, after the head of Province stands a Territory Administrator and two Territory Administration Assistants. In each Groupement, there is a Chief who nominates the Village Heads. In some areas, villages are further grouped in "Sous-Groupements". The Project is located in the Sous-groupements of Ngweshe in Kamanyola Groupement and Ishamba in Karhongo Groupement. In Sud-Kivu, the customary authorities are the most decentralised political and administrative authorities, as formalised in the law N°08/016 of 7/10/2008.



Burundi has recently been divided into five provinces, 42 communes, 451 zones, 3044 hills and districts in accordance with Article 3 of Organic Law No. 1/05 of 16 March 2023. A province is administrated by a governor and the commune by a communal administrator under the supervision of a communal council. There is a chief for each zone, neighbourhood, and hill (*colline*).

5.1.4 Demographic Profile

5.1.4.1 Rwanda

Rusizi district has 485,529 inhabitants (5th Ruzizi Census, 2022) with a population density of 871 inhabitants/km². The population in the district is eminently young: 60% of its inhabitants are under 25 years old. The Bugarama sector has 42,830 inhabitants, while the Nzahaha sector has 30,399 inhabitants. Population distribution is uneven between rural and urban areas. In the case of Bugarama, 94% of the population is in urban areas while in Nzahaha this percentage is only 15.6%. The average household size in Bugarama it is 4.6 and in Nzahaha it is 4.7.

In Rusizi District, 19.3% of the population has never attended school, while 2.0% have attended nursery, and 60.5% have attended primary school. Other education levels include 0.6% for INGOBOKA/Vocational, 8.4% for lower secondary, 6.7% for upper secondary, 2.4% for university, and 0.0% is not stated. The percentage of people who have never attended school is over 20% in both Bugarama and Nzahaha.

5.1.4.2 DRC

The total population of Sud-Kivu province is 6,565,000 with a population density of 101 inhabitants/km². The population is young, with 68% of the population under the age of 25. Forty-six per cent of the population can read and write. However, there are gender differences: while 54.7% of men are literate, only 38% of women are literate⁶.

5.1.4.3 Burundi

The population of Cibitoke province in 2023 is estimated at 747,202⁷. The population density is 457 inhabitants/km². The population of the province of Cibitoke and the commune of Rugombo is young: 42% of the inhabitants of the province are under 15 years old and 40% in the case of the commune. In both cases, 2% of the inhabitants are over 65 years. The breakdown of the population by major age groups shows that around 45% of the population are dependent.

With an average household size of 4.7 nationally, most households (70%) are headed by men, and there is no difference between urban and rural areas⁸. 37.3% of the population have no education at all. 40.4% of people aged 3 and over have completed primary education, 13.4% have completed lower secondary/fundamental education, 5% have post-basic/secondary 2nd cycle education and 1.5% have a higher level. The literacy rate, (Kirundi, French, English, Swahili or another language), is estimated at 69.4% for people aged 15 and over at national level. In Cibitoke Province the percentage is slightly lower at 68.3%.

5.1.5 Land Tenure

5.1.5.1 Rwanda

In Rwanda, the 2003 constitution revised in 2015 recognises private land ownership. Law no.43/2013 provides equal access to land without discrimination based on sex and origin, providing leases of 99 years for most agricultural land and of up to 49 years for foreigners.

⁶ Annueaires Statistique RDC 2020. <https://www.undp.org/fr/drcongo/publications/annuaire-statistique-rdc-2020>. Accessed 05/03/2024.

⁷ Projections Démographiques au Niveau Communale 2010- 2050 (February 2020). <https://www.insbu.bi/wp-content/uploads/2023/04/PROJECTIONS-COMMUNALES-020620-rapport-VF.pdf>. Accessed 04/03/2024.

⁸ Rapport de l'enquête intégrée sur les conditions de vie des ménages au Burundi (EICVMB, 2019-2020) https://www.insbu.bi/wp-content/uploads/2023/05/EICVMB_Rapport-final_Profil-et-determinants-de-la-pauvrete_2021-1.pdf. Accessed 04/03/2024.



Unwritten customary law is recognised by article 201(3), but only when it has not been replaced by a written law.

Land is formally registered through land titles. The management of these is centralised at the Cell level, where a land committee is in charge of registering land, through a process of land titling which has been systematised in 2011.

According to the collected data for the ESIA 2022, all the villages in the study area are currently in the process of giving out land titles in mass. It was estimated by local authorities that around 30% of people are still without titles. A land title can hold the name of one individual or two individuals in the case of legally wedded couples. Also in the study area, renting is the most common way of acquiring cultivable land.

5.1.5.2 DRC

Historically, in DRC small chiefdoms defined by boundaries of clans or ethnic communities, which were headed by the Mwami (the customary chief) and broken down into smaller units, each with their own customary leader. Viewed as the supreme leader, the Mwami held the power to grant inalienable property rights for some form of payment or tribute. With the advent of colonialism in 1885, the Belgian administration declared all land as a personal estate of Leopold II of Belgium, mixed with concessions reserved to Europeans only. After seizing control in 1965, Mobutu passed the 'Bakajika Law', which reclaimed state ownership on all and. Subsequently, the law of 1073 nationalised all lands fully, turning all property into concessions.

Nonetheless, land tenure in Sud Kivu is still mostly reliant on customary rights. According to these, all land belongs to the family of the chief, which has the power to give out the lands to who may want to use them, for the price of a bull or goat. Nowadays, all available land plots have been transferred: consequently, they are all individually owned and transmitted through patrilineal heritage, sale or sharecropping. Titles are not popular throughout the study area. Customary rights are either monetarised or in-cash, through a contract called Bugule: this consists of a cash or in-kind payment called Kalinzi, which results effectively in a sale. Although the size of land plots varies substantially, the average plot size owned by one household is around 0.5 hectares.

Because the land market is increasingly monetarised, a high number of people do not own any land and rely on (i) usage rights given by the family (for example, for wives who have access to the husband's lands, (ii) sharecropping arrangements and (iii) cash renting. Sharecropping, through a traditional system called Bwasa, consists of a short-term agreement where one person agrees to work on one's land in exchange for 50% of their harvest.

5.1.5.3 Burundi

Land regulation in Burundi is governed by the Land Code, a crucial law enacted by the parliament in 2011. This legislation introduces measures like land certificates and decentralized administration, limiting the power of governors to allocate state land⁹. It distinguishes between state and private land, with unused land falling under state ownership. Temporary occupation rights are granted on privately classified state land, particularly in densely populated areas where tenancy and sharecropping rates are high.

While the Land Code acknowledges customary land rights, it requires registration for legal protection, a process often hindered by complexity and cost. Consequently, informal systems like '*actes de notoriété*' hold quasi-legal status.

In rural areas, land succession or division traditionally favours male family members, disadvantaging women economically and culturally. Communal administrations increasingly mediate in formalizing land transactions and regulating state land allocation, alongside decentralized state bodies. However, these institutions face challenges in fulfilling their duties¹⁰.

⁹ <https://www.worldbank.org/en/country/burundi/publication/reforming-local-governance-in-burundi-to-improve-access-to-social-services-in-rural-communities>. Accessed on 29/02/2024

¹⁰ <https://www.landgovernance.org/wp-content/uploads/2019/09/20160608-Factsheet-Burundi.pdf>. Accessed on 29/02/2024



Burundi grapples with land scarcity due to high population density, exacerbated by land fragmentation, refugee returns, and discrepancies between formal law and practical implementation. Most Burundians rely directly on land resources for their livelihoods.

5.1.6 Economic Activities

5.1.6.1 Agriculture

The villages in the study area are predominantly dependent on subsistence agriculture. Nonetheless, cash cropping and agricultural wage labour are important sources of livelihood which households resort to when money is required for basic expenses such as security taxes, medical fees or schooling payments.

- In Rwanda, in the Western Province 70% of rural women and 87.5% of men are currently employed: respectively, 46% women and 40% men work in agriculture, 34% women and 31% men in unskilled manual labour. Around 15% of women also engage in commercial activities, as opposed to 12% of men. Although women declared being employed more frequently than their male counterparts, they are generally more likely to perform agricultural labour without being paid, either as a sharecropping agreement in exchange for food or due to the owner refusing to pay them at the end of the work: around 23% of employed women in Rwanda report not being paid for their agricultural work (RDHS, 2021). While the Nzahaha Sector is dominated by agricultural activities, Bugarama Sector has a semi-urban economy characterised by a growing proportion of the population which is involved in small businesses and artisanal commerce. According to the Pera Cell Executive, 70% of people cultivate while the remaining 30% depending on small shops. In Kabusunzu, just under half of the population is dependent on small shops rather than cultivation. These people are seen as wealthier by those that are cultivating as their only source of livelihood. In terms of crops, the only difference observed between the plain downstream of the river and the hilltops and slopes is that coffee is almost exclusively grown at higher altitudes. In the Nzahaha sector, coffee trees have been seen more frequently, whilst downstream of the Bugarama sector the cultivation of soja beans has been observed.
- In DRC, at the national level 74% of women report working. Sud Kivu is the region with the highest female employment at 77,4%, followed by Bas-Congo at 77.2% Out of these, 70% work in agriculture 75% of men report working, while men are more diversified with only 45% in agriculture and 36.3% in small commerce. In the study area, small commerce is less frequently found than in Rwanda. Instead, households are almost entirely dependent on livestock and agriculture, with an economy mostly directed towards subsistence. In DRC, maize in predominant cop cultivated in the plain around Kamanyola.
- In Burundi, the agricultural sector contributes on average 39.7 percent of GDP, employing 84 % the labour force¹¹. Burundi is reliant on subsistence rain-fed agriculture, highly exposed to erosion, and is associated with animal husbandry in stalls. Access to adequate farmland is increasingly important due to high population growth. Food insecurity and malnutrition are present, particularly among children, as shrinking and overworked household plots have become less productive. The Government has been implementing deep reforms to reorganize the coffee sector to support exports, including centralizing coffee sales and nationalizing part of the exports process (IMF, 2022).

All across the study area, bananas are suffering from an illness called kirabiragna, which has been around since 2015. Although bananas are still cultivated in the reservoir area and along the river, they are almost not at all present on the riverside in the Bugarama sector in Rwanda, due not only to the illness but also to the less appropriate soil.

On the riverside, market gardening is practiced all year round, especially tomatoes and aubergines are cultivated and then easily sold for a higher amount of money than most other crops.

¹¹ IMF, 2022, Burundi Selected Series. <https://doi.org/10.5089/9798400219238.002>



Although seasonal, income from rice cultivation is an important source of livelihood.

The most common type of commercial agriculture across the study area consists of small-scale selling of agricultural produce.

5.1.6.2 Artisanal Activities and Small Commerce

Small commerce is limited. Apart from the main villages, where some small shops and agricultural processing activities have been identified, very small artisanal activities are infrequently taking place within the villages. These activities usually consist of small kiosks selling products or small shops.

5.1.7 Ecosystem Resources

No households in Rwanda hunt according to the Main RAP survey results. In the DRC, few households hunt monkeys and antelope, while the majority of the hunters are hunting small game.

Firewood is the main source of cooking fuel in the area according to the Main RAP surveys. When charcoal is collected, it is collected alongside firewood, although women-headed households are less likely to collect charcoal.

Collecting medicinal plants from scattered bushes around villages is a widespread practice in all of the villages where households will be physically and economically displaced.

Fishing is practiced all throughout the area according to the Main RAP surveys, although it is not a primary activity for any of the households engaged according to the surveyed households. Fishing is an activity exclusively practiced by men and does not represent an important source of livelihood compared to agriculture.

Two areas with commercial fish farming activities were identified by the Main RAP. In Rwanda, in the village of Gatebe (Bugarama Sector), one fishfarming company is farming tilapias for the local market on a small scale, with one pond only. In DRC, on the riverside of Kayenge, close to the confluence with the Ruhwa River, there are several fish farming ponds directly alimented by the Ruzizi.

5.1.8 Health

Overall, the study area has little access to basic health facilities.

- Although in Rwanda the health worker system allows people to have access to medicine and medical advice when needed, the health centres are still badly equipped and suffering from various infrastructural and human resources constraints.
- In DRC, the health centres are in much worse-off conditions and have extremely low capacity for hospitalisation and treatment. Nevertheless, according to the quantitative survey, 40% of Rwandan and 65% of Congolese surveyed households visited a healthcare facility in the past 12 months.
- In Burundi, 33.7% of *collines* have a public health facility, 18% have a private health facility and 39.4% have a pharmacy.

Malaria has been reported as a considerably frequent illness in the three countries, with a particularly high incidence in DRC where 93% of households have had malaria in the two years preceding the survey, as opposed to 69% of households in Rwanda. In Burundi fever/malaria is the most frequent pathology prevalent at national level, with an estimated prevalence of 50.5%, followed by coughs colds and flu (11.5%) and intestinal diseases (6.7%) (EICVMB, 2019-2020).

Following malaria, the two illnesses which have been reported with the highest incidence in the three months preceding the survey are diarrhoea and respiratory infections.

Diarrhoea is particularly frequent in children, for whom it is still a major cause of death even though the condition can be treated with oral rehydration therapy. This illness is mostly caused



by the consumption of contaminated water and to unhygienic practices in food preparation and disposal of excreta.

In the three countries, STDs and HIV as major challenges.

- In Rwanda, in the western province, 64% of women and 62% of men reported going to a clinic to receive treatment, although only 0.9% of women reported having more than 2 partners in the past 12 months, as opposed to 6.2% of men. Awareness and education about sexual health is still low: in the Rusizi District, only around 4.9% of people use condoms (NISR, 2021). Adult aged 15 to 49 HIV prevalence rate in Rwanda is 2.3 (UNAIDS, 2022).
- Adult aged 15 to 49 HIV prevalence rate in DRC is 0.6 (UNAIDS, 2022) Based on national statistics in DRC, women seem slightly more likely to seek treatment for STDs than men, although men are often more exposed than women.
- In Burundi, adult aged 15 to 49 HIV prevalence rate is 0.9 (UNAIDS, 2022). Of note that among both girls and boys aged 15 to 19, comprehensive knowledge of HIV is lower than in other age groups; 53% of young women and 56% of young men have of young men have complete knowledge of HIV. Nearly 44.7% of young women aged 15 to 24 have been tested for HIV in their lifetime, compared with 28% of young men. The difference in HIV testing rates between girls and boys is largely due to the fact that young women who are pregnant or who have already had a child have all been tested for HIV (EDS 2016-2017).

5.1.9 Uses of Ruzizi Water

5.2.9.1 Domestic Uses

According to the Rwanda Demographic Health Survey 2020, in Rwanda 80% of households nation-wide have access to an improved water source, with urban households having a much better access (96%) than rural (77%). In DRC, the proportion of households using safe drinking water increased from 46% in 2007 to 49% in 2013. In rural areas, this proportion went from 24% to 32%, while in urban areas it went from 80% to 85% (Ministry of Health, 2014). According to the Main RAP household surveys, DRC and Rwanda utilise the water from the river daily, as a cultural and economic resource considered crucial to local livelihoods. Households regularly use the river for drinking, bathing, collecting cooking water, preparing manioc on the riverside, washing clothes and praying on the riverbanks.

In Burundi almost 83% of households have access to an improved drinking water supply. Living in an urban area makes a very big difference to whether they have an improved source of drinking water supply: urban households are 3.43 times more likely to have access to an improved drinking water source than rural households.¹²

5.2.9.2 Use of Ruzizi Water for Irrigation

Water from the Ruzizi is used extensively for irrigation, especially households that cultivate on fields on the riverbanks. In Rwanda irrigation is a more frequent practice, which may be due to the higher frequency of vegetable cultivation on the Rwandan side of the river. In Rwanda, 71% of surveyed households reported using water from the Ruzizi for irrigating their fields. Cultivation of tomatoes is a high-income generating crop and is mostly cultivated during the dry season and requires irrigation. In DRC, 27% of households use water from the Ruzizi for irrigation.

According to the Main RAP data, it is more common to irrigate in Rwanda than it is in DRC. In Nachirongwe, only 36% of households cultivating a riverside plot reported irrigating with buckets from the Ruzizi. In Nyagahanga, 62% of households who own riverside plots reported using buckets to irrigate from the Ruzizi, while another 20% uses water pumps.

¹² Analyse secondaire des données de l'enquête démographique et de santé du Burundi (EDS 2016-2017). Rapport de synthèse (January 2019). https://www.insbu.bi/wp-content/uploads/2023/05/EDSB-III_Rapport-Synthese_Analyse-secondaire-2.pdf. Accessed 04/03/2024.



5.1.10 Access to Banking System

According to the Main RAP household survey results, banking institutions are not very frequent. For DRC, no national data is available on bank ownership, but surveys revealed that apart from the bigger cities of Kamanyola and Bukavu, people do not rely on banks for their savings. In Rwanda, Ruzizi district has one of the lowest rates of bank account ownership.

Main RAP results also revealed that owning a bank account is more common in Rwanda than it is DRC, with very similar rates for women-headed and male-headed households. Instead, having loans with micro-credit organisation is a lot less frequent, especially for women-headed households, in both countries but in particular in DRC.

In Burundi, the level of financial inclusion in Burundi is lower than the sub-regional average. Only 3.7% of the adult population had access to a bank account in a traditional banking institution, while more than 23% of the population used formal or informal non-banking institutions. 73.3% of the population was completely excluded from the financial system¹³.

5.1.11 Basic Infrastructure

5.1.11.1 Schools

In Rwanda, school infrastructure is better than in DRC with all observed schools built in bricks with windows, but the study area is equally lacking in terms of number of schools. Out of 8 villages, only 5 are covered by one school, of which only one is secondary.

In DRC, most of the study area is not covered by schools. Out of 9 villages, only 5 are covered by one or two schools with Kayenge having 4 schools, for a total of 9 schools. Most of these schools are primary only and only 2 offer secondary education as well (See Figure 8 93) According to observations carried out on field, all of the schools are badly equipped and have insufficient infrastructure. In particular, the primary school of Nachirongwe only has 6 classes to accommodate children from various villages in Ishamba. Two more classes have been created to study in the CELPA Sinai Church, which has offered its premises for learning.

Overall, in Burundi 87.0% of hills or districts have a public primary school and only 6.7% have a private primary school. 40.1% of all hills have a public post-basic school, while only while only 6.9% of hills have a private post-basic school¹⁴.

