REPUBLIC OF BURUNDI

MINISTRY OF WATER, ENVIRONMENT, LAND AND URBAN PLANNING

RESETTLEMENT POLICY FRAMEWORK AND PROCESS FRAMEWORK FOR LAKE VICTORIA ENVIRONMENTAL MANAGEMENT PROJECT PHASE II

May, 2011
1. INTRODUCTION

1.1. Background

The Government of Burundi (GOB) has requested for financial assistance from the World Bank for implementation of the second phase of Lake Victoria Environment Management Project. This regional project involving Burundi, Kenya, Tanzania, Rwanda and Uganda will be coordinated by the Lake Victoria Basin Commission (LVBC). In Burundi, the project will be implemented in 8 provinces located in the Lake Victoria Basin, although specific sub-catchments sites will be determined during the implementation of the project.

Description of the Project. The project aims to enhance socio-economic development and natural resources management of the Lake Victoria basin and will contribute through actions and initiatives of achieving the EAC Basin’s social and economic development. The objectives are to: (i) improve collaborative management of the trans-boundary natural resources of LVB for the shared benefits of the EAC Partner States; and (ii) reduce environmental stress in targeted pollution hotspots and selected degraded sub-catchments to improve the livelihoods of communities, which depend on the natural resources of the LVB. The project is comprised of four components which are: (i) Strengthening institutional capacity for managing shared water and fishery resources; (ii) Point sources pollution control and prevention; (iii) Watershed management and (iv) Project coordination and management.

Potential Involuntary Resettlement Impacts. Preparation of the Trans-boundary Diagnostic Analysis (TDA) Report, the Strategic Action Plan (SAP) as a well as completion of core studies on the four project components have made it possible to realize a better understanding of project activities and indicate the potential impacts of the various sub-components of LVEMP II that may trigger displacement and resettlement of people affected. It is very unlikely that involuntary physical resettlement will occur during the implementation of the project. Small amounts of land acquisition may occur with respect to sub-projects that will be developed under component three. Also under component three, there is also the potential for limitations on the use of natural resources with respect to the creation and consolidation of protected areas. Lastly, the feasibility studies for sanitation facilities to be conducted under component two should include consideration of potential involuntary resettlement. Therefore, OP 4.12 is triggered. Because the sub-projects and feasibility studies will be identified and carried during the implementation of the project, the following Resettlement Policy Framework (RPF) and Process Framework (PF) have been prepared for the purpose of establishing the principles and procedures to be applies in the event that involuntary resettlement, loss of land or other fixed assets, or natural resource limitations leading to nonphysical displacement would arise as a result of the project implementation. The RPF and PF were drafted based on World Bank Operational Policy 4.12 and the relevant Burundi laws and regulations, and will form the basis for resettlement planning.

1.2. Benefits of the LVEMPII

The Lake Victoria Environmental Management Project Phase II (LVEMP II) seeks to enhance socio-economic development and biodiversity conservation within the Lake Victoria Basin (LVB) through improved utilization of information, governance of trans-boundary natural resources, investment in socio-economic development activities and improved public participation and communication. Specific interventions will focus on generating data and
information for improved planning, reduction of point and non-point pollution, catchment protection, community driven micro-projects, policy review and harmonization, and enhanced internal and external communication on project activities and impacts. The project design is consistent with the World Bank’s African Action Plan (AAP), which focuses on improving governance, strengthening drivers of economic and social growth, enhancing effective public participation and communication, and building partnerships.

The sub-projects under LVEMP II will improve and enhance the living standards of the communities in the Lake Basin. The sub-projects will promote sustainable use of water, land, forests and other natural resources through targeted efforts of harmonizing national policies, laws, and regulations governing the sustainable utilization of these key trans-boundary natural resources endowments. In addition, LVEMP II sub-projects will be complementary and add value to one another by focusing on building institutions to improve governance through sustainable management and utilization of the shared Lake Victoria Basin resources.