5.1.11.2 Sanitation and Waste Management

In Rwanda, only 69% of rural households nationwide have access to improved sanitation facilities, of which 69% in rural areas (RDHS, 2015). In western province, 74.6% of people use an improved sanitation facility, whilst 2.5% of people still practices open defecation. In DRC, the proportion of households that use an improved sanitary installation is lower, at 17% of rural households overall (Ministry of Health, 2014). In Burundi, 39.4% of households use improved toilets (EDS 2016-2017).

In the three countries, most households had an external latrine, which can be either individual or more frequently shared between multiple houses.

5.1.11.3 Source of Energy for Lighting and Cooking

According to the Main RAP, most people cook with firewood due to the high cost of charcoal, while no one reported cooking with gas. When collected, charcoal is often sold, rather than used for cooking. As for lighting, lack of electricity or bad electrification is a widespread issue.

¹³ Source: Financial Inclusion and Household Welfare in Burundi: What are the Gender Dynamics?, AERC Working Paper IF-001, 2022. <https://publication.aercafricalibrary.org/server/api/core/bitstreams/2c457b27-823d-4dfd-8b76-f151f6da35c2/content#:~:text=A%20survey%20on%20financial%20inclusion,or%20informal%20non%2Dbanking%20institutions>. Accessed 04/03/2024

¹⁴ Source: https://www.insbu.bi/wp-content/uploads/2023/05/EICVMB_Rapport-final_Profil-et-determinants-de-la-pauvrete_2021-1.pdf. Accessed 04/03/2024



In Rwanda, In the Pera Cell, the Executive Secretary reported that 8 in 12 villages have almost no electricity. All of the other villages also reported having very bad electricity in some houses and no electricity at all in most houses. On the national level, only around 46% of households have electricity on average, with 37% in rural areas and 86% in urban areas (NISR, 2021). Amongst the households interviewed during the quantitative survey, 70% declared they had access to electricity (87% in Bugarama Sector and 63% in Nzahaha Sector).

In DRC, only 14% of households have electricity in their residence. Although 42% of urban areas are electrified, 99.6% of rural areas are not (Ministry of Health, 2014). None of the villages in the study area in DRC are electrified. Amongst the households interviewed during the quantitative survey, 11% declared they had access to electricity (18% in Kamanyola Groupement and 4% in Karhongo Groupement).

Seventy percent of Rwandan surveyed households are electrified, as opposed to only 11% of Congolese surveyed households. The main sources of lighting used by households in Burundi are: battery/torch lamp (67.2%), solar panel (11.4%) and electricity grid (9.1%).

5.1.12 Gender

Rwanda, DRC and Burundi present a significantly different picture when it comes to gender empowerment and discrimination as observed on a national level.

- In 2023, Rwanda ranked 103rd in the world on the Women Peace and Security Index. Rwanda was also listed 12th in the world by the Global Gender Gap Index of 2020. However, the gender-based policies developed by the Rwandan government have often been result-oriented and quantitative in nature, failing instead to address deeply ingrained societal norms and power structures within which gender inequalities are embedded (Debusscher, P. and Ansoms, A., 2013).
- DRC scored 174th out of 170 countries on the Women Peace and Security Index of 2023, gaining the worst score for gender-based violence (GIWPS, 2021). DRC was also listed 140th out of 146 countries in the Global Gender Gap Index of 2020.
- Burundi ranked 172nd on the WPS of 2023. Burundi was listed 35th in the world by the Global Gender Gap Index of 2023.

Across the villages affected by the Project Land Acquisition for the Main RAP, women are not only suffering from a limited access to secure land tenure and having to balance domestic tasks with the work on the fields, but they are also struggling to gain control over their income and develop bargaining power in domestic decisions and economic transactions. While women may officially have access to the same opportunities and resources as men, gender-based focus groups have revealed that women are constrained in their ability to control their access to and use of tools and resources to improve their livelihoods. It is expected that a similar situation is found in the quarries and borrow areas.

5.1.13 Vulnerable Groups

According to the information gathered in the Main RAP, the Project selected the following five categories of vulnerability amongst the physically and economically displaced population:

- Women-headed households, defined as any household headed by a woman.
- Elder-headed households, defined as any household headed by a person over 65 years old living without any 18 to 64-year-old non-disabled household member.
- Disabled-headed households, defined as any household headed by a mentally or physically disabled person living without any 18 to 64-year-old non-disabled household member.
- Landless households, defined as any household without any land title, customary ownership right or customary usage right over the land plots cultivated by the household members (relying solely on sharecropping and renting).
- Historically Marginalised Households, defined as households including at least one person from the Historically Marginalised (Rwanda) / Batwa (DRC) Community.



Although these criteria are useful to identify households that are likely to be less resilient in the face of physical resettlement or economic displacement, it is important to note that the whole surveyed population is struggling with widespread poverty and insufficient cash-producing opportunities. Depending on the results of the Quarries RAP this list might be adjusted.

5.2 Estimated Potential Displacement Impacts

5.2.1 Approach

The next paragraphs present an estimation of the maximum potential involuntary displacement impacts which may be induced by land acquisition and land use restrictions caused by the borrow areas. The approach followed is conservative: it assumes all quarries pre-identified will be used for the project. Hence, the estimate provided outlines the *potential maximum impacts*. As indicated in section 0, the Project will avoid or minimise impacts as much as possible when selecting the quarries.

The estimate of the maximum number of potentially displaced households and persons has been established based on satellite imagery, the Main RAP results and the available information on population in the quarries area. The assumptions used for this estimate are outlined in Table 5-1 below.

Table 5-1 Working Assumptions for Impact Analysis

Impact / Item	Working Assumption	Source
Number of Quarries used by the Project	> As a conservative approach, it is assumed all quarries pre-identified will be used. Hence, the estimate provides the potential maximum order of magnitude of displacement impacts	N/A
Existing quarries	> It is assumed that land acquisition will be required for the extension of existing quarries except for Binyange in Burundi (6 ha)	N/A
Quarries and borrow areas surface	> For sites where the surface is unknown: the working hypothesis is 8 hectares needed per quarry/borrow area > Total footprint: 146 ha	> Based on proposed sites where surface is available at this stage ¹⁵ > Total footprint: available data + assumption of 8 ha average per quarry and borrow site without known surface
Physical displacement - demographics	> Average size of households: 8 members > It is assumed that all physically displaced households are also economically displaced	> Household average size: Main RAP results ¹⁶
Physical displacement – number of PAPs	> Number of households affected (estimate) is based on the satellite imagery	N/A
Economic Displacement – number of PAPs	> Average of 10 households (80 people) per one hectare affected only by economic displacement (estimate) > For Ruvubu River the estimate of affected households is 10 households per the available satellite imagery	> Based on the available data from the Main RAP ¹⁷ and satellite imagery
Economic Displacement – average size of owned landplots	> The average size of owned landplots is estimated at 1.43 ha.	> Based on the available data from the Main RAP ¹⁸

¹⁵ Information on quarries and borrow areas surface has been provided for Lower Nyarubare (1.3 ha), Upper Nyarubare (2.5 ha), Ruvubu River (25 ha), Rukana I (3 ha), Rukana II (11 ha), Binyange (6 ha). Average: 8 ha.

¹⁶ Source: Average size of the households in Rwanda (7) and DRC (9) per the Ruzizi HPP Main RAP.

¹⁷ There are 2,099 households economically displaced only for footprint of 207 ha per Ruzizi HPP Main RAP.

¹⁸ Average size of landplots for Rwanda (1.01 ha) and DRC (1.85 ha) per the Ruzizi HPP Main RAP.



Impact / Item	Working Assumption	Source
	> It has been assumed that all affected households (physically and economically affected) lose 1 land plot	
Economic Displacement – households by type of land rights	<ul style="list-style-type: none"> > 55% of households losing land as landowners > 41% of households losing land as Tenants/Sharecroppers > 3% of households losing plots as owners and plots as tenants. 	> Based on the available data from the Main RAP
Economic Displacement – non-residential structure losses	> Non-residential structures lost	> Based on the available data from the Main RAP ¹⁹
Economic Displacement – agriculture losses	<ul style="list-style-type: none"> > 73% of households losing annual crops (average 0.08 ha of area lost per household), > 60% of households losing perennial crops (average 180 ha of area lost per household), > 72% of households losing fruit trees (average 104 ha of area lost per household) > 61% of households losing medicinal trees (average 76 ha of area lost per household) and > 42% of households losing timer trees (average 191 ha lost per household). 	> Based on the available data from the Main RAP

The Table 5-2 below outlines the list of quarries and borrow sites per type of displacement and brief description of the impacted assets.

Table 5-2 Summary of impact analysis of quarries and borrow sites per type of displacement

Country	Site	Surface (ha)*	Description	Type of displacement
DRC	Bwegera	TBD	Houses, crops, trees	Physical + Economic
	Kirindangumi	TBD	Crops, trees	Economic only
	Ruvubu River	25	Existing quarry, forest, trees, crops	Economic only
	Lower Nyarubare	1.3	Existing quarry and forest	Economic only
	Upper Nyarubare	2.5	Existing quarry, forest, trees, crops	Economic only
	Mt. Rubona	TBD	Crops and trees	Economic only
Rwanda	Ntangara River	TBD	Houses, crops, trees	Physical + Economic
	Kirimbi River	TBD	Houses, crops, trees	Physical + Economic
	Kirimbi Delta	TBD	Crops	Economic only
	Kigoya River	TBD	Houses, crops, trees	Physical + Economic
	Karundura River	TBD	Houses, crops, trees	Physical + Economic
	Gihungwe	TBD	Existing quarry, crops, trees	Economic only
	Quartzite APD	TBD	Crops and trees	Economic only
	Gishoma Power Plant	TBD	Crops, trees, access road	Economic only
	Coline Butambamo	TBD	Crops, trees, access road	Economic only
	Nyagahand	TBD	Crops, trees, access road	Economic only
Burundi	Rukana II	3	Existing quarry, crops, trees	Economic only
	Rukana I	11	Existing quarry, crops, trees	Economic only
	Binyange	6	Existing quarry of 6 ha	N/A

(*) For surface marked as TBD the assumption considered in this RPF is 8 ha.

¹⁹ Each economically affected household loses in average at least 0.03 non-residential structures per the Ruzizi HPP Main RAP and 2.7% of affected households lose a non-residential structure.



5.2.2 Estimated Maximum Potential Physical Displacement

Physically displaced people are defined as people who will lose the residential structure (house) where they are residing in on a permanent basis. Per the preliminary analysis of the available data, it is expected that people physically displaced (loss of permanent residential structure) will be also displaced economically (loss of crops, trees and other assets). This will be further explored during the census, inventory of assets and household survey to be carried out for the Quarries RAP.

The economic losses (land, trees, crops and other assets) are explored under Section 5.2.3 on Economic Displacement.

Table 5-3 Estimate of Maximum Number of Potentially Physically Displaced Households

Country	Site	Surface (ha)	Nb. of people	Nb. of households
DRC	Bwegera	8	184	23
Rwanda	Ntangara River	8	64	8
	Kirimbi River	8	72	9
	Kigoya River	8	56	7
	Karundura River	8	112	14
Burundi	No site where physical displacement is anticipated	-	0	0
Total maximum number of people physical displaced		Up to 40	Up to 488	Up to 61

Up to about 61 households could potentially affected by simultaneous physical and economic displacement (equivalent to up to about 488 household members). Most of them (about 38) are in Rwanda and about 23 are in DRC. It is not expected that physical displacement would take place in Burundi as per the available information and the working assumptions.

5.2.3 Estimated Maximum Potential Economic Displacement

Economically displaced households are those affected by loss of, or loss of access to, land and assets, potentially resulting in a loss of income sources or other means of livelihood²⁰. As indicated in Table 5-4, there are 758 households potentially affected only by economic displacement (6,064 persons), 490 are in Rwanda, 140 in Burundi and 128 in DRC.

Table 5-4 Estimate of Potential Maximum Number of Households Affected by Economic Displacement

Country	Site	Surface (ha)	Nb. of people	Nb. of HH
DRC	Kirindangumi	8	640	80
	Ruvubu River	25	80	10
	Lower Nyarubare	1.3	104	13
	Upper Nyarubare	2.5	200	25
	Mt. Rubona	8	640	80
Rwanda	Kirimbi Delta	8	640	80
	Gihungwe	1	80	10
	Quartzite APD	8	640	80
	Gishoma Power Plant	8	640	80
	Coline Butambamo	8	640	80
	Nyagahand	8	640	80
Burundi	Rukana II	11	880	110

²⁰ The term "livelihood" refers to the full range of means that individuals, families, and communities utilize to make a living, such as wage-based income, agriculture, fishing, foraging, other natural resource-based livelihoods, petty trade, and bartering.



Country	Site	Surface (ha)	Nb. of people	Nb. of HH
	Rukana I	3	240	30
	Binyange	6	-	-
Total maximum number of people economically displaced		Up to 105.8	Up to 6,064	Up to 758

5.2.4 Cultural Heritage

Per the available information, it is expected that the quarries and borrow sites do not affect cultural heritage. This should be further explored by the census and inventory of assets for the Quarries RAP.

5.2.5 Impact on Public or Communal Infrastructures and Services

Per the available information, it is expected that the quarries and borrow sites do not affect any public or communal infrastructure. This should be further explored by the census and inventory of assets for the Quarries RAP.

5.2.6 Impact on Businesses

Per the available information, it is expected that the quarries and borrow sites do not affect any shop or petty business. This should be further explored by the census and inventory of assets for the Quarries RAP.

5.2.7 Loss of or Restriction of Access to Natural Resources

Overall, it is not anticipated that the Project land acquisition process will restrict local communities' access to natural resources. This should be further explored by the census, household survey and inventory of assets for the Quarries RAP.

5.2.8 Assessment of Potential Impacts Severity

5.2.8.1 Physical Displacement

Physically displaced households will lose their house. They will have to find a new plot to build a replacement house.

Most physically displaced households are likely to rely on crop farming as their main means of subsistence and are likely to be significantly affected by the loss of productive land.

5.2.8.2 Economic Displacement

The significance of the economic displacement impacts experienced by the households can be assessed based on the temporality and the magnitude of the impacts. The temporality depends on whether the loss of land is permanent or temporary. The magnitude depends on the amount of productive land lost. In the case of quarries and borrow sites it is expected that the impact linked to the materials extraction will take place only during construction. However, land acquisition will be permanent.

Therefore, households affected by quarries and borrow sites affected permanently by the loss of land.

For the purpose of this RPF, the preliminary estimate of permanent loss of land for the quarries and borrow areas is 146 ha. Nevertheless, it is expected that the final surface of land loss will be presented in the Quarries RAP.



6 Eligibility and Entitlements

6.1 Eligibility

6.1.1 Eligibility Criteria

The Lenders' policies define three categories of people eligible to compensation and/or livelihood restoration measures:

- People with formal legal rights to land lost in its entirety or in part.
- People who lost the land they occupy or use in its entirety or in part who have no formal legal rights to such land, but who have claims to such lands that are recognized or recognizable under national laws.
- People who lost the land they occupy in its entirety or in part who have neither formal legal rights nor recognized or recognizable claims to such land.

These 3 categories of people are considered either of the following:

- Physically displaced if they lose their pre-Project home, defined as place of permanent residence.
- Economically displaced if they lose assets or access to assets, leading to loss of income sources or other means of livelihood as a result of Project-related land acquisition and/or restrictions on land use.

The categories of affected people and potentially eligible to RAP entitlements are presented in Table 6-1. It is important to note that one individual can stand in several distinct categories. For example, one person can lose crops, a home and be a member of a vulnerable household.

Table 6-1 Categories of People Potentially Affected by the Project Land Acquisition Process

Categories of Affected People	Description
Landowners with formal legal rights and/or persons having a recognized or recognizable right to the land	Landowners with a legal land title
	Landowners with recognized customary right
Tenants	Tenants renting in cash
	Sharecroppers
Land users without recognisable right	Persons using land for which they have no recognised or recognisable ownership right.
Residents of house (permanent residents)	Persons who will lose their home (defined as permanent residence)
Owners of non -residential structures	Persons owning any affected non-residential structure (ancillary structures, barns, fences, abandoned/derelect houses)
Owners of annual and perennial crops and productive trees	Those owning affected perennial crops or productive trees. Arrangements may be established between tenants /sharecropper and the landowners to share the harvest. in this case, the ownership is divided between them;
Tenants of houses	Persons renting a house (either formally or informally)
People whose livelihoods are affected	People for whose loss of assets causes a loss of income and/or means of livelihood
Custodians of affected cultural heritage elements	People owning or being custodians of affected cultural heritage such as graves or churches
Affected business owners	Business owners who are losing their mean of business (shop, or other structure)
Employees of business owners	Employees of affected business owners who will lose their salary and/or job



Categories of Affected People	Description
Vulnerable households	Households affected, from one of the categories above, with at least one of the following vulnerability criteria: <ul style="list-style-type: none"> > Women-headed households, defined as any household headed by a woman. > Elder-headed households, defined as any household headed by a person over 65 years old living without any 18 to 64-year-old non-disabled household member. > Disabled-headed households, defined as any household headed by a mentally or physically disabled person living without any 18 to 64-year-old non-disabled household member. > Landless households, defined as any household without any land title, customary ownership right or customary usage right over the land plots cultivated by the household members (relying solely on sharecropping and renting). > Historically Marginalised Households, defined as households including at least one person from the Historically Marginalised (Rwanda) / Batwa (DRC) Community

6.1.2 Cut-off Date

A cut-off date for determining eligibility for compensation or other assistance is intended to help prevent encroachment by opportunistic settlers. It is most effective when it is well communicated, documented, and disseminated, including by providing clear demarcation of areas designated for resettlement. Individuals taking up residence in, or use of, the project area after the cut-off date are not eligible for compensation or resettlement assistance.

According to the Congolese legal framework, the cut-off date is the date on which the public enquiry is launched²¹. According to the Rwandan legislation, it is the start of the land survey and asset inventory²². According to Burundi legal framework, the date of the closing of the public enquiry is the cut-off date²³.

These milestones are part of the legal expropriation process. In compliance with the legal framework and Lenders' standards, the cut-off date will correspond to the first day of the asset inventory. Any person who occupies surveyed land after the first day of the update will not be counted. The cut-off date will be announced by REL during public meetings with affected people, which will be carried out two weeks before the start of the asset inventory update.

The cut-off date shall be valid for a 2-year period. If compensations are not paid within this period, the preliminary census, asset inventory, socioeconomic baseline and valuation will be updated.