Implementation of these sub-projects is expected to have a widespread positive impact on overall socio-economic status and livelihoods of the people in the Lake Victoria Basin as a whole. Whereas the individual sub-projects will carry some risks of adverse environmental and social impacts, this report addresses the risks that might arise if a sub-project will result in involuntary resettlement and hence disturbing the people’s economic, social and/or physical aspects of life. This Resettlement Policy Framework (RPF) and Process Framework (PF) provides guidelines on how the feasibility studies and the sub-projects will avoid, manage or mitigate all these project related displacement risks.

1.3. Purpose of the RPF and PF of the LVEMP II

The purpose of this Resettlement Policy Framework is to establish the resettlement and compensation principles, organizational arrangements, and design criteria to be applied to meet the needs of the people who may be affected by the various sub-projects to be implemented under LVEMP II. The RPF and PF (the Process Framework is in Section 13) therefore were prepared to guide and govern LVEMP II as sub-projects are selected for inclusion and sets out the elements that will be common to all subprojects, which by appraisal time are not fully known. A Resettlement Action Plan (RAP), which is a detailed action plan for each sub-project before implementation, will be formulated and approved by the various government agencies and the Bank. This is because the sub-projects that are likely to cause displacement of persons have not been identified particularly in location and extent. The Resettlement Policy Framework, Resettlement Action Plans (RAPs) and Process Framework are prerequisites for development projects that involve involuntary resettlement.

The RPF presents the objectives, principles, organizational arrangements and funding mechanisms for any displacement and resettlements that may be necessary during implementation of LVEMP II. The RPF provides the basis for preparing Resettlement Action Plans (RAPs) for individual sub-projects once their location and scope are known. Resettlement plans for specific sub-projects causing displacement in the LVB will be prepared using this RPF and submitted to the World Bank for approval.

2. PRINCIPLES OF THE RPF AND PF OF LVEMP II

The RPF is guided by a set of policy principles to:
- Avoid and/or minimize and mitigate potential negative social and economic impacts caused by the project;
- Ensure that all affected peoples, regardless of their tenure condition, receive proper compensation and/or assistance to replace assets lost and the restoration of livelihoods at an equal or superior level;
- Make certain that affected people are informed about their options and rights, as well as consulted on the available choices;
- Prepare, if necessary, a RAP consistent with the provisions of the Bank’s policy on resettlement for each activity that would involve resettlement (such plans should be sent to the Bank for approval before the sub-project is approved for financing).

3. LEGAL FRAMEWORK - COMPARISON OF BURUNDI LAWS AND WORLD BANK REQUIREMENTS

The chapter sets out the legal framework, the comparison between the laws and regulations of Burundi and World Bank policy requirements, and proposed measures to bridge the gaps between them.

3.1. Procedures under the Land Act

In Burundi, expropriation of land is provided for in the Land Act under article 407 and the Ministry decree n°720/304 stated on March, 20th 2008. The decree provides guidelines for compensation based on the market value and on land for land replacement. On the other hand, Article 2 of the Land Act provides a prominence of the State in the Land management for economic and social development.

Expropriation in this context refers to the taking away of private land for public purpose by the government with or without the owner’s consent, subject to laws of eminent domain, which stipulates prompt and adequate compensation among other things. Expropriation of land is an important aspect of land management since it is a key instrument by which land is made available for various development needs that are deemed to promote public benefit.

In case of acquisition, the private property is established by the National Land Assets Service, which delivers the certification. Article 356 of the Land Act is precise on how to get land rights resulting from a regular use (or a customized one) by registration.

<table>
<thead>
<tr>
<th>Legal Framework</th>
<th>Functional Relationship to resettlement</th>
</tr>
</thead>
<tbody>
<tr>
<td>The Land Acquisition</td>
<td>Provides for the acquisition of land for public benefit. The State has the powers under this Act to acquire land for projects to benefit the general public. The sub-projoints requiring resettlement are under the provision of this Act.</td>
</tr>
<tr>
<td>The Registered Land</td>
<td>Provides rights. Such land can be acquired by the State under the Land Acquisition Act in the project area.</td>
</tr>
</tbody>
</table>

3.2. Comparison between WB OP 4.12 and Burundi legal requirements

The laws of Burundi only provide compensation for land that is legally owned by PAPs and no compensation to those without formalized rights. The World Bank OP 4.12 provides for compensation for land to both legal owners and those without formalized and/or fully legalized rights. OP 4.12 states that where there is a conflict between the Bank and
government frameworks, those of the Bank shall take precedence. A comparison between the Laws of Burundi and the World Bank OP 4.12 is contained in Table 6 below:

Table 2: Comparison between Burundi Laws and World Bank OP 4.12

<table>
<thead>
<tr>
<th>Category of PAP/Type of lost assets</th>
<th>Burundi Law</th>
<th>World Bank OP 4.12</th>
</tr>
</thead>
<tbody>
<tr>
<td>Land Owners</td>
<td>Cash compensation based upon market value. Land for Land under Customary Law</td>
<td>Recommends land-for-land compensation. Other compensation is at replacement cost.</td>
</tr>
<tr>
<td>Land Tenants</td>
<td>Entitled to compensation based upon the amount of rights</td>
<td>Are entitled to some form of compensation whatever the legal recognition of their occupancy.</td>
</tr>
<tr>
<td>Land Users</td>
<td>In some cases land users have secured tenure extended (regular use); In other cases land users are entitled to compensation for crops and any other economic assets</td>
<td>Entitled to compensation for crops, may be entitled to replacement land and income must be restored to pre-project levels at least.</td>
</tr>
<tr>
<td>Owners of “Non permanent” buildings</td>
<td>Cash compensation based on market value</td>
<td>Entitled to in-kind compensation or cash compensation at full replacement cost including labour and relocation expenses, prior to displacement.</td>
</tr>
<tr>
<td>Owners of “Permanent” buildings</td>
<td>Cash Compensation is based on market value</td>
<td>Entitled to in-kind compensation or cash compensation at full replacement cost including labour and relocation expenses, prior to displacement.</td>
</tr>
<tr>
<td>Vulnerable groups</td>
<td>No specific measures provided in the Law.</td>
<td>Particular attention paid to the identified group.</td>
</tr>
<tr>
<td>Perennial Crops</td>
<td>Cash compensation based upon market rates.</td>
<td>Upon approval by the Bank.</td>
</tr>
</tbody>
</table>

3.3. Proposed measures to bridge the gaps

From the point of view of the process of land acquisition and compensation, it is clear that the procedures described in Section 3.1 are likely less practicable in the event that resettlement issues arise in sub-projects. It will therefore be necessary to streamline the compensation review process under Burundian law to ensure that approval are consistent with those required by the Bank for timely sub-project approval and implementation. It is therefore a priority that the Project Coordination Office develops a valuation and compensation procedure that allows the delegation of authority and decision making to the local level in the case of sub-projects that have minimal resettlement impact. Based on the analysis of these differences and common points, the Borrower has agreed to implement the policy principles of the RPF as stated above and consistent with World Bank OP 4.12 for the activities to be financed by the Project.

4. DEFINITIONS OF PROJECT AFFECTED PEOPLE (PAPs)

4.1. Definition of Project Affected People (PAPs)

This Resettlement Policy Framework considers project affected people as those who stand to lose as a consequence of the project, all or part of their physical and non-physical assets, including homes, communities, productive lands, resources such as forests, fishing areas or important cultural sites, commercial properties, tenancy, income-earning opportunities as
well as social and cultural networks and activities. Such impacts may be permanent or temporary. This might occur through land expropriation, using eminent domain or other regulatory measures, and include restricted or reduced access to legally designated fishing areas and protected areas such as gazetted forests.