6.2 Entitlements

Table 6-2 below presents the entitlement matrix. The following paragraphs expand on specific assistance measures.

6.2.1 Acquisition of Orphan Lands

Orphan lands are unacquired parts of land parcels which are left unusable or undevelopable (either temporarily or permanently) as a result of the Project. When residual non-affected sections of a plot become inaccessible, unusable or economically unviable after acquisition, the totality of the affected land plot will be acquired if the owner so wishes. A residual land plot will be considered unusable or economically unviable when its size (too small), shape or topography are such that the remainder cannot be cultivated or physically accessed, and/or the existing

²¹ Land Law no. 73-081 of 20/07/1973 and Expropriation Law no. 77-001 of 22/02/1977

²² Law no. 32/2015 on expropriation

²³ Law 1/13 of August 9, 2011 (Land Code)



activities that were conducted on the entire land plot cannot be continued after the land acquisition.

6.2.2 Livelihood Restoration

Livelihood restoration support will be offered to all affected households, as defined in Section 9. A transitional assistance will be provided as part of the livelihood restoration activities.

6.2.3 Assistance to vulnerable households

Households identified as vulnerable will receive specific assistance measures as defined in section 9.2.6.

6.2.4 Gender

A number of measures are defined to address the gender biases and the imbalances in the gender relationships in the Project area. They are presented in the next sections. They are summarised here for the reader's convenience:

- To compensate the loss of houses, the Project will offer a choice between in-kind replacement housing and cash compensation. An architect will develop standard houses. Women physically displaced will be consulted to ensure the houses to be constructed address their specific needs and constraints (see section 7.1.2.1A).
- The Project will ensure that both spouses are informed of the households entitlements, compensation amount and payment process during individual meetings. Compensation agreements will be issued in the names of both spouses or heads of household whenever legally possible. Whenever needed, assistance will be provided to open bank accounts under the name of husband and wife. (see section 7.2.4).
- Training on the sustainable management of received compensation will be provided to affected households. This training will include women-only sessions, as well as sessions where both spouses will participate together (see section 9.2.3.2).
- Gender-specific measures are defined for the consultation of affected households during the preparation and implementation of the RAP (see Section 12).



Table 6-2 – Preliminary Entitlement Matrix

Type of impact	Eligible Party		Entitlements			
			Compensation in Cash	OR	Compensation in Kind	Livelihood Restoration
Loss of land	Landowners with recognisable rights	Landowners with legal title	<p>Compensation at full replacement cost (including transaction cost)</p> <p>When a land plot is only partially lost, the landowner will have the possibility to request the Project to acquire the entirety of the land plot if the remaining part is not economically viable (to be decided on a case-by-case approach)</p>	OR	<p>No land-for-land compensation, as this option is not deemed feasible considering the lack of available land in the Project area.</p> <p>However, it must be noted that the Resettlement Committees have expressed the preference for cash compensation over in-kind compensation for land.</p> <p>When a land plot is only partially lost, the landowner will have the possibility to request the Project to acquire the entirety of the land plot if the remaining part is not economically viable (to be decided on a case-by-case approach)</p>	<p>Disturbance allowance (5% of total cash compensation amount)</p> <p>Training for management of compensation</p> <p>Support to obtain a land title</p> <p>Transitional assistance</p>
		Landowners with customary rights	Same as above		Same as above	Same as above
Loss of access to land	Tenant of rented land (Tenants renting in cash)		<p>No compensation for land</p> <p>Advance notice to vacate the land</p> <p>Compensation for unexpired portion of the lease for the land lost</p> <p>Crops, trees and structures compensated as per the entitlements below.</p>	OR	Non applicable	See measures for loss of structures, crops and trees below
	Sharecroppers		<p>No compensation for land</p> <p>Advance notice to vacate the land</p> <p>Crops, trees and structures compensated as per the entitlements below.</p>	OR	Non applicable	See measures for loss of structures, crops and trees below
	Land users without recognisable rights		<p>No compensation for land.</p> <p>Crops, trees and structures compensated as per the entitlements below.</p> <p>Advance notice to vacate the land</p>	OR	Non applicable	See measures for loss of structures, crops and trees below
Loss of residential structure	House owner (including titled owners and informal land users)		<p>Compensation at full replacement cost, at least be sufficient to enable purchase or construction of housing of similar or better standing and quality that the house lost, and as a minimum, of housing that meets acceptable minimum community standards of quality and safety.</p> <p>Right to salvage materials before the land is vacated</p>	OR	<p>Replacement house reconstructed by the Project of housing of similar or better standing and quality that the house lost, and as a minimum, of housing that meets acceptable minimum community standards of quality and safety.</p> <p>Right to salvage materials before the land is vacated</p>	<p>Resettlement assistance and moving allowance</p> <p>Disturbance allowance (5% of total cash compensation amount)</p> <p>Training for management of compensation</p> <p>Support to obtain a land title</p>



Type of impact	Eligible Party	Entitlements		
		Compensation in Cash	OR Compensation in Kind	Livelihood Restoration
	Tenant of affected house	No compensation for the structure Advance notice to vacate the house	No compensation for the structure Advance notice to vacate the house	Allowance for house tenants (3 months of rent)
Loss of uninhabited structure, such as businesses and/or ancillary structures not used as housing (foundations, uncompleted buildings)	Structure owner	Compensation at full replacement cost Right to salvage materials before displacement occurs	No compensation in kind	Disturbance allowance (5% of total cash compensation amount) Training for Management of Compensation
Loss of annual crops, perennial crops and trees	Landowner cultivating/owning crops and trees	Compensation at full replacement cost 3 months advance notice to vacate the land and right to harvest the crops before the date the land shall be vacated Compensation at full replacement cost for improvements on the land made by the landowner	No compensation in kind 3 months advance notice to vacate the land and right to harvest the crops before the date the land shall be vacated	Disturbance allowance (5% of total cash compensation amount) Training for Management of Compensation Household-level Livelihood Restoration Measures (see section 9.2) Transitional assistance
	Tenants or sharecroppers cultivating/owning crops and trees	Compensation at full replacement cost, allocation of compensation according to the arrangement (formal contract or informal arrangement) between the landowner and the tenant or sharecropper. 3 months advance notice to vacate the land and right to harvest the crops before the date the land shall be vacated Compensation at full replacement cost for improvements on the land made by the tenant/sharecroppers	No compensation in kind 3 months advance notice to vacate the land and right to harvest the crops before the date the land shall be vacated	Disturbance allowance (5% of total cash compensation amount) Training for Management of Compensation Household-level Livelihood Restoration Measures (see section 9.2) Transitional assistance
Loss of Grave	Grave rightsholder / custodian	Compensation to cover the costs for grave relocation or loss of grave (lump sum)	Option will be offered to the affected households to have Project moving the grave at a new location chosen by the household	Not applicable



Type of impact	Eligible Party	Entitlements		
		Compensation in Cash	OR Compensation in Kind	Livelihood Restoration
Loss of beehives and / or fish ponds	Beehives and fishponds owners	Compensation at full replacement cost	No compensation in kind	Disturbance allowance (5% of total cash compensation amount) Household-level Livelihood Restoration Measures (see section 9.2) Training for Management of Compensation Transitional assistance
Loss of business (no case identified so far)	Business owners (no case identified so far)	In addition to the compensation for the loss of land, structures and/or crops/trees, compensation for the loss of income for the time required to re-establish the business To be decided on a case-by-case basis, based on the average net income for the past year, with a minimum 3-month income, and a maximum of 1-year income.	No compensation in kind	Training for Management of Compensation
Loss of income due to loss of employment (no case identified so far)	Employees or regular workers of the businesses (no case identified so far)	One time allowance equivalent to 3 months minimum wage income	No compensation in kind	Training for Management of Compensation
All impacts	Vulnerable households	Compensation for the loss of land and/or assets (structures, trees, crops) as defined above		Specific livelihood restoration activities for vulnerable households (see section 9.2.7)
	All economically and physically displaced households	Compensation for the loss of land and/or assets (structures, trees, crops) as defined above		Livelihood Restoration Programme (see section 9)
<p>Note: Entitlements are presented by category of loss and category of affected person. One affected household may qualify for entitlement in more than one category (for example, one household may lose one land plots they own, and at the same time losing access to another land plot they are renting, while losing trees and crops on both land plots. Some households are physically displaced and losing agricultural land at the same time).</p> <p>Affected households are only eligible one time for each category of livelihood restoration measure. For example, they will be eligible to one Training for Management of Compensation and one set of Household-level Livelihood Restoration Measures (see section 9.2), even if they are losing one land plot they own and cultivate, one other land plot they are renting and the crops they own on these 2 land plots.</p>				



7 Valuation and Compensation

7.1 Valuation and Compensation Rates

According to the World Bank's E&S Standard 5, all property must be compensated at full replacement cost, which is defined as the amount of money sufficient to replace all lost assets at current market value, plus transaction costs associated with asset replacement, without taking into account depreciation of any lost assets.

The following section outlines the methodology used to determine the amount of compensation for land, structures, crops and trees, and graves.

7.1.1 Compensation for Land

7.1.1.1 Full Replacement Cost as the Basis for Compensation for Land

Based on information gathered during the 2022 ESIA studies, it was decided to propose compensation in cash rather than in kind. This is due to (i) a preference of the affected people expressed during individual interviews and by deliberation of the resettlement committees and (ii) a lack of suitable alternative plots in the Project area.

7.1.1.2 Methodology for DRC

In DRC, Inter-ministerial Orders N° 0181/CAB/MIN/AFF.FONC and N° 139/CAB/MIN/FINANCES/2021, establish an official list, or *Mercuriale*, as national standard to fix of the values of real estate expertise and evaluation. This list refers exclusively to the calculation of land and real estate appraisal values, classified by province in terms of use, zoning, category and type of construction in. The last *Mercuriale* was updated on 27th September 2021 and provides a lowest, average and highest rate per square meter in each commune of each province of DRC. The methodology for the definition of prices by the *Mercuriale* is not specified.

It is important to note that the land rates provided in the *Mercuriale* do not provide a price at village level, but only at the level of Kamanyola, and for the Ngweshe Chefferie (in which Karhongo Groupement sits). To consider the situation at the village level, the Project carried out a market study to take into consideration the following factors:

- Location of property.
- Accessibility and access to public transport.
- Population density.
- Topography.
- Land use, existing and proposed.
- Proximity to amenities and infrastructures.
- Proximity to water bodies.

The following stakeholders will be engaged during the market study:

- PAP Committee Members.
- Heads of Groupements and Heads of Villages.
- Representatives of Church and Civil Society.
- Local Sellers.
- Local Environmental Service.
- Local Urban Planning and Household.
- Local Cadastral Service.
- Local Agronomist.



- Provincial Ministry of Agriculture.
- Provincial Ministry of Environment.
- Provincial Ministry of Urban Planning and Housing.
- Provincial Ministry of Cadastral Service.

The information provided by the sources above will be compared with the prices listed on the following official documents:

- Inter-ministerial orders n° 140/CAB/MIN/AFF.FONC and 247 CAB /MIN /FINANCES/2009, Annex 16 of SUD KIVU updated on September 27, 2021.
- Page 215 of the Official Journal of the 'Code Foncier' from 5th April 2006.
- Law n.11-2004 of 26th March 2004 'Expropriation Procedures for Reasons of Public Utility.'
- Law n.73-021 of 20th July 1973 'On Property, Land, Real Estate and Security', amended and completed by Law n.80-008 of 18th July 1980.
- Mercuriale of Crop Prices from Provincial Inspection of Agriculture of Sud Kivu.
- RAP for the Construction of the Market and Sub-Station of Goma.

Table 7-1 below provides the comparison between the land rates indicated in the Mercuriale and those obtained from a market survey performed by the project in early 2022 (Perce Consult Ltd, 2022). The Market survey will have to be updated during the preparation of the Quarries RAP.

Table 7-1 Comparison of Land Prices in the Mercuriale and Prices after a Market Survey in DRC in 2022²⁴

Groupement	Village	Rates indicated in the Mercuriale			Rates defined by the 2022 market survey / Sqm	
		Min. Value / Sqm (\$)	Average Value / Sqm (\$)	Max. Value / Sqm (\$)	Minimum Value (\$)	Maximum Value (\$)
Kamanyola	Kamanyola ¹	10	25	50	Not applicable	
	Kafunda	Not defined	Not defined	Not defined	7	12
	Lulengera				7	7
	Bugano				3	5
	Chemikonyi				3	3
	Kabebera				3	3
	Kibenga				3	3
	Manda				3	3
	Nachihembe				3	3
	Rugenge				7	7
	Rubumba				5	12
	Mparho				12	12
Rurambira	12				12	
Karhongo	Ngweshe ²	3	7	10	Not applicable	
	Rushebeyi	Not defined	Not defined	Not defined	3	3
	Nachirongwe				3	3
	Bujenjere				3	3

¹The value of property in Kamanyola indicated here is taken from the Mercuriale des Expertises et Evaluations Immobilières de la RDC, Annex 16 Province du Sud-Kivu', <https://cadastre.gouv.cd/wp-content/uploads/2022/01/ANNEXE-16-SUD-KIVU.pdf>.

²No information was provided on Karhongo Groupement on the Mercuriale des Expertises et Evaluations Immobilières de la RDC. However, the value of property for Ngweshe was the closest data available, as Karhongo is within the Chefferie of Ngweshe.

7.1.1.3 Methodology for Rwanda

In Rwanda, Law No.17/2010 of 12/05/2010 states that valuation of all property or assets involved in a process of expropriation in the public interest will be performed by a certified Valuer, who shall select one of several valuation methods to determine the fair market value of a real

²⁴ Source: (Perce Consult Ltd, 2022)



property, starting from the guidelines and standards provided by the Institute of Real Property Valuers of Rwanda. In order to establish the value for loss of property and assets for this Project, land prices have been selected on the basis of the price list compiled by the Institute of Real Property Valuers (IRPV) in the Official Gazette of 01/12/2021. As specified in Article 22 of the Law N.32/2015 of 11/06/2015 relating to expropriation in the public interest, the IRPV holds the mandate to determine the annual land reference values and prices for property. The valuers have developed a price which will take into account the following factors:

- Location of the land plot.
- Accessibility and access to public transport.
- Population density.
- Topography.
- Existing and proposed land use.
- Proximity to amenities and infrastructures (education facilities, health facilities, water network facilities, electricity network, markets).
- Proximity to water bodies.

7.1.1.4 Methodology for Burundi

Compensation rates are set by Ministerial Order 710/540/553 on updating the rates of compensation for land, crops and buildings in the event of expropriation for reasons of public utility. The order states that "Payment of compensation for compensation for expropriation in the public interest is in all cases a prerequisite for any action for the expropriated person".

Law n°1/13 of 9 August 2011 revising Burundi's land code recognises three categories of land ownership (Article 2):

- Land in the public domain of the State and other public entities;
- Land in the private domain of the State and other public bodies; and
- Land belonging to private individuals or legal entities.

Where land is acquired for public use, section 411 of the Land Act of requires that compensation be provided, as well as any other assistance necessary for the resettlement of expropriated persons. Article 417 of the Land Law fixes the modalities of expropriation of land for public use.

Expropriation must compensate the expropriated party in full for the loss suffered. It is negotiated amicably between the interested parties or, failing that, by the competent court. Compensation for expropriation may take the form of either in the form of either pecuniary compensation or an exchange with, where applicable, a partial compensation for the resettlement of the expropriated party. However, the expropriated party may demand monetary compensation and, failing an amicable agreement, shall refer the matter to the competent court.

7.1.1.5 Transaction Cost for Buying a Replacement Land Plot

To cover transaction costs, an amount of 40\$ will be provided as a one-time allowance to each landowner affected in addition to the compensation amount for land.

7.1.2 Compensation for Buildings and Structures

7.1.2.1 Houses

For residential structures, the affected households will be offered a choice between cash compensation at full replacement cost and provision of a replacement housing (in-kind compensation).



A In-kind replacement housing

If the affected households choose the compensation in kind for the residential structures, the Project will provide a housing of similar or better standing and quality than the house lost, and as a minimum, of housing that meets acceptable minimum community standards of quality and safety. To this end REL will engage an architect to prepare a design for the replacement housing. To ensure this design meets acceptable minimum community standards of quality and safety, the model of the house type offered will be presented to the Resettlement Committees and the physically displaced households when the compensation packages will be presented (see section 7.2.1). The design of the replacement houses will be presented to women during specific consultation, to ensure the houses to be constructed address their specific needs and constraints.

The replacement house will have the same size and the same number of rooms as the houses lost. The materials to be used will be bricks and cement, with corrugated roof tiles.

The replacement housing will be constructed on a replacement plot to be identified by the affected household.

B Cash Compensation

The principles for the full replacement cost of residential structure are the following:

- It must at least be sufficient to enable purchase or construction of housing that meets acceptable minimum community standards of quality and safety.
- It should include the undepreciated value of replacement material and labour for construction.

7.1.3 Compensation for Crops and Trees

In Rwanda, compensation are calculated using the rates of crops and trees published by IRPV. Compensation in DRC are calculated based on the rates for crops and trees provided by Provincial Ministry of Agriculture. In Burundi, since compensation for agricultural crops will be based on the prices established by the Ministerial Order 710/540/553 and updated as needed for international standards compliance.

7.1.4 Compensation for Graves and Church

Compensation for the loss of the church are calculated using the same rate as that used for other houses. Compensation for graves are calculated based on an estimate of work required and using current market values for labour.

7.1.5 Compensation for Loss of Fishponds and Beehives

Compensation for loss of fishponds are calculated based on an estimate of the labour to rebuild a similar fishpond and the current market value for labour. For beehives, the compensation is calculated on an estimate of the cost of materials to construct new beehives.

7.1.6 Compensation for Loss of Business and Employment

No case of loss of business or loss of employment has been identified to date. Should this impact occur in the course of the RAP implementation, the following methods will be applied:

- For affected business owners: In addition to the compensation for the loss of land, structures and/or crops/trees, compensation for the loss of income for the time required to re-establish the business. This will be decided on a case-by-case basis, based on the average net income for the past year (based on the documentation to be provided by the business owner), with a minimum of 3-month income, and a maximum of 1-year income.



- For employees of business owners, who will lose their job or salary: The project will provide them a one-time allowance equivalent to 3 months of the average daily wage income.