The RPF guidelines apply to all components under the project, whether or not they are directly funded in whole or in part by the World Bank. The policy framework applies to all economically and/or physically displaced persons regardless of the total number affected, the severity of impact and whether or not they have legal title to the land. Particular attention will be paid to the needs of vulnerable groups among those economically and/or physically displaced especially those below the poverty line, the landless, the elderly, women and children or other economically and/or physically displaced persons who may not be protected through Burundi’s land compensation legislation.

Unless properly managed, involuntary resettlement may result in long-term hardship and impoverishment for affected persons and communities, as well as environmental damage and social stress in areas to which they have been displaced. For these reasons, the project will avoid involuntary resettlement, or if this is not feasible at least minimize it to the extent possible. However, where it is unavoidable, appropriate measures to mitigate adverse impacts on displaced persons and host communities will be carefully planned and implemented following the general framework outlined in this document.

4.2. Categories of PAPs

Land acquisition for sub-projects may result in negative impacts to different categories of PAPs. Until the exact sub-project locations are determined it is not possible to estimate the likely number of people who may be affected. However, the likely displaced (economically or physically) persons can be categorized into three groups namely:–

Affected individuals

These are individuals who risks losing assets, investments, land, property and/or access to natural and/or economic resources as a result of a sub-project.

Affected households

A household is affected if one or more of its members are affected by any sub-project. This includes:

(a) Any member in the households, men, women, children, dependent relatives and friends, tenants;

(b) Vulnerable individuals who may be too old or ill to farm along with the others;

(c) Members of households who cannot reside together because of cultural rules, but who depend on one another for their daily existence;

(d) Members of households who may not eat together but provide housekeeping or other activities critical to the family’s maintenance; and

(e) Other vulnerable people who cannot participate, due to being physically challenged or for cultural reasons, in production, consumption, or co-residence.

In the local cultures, members of production, consumption, and co-resident groups form overlapping, often incongruent sets of people who may exchange domestic or farming services on a regular basis even though living separately. Compensation will not be limited to
people who live together in a co-resident group, since this might leave out people whose labour contributions are critical to the functioning of the “household”.

**Vulnerable Households**

Vulnerable households may have different land needs from most households, or needs unrelated to the amount of land available to them. Considering criteria and characteristics of precariousness defines by recent studies on the vulnerable groups and social cohesion in Burundi¹, seven vulnerable groups were identified which are: (i) vulnerable women; (ii) children, especially orphans; (iii) young persons; (iv) handicapped persons; (v) the elderly; (vi) Batwa populations; and (vii) families affected and/or infected by the HIV / AIDS. In addition, the project will target these vulnerable groups with respect to all project activities under the project's Strategy for the Participation of Vulnerable populations.²

### 4.3. Approximate number of PAPs

It is not possible at this stage to determine the number of Project Affected People at this stage in the project as the sub-projects have not been determined. The purpose of this RPF is therefore to establish the mechanisms by which the appropriate tools, screening checklists and RAPs will be implemented to mitigate potential resettlement impacts once sub-projects have been identified. The individual sub-projects of the Community Driven Development activities will be identified during project implementation by the local communities in a participatory process. Due to this, the location, nature and magnitude of these sub-projects cannot be determined before implementation. For each sub-project, which could require physical and/or economic resettlement, the number of PAPs will be established through a resettlement action plan which will be elaborated before project implementation.

Some of the feasibility studies for water and sanitation facilities under component 2 should consider their-potential involuntary resettlement implications even though the implementation of these facilities will not be financed under this project.

### 4.4. Eligibility

The involuntary taking of land results in relocation or loss of shelter; and loss of assets or access to assets or loss of income sources or means of livelihood, whether or not the PAPs must move to another location or not. Meaningful consultations with the affected persons, local authorities and community leaders will therefore allow for establishment of criteria by which displaced persons will be deemed eligible for compensation and other resettlement assistance. The Operational Policy on Involuntary Resettlement (OP 4.12) proposes the following three criteria for eligibility:-

(a) Those who have formal rights to land including customary/communal land, traditional and religious rights recognized under Burundi Law;

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¹(1) Étude sur les groupes vulnérables et la cohésion sociale au Burundi (2006). Cette étude comporte de nombreuses recommandations opérationnelles pour analyser les aspects sociaux du projet et pour mener les interventions par rapport aux groupes vulnérables (telles que la participation, l'équité et l'inclusion sociale); (2) Cadre de gestion environnementale et sociale (2011). Ce document répond aux politiques de sauvegarde environnementales et sociales de la Banque Mondiale, notamment: (i) analysant les risques du projet dans les aspects environnementaux et sociaux; (ii) proposant des mesures de prévention ou de mitigation de ces risques; et (iii) détaillant les dispositions institutionnelles et opérationnelles afin de rendre le projet soutenable et équitable du point de vue environnemental et social; (3) Cadre de politique de réinstallation involontaire et de compensation (2011). Ce cadre examine des actions de mitigation et de compensation à mettre en œuvre au cas où un microprojet cause des pertes de patrimoine ou des ressources aux personnes.

²This document responds to the requirements of OP 4.10.
(b) Those who do not have formal legal rights to land at the time the census begins but have a claim to such land or assets provided that such claims are recognized under the laws of Burundi or become recognized through a process identified in the resettlement plan; and

(c) Those who have no recognizable legal right or claim to the land they are occupying, using or getting their livelihood from, but are recognized under World Bank OP 4.12.

Those covered under (a) and (b) above are to be provided compensation for the land they lose, and other assistance in accordance with this RPF. Persons covered under (c) above are to be provided with resettlement assistance in lieu of compensation for the land they occupy, and other assistance, as necessary, to achieve the objectives set out in this RPF. They will only qualify for the compensation if they occupied the project area prior to a cut-off date established by the Resettlement Committees in close consultation with the potential PAPs, local community leaders and the respective local Land Control Boards and acceptable to the World Bank. Persons who encroach on the area after the cut-off date are not entitled to compensation or any other form of resettlement assistance. All persons included in (a), (b) or (c) above are to be provided with compensation for loss of assets other than land.

It is therefore clear that all project affected persons irrespective of their status or whether they have formal titles, legal rights or not, squatters or otherwise encroaching illegally on land, are eligible for some kind of assistance if they occupied the land before the entitlement cut-off date. Persons who encroach the area after the socio-economic study (census and valuation) are not eligible for compensation or any form of resettlement assistance.

4.5. Eligibility Criteria

PAPs may be classified in one of the three groups listed above. The process will involve review of tenure documents owned by occupants, interviews with households and groups in the affected area. PAPs covered in (a) and (b) will be compensated for the land they lose, and other assistance ensuring that they are (i) informed about their options and rights pertaining to resettlement, (ii) consulted and provided with technically and economically feasible resettlement and (iii) provided prompt and effective compensation at full replacement cost for losses of assets attributable directly to the project.

Land for land compensation will be applied to PAPs who might lose their land. All PAPs irrespective of their status or whether they have formal titles, legal rights or not, squatters or encroaching illegally on land, are eligible for some assistance if they occupied the land before the entitlement cut-off date. Persons who encroach on the area after the socio-economic study (census and valuation) are not eligible for compensation or any form of resettlement assistance. There will therefore be a package of compensation and other resettlement measures to assist each category of eligible PAPs to achieve the objectives of the policy.

Eligibility for Community Compensation

It is important to note that the eligibility may be claimed collectively eg as a community or religious group and does not necessarily have to be individuals or families. Communities on communal land that permanently lose land and/or access to assets and or resources under statutory or customary rights will be eligible for compensation. Example of community compensation could be for public toilets, market places, taxi parks, schools and health centres. The rationale for this is to ensure that the pre-project socio-economic status of communities where adversely impacted, is also restored.
4.6. Loss of property

This includes loss of houses, crops and trees, structures, fixed improvements, businesses which should be compensated at market value, negotiated settlements, productivity valuation, material and labour valuation. In cases where the loss is partial, disposition of salvage material will be exercised. Cash payments may also be made if a small fraction of property is lost instead of replacing the whole property, but if the partial loss results in the PAPs not being economically viable then the property will be replaced. Those who lose houses will also be assisted with temporary residence (if necessary).