7.2 Compensation Process

7.2.1 Disclosure of Compensation Rates to the Affected Households

The first step of the compensation process will be the disclosure of the entitlement packages and the compensation rates to affected households. The Resettlement Committees will be involved and consulted throughout the preparation of the Quarries RAP. Once the RAP is approved, the Project will organise meetings with the Resettlement Committees to disclose the compensation rates and all entitlements (including livelihood restoration measures) to the affected people. The District land office and a representative of the District Council in Rwanda and the Groupement authorities in DRC will participate in these meetings. In case of land affected in Burundi, the corresponding authorities will be presented in the Quarries RAP.

The final list of PAPs and compensation rates will be signed off by the Resettlement Committees.

7.2.2 Endorsement of Compensation Packages by the Affected Households

After the Resettlement Committees have endorsed the compensation and entitlements packages, the Project will contact each affected households to present them their individual entitlements and compensations. A Compensation Form will be given to each affected household. This form will include the inventory of affected assets and the measurements of the land plot, along with the unit rates and the total compensation amount and all livelihood restoration measures the household is entitled to.

To ensure that all households members receive the information about the compensation amount and the livelihood measures they are entitled to, the endorsement of compensation packages (including livelihood restoration measures) will be done through a meeting with all adult members of the household. For married couples, both spouses will be invited to sign the compensation form. One copy of the signed form will be given to the affected household, and another will be kept by the Project.

If the PAPs disagree with the valuation, individual negotiation will be undertaken to (i) explain the methodology used in detail, (ii) understand the point of view of the affected people and the reasons behind the disagreement, and (iii) if necessary review the valuation in the light of the elements provided by the PAP. If the PAP still disagrees with the valuation, they can resort to the Grievance Redress Mechanism.

7.2.3 Payment of Compensation

The World Bank ESS 5 specifies that the Project “will take possession of acquired land and related assets only after compensation in accordance with this ESS has been made available and, where applicable, displaced people have been resettled and moving allowances have been provided to the displaced persons.” Therefore, all compensation will be paid and received by the affected persons prior to the Project taking possession of the land.

The payment of compensation will be undertaken as follows:

- PAPs will be informed at least one month in advance of the payment date.
- The payment will be issued by REL to a bank account. For the households who do not already have a bank account, all costs of opening a bank account will be supported by the Project. The households who do not have any identity card will be assisted in the



obtention of this document by the Project. REL will establish an agreement with local financial institutions to organise the payment of compensations.

- Once the payment is available, the affected households will be informed through meeting with the Resettlement Committees, as well as individual phone calls. Public meetings will also be organised by the project in each village to ensure the information is disseminated as much as possible. During these meetings, the Project will inform the affected households they have 3 months to vacate the affected lands.
- REL will then meet individually each affected household to invite them to sign a receipt stating they have received their compensation and explain they have 3 months to vacate the affected lands. All adult members of the households will have to be present for the signature of this receipt, to ensure the information is transmitted to all households' members and prevent gender biases.
- A copy of the payments records will then be transferred to the District Land Office in Rwanda, and to the Provincial land Office in DRC, to ensure the land rights are granted to REL. In the case of Burundi, this will be presented as needed in the Quarries RAP.
- REL will then take possession of each affected land plot, clear the land and demarcate its boundaries after each area will have been vacated by its occupants.

7.2.4 Gender Aspects

To provide the same level of information of the payment and compensation process to both spouses, individual meetings for the endorsement of compensations and signature of the payment receipt will be held by REL with both spouses and all adult members of the affected households.

Compensation agreements will be issued in the names of both spouses or heads of household whenever legally possible. Whenever needed, assistance will be provided to open bank accounts under the name of husband and wife.

7.2.5 Update of Compensation Rates if Payments are Delayed

The World Bank ESS5 requires that compensation is paid before the land is acquired by the Project. In addition, it requires to update the planned compensation rates when the period of time between calculation of compensation rates and delivery of compensation is extensive.

To comply with the World Bank ESS5, the Project will apply an annual interest rate to the compensation rates, if compensation rates are not paid within one year after the valuation exercise. This interest rate will be the average percent of annual interest offered by commercial banks on fixed deposits.



8 Resettlement Assistance

Each physically displaced household will be eligible for cash compensation at full replacement cost. Additionally, to ensure that all physically displaced households will be able to replace their house with a structure of equal or superior quality, the following support measures will be provided to all physically displaced households:

- Moving allowance for physical displacement.
- Assistance to find a replacement plot for the replacement house.
- Assistance for construction of the replacement house.
- Assistance for the displacement.

8.1 Moving Allowance

In addition to the compensation for land and structures, a moving allowance (assumption of 30\$ per the amount proposed in the Main RAP) will be provided to all physically displaced households, in order to support them with the temporary loss of housing. This moving allowance amounts to 30 days of the average wage of a daily labourer (assumption of 1\$ per day per the amount proposed in the Main RAP) in the Project area. It will cover the cost of hiring some people to help them transport their belongings to their new residence.

8.2 Assistance to Find Land for the Replacement House

The Project will assist physically displaced households to ensure that (i) they find a replacement land plot suitable to build a replacement house. This assistance will be provided in kind, as technical assistance. It will include the following measures:

- When only a small part of the residential plot is affected, the Project will assess with the affected households if it is possible to rebuild a house on the unaffected part of their existing plot. This solution is favourable, as it avoids disruption of existing social networks and minimises the need for adaptation to new living circumstances. The affected households will have the right to refuse this option and choose instead to buy a different plot to build their new house, as outlined below.
- If building the replacement house on the unaffected part of the residential plot is impossible or simply not desired by the displaced household, the Project will engage with local authorities to identify suitable and available plots for the construction of residential housing, as close as possible to the existing residence of the affected households. In this case, the displaced households will have to buy their replacement land plot using their compensation.

Once the household has decided where they would like to build their new house, the Project will provide the further assistance outlined below.

8.3 Assistance for Construction of the Replacement House

All physically displaced households will be offered to choose between provision of a replacement house constructed by the Project, of cash compensation at full replacement cost.



If the physically displaced households choose to receive cash compensation for their affected house, they will be supported to self-build their replacement housing on their own with their compensation, with technical support provided by the Project and a staged payment of compensations. This approach gives flexibility in the design of the replacement housing.

REL will provide:

- Assistance with planning, scheduling and budgeting for self-build; and
- Technical oversight during replacement house construction

Compensation for the replacement house will be released in the following instalments:

- First instalment once a plot of land is secured to build the replacement house.
- Second instalment once foundation is prepared.
- Third instalment once the walls and roof are finished.
- Fourth instalment once the finishes (plastering, doors, windows, latrine) are complete.

8.4 In-kind Assistance during the displacement

The Project will offer to all physically displaced households to assist them in their move, by providing a vehicle to transport their belongings.



9 Livelihood Restoration Programme

The Lenders' policies on Involuntary Resettlement require that the Projects assists displaced persons in their efforts to improve, or at least restore, their livelihoods and living standards, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.

This section sets out the programme aiming at providing this assistance. The livelihood restoration approach is based on the following principles:

- Each economically and physically displaced household will be eligible for the livelihood restoration measures.
- In order to reflect the multifaceted nature of livelihood strategies, a combination of approaches and activities will be required to adequately support the transitions and changes experienced by affected people.
- The eligibility to livelihood restoration measures will be at a household level. This means that livelihood entitlements will not be limited only to the heads of households, but to all members of the households.
- Due to their lower resilience to life stresses and income loss, vulnerable households will require targeted support through the planning and implementation of livelihood restoration.

9.1 Overview of Current Livelihood Constraints

An understanding of the constraints currently experienced by the farmers who will be impacted by the project is crucial to the definition of measures which will allow them to restore and, whenever possible, to upgrade their productivity and income.

The households which are physically and / or economically affected by land acquisition (hereafter, affected households) have an economy which is overwhelmingly reliant on subsistence agriculture or cash-producing farming activities such as market crop selling and field wage labour. Consequently, most of the affected households' income and means of livelihood are land-based, with significant parts of the populations regularly practicing fishing and animal farming as a side source of income and small minorities engaging in small-scale commerce.

Several constraints which are currently limiting the development of economic activities and the productivity of agriculture in the Project Area were identified in the Main RAP. It is expected that these constraints are similar in the quarries and borrow areas. The issues are the following:

- Scarcity of land,
- Landlessness and lack of tenure security.
- Poor quality of soil and insufficient access to agronomic improvements.
- Poor access to cooperatives and markets.
- Low opportunities for economic diversification.

The above-mentioned issues have been considered to define the livelihood restoration measures.



9.2 Livelihood Restoration Measures

9.2.1 Overview and Eligibility

Table 9-1 illustrates the preliminary list of Livelihood Restoration Measures which will be provided to support physically and economically displaced households.

The following list is based in the Main RAP to ensure consistency of measures across the area affected by the Project. However, at this state this list is preliminary. It might be adapted depending on the results of the field surveys to be carried out for the Quarries RAP. Potential new categories of affected households might be identified and thus, new livelihood restoration measures will be proposed.

Table 9-1 Summary of Livelihood Restoration Measures

Categories of Affected households	Livelihood Restoration Measures
All households receiving compensation, whether physically or economically displaced	Disturbance allowance (5% of total cash compensation)
	Training for the management of compensation
All households buying replacement land, whether physically or economically displaced	Support to obtain land documents for replacement lands
All affected households (Physically or economically displaced, losing cultivated lands, annual crops, perennial crops, productive trees)	In-kind provision of seeds and fertilizers
	In-kind provision of 1 bicycle per household
	Payment of membership fees for one cooperative per household
	Support by one NGO to develop or improve sources of income (2 years)
	Transitional assistance: in-kind provision of staple food during 6-month
Vulnerable households physically and economically displaced	Longer transitional allowance: additional six months-worth of staple food
	Assistance to find replacement land
	Land-clearing and field preparation assistance after displacement

9.2.2 Adjusting the Timing of Land Vacation to Minimise Disruption of Farming Calendar

Affected households cultivating crops and trees on the affected lands will receive a 3-month advance notice to vacate the land. During this period, they will have the right to harvest the crops before the date the land shall be vacated. To minimise as much as possible the disruption in the agricultural production of the affected households, the time of the displacement (the time when the affected lands will have to be vacated) should be chosen at a period of the farming calendar when a round of harvest of annual crops has been done, before the next cultivation period for annual crops is initiated.

Once the EPC contractor will have been appointed, the timing of the displacement will be defined to align the time when the lands will be vacated before the next cultivation period.

9.2.3 Assistance during the Compensation Process

9.2.3.1 Disturbance Allowance

A disturbance allowance will be paid to all affected households in addition to the total cash compensation provided for the loss of land and other assets. The allowance will be 5% of the total cash compensation amount.

9.2.3.2 Training for Management of Received Compensation

The cash compensation provided to households will be an important sum of money in relation to the household's normal earnings. To ensure that compensation money is managed by the households in a sustainable manner, the Project will hire an NGO to perform a series of financial management seminars which affected households will be encouraged to attend. The aim is to



support affected people with independent financial advice to help them invest their compensation in such a way as to improve their long-term well-being rather than contribute to a household spending the compensation money in an unplanned and unproductive way. Special assistance will be provided to PAPs with disabilities or PAPs located far from the seminar's location.

The financial management seminars will be organised in 2 stages:

- To understand gender-differentiated views, expectations and constraints, the NGO will organise a first series of women-only and men-only seminars. Specific seminars led by a woman will be offered not only to the female heads of women-headed households, but also to the female spouses of men-headed households, in order to ensure that they can express their concerns and constraints without any gender bias.
- A second series of seminars will then be organised, with spouses of both genders invited to attend.

These seminars will include topics such as (i) how to open and manage a bank account, (ii) how to save money, (iii) how to obtain loans, (iv) how to manage wisely family expenses, (v) how to productively invest in compensation money and (vi) how to use livelihood restoration support to diversify their economic activities.

9.2.3.3 Support for Obtaining Land Documents

To address the risk of landlessness, the affected households buying replacement land plots will be supported in the obtention of legal land titles. This support will be adapted depending on the provisions already in place in each of the three countries.

Landless PAPs may need additional information and supporting accessing land in a secure and permanent way. Specific focus groups will be organised with all landless PAPs, to train them on the process to gain a land title, gender-based inequalities in land access.

9.2.4 Measures to Support Farming Activities

9.2.4.1 Provision of Seeds and Fertilizers

The households affected by loss of annual and perennial crops as well as productive trees will be supported in their effort to restore their livelihoods through in-kind provision of seeds and fertilizers. The objective is to help them quickly restore their agricultural production after their displacement, and/or enhance yields on their existing land.

The Project will distribute improved seeds and fertilizers to all affected households during the first year affect their displacement.

9.2.4.2 Support for Membership Fees in Cooperatives

Access to cooperatives and the opportunities and assistance they can provide is limited by the cost of the membership fees. The Project will offer to all affected households to pay the membership fees for one cooperative of their choice.

9.2.4.3 Provision of one Bicycle per Household

As per the available information from the Main RAP, the lack of means of transportation is one of the main constraints limiting their access to markets. Given the importance of transportation to ensure easier access to livelihood improvement opportunities, the project will provide one bike to each affected household. It will be offered in-kind, after the households have signed their receipt of compensation payment.



9.2.5 Support to Develop or Improve Sources of Income

The affected households are likely to have different preferences and/or different strategies to cope with the changes associated with the displacement process. The Project will provide in-kind grants to affected households to assist them in their restoration of their situation after the displacement. The grants will be used to fund projects proposed by the affected households to restore their livelihoods. Such projects could be either to develop and extend existing economic activities or develop new existing economic activities.

An NGO will be recruited by the Project to assist the affected household to formulate and validate their plans to develop alternative sources of income, and to allocate the grant to buy supplies, materials or providers to implement the strategies chosen by the affected households and for which the feasibility will have been validated and approved. The NGO will identify with the members of these households the activity they want to develop and establish with them a training and business plan. The activities chosen will vary, they could be as various as hairdresser, carpenter, petty shops, tailor, stock and sale of agricultural commodities or any other off-farm activities.

9.2.6 Transitional Assistance

Based on the information collected during the Main RAP, it is estimated that a period of 6 months is needed from land clearing and sowing to the full productivity of most crops in the Project area. Transitional assistance will be provided to all affected households for 6 months, from the date of their displacement. This will be provided as staples distributed once per month to each affected household. This 6-month transitional allowance will be provided systematically to all households, to make up for the harvest that will be lost in the time necessary to seek new land plots and make them productive.

9.2.7 Livelihood Restoration Measures for Vulnerable Households

In addition to the measures listed above, households identified as vulnerable will receive specific assistance measures:

- As vulnerable households are likely to have more difficulties during the displacement and might need a longer period to restore the agricultural production than other households, the transitional assistance provided to the vulnerable households will be extended by 6 additional months.
- Assistance to land-clearing and/or preparation of agricultural fields after displacement will be provided to vulnerable households: the Project will pay 1 daily worker during 15 days to clear land to develop agricultural activities (as an economic activity or for subsistence) after displacement.
- Negotiation for buying land is often lead by men, and women tend to have more difficulties than men in accessing land. As more than half of the vulnerable households are women-headed households, the Project will assist the vulnerable households in finding replacement lands. This assistance will be in-kind. It will include the identification of suitable available land plots in each village. The Project will offer to support vulnerable households in their discussion with the Village authorities or private landowners to find replacement land.

9.3 Local Area Development Plan

In addition to the measures described above, the Project will also implement a Local Area Development Plan (LADP) as part of the Main RAP. The Quarries RAP will be taken into account also for the LADP. This Plan will not be limited to the households affected by the Project's land acquisition process: it will target all villages in the immediate vicinity of the Project footprints.



It is a tool proposed by the Project to support the local communities to improve their living conditions, address development challenges and to take advantage of emerging opportunities.

The LADP will fund local development activities during the construction period and the operation phase to achieve sustained sharing of benefits with the project-affected communities. The LADP will be implemented in 2 phases: a first phase of 5 years, (year 1 to year 5) followed by a second phase of 5 years (year 6 to year 10). It will start as soon as the construction activities start. The second phase will be funded after evaluation of the activities implemented during the first phase.

At the time of writing, the LADP was yet to be defined. It is anticipated that the plan could include some of the following measures:

- Electrification of villages or improvement of access to electricity.
- Support to the development of fish farming and fisheries activities in the future reservoir.
- Support to the development of sustainable water supply systems in the villages.
- Support to roads improvement.
- Support to health centres, by provision of medicines and medical equipment.
- Flour mills and small processing installation in the villages.
- Support to improve schools (construction of new rooms and provision of schooling equipment and access to electricity).



10 Institutional Arrangements and Responsibilities

As explained in section 4.3, the Implementation Agreement signed between the Contracting states, EGL and REL required compliance with international environmental and social standards, including the IFC PS5 on Involuntary Resettlement. The operational responsibilities for the preparation and implementation of the RAP are described in the next paragraphs.

10.1 Joint Implementation Unit

As specified in the Implementation Agreement, a Joint Implementation Unit (JIU) has been established in July 2021. This JIU is made of representatives of the Contracting states, EGL and REL. The JIU has the overall responsibility over the implementation of the Project. This includes approving the Quarries RAP, including budget, and negotiating with Lenders how this budget will be mobilised. The individual responsibilities of the actors involved in the JIU are clarified below.

10.2 Ruzizi Energy Limited

REL has the overall responsibility of Project management, including all environmental and social aspects. Consequently, REL is responsible for the preparation and implementation of the Quarries RAP according to the principles outlined in this RPF. This includes undertaking a census of affected persons and an inventory and valuation of affected assets.

REL will establish an Environmental and Social Supervision Unit (*'Maîtrise d'Oeuvre Environnementale et Sociale'* in French) to coordinate and oversee the effective implementation of the measures outlined in the ESMP, including the preparation and implementation of the Quarries RAP. This E&S Supervision Unit will be managed by REL's E&S Manager and will include a team dedicated to the implementation of the Quarries RAP. The RAP Team will follow the structure presented in Table 10-1. Table 10-2 summarises REL's responsibilities for the implementation of the Quarries RAP.

It is expected that the roles and responsibilities already in place for the Main RAP (2023) will be the same for the Quarries RAP. These will be adapted as needed.