4.7. Loss of wages and income

These are persons who will lose their income due to the project. Workers losing employment in the process of relocation should be entitled to transitional income support. Compensation equivalent to lost income required for the duration of impact should be paid to the latter. In addition, PAPs will be entitled to transitional assistance, which include moving expenses, temporary residence (if necessary), and employment in the project while waiting for employment. In difficult cases, local administration shall be used to judge eligibility as well as village committees.

4.8. Cut-off date

Cut-off dates are essential in the process of drawing up lists to ensure that ineligible persons do not take the opportunity to claim eligibility. The establishment of a cut-off date is required to prevent opportunistic invasions/rush migration into the chosen land thereby posing a major risk to the sub-project. The cut-off date for this project shall be determined by the Resettlement Committee, as appropriate, making anyone who makes a claim for loss of land or any assets after such a date ineligible for expropriation/compensation. Otherwise the cut-off date will be the date when the census for a particular subproject begins. The cut-off date will be communicated to the relevant agencies like Government Ministries responsible for land administration, local leaders and the sub-project owners/implementers. This should occur as soon as possible after the affected land is identified. This process must be in full compliance with the conflict resolution mechanisms in this RPF and this date must be communicated effectively to the potential PAPs and surrounding local communities. The local community and traditional leaders will play a crucial role in identifying users of land.

4.9. Potential relocation areas

The location for resettlement will be identified during development of individual sub-project RAPs, which will involve consultation with relevant authorities and the PAPs involved.

5. IMPLEMENTATION ARRANGEMENTS

5.1 Overview

The overall coordination of the project will be provided by the Ministry of Water, Environment, Land and Urban Planning (MEEATU) which will oversee all resettlement planning and coordinate all issues relating to natural resource governance. Given the importance of the activities under the various sub-components, MEEATU will collaborate with Local Authorities, the Cleaner Production Services, Water Services Boards and Regional Authorities falling within the project area in coordination and implementation of sub-projects relating to waste management, pollution control and value addition. The Ministry will also coordinate all sub-projects relating to water resource management.
Table 3: Overall institutional roles in RPF process

<table>
<thead>
<tr>
<th>Institution</th>
<th>Role</th>
</tr>
</thead>
<tbody>
<tr>
<td>Provincial Authority</td>
<td>Screening of sub-projects and in cases where resettlement is unavoidable, formation of Resettlement Committees.</td>
</tr>
<tr>
<td>Resettlement Committees at Sub-project level:</td>
<td>Vetting of PAPs to be resettled through public interviews, after which completed RAPs are submitted to Ministry of Land and the World Bank.</td>
</tr>
<tr>
<td>Comprising of Village elders and selected community representatives, Local Chief, Assistant Chief, Women Representatives, Youth Representative, Communal Council member, Local Provincial Officer.</td>
<td></td>
</tr>
<tr>
<td>Provincial and Communal Land Committees</td>
<td>Approval of subdivision and transfer of land titles to PAPs at Communal and Provincial Levels.</td>
</tr>
<tr>
<td>Communal Councils</td>
<td>Approval of Provincial proposals for relocation sites</td>
</tr>
<tr>
<td>Ministry of Water, Environment, Land and Urban Planning</td>
<td>Host of Project Coordination Unit, and in control of financing of RAPs. Oversight of all resettlement activities in all sub-projects, and coordinator of links with Ministry of Lands.</td>
</tr>
<tr>
<td>Ministry of Water, Environment, Land and Urban Planning</td>
<td>Oversight of land expropriation and resettlement processes at the provincial and sub-project level. Departments of Land at Provincial level will Issue titles to resettled PAPs at provincial level.</td>
</tr>
</tbody>
</table>