Table 10-1 REL's RAP Team

Member	Responsibilities in the implementation of the RAP
Environmental & Social Manager	Responsible of the overall E&S performance of the Project Based in Kigali
RAP Manager (1)	Report to REL E&S Manager Prepare RAP implementation monitoring reports Based on site
RAP and Livelihood Restoration Officers (7 in DRC and 4 in Rwanda) Burundi tbd	Report to the RAP Manager Responsible for the management of compensations payments and land acquisition, and for the implementation and monitoring of Livelihood restoration activities, including assistance to physical resettlement Based on site
Communications officers (1 in DRC and 1 in Rwanda, Burundi tbd)	Responsible of communication materials for exchanges with the affected persons, local and national authorities, documentation of stakeholder engagement activities as part of the RAP, as defined in the Project's ²⁵ SEP Based on site
Grievances Officers	Manage the Project Grievance Redress Mechanism in each country

²⁵ REL, March 2022, Stakeholder Engagement Plan for Ruzizi III Hydropower Project



Member	Responsibilities in the implementation of the RAP
(1 in DRC and 1 in Rwanda, Burundi tbd)	Based on site
Financing Officer	Control of compensation payments Based in Kigali
GIS and database officer	Managing the RAP GIS and database Based on site
RAP Specialists and technical partners for the livelihood restoration programme	Recruited for specific tasks: > Support for RAP addendum: assistance in census, land surveys, asset inventories, valuation, planning and reporting, > Enumerators recruited for additional socioeconomic surveys when needed. > NGO or other third parties recruited for the implementation of specialized Livelihood Restoration Activities, such as sustainable livestock farming and sustainable agricultural techniques

Table 10-2 - Responsibilities of REL for the implementation of the RAP

No.	Action
1	Submission of the RAP to the Contracting States and World Bank board for their approval
2	Provision of a list of all lands and land rights needed for the Project to the Contracting States
3	Implementation of the RAP (payment of compensation, provision of livelihood restoration measures, physical resettlement and provision of resettlement assistance)
4	Provision of quarterly reports to the Contracting States detailing how the budget has been spent and presenting the progress made in land acquisition and resettlement process.

10.3 Contracting States

As part of the JIU, the contracting States will have the responsibility of approving the RAP, including its budget, and supervising its implementation. Additionally, the Contracting States will be responsible for mobilising the funds necessary for the implementation of the RAP, including the payment of compensation and other assistance measures, and acquiring land for the Project. The responsibilities of Contracting States in the RAP process are summarised in Table 10-3.

Table 10-3 - Responsibilities of the Contracting States in the RAP Process

No.	Action
1	Approval of the RAP produced by REL, including the budget
2	Mobilisation of the budget for the RAP (each contracting State will provide its share of the funds necessary for the implementation of the RAP into an account from which REL will draw to pay the compensations and other assistance measures)
3	Provision of all public / state lands and land rights required for the Project
4	Acquiring the land rights needed for the Project and granting them to REL
5	Supervise the implementation of the RAP through the review of quarterly reports provided by REL



10.4 Governmental agencies

Several governmental agencies will be mobilised in Rwanda and DRC as part of the legal expropriation process. These agencies and their responsibilities in the expropriation process are listed in Table 10-4 and Table 10-5 below. Should any of the locations identified for the quarries be in Burundi, the RAP will list the institutional stakeholders which will be involved as part of the expropriation process. In case that quarries and borrow sites finally are located in Burundi, the corresponding governmental agencies will be further detail. A preliminary list is outlined in Table 10-6.

Table 10-4 Governmental Entities involved in the Expropriation Process - Rwanda

Entity	Responsibility in the expropriation process
Land Commissions and Land Committees (District, Sector and Cell level)	Monitor and approve expropriation of land in public interest. These committees will be directly responsible for expropriation of land and property thereon if an expropriation process is triggered.
District Land Office	The District Land Office will assess the validity of land tenure rights of affected persons. If needed, it updates and produces the land documents needed by the affected households to demonstrate their ownership.
District Executive Committees	As per the expropriation law, at the District level, expropriation shall be carried out by the District Executive Committees after considering the decision of the Land Commission at the District level. As such it's the District Executive Committee that will approve expropriation of the persons identified during the RAP process.
Council for Regulation of the Real Property Valuation.	The valuation will be carried out by locally certified valuers. In order to be recognized as a real property valuer in Rwanda, a person must be a member of the Institute. A Council for the Regulation of the Real Property Valuation Professionals in Rwanda is established as a regulatory agency. The Institute proposes regulations, guidelines and standards for valuation while the function of approval lies with the Council. A register of real property valuers is maintained by the Council who can enter or remove a real property valuer from the register of certified valuers. The Chairperson of the Council approves valuation and is equivalent to the Chief Government Valuer in other jurisdictions.

Table 10-5 Governmental Entities involved in the Expropriation Process - DRC

Entity	Responsibility in the expropriation process
Customary authorities of the Walungu Territory, Chef de Groupement et sous-groupement, village authorities	As most of the land is under customary tenure, Chiefdom and Groups authorities are key in the compensation process and validate the expropriation process.
Administration provinciale du Cadastre	Identify legal land rights to be expropriated.

Table 10-6 Governmental Entities involved in the Expropriation Process - Burundi

Entity	Responsibility in the expropriation process
Commune	Ensure that the RAP is monitored and supervise development activities transparently
Compensation Commission/Ministry of Finance	The Ministry of Finance acts as supervisor and assigns one of its executives to sit on the compensation committee. The commission determines the compensation and measures and organises compensation activities.

10.5 Resettlement Committees

Two Resettlement Committees have been established in Rwanda²⁶ and 4 in DRC²⁷ for the Main RAP. These Resettlement Committees are made of PAPs and act as a liaison between REL and PAPs. The Resettlement Committees are in place to follow up the resettlement process,

²⁶One in Bugarama Sector and one other in Nzahaha Sector. Both were established on 28 September 2021.

²⁷



mediate, and support in solving grievances, concerns, as well as complaints from PAPs. The members of each Resettlement Committee have been elected by the affected persons in its area.

New Resettlement Committees, included in Burundi as needed, will have to be created for the preparation and implementation of the Quarries RAP, once the location of the quarries has been identified.

10.6

Local Financial Institutions

The disbursement of cash compensation will be operated by local branches of financial institutions experienced in rural settings of Rwanda and DRC. Such institutions could be the Savings and Credit Co-Operatives in Rwanda and Trust Merchant Bank in DRC, or other micro-financing institutions as proposed in the Main RAP. In Burundi similar institutions will be proposed. They will be contracted by REL for the payment of compensation to affected households. REL will provide all information for compensation disbursement. The local financial institutions will document the receipt of compensation by the affected household and transmit this information to REL for the monitoring of compensation payment (see Section 14 on monitoring).

10.7

Lenders

The Lenders will review and approve the RAP (and any of its subsequent updates if needed -see next section). They will review the overall Project environmental and social performance of the Project. They will verify that the RAP is implemented in compliance with their policies, by reviewing the internal and external monitoring reports, as well as the internal completion report and the external completion audit.



11 RAP Preparation and Implementation

At the time of writing of this RPF, no steps have been taken towards land acquisition as the location of the quarries and borrow areas has not been confirmed. The Quarries RAP will have to produce a new census, asset inventory and valuation process and will follow the principles outlined in this RPF. It will include all access tracks needed to enter the quarries, the opening of new tracks or the upgrade of existing ones.

According to the construction schedule, there is a year between the EPC mobilisation and the time where access to quarries is required for construction. Consequently, the legal expropriation process and implementation of the Quarries RAP will have to fit within this period. In order to ensure that the preparation and implementation of the Quarries RAP do not cause delays to the construction schedule, it is crucial to establish a Memorandum of Understanding from Rwanda, DRC and Burundi (in case the quarries are located in Burundi), to define how the legal land acquisition process will be fast-tracked for the quarries.

Sections 11.2 and 11.3 outline the steps which will have to be taken to proceed respectively with preparation and implementation of the RAPs. The schedule for these steps to be taken in outlined in Section 11.4.

Sections 11.1 outline the steps which will have to be taken to prepare and implement the RAP. The schedule for these steps to be taken in outlined in Section 11.2.

11.1 Steps Required to Prepare the Quarries RAP

REL will be responsible for developing and submitting the Main RAP and the Quarries RAP to the JIU and World Bank board for approval. The RAPs will define a cut-off date and a deadline for the payment of compensation. The preparation of the RAPs will include (i) undertaking a census, asset inventory and valuation update, (ii) carrying out a qualitative and quantitative survey update and (iii) grievance resolution and stakeholder engagement activities to appropriately inform, consult and engage stakeholders throughout the process. Grievance resolution has not been included in the table as an action, as the system is already in place and it will be implemented from the start to the end of the RAP preparation process.

The steps and activities needed to prepare and implement the Resettlement Action Plan, including consultation with the affected people, implementation of the entitlement and compensation packages, implementation of the Livelihood Restoration Programme, and monitoring are listed in Table 11-1 for preparation and Table 11-2 for implementation. Their schedule is given in the Gant Chart provided in Figure 11-1.

Table 11-1 RAP preparation steps

#	Activity	Responsibility
1	Identification of the quarries and borrow sites	EPC Contractor
2	Recruitment of a consultant for the preparation of the Quarries RAP.	REL
3	Establishment and notification of a cut-off date.	RAP consultant
4	Quantitative and qualitative surveys (baseline studies), including focus groups and interviews with local stakeholders and affected people.	
5	Census, land survey and asset inventory update. For the footprints which have not changed since 2021-2022, information on affected people and assets will be verified and updated. For the new footprints which were not included in the 2021-2022 surveys, a new census, land survey and asset inventory (including a market study) will be carried out.	Certified valuers in Rwanda, service providers in DRC and Burundi (supported by REL's RAP team)
6	Asset valuation and market study to establish compensation up to replacement cost standards. The market study and asset valuation will be carried out in Rwanda and DRC, and in Burundi only IF the EPC contractor decides that quarries will be established in Burundi.	Certified valuers in Rwanda, service providers in DRC and Burundi (supported by REL's RAP team)
7	Finalization of the Quarries RAP Report.	RAP consultant



#	Activity	Responsibility
8	Submission of the Quarries RAP for the JIU and lenders' approval.	REL
9	Approval of the Quarries RAP.	JIU and Lenders

11.1 Steps Required to Implement the Quarries RAP

The implementation of the Main RAP and Quarries RAP will begin once they have been validated by EGL and the Lenders. The process will include (i) the payment of compensations, (ii) the implementation of resettlement and livelihood restoration measures, (iii) the legal land acquisition procedure (see Section 4) and (iv) stakeholder engagement activities and grievance resolution throughout the process. Table 11-2 summarises the steps required to implement the RAPs. Stakeholder engagement, monitoring and grievance resolution have not been included as actions, as they will be implemented throughout the implementation process.

Table 11-2 Quarries RAP implementation steps

#	Implementation Activities	Responsibility
1. RAP approval		
1.1	Provision of RAP by REL to EGL	REL
1.2	RAP budget discussion and approval by the Joint Implementation Unit	REL and Contracting states
1.3	Submission of the RAP by EGL to the Lenders for approval	EGL
2. Establishment of REL RAP team and implementation arrangements		
2.1	Recruitment of the RAP officers in DRC, Rwanda and Burundi (as needed)	REL RAP team
2.2	Work with the EPC contractor to minimise the number of households physically displaced and planning the displacement and Project access to land	REL RAP team
2.3	Mobilisation of an architect to prepare design of in-kind replacement house	REL RAP team
2.4	Recruitment of one NGO for the livelihood restoration measures	REL RAP team
2.5	Agreement with banks or local financing institutions for the payment of compensations	REL RAP team
3. Engagement with affected households and Payment of compensations		
3.1	Public meeting and Disclosure of Compensation and entitlements to the affected households and Resettlement committees	REL RAP team
3.2	Individual meetings with affected households and endorsement of Compensation Packages by the Affected Households	REL RAP team
3.3	Local Public Disclosure of the RAP	REL RAP team
3.4	Public disclosure of the RAP on the Lenders' websites (as per the Lenders' policies)	Lenders
3.5	Disclosure of the RAP on REL's website	REL
3.6	Announcement of the compensation payment date to all affected households	REL RAP team
3.7	Documentation of payment receipt and of the date of the departure from the acquired land (3-month minimum advance notice)	REL RAP team
3.8	Regular engagement during the RAP implementation and livelihood Restoration Activities	REL RAP team
4. Resettlement assistance		
4.1	Assistance to find land for the replacement house	REL RAP team
4.2	Assistance for construction of the replacement house OR construction of replacement house by the Project	REL RAP team
4.3	In-kind assistance during the displacement	REL RAP team
5. Displacement		
5.1	Harvest of crops and trees on the affected lands by the affected households	Affected households
5.2	Physically displaced households can salvage materials from their affected houses	Affected households
5.3	Physical and economic displacement - lands are vacated by their owners / users	Affected households
6. Livelihood Restoration Measures		
7.	Local Development Plan	REL
8. Project's Access to Land		
8.1	Start of the legal expropriation process in Rwanda, DRC and Burundi as appropriate for the lands which have not already been compensated	Contracting States



#	Implementation Activities	Responsibility
8.2	Transfer of land rights to REL by the Contracting states	Contracting States
8.3	The Project takes possession of each land plot and document each land plot has been vacated and owners and tenants/sharecroppers have received their compensations	REL
8.4	Start of construction activities	EPC Contractor
9. Grievances Management (already started, to be continued throughout the RAP implementation)		REL
10. Monitoring and Evaluation		
10.1	Internal Monitoring	REL RAP team
10.2	Independent Monitoring	Independent Monitoring Consultant
10.3	Internal Completion Report	REL RAP team
10.4	Independent Completion Audit	Independent Monitoring Consultant

11.2 Schedule for the RAP Preparation and Implementation

The construction works will span over a period of 56 months. In summary, construction activities will be phased as follows:

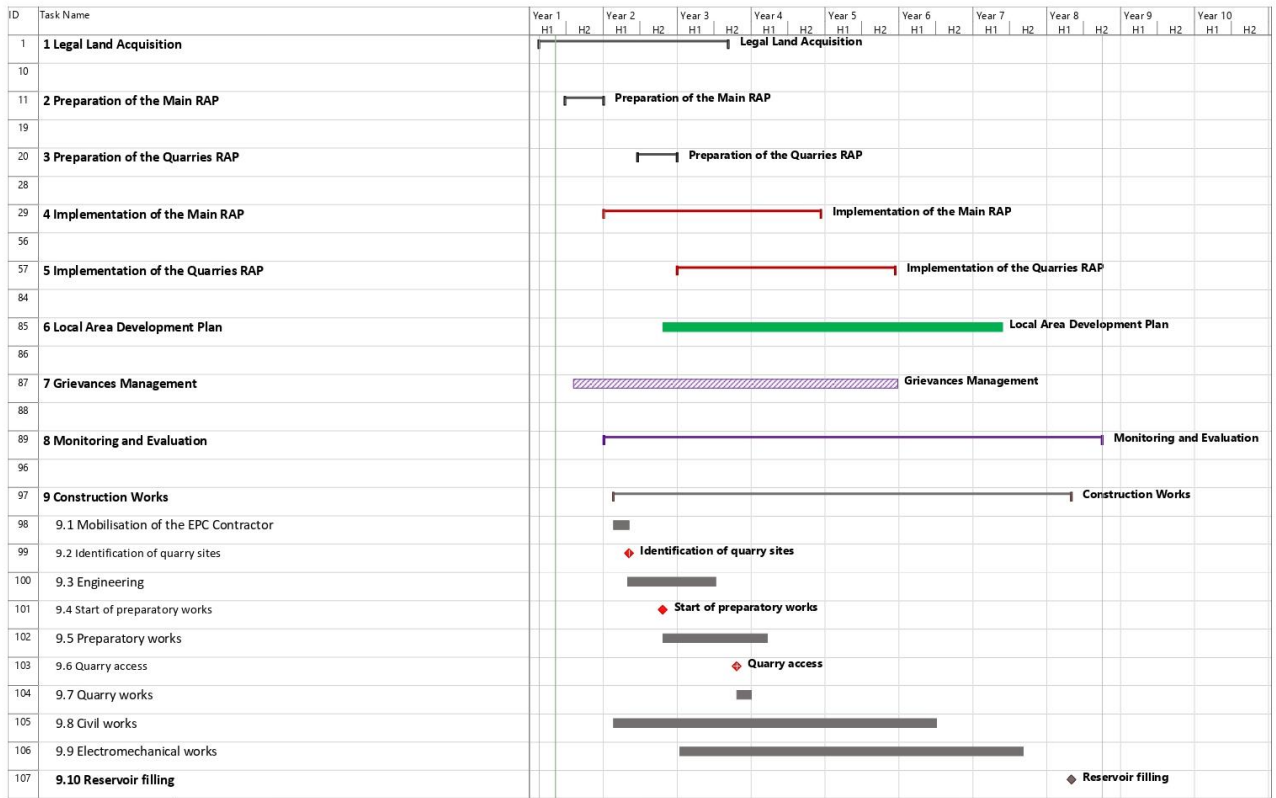
- Phase 1 - Civil engineering works.
- Phase 2 - Preparatory works (access roads, workers camp, bridge, quarry accesses), followed by civil works on the dam and diversion tunnel.
- Phase 3 - The 220 kV switchyard works and transmission line to Kamanyola.
- Phase 4 - The 220 kV transmission line and the 30 kV switchyard dam.

The starting date of construction works will be dictated by the implementation of the Main RAP and Quarries RAP, as construction will not start until all affected people have been compensated and land has been vacated and secured. Additionally, to avoid delays the implementation of the Quarries RAP, including legal expropriation, will have to take place within a year from the mobilisation of the EPC contractor, as access to quarries will be required at this time.

The schedule of the steps and activities required to prepare and implement the RAPs is presented in Figure 11-1. This schedule assumes that all lands will be acquired at the same time for each RAP (Main RAP and Quarries RAP). No phasing of the compensation payment and resettlement activities has been considered. However, REL will need to secure the acquired footprint to ensure that it is not recolonised by compensated individuals, especially for those footprints where compensation and land vacation will take place long before the start of construction activities (ex the 220 kV transmission line and the 30 kV switchyard dam).



Figure 11-1 – Overview of both RAP Preparation and Implementation Schedule





12 Stakeholder Engagement

A Stakeholder Engagement Plan (SEP) for the Project has been prepared by REL as part of the ESIA. This section presents the stakeholder engagement activities related solely to the Resettlement Action Plan.

12.1 Stakeholder Identification

Table 12-1 summarises all actors concerned by or involved in the land acquisition and resettlement process in Rwanda and DRC. This list is based on the studies carried out in 2022. The Quarries RAP will reconsider the relevance of this list and modify it if and as required, according to any observed changes in the social context.

Information on Burundian stakeholders is preliminary at this stage. In case of resettlement takes place also in Burundi, Burundian stakeholders will be identified in the Project SEP and further developed in the Quarries RAP.

Table 12-1 – Stakeholders Involved in the Land Acquisition and Resettlement Process

Stakeholder	Concern / Role
Stakeholders Affected by Land Acquisition	
Physically Displaced Households	Impacted by loss of housing and resettlement.
Economically Displaced Households in the affected villages	Impacted by loss of land and livelihood means.
PAPs considered vulnerable because of their difficulties accessing and maintaining control over land and livelihood sources: <ul style="list-style-type: none"> - Women-headed households. - Disabled-headed households. - Elder-headed households. - Historically Marginalised (Rwanda) / Batwa (DRC, Burundi) households. - Landless households. 	May encounter issues when (i) finding alternative or additional land resources, (ii) negotiating fair compensation for the loss of land and destruction of crops, (iii) restoring their means of livelihood after economic displacement and (iv) building and settling into a new house after physical displacement.
Resettlement Committees	In charge of facilitating and mediating relations between the Project and PAPs, for all that pertains to economic and physical displacement due to land acquisition.
Women's and Youth Associations in the villages affected by land acquisition	Will be engaged by the Project to ensure that these two groups are appropriately consulted and to promote their participation and fair inclusion in livelihood restoration activities.
Internal Stakeholders	
REL's RAP Officer	In charge of coordinating and managing relations between the Project and PAPs, for all that pertains to economic and physical displacement due to land acquisition.
REL's Grievances Officer	In charge of receiving, logging and solving all grievances related to land acquisition.
REL's Livelihood Restoration Officer	In charge of coordinating and managing relations between the Project and people receiving Livelihood Restoration Measures after economic displacement.
External Stakeholders	
Energie des Grands Lacs (EGL)	In charge of paying all compensations.
Heads sectors (Rwanda), groupements (DRC) and zones Burundi	Interest in the social consequences of economic and physical displacement and responsibility acting as representatives to express the populations' fears and wishes.
Institute of Real Property Values (Rwanda)	In charge of setting the prices of land and property and publishing them annually in the Official Gazette.



Stakeholder	Concern / Role
Stakeholders Affected by Land Acquisition	
Rusizi District Administration (Rwanda)	In charge of informing expropriated people of the start date of the measurement of the land and inventory of property via posters or messages on the radio / press.
District Council (Rwanda)	Approval of amount of compensation according to national law.
Communal Authority in Burundi	Follow up of RAP implementation.
NGOs active in the villages within and surrounding the Project's footprints, such as: <ul style="list-style-type: none"> - Caritas (Rwanda). - Profam (Rwanda). - ARCT Rumuka (Rwanda). - One Acre Fund (Rwanda) - Benevolencia (Rwanda). - Mukopaka Shambalet (Rwanda). - World Vision (Rwanda). - Care International (Rwanda). - Compassion Internationale (Rwanda). - GIZ (DRC). - Foundation Chokola (DRC). - FUMU (DRC). - ASDECEM (DRC). - Femme Leve-Toi (DRC). - Swaf (DRC). - IADEL (DRC) - DRISHA (DRC). - ACEDP (DRC). - Rhukole Kuguma (DRC).NGOs in Burundi tbd. 	Can be involved by the Project in the Livelihood restoration programme.
Popular Media in the villages affected by land acquisition: <ul style="list-style-type: none"> - Radio Mandeleo (DRC). - Radio Communautaire de Kamanyola (DRC). - Radio Communautaire Flash FM de Kamanyola (DRC). - Radio Rusizi (Rwanda). - Radio Rwanda (Rwanda). - Television Rwanda (Rwanda). - Media in Burundi TBD. 	Can be used by the Project for the dissemination of information regarding land acquisition and the resettlement process.

12.2 Engagement Activities Undertaken to Date

The following section describes the engagement activities undertaken to date as part of the Project's land acquisition process. This includes all phases of the Project, from its start in 2009 up to its revival with REL in 2019 and all the way through current developments.

12.2.1 Stakeholder Engagement Activities Performed for the 2012 ESIA

After the technical studies which established the Original Project design in 2009, an ESIA and a RAP were completed for the Ruzizi III Project in 2012. These studies included a series of stakeholder engagement activities. Table 12-2 below summarises all the consultations undertaken to inform local communities on questions regarding the land acquisition and compensation process²⁸.

²⁸ This information has been extracted from the 2015 ESIA Summary (African Development Bank, 2015), the 2015 RAP Summary (African Development Bank, 2015) and the 2021 preliminary ESIA (SOFRECO, 2021)



Table 12-2 - Summary of Stakeholder Engagement Activities Performed between 2010 and 2012

Date	Type of Activity	Issues and concerns raised regarding land acquisition and compensation:
18/08/2010 – 07/09/2010	Information and Consultation Sessions in localities in the Project footprints in Sud Kivu and Rwanda (localities unspecified).	Concerns / questions were raised in relation to: <ul style="list-style-type: none"> - Loss of land and means of livelihoods. - Management of compensations and compensation process. - Priority employment for inhabitants of affected villages, especially for PAPs. - Project contribution to economic diversification and development opportunities.
	Establishment of committees of project affected people (CPAPs) in Sud Kivu and Rwanda and interviews with local authorities.	
25/08/2010 - 21/10/2010	Information disclosure to inhabitants and local authorities during the conduct of the census in DRC and Rwanda.	
10/2010 – 11/2010	Discussion workshops with villagers and committees (localities unspecified), concerning individual and collective compensation measures and fears / concerns by the population.	
	Women-only workshops with women from Nachirongwe, Ibambiro, Bujenjere, Bugano, Kafunda in DRC, and Gisheke and Nyagahanga in Rwanda.	
11/11/2010	Seminar to present the preliminary results of the ESIA and RAP studies in Bukavu, DRC.	
28/03/2012 – 30/03/2012.	Institutional workshop in Cyangugu, to validate the ESIA and RAP with the participation of local and national authorities, civil society and all stakeholders from the three countries.	

12.2.2 Stakeholder Engagement Activities performed in 2020

The Project was put on hold after 2015. New technical studies were performed in 2019, and a new design (the Alternative Project) was selected in 2020 to avoid landslide risks at the dam site. A new preliminary ESIA adapted to the Alternative Project design was prepared in 2021. This preliminary ESIA included a series of stakeholder engagement activities. Table 12-3 below summarises all the consultations undertaken to inform local communities on questions regarding the land acquisition and compensation process²⁹.

Table 12-3 - Summary of Stakeholder Engagement Activities Performed in 2020

Date	Type of Activity	Issues and concerns raised regarding land acquisition and compensation
27/01/2020	Workshop for administrative stakeholders in Bukavu, DRC	Concerns / questions were raised in relation to: <ul style="list-style-type: none"> - The modalities and timing of the public expropriation procedure. - The extent of development opportunities and benefits offered to the affected population. - The criteria for compensation and plan of actualisation of the 2010 studies. - Means of information between the Project and PAPs.
05/02/2020	Workshop for administrative stakeholders in Kamembe, Rwanda	
01/2020 – 02/2020	Public consultation with population potentially affected by the Project footprint in Bugarama, Nzahaha, Ruduha (Rwanda), Kafunda, Bugano and Kamanyola (DRC).	Concerns / questions were raised regarding: <ul style="list-style-type: none"> - Compensation for damage of property during construction works. - Difficulty finding / affording land after expropriation.
28/08/2020	Public consultations in Bugarama and Nzahaha (Rwanda)	
12/10/2020	Public consultation in Kamanyola and Kashenyi (DRC)	

²⁹ This information has been extracted from the 2021 preliminary ESIA (SOFRECO, 2021)



Date	Type of Activity	Issues and concerns raised regarding land acquisition and compensation
		<ul style="list-style-type: none"> - Positive benefits (electricity) not received by the village affected by land acquisition. <p>In DRC only, the following concerns were raised:</p> <ul style="list-style-type: none"> - Fear of local and government authorities embezzling fund to the detriment of expropriated people's compensation. - Land conflicts following compensation, underestimating the amount of compensation for loss of land. - Fear of lack of compensation payments as was the case for Ruzizi II.

12.2.3 Engagement Activities Performed Between 2021 and 2023

Between 2021 and 2023, several stakeholder engagement activities were carried out as part of the preparation of the ESIA and Stakeholder Engagement Plan (SEP). These activities are summarised in Table 12-4 below³⁰.

Table 12-4 - Summary of Stakeholder Engagement Activities Performed Between 2021 and 2023

Date	Type of activities	Main issues and concerns raised
14/08/2021	Consultation with Nzahaha Sector Population and Local authorities on project progress and impacts	Unspecified
17/08/2021	Consultation with Bugarama Sector Population and Local authorities on project progress and impacts	Unspecified
24/08/2021	Meeting in Bukavu involving Governor, army, police, immigration and technical services, alongside local authorities	Concerns / questions were raised in relation to: <ul style="list-style-type: none"> - The fairness of compensation procedures. - Project's support to households that haven't received compensation for previous property acquisition since 2010. - Type and extent of livelihood restoration and community development activities which will be offered by the Project.
	Meeting with PAPs in Nyagahanga to explain the start the Asset inventory and valuation process	Concerns / questions were raised in relation to: <ul style="list-style-type: none"> - Certain crops being left out of the valuation process, as was the case with the previous valuation. - Damage of property before the payment of compensations. - Non-payment of compensations to people without a land title. - Inequality in compensation fees, which according to PAPs have previously been higher in DRC than in Rwanda.
26/08/2021	Meeting in Rusizi involving Governor, Ruzizi District, army, police, immigration and technical services and local authorities	Concern that PAPs may not benefit from the Project.
15/09/2021	Consultation with villagers of Ibambiro	Concerns / questions were raised in relation to: <ul style="list-style-type: none"> - The availability of jobs for women and local communities more generally.
16/09/2021	Consultation of Kaboya Village, Kamanyola	

³⁰ Source : REL stakeholder engagement records



Date	Type of activities	Main issues and concerns raised
		<ul style="list-style-type: none"> - Land registration and compensation procedures. - Land conflicts between different heirs and management of compensation on land shared between different family members.
28/09/2021	Consultation on property valuation process with PAPs and establishment of RCs in Gatebe	Unspecified
	Consultation on property valuation process with PAPs and establishment of RCs in Nyagahanga	Unspecified
30/09/2021	Training on roles and responsibilities of RCs and documentation of grievances of Nzahaha RC members	Unspecified
01/10/2021 – 2/10/2021	Meetings with the Resettlement Committees in Bugarama and Nzahaha (respectively located in Gatebe and Nyagahanga)	<p>Concerns / questions were raised in relation to:</p> <ul style="list-style-type: none"> - Fear that the 10m strip of land closest to the river may not be considered for compensation as it is illegal to cultivate on them. - Mistakes in official land titles which have counted less land than there was in reality. - Non-payment of compensation for people without a land title. - Payment of compensation to one person only on land shared amongst family members. - Landowners claiming the compensation for the crops which will be shared with farmers practicing nyiragabura.
21/10/2021 – 22/10/2021	Training of RCs from Ibambiro and Kaboya + establishment of a coordination committee with role of overseeing sub-committees	Fear that PAPs will be more vulnerable due to the loss of lands and that they will not benefit from employment opportunities.
07/10/2021	Discussion on grievances and complaints with RC of Bugarama	Unspecified
15/10/2021		
October 20 th 2021	Discussion on grievances and complaints with RC of Nzahaha	Unspecified
11/11/2021	Meeting with Sud Kivu authorities	Remarks about the importance of timely payment of compensations.
30/11/2021	Discussion with PAPs and local leaders in Nzahaha and Bugarama on land and property valuation process	Unspecified
01/12/2021 – 02/12/2021	Meeting with Ibambiro Resettlement Committee	Raised problem of conflicts over land delimitation during the land evaluation process
07/01/2022	Consultation with PAPs in Karhongo and Kamanyola	Unspecified
12/01/2022	Consultation with PAPs in Bugarama and Nzahaha to resolve grievances from PAPs	Unspecified
24/01/2022	Consultation meeting between EGL and PAPs from Kamanyola and Karhongo, to discuss their appreciation of the land and property valuation processes	Unspecified
25/01/2022	Consultation meeting between EGL and PAPs in Bugarama from Bugarama and Nzahaha Sector to discuss their appreciation of the land and property valuation process	Unspecified
11/02/2022	Consultation between Project Affected people from Bugarama and Nzahaha Sectors to update them on progress of the project.	Discussed mechanisms in place for PAPs to stay informed on project developments.



Date	Type of activities	Main issues and concerns raised
17/02/2022	Meeting in Ibambiro people PAPs from Karhongo to update them on progress of the project.	Discussed mechanisms in place for PAPs to stay informed on project developments.
28/02/2022	Consultation meeting between EGL, Ministers and the Provincial Government of Sud Kivu, in DRC to update them on Project's process.	Unspecified.
28/02/2022	Consultation meeting between EGL and Mayor of Ruzizi in Bugarama to update them on Project's progress.	Unspecified.
03/2022	Stakeholders' Satisfaction Assessment, including PAPs from both DRC and Rwanda.	Identified issues regarding: <ul style="list-style-type: none"> - Inadequate tools in place to collect feedback from PAPs. - Lack of regular engagement with PAPs to inform them on progress and important dates. - Dissatisfaction of PAPs with the length of the compensation process.
07/03/2022	Meetings with PAPs in Kamanyola and Karhongo to publish the market prices that will serve as a benchmark during the compensation process.	Unspecified
2023	Stakeholder Satisfaction Assessment to inform the preparation of the SEP. The assessment consisted of (i) focus groups and interviews with local stakeholders (school, health, church, youth and political representatives) and (ii) a structured questionnaire with 150 PAPs (50 in Rwanda and 100 in DRC).	

As indicated in section 5.1.1, a qualitative socioeconomic survey of the populations inhabiting the villages around the Project's footprint or utilising / owning resources was undertaken from the 19/01/2022 to the 02/02/2022. The stakeholder engagement activities carried out as part of the qualitative survey consisted of:

- Informal discussions with economically and physically displaced people, aimed at understanding their resilience, plans for the future and perceptions of the Project's stakeholder engagement to date.
- Informal discussions with people who may loose access, to some extent, to natural resources which may be impacted by the Project, such as the collection of wood, medical plants and water from the river or fishing activities throughout the Ruzizi.
- Informal discussions with people who will loose income opportunities as a consequence of land acquisition (land-based wage workers).
- Focus groups with women, men, vulnerable people and local authorities in the Rwandan villages of Nyagahanga, Ryagashyitsi, Ruganzo, and Gatebe to discuss land acquisition impacts on local livelihoods.
- Focus groups with women, men, vulnerable people and local authorities in the Rwandan villages of Kayenge, Bugano, Kafunda, Nachihembe, Nachirongwe, Ibambiro, Bujenjere and Ruduha, to discuss land acquisition impacts on local livelihoods.
- Formal interviews with local authorities and agronomists to better understand the impact of land acquisitions on land tenure and farming dynamics.

The number of people interviewed during the qualitative survey, disaggregated by gender, village and interview type is given in section 5.1.1. During the qualitative socio-economic survey, villagers raised a number of concerns regarding the land acquisition process and the consequences that this may have on their livelihoods. The concerns mentioned by the consulted populations were:

- That they might be unable to afford new land after the losses suffered due to land acquisition,



- That men would take control of the money received from compensation (expressed by women only),
- That compensation money would not cover the costs of moving away, finding new land and either re-building a house or cultivating new crops,
- Fear of their house or part of their field not being counted during the valuation process (especially the 10m buffer on the Rwanda bank of the river that farmers are legally not allowed to cultivate on) This last concern has been addressed by the Project, and all crops, trees and assets in this 10m buffer have been included in the asset inventory and valuation process.

12.3 Public Disclosure of the RFP and RAP

The World Bank, the European Investment Bank and the African Development Bank require a public disclosure of the RFP and RAP for the projects they are funding. Once approved by EGL and the Lenders, this RPF will be publicly disclosed, both locally, on REL's website and on the Lenders' websites, as per their respective Information Disclosure Policy. Printed version will also be made available in (French and Kinyarwanda) at groupement, sector and zone levels.

The same disclosure arrangements apply to the Main RAP and to the Quarries RAP.

12.4 Consultation Programme for the Preparation and Implementation of the RAP

Table 12-5 and Table 12-6 respectively list the stakeholder engagement activities to be performed during the preparation as well as during the implementation of the RAPs. These actions will have to be presented in the RAPs.

Table 12-5 - Stakeholder Engagement Actions during the Preparation of the RAPs

Steps	Action	Responsibility	Schedule
1	Explanation of the process for displacement and compensation payments, eligibility principles and the complaint management mechanism. Women will be specifically trained on the system to report GBVH cases.	REL's RAP Team	Before the qualitative and quantitative survey is carried out
2	Socio-economic enquiries (qualitative and quantitative surveys) to assess the socioeconomic profile of affected households, including the identification of specific impacts on women and vulnerable people.	RAP's consultant	As soon as the consultant for the RAP is hired
3	Notification of the cut-off date.	REL's RAP Team	Before the start of the census and asset inventory
4	Explanation of how compensation is calculated.	REL's RAP Team	Before the start of the census and asset inventory
5	Engagement with affected people during the census, asset inventory and valuation update.	REL's RAP Team	During the census and asset inventory update



Table 12-6 - Stakeholder Engagement Actions during the Implementation of the RAP

Steps	Action	Responsibility	Schedule
1	Management of grievances from affected households, including grievances related to GBVH.	REL	Already started in 2021, will continue throughout the implementation of the RAP
2	Public meetings with Resettlement Committees and affected households to present the entitlements and compensation packages to physically and economically affected households. Specific focus groups with women and vulnerable households will be performed to ensure that all information has been suitably communicated and that their concerns and opinions are heard.	REL's RAP Team	As soon as the RAP is approved by EGL and the Lenders
3	Public disclosure of the RAP locally.	REL's RAP Team	As soon as the RAP is approved by EGL and the lenders
4	Public disclosure of the RAP as per the Lenders' requirements.	Lenders	As soon as the RAP is approved by EGL and the lenders
5	Individual meetings with affected households to obtain their endorsement of Compensation Packages through the signature of a compensation agreement.	REL's RAP Team	After the public meeting to present the entitlements and compensation packages
6	Individual announcement of the compensation payment date to affected households.	REL's RAP Officers	After the public meetings to present the entitlements and compensation packages
7	Individual meetings with all households to document their payment receipt and announce the date of departure from the acquired land (3-month advance notice).	REL's RAP Officers	Once compensation has been paid
8	Regular formal and informal engagement throughout the implementation of livelihood restoration activities.	REL's RAP Officers	Throughout the implementation of livelihood restoration measures



12.5 Specific Measures for Vulnerable Groups

Some vulnerable groups may require additional support to ensure that they are able to receive, understand and respond to project-related information in an appropriate way. Table 12-7 lists all groups that may need specific communication channels to receive information on land acquisition and resettlement, alongside the measures that will be implemented to ensure fair and appropriate engagement with each of these groups.