5.2 Local Level Planning and Implementation

At the local level, the Provincial Project Coordination Team in each province will develop the work programme through a transparent decision making process. The work programme and budget, and progress reports on all aspects of project implementation in each province will be displayed prominently at the provincial and commune headquarters. Provincial and Local Development Officers will be responsible for coordinating development initiatives alongside the Local Commissioners. The Local Councils/authorities shall take responsibility for implementation of the RPF, with assistance from other line local offices of the relevant Government ministries. The table below outlines the Resettlement Policy Framework planning and implementation responsibilities.
<table>
<thead>
<tr>
<th>Role</th>
<th>Responsibility</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mobile Community Advisor (MCA)</td>
<td>* The Mobile Community Advisors will liaise with the communities to support and facilitate them in the targeting and identification of community-driven projects that meet the objectives of LVEMP II.</td>
</tr>
<tr>
<td></td>
<td>* Sensitization and capacity building will be a key part of their role in interacting with the communities, in particular to ensure that they are equipped to make informed and representative choices for the benefit of the whole community.</td>
</tr>
<tr>
<td></td>
<td>* The MCAs will communicate regularly with the Provincial Officers and the Project Coordination Committee in order to facilitate two-way flow of feedback, information and advice.</td>
</tr>
<tr>
<td></td>
<td>* MCAs will seek to avoid the identification of sub-projects that require economic or physical displacement. However, in cases where it is unavoidable, they will, through the a screening process trigger the requirement for a sub-project RAP;</td>
</tr>
<tr>
<td></td>
<td>* MCAs will facilitate the formation of Resettlement Committees.</td>
</tr>
<tr>
<td>Resettlement Committee</td>
<td>A Resettlement Committee will be formed in association with individual sub-projects with membership of the following nature:-</td>
</tr>
<tr>
<td></td>
<td>* A Resettlement Expert with valuation background. This expert will only be appointed in cases where significant resettlement impacts are identified during the screening process.</td>
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<tr>
<td></td>
<td>* A Sociologist from the NPCO;</td>
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<tr>
<td></td>
<td>* Chairman or a Representative of the local Land Control Board;</td>
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<tr>
<td></td>
<td>* Provincial Settlement Officer</td>
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<tr>
<td></td>
<td>* A Representative of the PAPs;</td>
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<tr>
<td></td>
<td>* Local Chief;</td>
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<tr>
<td></td>
<td>* Communal Council member;</td>
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<tr>
<td></td>
<td>* Local Elder.</td>
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<tr>
<td></td>
<td>The Resettlement Committee will:-</td>
</tr>
<tr>
<td></td>
<td>* Draw up a contract listing all property and land being surrendered, and the types of compensation (cash and/or in-kind) selected;</td>
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<tr>
<td></td>
<td>* Arrange meetings with affected individuals to discuss the compensation process;</td>
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<tr>
<td></td>
<td>* Complete a compensation report containing necessary personal information on, the affected party and those that he/she claims as household members, total land holdings, inventory of assets affected, and information for monitoring their future situation;</td>
</tr>
<tr>
<td></td>
<td>* Be involved in identifying the land that the project require;</td>
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<tr>
<td></td>
<td>* Notify the community leaders and representatives who will help to identify and locate the land users;</td>
</tr>
<tr>
<td></td>
<td>* Be charged with the responsibility to PAPs and the community about the established cut-off date and its significance.</td>
</tr>
<tr>
<td>Provincial Environment and Social Development Officers</td>
<td>* The Environment and Social Development Officers will be responsible for ensuring that the screening and review system is integrated into the micro-project cycle, and is used;</td>
</tr>
<tr>
<td></td>
<td>* Sensitization of MCAs and PPCTs to environmental and social issues associated with resettlement;</td>
</tr>
<tr>
<td></td>
<td>* The PEOs and PDOs may need to draw on the technical advice of their governmental colleagues in other departments, or indeed upon traditional technical knowledge.</td>
</tr>
<tr>
<td>Role</td>
<td>Responsibility</td>
</tr>
<tr>
<td>-----------------------------</td>
<td>-------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Social Mitigation Officer</td>
<td>• The PCU will provide guidance to the Provincial Officers and the MCAs and provide the key link between provinces and MEMR;</td>
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<tr>
<td></td>
<td>• The officer will ensure that appropriate agencies that are mandated to plan and implement compensation, income restoration, and rehabilitation programs are identified as early as possible in sub-project preparation;</td>
</tr>
<tr>
<td></td>
<td>• The officer will also conduct internal monitoring and evaluation of RPF implementation.</td>
</tr>
</tbody>
</table>
5.3 Specific roles in the compensation procedure