Table 12-7 - Specific Engagement Measures to Support Vulnerable PAPs

Vulnerable PAP	Potential Issues Encountered	Support Measure
PAPs with visual impairment.	Unable to read information on land acquisition.	One-on-one discussion with RAP Officer and out loud reading of useful written information.
PAPs with hearing impairment.	Unable to (i) independently public meetings or focus groups on the land acquisition and resettlement and (ii) understand information provided during these consultations.	Ensure that a non-disabled person able to communicate non-verbally is accompanying the disabled person at all times during any interaction with project-related parties. If literate, provide written information on all crucial information.
PAPs with speaking impairment.	Unable to express themselves during any interaction with project-related stakeholders.	If literate, provide a piece of paper during public meetings, to allow the person to write down questions and comments that will be addressed at regular intervals throughout the discussion. If illiterate, ensure that a representative chosen by the individual from within the family or, if this is not possible, from an NGO, is accompanying the PAP and protecting his / her interests at all times.
PAPs with mental disability.	Unable to understand Project-related information or to express himself / herself about fears or wishes related to the Project.	Ensure that a representative chosen by the individual from within the family or, if this is not possible, from an NGO, is accompanying the PAP and protecting his / her interests at all times.
PAP with physical impairment (difficult or impossible to walk).	Unable to join public consultations and grievance redress meetings.	Provide transportation with a Project vehicle to all meetings where the presence of the PAP is required
PAPs living further than a one hour walk to the location where a given consultation or meeting with the Project is taking place.	Unable to join public consultations and grievance redress meetings without losing considerable time from a day's work.	Project to set up an appropriate vehicle to transport these PAPs to the location of meetings OR project to provide a daily allowance to make up for the time lost walking to the location.
Historically Marginalised / Batwa PAPs.	May feel intimidated to join public meetings or to express their thoughts about the Project.	Have a community-specific focus group to identify their issues and potential problems during the resettlement process.
Landless PAPs	May need additional information and supporting accessing land in a secure and permanent way	Have a focus group with all landless PAPs, training them on the process to gain a land title, gender-based inequalities in land access

Women may experience different forms of complications in trying to access Project-related information and to express their fears and wishes regarding the land acquisition and resettlement process. In order to ensure that all women involved, not only female household



heads, will be suitably consulted and supported throughout the process, specific engagement measures will be taken by the Project. These measures are listed in Table 12-8 below.

Table 12-8 - Specific Engagement Measures to Support Affected Women

Potential Issues Encountered	Support Measure
Women-headed households may be unable to join meetings due to their responsibility taking care of young or multiple children	Project to make contact in advance to the household head to ensure that she is aware of the meeting and that she can leave the children safely with a trusted person.
Pregnant women should not walk to reach any public or individual meetings with project stakeholders, in order to protect her own and the child's health	Project to provide vehicle transportation to all pregnant household heads and all pregnant female spouses that may wish to attend meetings
Female spouses of household heads may not have access to the appropriate information through their husbands	Project to provide a female-led and female only focus group with all spouses of household heads, alongside female household heads, to explain the compensation and resettlement process.
	Project to provide a training session for all spouses of household heads, alongside female household heads, to empower women on (i) shared and balanced management of compensation money, (ii) engagement of women in domestic decision-making for resettlement options



13 Grievance Redress Mechanism

The following section describes the Grievance Redress Mechanism (GRM) established by the Project. This mechanism pertains to all complaints arising from the land acquisition process. The most common grievances received by the Project to date pertain to:

- Disagreement over land usage rights.
- Disagreement over entitlement eligibility.
- Disputes over the property of land.
- Complaints on compensation rates.
- Disagreements on timing and manner of compensation.
- Disputes over plot limits and subdivision of plots.
- Disagreements due to unavailable land titles or slow process of land title transfer.
- Damage to properties or goods as a result of land acquisition delimitations.
- Misidentification of owner / occupier of eligible property and / or assets during the valuation process.
- Complaints on the asset inventory and valuation process, including grievances on:
 - Impacted properties and / or assets not being counted during the valuation process.
 - New land bought after property valuation which has not been counted.
 - Valuation of crops for the owner, even though they are cultivated by another party under the nyiragabura / bwasa sharecropping system.
 - Transfer of property titles / subdivision of property after evaluation process.
 - Misidentification of property and / or asset owner.
 - Size of impacted land plot presented as smaller than it actually is by the valuation team.
 - Cultivated islands in the Ruzizi not being counted for land compensation since they are Government property.

In addressing these issues, the GRM is designed to meet the following objectives:

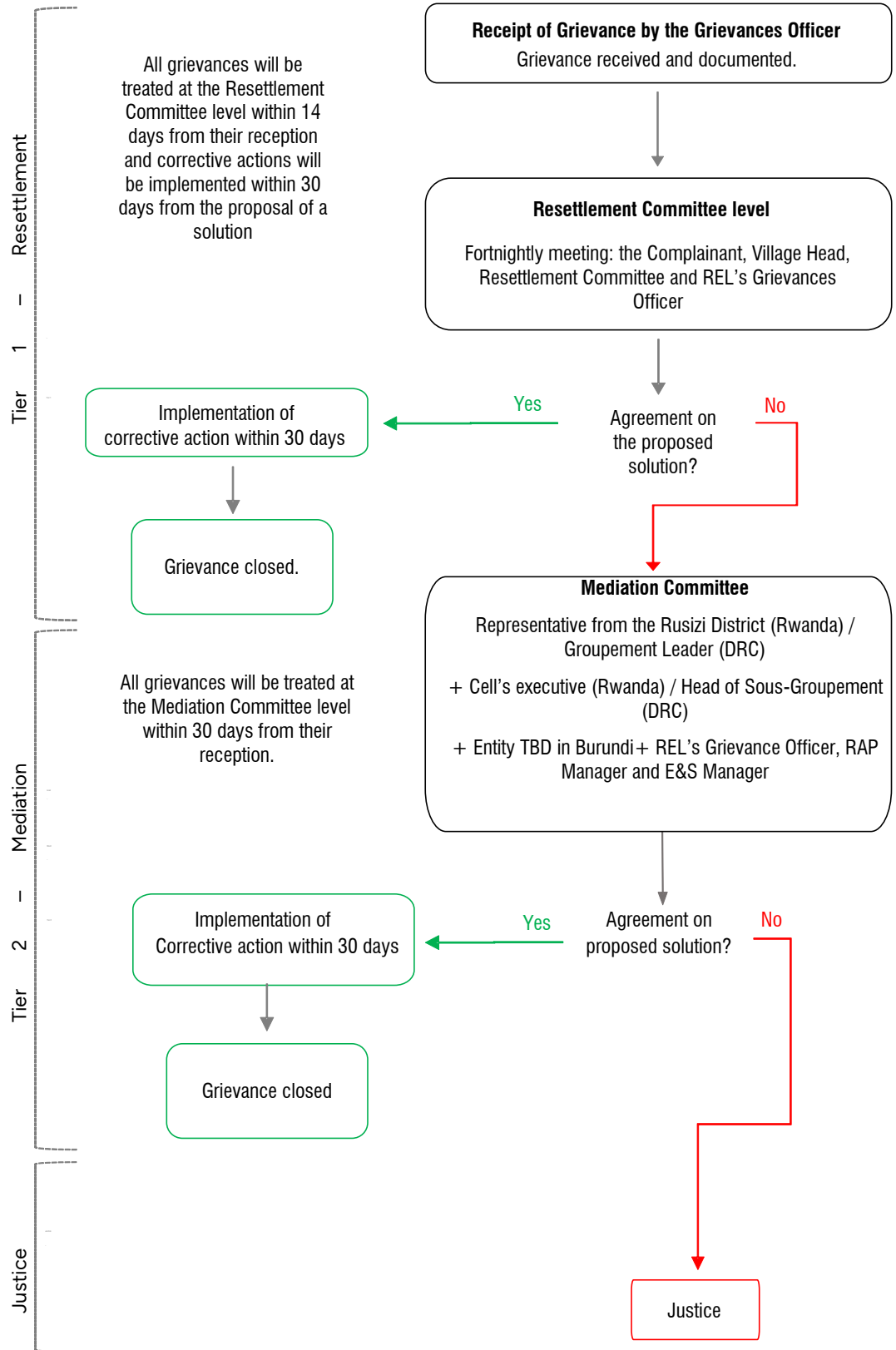
- Ensure that all factual or perceived issues arising as a consequence of land acquisition are addressed and resolved in a fair, transparent and conciliatory manner.
- Ensuring the documentation of all complaints and monitoring of resolution and corrective actions.
- Facilitate timely feedback from local communities about the land acquisition and resettlement process, in order to promote and maintain positive relationships with affected individuals, households and communities.

The grievance redress procedure seeks to provide amicable resolution through a two-tier system (Figure 13-1), aimed at avoiding judicial redress by engaging in conversation with the complainant at (i) the resettlement committees level and (ii) at a mediation committee level. May the aggrieved individual be dissatisfied with the outcome of the amicably provided solutions, he/she will be able to resort to Justice at any stage in the process. The following paragraphs describe the modalities of grievance reception, treatment, and resolution.

REL will mobilise two Grievances Officers, one in Rwanda and one in DRC, to manage, supervise and monitor the Grievance Redress Mechanism in each country. In case any of the quarries are located in Burundi, the Quarries RAP will require a Grievance Officer to be hired in Burundi.



Figure 13-1 - Grievance Redress Mechanism





13.1 Grievance Redress Procedure

13.1.1 Reception and Registration of Grievances

A phone number specifically dedicated to receiving grievances and managed by REL's Grievances Officer will be created. The reception of grievances will be centralised in each country by REL's Grievances Officer. The grievances will be submitted in one of the following ways:

- Submitting a grievance directly to REL's Grievances Officer through a phone call done by the complainant.,
- By filling a written grievance registration form that will be available (i) with each village chief, and (ii) at the entrance of each construction site. An example of grievance registration form is provided in Annex 1. REL's Grievances Officer will review these registers at least twice a week.

The Grievances Officer will be responsible for reviewing the claim and establishing its validity for further consideration or transferring it to the appropriate grievance redress procedure, when unrelated to land acquisition. Reception of each grievance will be acknowledged by a phone call to the complainant.

All grievances will be recorded by REL's Grievances Officer on an excel database. Additionally, a written form will be completed for all grievances and signed by the complainant at the resolution meetings. All forms will be photocopied and safely stored for future reference.

13.1.2 Examination and Treatment of Grievances

13.1.2.1 Tier 1: Resettlement Committee Level

Resettlement Committees were established in DRC and Rwanda in 2021 to facilitate and mediate communication between the Project and PAPs. No Resettlement Committees have been established yet in Burundi. In the case that displacement takes place in Burundi, the corresponding resettlement committee/s will be also established. This will be confirmed in the Quarries RAP.

There are 4 committees in DRC, each dedicated to solving issues related to land acquisition for a different project component: the committees are located in Nacirhongwe for the reservoir, in Kayange for the distribution site and in Manda and Kafunda for the road and Transmission Line. There are 2 committees in Rwanda: one in Bugarama Sector, and one in Nzahaha Sector. The committees all have between 7 and 8 members and are elected by the population. The committees are trained by REL on the land acquisition and compensation process. Additional resettlement committees might be established in DRC, Rwanda and Burundi depending on the location on the quarries and borrow areas. This will be confirmed in the Quarries RAP.

REL's Grievance Officers will organise fortnightly meetings with each of the resettlement committees in Rwanda and DRC to review the grievances received over each 2-week period. These meetings will involve:

- The Resettlement Committee members.
- The Village Chiefs of the villages of the complainants.
- REL's Grievances Officer.
- One of REL's RAP Officers.
- The complainant(s).

For each complaint, REL Grievances Officer will propose a solution and it will be discussed. If the proposed solution is accepted, a corrective action will be implemented within 30 days from the meeting, and the grievance will be closed. If not, the grievance will be submitted to the Tier 2 of the GRM.



Minutes of the fortnightly meeting will be taken and will be signed by all participants.

13.1.2.2 Tier 2: Mediation Committee

The second level of grievance redress involves a Mediation Committee³¹. The mediation committee will include:

- REL's Grievances Officer, REL's RAP Manager and REL E&S Manager.
- Representatives from the District of Rusizi (Rwanda) OR from the Groupement (DRC). Burundi entity to be confirmed (if needed).
- The Cell Executive in Rwanda OR the Head of Sous-Groupement in DRC. Burundi representative/authority to be confirmed (if needed).

The Mediation Committee will be mobilised on an *ad-hoc* basis, when needed.

The mediation committee will come back to the complainant with a proposed solution within 30 days from the reception of the grievance. If the proposed solution is accepted by the complainant, corrective measures will be implemented within 30 days.

If the complainant is not happy with the result of the mediation process, he/she will be able to appeal to the judicial system. Additionally, should the complainant not want to engage with the grievance mechanism developed by the Project, he/she will have the right to bring the complaint to court at any time.

13.1.3 Closure of Grievance

A grievance will be considered resolved or closed when a resolution considered satisfactory for all parties has been reached and after corrective measures have been successfully implemented. When a proposed solution is agreed on by the Project and the complainant, whether at Level 1 or Level 2 of the grievance mechanism, corrective measures will be implemented within 30 days from the meeting.

13.1.4 Grievances Records and Documentation

The Grievances Officer will be responsible of filling a grievance mechanism form (See Annex 1) and logging the grievance details in a grievance database (See Annex 2). REL developed a Stakeholder Engagement Plan, where the grievances received by the Project are described, and their responses documented.

13.2 Gender-based violence Reporting Mechanism

The Project will put in place a mechanism for women to report cases of gender-based violence and harassment (GBVH), which sexual exploitation and abuse (SEA) as well sexual harassment (SH), varying from different degrees of physical, sexual, emotional and financial control and violence. As outlined in the GBVH World Bank Good Practice Note on GBV (2019), GBVH can be exacerbated by resettlement and land redistribution processes. Women may experience a rise in GBVH during the compensation and resettlement process, due to the following factors:

- When trying to prove their right to affected land that they were gifted or inherited, women may face violence or threats from male relatives trying to claim the land for themselves.

³¹ In Rwanda, Ministerial Order No. 002/2008 on Determining Modalities of Land Registration states that mediation committees called Cell Adjudication Committees (CACs) are in charge of resolving all disputes related to land. The CAC consists of (i) the Cell Executive, (ii) the Cell and Committee and (iii) the Village Committee. For the sake of appropriateness in the context of DRC, the structure and name of mediation committees used for this RAP's grievances mechanism is slightly changed. In cases of resettlement in Burundi, further details will be provided on the legal provisions.



- If physically or economically displaced, financial stresses and the loss of livelihoods may lead to additional instability within homes where women are already affected by domestic violence.

As part of the mitigation measures proposed in the ESIA, the GBVH reporting mechanism requires the inclusion of a tool to report and treat grievances related to SEA and SH risks within the framework of land acquisition and compensation. In conformity with the World Bank's Good Practice Note on GBV, the GBVH reporting mechanism will abide by the following principles:

- Complete confidentiality of the survivor will be ensured.
- Grievances will be received and handled by a trained service provider who can be seen as trustworthy and unbiased by survivors.
- Female PAPs will be trained on the principles and functioning of the reporting mechanism and they will be provided with tools on how to recognise and report cases of GBVH.
- All GBVH-related grievances will be documented by both the service provider and REL's Grievances Officer.
- All GBVH-related grievances will be resolved in a timely manner, in order to minimise the trauma of the survivor.
- All GBVH-related grievances will be resolved with a survivor-centred approach, providing solutions which are specific to the situation and needs of the survivor. Survivors may be redirected to adequate healthcare providers whenever possible and suitable.
- Cases of GBVH will be reported to the police according to the legal framework of Rwanda and DRC.
- Cases of GBVH will be specifically monitored by REL as part of the reporting mechanism's monitoring arrangements.

The following sections assess the different elements which will be included in this GBVH reporting mechanism.

13.2.1 Eligibility

This GBVH GRM will cover grievances related to cases of SEA and SH only in the context of land acquisition and compensation. The grievances which are eligible for this reporting mechanism will include the following:

- Threat, emotional abuse or physical violence exercised by a male family member over a female in order to deny her right to a land plot which will be compensated.
- Threat, emotional abuse or physical violence exercised by a male family member of a female after the resettlement process, due to discontent with the new location or livelihood stressed caused by loss of assets.
- Threat, emotional abuse or physical violence exercised by a male family member over a female, in order to limit her access to compensation money or spend compensation money without her consent.

Any concern related to GBVH due to the influx of workers or domestic violence, which fall outside of the impacts caused by land acquisition and compensation, will be transferred by the service provider to a more appropriate channel. In the case of grievances related to GBVH caused by a worker will be transferred to the workers grievance mechanism operated by the construction company. The data regarding GBVH grievances which fall outside of land acquisition and compensation will not be shared with REL.

13.2.2 Training of female PAPs on the GBVH reporting mechanism

All female PAPs will be informed of the existence of the GBVH reporting mechanism system during the women-only consultation meetings organised by the Project (see section 12.4). This session will be led by a representative of an identified GBVH service provider, which may be a



community-based organisation, an NGO or a sexual health provider working on GBVH in the Project area. REL will be responsible for the identification of this service provider.

During this training workshop, women will be presented with the following information:

- Training on their compensation rights, especially for married women which may be faced with a lack of control over the reception and management of compensation money within the household.
- Training on how to recognise and report cases of SEA and SH.
- Explanation of the functioning of the GBVH reporting mechanism, including the contact details to report any grievances to.

13.2.3 Reception and Documentation of GBVH Grievances

Female PAPs will be able to report GBVH grievances related to land acquisition and compensation through the contact details provided by the service provider. The service provider will be trained to collect information through the same grievance mechanism form used for all grievances related to the land acquisition and resettlement process (See Annex 1). Survivors will be allowed to be anonymous if they wish so. This form will then be passed on to REL, who will collect the data on a specific GBVH grievance database.

In case a woman preferred using the general GRM system to report a grievance including GBVH, REL will store the data on the GBVH database and transfer the grievance form immediately to the GBVH service provider, who will instantly propose a resolution.

13.2.4 Resolution of GBVH Grievances

The GBVH service provider will be responsible for proposing a solution to the grievance. A survivor-centred approach will be followed, meaning that the specific situation and testimony of all women will be used to propose a personality solution, which will include (i) support for the survivor, which may include referral to a healthcare provider or legal advice and (ii) a sanction for the perpetrator, which will vary depending on the context. All resolutions will have to be proposed in two weeks from the reception of the complaint. Once the survivor is happy with the resolution provided, the GBVH service provider will identify a representative in charge of implementing the resolution and communicating it to REL's Grievances Officer. The grievance will be closed within 30 days from the proposal of the resolution.

REL's Grievances Officer will be ultimately responsible for ensuring that the legal framework is respected in terms of mandatory reporting of certain types of GBVH incidents, such as sexual assault of a minor. Unless required by the country's legal framework, this reporting system does not require all grievances to be referred to the police, unless the survivor wishes to do so.

13.2.5 Monitoring of GBVH Grievances

Specific indicators to assess the nature of GBV incidents and the demographics of victims will be added to the monitoring arrangements of the grievance mechanism, to ensure that GBVH cases are adequately monitored and that corrective measures can be put in place in a timely manner.



13.3 Contact Information

The points of contact for logging a grievance to the Project in Rwanda and DRC are indicated below:

Table 13-1 – Points of contact for grievances

Rwanda	DRC	Burundi
Ngirinshunti Emile Bugarama Tel : +250 788664422 Email: Emile.Ngirinshuti@ruzizienergy.com	Byamungu Bagereza Stephane Kamanyola Tel: +243810688129 Email: Stephane.Byamungu@ruzizienergy.com	TBD



14 Monitoring and Evaluation

The implementation of the Quarries RAP will be monitored and evaluated to (i) document that the standard of living of PAPs is restored to or improved from pre-Project levels, (ii) ensure that the compensation and assistance measures provided respect the principles developed in the RAP, and (iii) identify areas of improvement and suggest corrective action.

Three kinds of monitoring and evaluation activities will be performed:

- Input (or process) monitoring will measure the services, resources or goods that contribute to achieving desired outcomes. Input monitoring will be done internally on an on-going basis.
- Output (or performance) monitoring will measure the direct results of inputs. Output monitoring will be done internally on an on-going basis.
- Outcome (or impact) evaluation will define the extent to which the Project inputs and outputs are achieving or are likely to achieve the objectives of the Quarries RAP. This will be assessed in the Completion Report.

The indicators and monitoring schedules for these three components are listed in Table 14-1 below.

Table 14-1 Monitoring and Evaluation Indicators

Indicator	Source	Frequency / Schedule
Input		
Overall spending of the RAP budget	REL Financial records	Internal monitoring (monthly and quarterly)
Distribution of spending by: - Cash compensation. - Resettlement assistances. - Consultation and engagement with PAP and other stakeholders. - Vulnerable people assistance. - Livelihood restoration activities. - General implementation & overheads.	REL Financial records + RAP database	Internal monitoring (monthly and quarterly)
Number of staff mobilised, full-time/part time, in-house or outsourced, disaggregated by responsibility and title.	RAP database	Internal monitoring (monthly and quarterly)
Number of PAP for each category of the entitlement matrix	RAP database	Internal monitoring (monthly and quarterly)
Output		
Number and amount of compensation agreements signed.	RAP database	Internal monitoring (monthly and quarterly)
Number of physically displaced people installed in their new house.	RAP database	Internal monitoring (monthly and quarterly)
Number and financial sum of compensations paid.	RAP database	Internal monitoring (monthly and quarterly)
Number of people having received resettlement assistance and financial amount spent for this purpose.	RAP database	Internal monitoring (monthly and quarterly)
Number and nature of livelihood restoration activities conducted and number of PAPs participating to these activities.	RAP database	Internal monitoring (monthly and quarterly)



Indicator	Source	Frequency / Schedule
Outcome		
Number of grievances opened throughout the whole implementation period.	Grievances management system	Internal monitoring (monthly and quarterly)
Number of unresolved open grievances.	Grievances management system	Internal monitoring (monthly and quarterly)
Number of grievances closed throughout the whole implementation period and average time from opening.	Grievances management system	Internal monitoring (monthly and quarterly)
Average time necessary to close grievances, from the moment they are received and lodged.	Grievances management system	Internal monitoring (monthly and quarterly)
Satisfaction of PAP regarding the compensations	Socioeconomic survey	Completion report
Levels of income and standards of living of PAP and % of PAP with their livelihoods and level of income restores and/or improved	Socioeconomic survey	Completion report
Type of means of livelihoods and income sources of the PAPs	Socioeconomic survey	Completion report

14.1 Monitoring

14.1.1 Internal Monitoring

Internal monitoring will be carried out routinely by the Project. An internal report will be prepared by REL each month, with the objective of monitoring the implementation of the Project's RAP. Additionally, a quarterly report will also be produced and presented to the Lenders.

Both reports will be produced from the beginning of the RAP implementation activities up until 3 years after the payment of compensations. The following information will be monitored internally:

- Overview of all RAP activities accomplished to-date.
- Number of compensation agreements signed.
- Number and amount of compensation paid.
- Number and nature of livelihood restoration activities conducted and number of affected people having participated to these activities.
- Number and nature of resettlement assistance activities conducted, and number of affected people having participated to these activities.
- Objectives attained and unattained.
- Number of grievances processed and resolved, by type, location and gender of complainant.
- Challenges encountered and corrective measures for future improvement.



14.1.2 Independent Monitoring

The Project will hire a consultant to carry out independent monitoring of the implementation of the RAP. The monitoring consultant will be undertaking a field visit every six months and will review all of the relevant data in order to produce an independent monitoring report.

The monitoring reports, which will be issued to REL and to the Lenders, will be produced from the beginning of RAP implementation activities up until 3 years after the payment of compensations.

The purpose of external monitoring is to confirm the findings of internal monitoring procedures and ensure that the Project is compliant with the processes and standards brought forward in this RAP. External monitoring activities will include:

- Reviewing and verifying internal monitoring reports.
- Reviewing the census, asset inventory and socio-economic survey of PAPs.
- Reviewing the effectiveness and compliance of compensation procedures.
- Reviewing of effectiveness and compliance of the grievance mechanism.
- Performing consultations with PAPs, community leaders and local authorities.
- Verifying whether the livelihoods of physically and economically displaced households have been improved, or at least restored to pre-Project levels.

Should any gaps in the implementation process or noncompliance with Lenders' policies be identified, the External Monitor will propose time-bound corrective actions.

14.2 Evaluation

14.2.1 Internal Completion Report

Three years after the completion of compensation payments, the Project will undertake an internal evaluation to assess whether the objectives of the Quarries RAP have been achieved. As part of this Completion Report, a sample of PAPs will be asked to take part into a socioeconomic survey and a satisfaction survey, alongside a sample of non-affected households to allow for meaningful comparison.

The Completion Report will include the following elements:

- Summary of all activities undertaken to implement the Quarries RAP.
- Number of people physically and economically affected, by Project Component and entitlement category as per the Entitlement Matrix defined in the Quarries RAP.
- Satisfaction of PAPs regarding the Resettlement and Livelihood Restoration processes.
- Number and type of grievances received and resolved.
- Number and type of new economic activities started by PAPs thanks to Livelihood Restoration and Resettlement support activities.
- Income levels and standards of living of PAPs, in comparison with the baseline conditions documented in the Quarries RAP.
- Means of livelihoods and income sources of PAPs, peoples in comparison with the baseline conditions documented in the Quarries RAP.



14.2.2 Independent Completion Audit

Following the internal Completion Audit, a further audit will be performed by an independent consultant, to ensure that the Project will have met the standards and objectives laid out in this RAP throughout its implementation.

14.3 Schedule of Monitoring and Evaluation

Table 14-2 presents the schedule of planned monitoring and reporting activities.

Table 14-2 – Schedule of Monitoring and Reporting Activities

Activity	Reporting	Frequency
Internal Monitoring	Internal monitoring report to REL Management	Monthly during the implementation of the RAP, until 3 years after the payment of compensations.
	Quarterly monitoring reports to Lenders	Quarterly during the implementation of the RAP, until 3 years after payment of compensations.
External Monitoring	Reports from independent consultant to REL Management and Lenders	Every six months during the implementation of the RAP, until 3 years after payment of compensations.
Internal Completion Report	One report from REL to Lenders	3 years after payment of compensations.
Independent Completion Audit	One report from an independent consultant to REL and Lenders	After submission of the internal completion report to the Lenders.



15 Budget and Funding

15.1 Funding

As specified in the Implementation Agreement signed between REL, EGL and the Contracting states (see section 4.3), the implementation of the RAP will be funded by the Contracting States (including compensations, other assistance measures and implementation costs). Once the budget will have been approved, each contracting State will provide its share of the funds necessary for the implementation of the RAP into an account from which REL will draw to pay the compensations and other assistance measures.

15.2 Budget

The estimation of potential displacement impacts presented in section 5.2 is conservative and considers the maximum potential impacts. The displacement impacts will be minimised as much as possible as indicated in section 0. Therefore, to estimate the budget for the preparation and implementation of the Quarries RPF, an upper range of estimated impacts and a lower range of estimated impacts have been considered:

The upper range corresponds to the estimated maximum impacts: all quarries and borrow sites are selected and will be included in the Quarries RAP. This RPF has been drafted under this general assumption. See section 5.2 on the details of the number of households affected by quarry and country.

- The lower range assumes that about half of the total quarries would be used by the Project: 9 quarries out of the total 19 quarries and borrow areas. The criteria to select these 9 quarries are i) quarries with physical displacement are discarded and ii) quarries with the largest number of affected households per country are discarded. The detail per quarry considered in the lower range is presented in Table 15-1 below.

Table 15-1 List of Quarries Selected for Lower Range Option

Country	Site	Surface	Nb. of people	Nb. of HH
DRC	Ruvubu River	25	80	10
	Lower Nyarubare	1.3	104	13
	Upper Nyarubare	2.5	200	25
Rwanda	Gihungwe	1	80	10
	Gishoma Power Plant	8	640	80
	Coline Butambamo	8	640	80
	Nyagahand	8	640	80
Burundi	Rukana I	3	240	30
	Binyange	6	-	-
Total PAP lower bound (only economic)		62.8	2624	328

The budget for the preparation and implementation of the Quarries Resettlement Action Plan is estimated to \$8,037,600 for the upper range and \$3,319,000 for the lower range.

A summary of the estimated budget is provided in Table 15-2 below.



Table 15-2 Estimated Budget for the Preparation and Implementation of the Quarries RAP

#	Items	RPF - Upper Range	RPF - Lower Range
0	RAPs Preparation	\$ 200,000	\$ 200,000
1	Land Acquisition and Compensations	\$ 5,319,000	\$ 2,130,000
2	Resettlement Assistance	\$ 41,600	\$ -
	Moving Allowance	\$ 5,000	\$ -
	Assistance to find replacement land to rebuild a house	Assistance to be provided by REL team and the local authorities and administration.	
	Assistance for construction of the replacement house	Assistance to be provided by REL team and the local authorities and administration.	
	Assistance for moving	\$ 38,400	\$ -
3	Livelihood Restoration Measures	\$ 1,340,000	\$ 540,000
	Measures for all households		
	Disturbance allowance	\$ 237,000	\$ 95,000
	Training for management of compensation	Covered by the NGO budget (see below)	
	Support to obtention of land documents	Assistance to be provided by REL team and the local authorities and administration.	
	Provision of seeds and fertilizers	\$ 242,000	\$ 97,000
	Provision of a bicycle	\$ 114,000	\$ 46,000
	Cooperative fees	\$ 44,000	\$ 18,000
	Support to develop or improve sources of income	\$ 328,000	\$ 132,000
	Transitional assistance (6 months)	\$ 275,000	\$ 111,000
	Measures for vulnerable households		
	6 months of transitional assistance	\$ 88,000	\$ 36,000
	Land clearing support on replacement land	\$ 12,000	\$ 5,000
	Assistance to find replacement land	Assistance to be provided by REL team and the local authorities and administration.	
5	Implementation costs	\$ 261,000	\$ 20,000
	Joint Implementation Unit	-	
	REL RAP team	\$ 104,000	\$ 8,000
	Architect to design replacement houses for physically displaced HH	-	
	NGO for the Livelihood Restoration Programme	\$ 157,000	\$ 12,000
6	Grievance Redress Mechanism	\$ 30,000	\$ 12,000
	GRM Level 1 - Resettlement Committees	\$ 10,000	\$ 4,000
	GRM Level 2 - Mediation Committees	\$ 20,000	\$ 8,000
7	Monitoring and evaluation	\$ 115,000	\$ 115,000
	Internal Monitoring	\$ -	\$ -
	Independent Monitoring	\$ 100,000	\$ 100,000
	Internal Completion Audit	\$ -	\$ -
	Independent Completion Audit	\$ 15,000	\$ 15,000
8	Sub-Total	\$ 7,306,600	\$ 3,017,000
9	Contingencies (10% of sub-total)	\$ 731,000	\$ 302,000
#	TOTAL	\$ 8,037,600	\$ 3,319,000



Annexes



Annex 1. Grievance Form

Grievance Registration Form	Grievance No: _____
Complainant's full name <i>Note: The complainant may remain anonymous or will not ask to disclose their identity without their consent.</i> Surname _____ Name _____ Sex: <input type="checkbox"/> Man <input type="checkbox"/> Woman <input type="checkbox"/> Prefer not to say <input type="checkbox"/> I wish to raise my grievance anonymously <input type="checkbox"/> I ask not to disclose my identity without my consent	
Reception of grievance: <input type="checkbox"/> Verbally <input type="checkbox"/> By phone <input type="checkbox"/> By mail, fax or email	
Contact details Phone number : _____ Address: _____ Preferred language for communication: _____	
Description of the incident or complaint: <i>What happened? Where did that happen? Who did this happen to? What is the result of the problem?</i> _____ _____ _____	
Date of incident/complaint <input type="checkbox"/> Incident or complaint that occurred only once (on _____) <input type="checkbox"/> Incident or complaint that happened more than once (how many times? _____, starting from _____) <input type="checkbox"/> Incident or complaint that is currently ongoing (started on _____)	
Description of desired solution or action : _____ _____ _____ _____	



Annex 2. Grievances Database

The current grievances database developed by REL is illustrated in the next page. For a description of the current and past grievances, and how the Project is responding to them, please see REL Stakeholder Engagement Plan.



NYANGE CELL, BUGARAMA SECTOR											Level of Grievance Resolution					
No	Date of complaint	Address	Complaint Issued by	Sex	Age	Contact	Complaint description	Corrective action taken	Date Reply to Issuant	Complainant satisfaction (Are you satisfied on how the complaints have been resolved?)	I	II	III	Ongoing (In progress)	Meeting report	Comments
1	10/7/2021			M	1980		He has two plot number 251 and 252 in Nyange which were not counted while all his neighbors were counted on the map and the area left in the middle.	In the meeting, SACI told him that the correct team will be back, it can be a technical error to do not appear on the map used by return.	15-Oct-21	Yes	Ok				Yes	It has been solved.
2	10/7/2022			M	1966			In the meeting, SACI told him that the correct team will be back, it can be a technical error to do not appear on the map used by return.	15-Oct-21	Yes	Ok				Yes	It has been solved.
3	10/7/2023			F	1976		He bought a piece of land on the plot number 462 but it has not yet been certified.	He informed her that there was a piece that will be given by the project she will be informed when the team will be back.	15-Oct-21	Yes	Ok				Yes	It has been solved.
4	10/7/2024			M	1985		He has a dispute with Mwangi James because James refused to give back the land title of 260, which normally able to make a land title transfer.	He contacted Mwangi James in order to understand regarding both parties, he did not attend the meeting. And we approached the Executive Secretary of Bugarama sector, and we told him a dispute among James and SACI, and he invited both sides and told James to bring the land certificate to the sector office on 10/12/2021. James will use SACI to reach him, and local authority agreed to resolve it.	15/10/2021 10/12/2021	Yes	Ok			Yes	It has been solved.	
5	10/7/2025			M	1950		He bought a plot with Tsengirungu Collins married with Ngunzabwirya James, but Collins died without land title transfer and when George went to the land office, they asked him the proof that Collins had married with James. He asked for advice.	He advised him to approach James and get a copy of her marriage certificate with Collins, and continue land title transfer process with James.	19-Oct-21	Yes	Ok				Yes	It has been solved.
6	10/7/2026			M	1981		The land certificate number does not match with reality on the field. The real number is 120 instead of 126.	They went to the sector to meet land officer and then he told them to look for the signatures of their neighbors and after they will bring the signed form to the sector to apply the title details update.	15-Oct-21	Yes	Ok				Yes	It has been solved.
7	10/7/2027			M	1962		Ngunzabwirya Augustine is not the owner, she lived in SACI but their family members do not know exactly the place and her plot does not register in the land office. They want to do a regular registration of that plot. The plot number is 126. Their brother and sister are Collins James and Betty James.	He recommended them to continue searching Augustine and approaching the local authorities for further advice meanwhile the other will meet the map.	15-Oct-21	Yes	Ok				Yes	It has been solved.
8	10/7/2028			M	1929		It's been a while, he has applied for a land title certificate but it has not yet been released. The plot number was 462. He needs a land title because he used a piece of it.	The land title certificate has been released to the new number 2025.	19-Oct-21	Yes	Ok				Yes	It has been solved.
9	10/7/2029			M	1980		He got doing land transfer because he bought a piece on their plot, and he wants for being counted his property. However, the process of transfer will continue later.	They will be back to update the land occupation of the people left.	19-Oct-21	Yes	Ok				Yes	It has been solved.



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Making Sustainability Happen