(a) Public Participation with the PAPs

This will initiate the compensation process as part of an ongoing process that would have started at the planning stages when the technical designs are being developed and at the land selection/screening stage. The process therefore seeks their involvement and wishes to involve PAPs in a participatory approach with the project from the beginning.

(b) Notification of land resource holders

In cases where there is clearly no identified owner or user, the respective local land control boards and the resettlement committee having been involved in identifying the land that the Resettlement Committee’s require, will notify the community leaders and representatives who will help to identify and locate the land users. These leaders and representatives will also be charged with the responsibility of notifying their members about the established cut-off date and its significance. The users will be informed through formal notification in writing and by verbal notification delivered in the presence of the local provincial administration and representatives of the regional Land Control Board, Communal Councillor, PAPs and a Community Elder.

(c) Documentation of Holdings and Assets

The Representatives of the local Land Control Board, the area Chief, a local Elder and other members of the Resettlement Committee will arrange meetings with affected individuals to discuss the compensation process. For each individual or household affected, officials of the Resettlement Committee will complete a compensation report containing necessary personal information on, the affected party and those that he/she claims as household members, total land holdings, inventory of assets affected, and information for monitoring their future situation. This information will be confirmed and witnessed by local land control board chairman, Local Chief, Area Communal council member and a local elder. The reports will be kept current and will include documentation of lands surrendered.

(d) Agreement on Compensation and Preparation of Contracts

All types of compensation will be clearly explained to the individual and households involved. The respective Resettlement Committees will draw contracts listing all property and land being surrendered, and the types of compensation selected. A person selecting in-kind compensation will have an order form signed and witnessed. The compensation contract and the grievance redress mechanisms will be read aloud in the presence of the affected party and the representative of the local Land Control Board, the local Chief, local Councillor, a representative of PAPs and local Elder prior to signing.

(e) Compensation Payments

All handing over of property such as land and buildings and compensation payments will be made in the presence of the affected party, the Chairman or representative of local Land Control Board, local Councillor, local Elder, representative of the PAPs and the local Chief.

5.4 Community compensation payments

It is very unlikely that sub-projects will take land occupied by physical structures, including community facilities. However, if this situation arises, community compensation will be in-kind only for a community as a whole in the form of reconstruction of the facility to at least the same standard or equivalent better standard required by local planning regulation. Examples of community compensation include school buildings, public toilets, wells or pumps, market places, roads and storage warehouses.
6. PROCESS FOR SCREENING, PREPARING AND APPROVING RAPS

This section sets out the step by step process that the Lake Victoria Environmental Management Project Phase II will take to determine whether the subproject will result in physical or economic displacements and therefore whether a resettlement action plan (RAP) is required and if so, how to prepare and implement one. Section 6.1 describes the screening process, while sections thereafter describe the detailed actions required to prepare RAPs. The screening process presented below will ensure that subprojects presented to the Project for funding comply with the requirements of OP 4.12 and the Burundian law under the articles 407 and 412 of the Burundi Land Act relating to land use and resettlement.

6.1 Screening for involuntary resettlement

Subproject screening is used to identify the types and nature of potential impacts related to the activities proposed under the project and to provide adequate measures to address the impacts. Screening for resettlement issues shall be part of the environmental and social screening. Measures to address resettlement shall ensure that PAPs are:

(a) Informed about their options and rights pertaining to resettlement;

(b) Included in the consultation process and given the opportunity to participate in the selection of technically and economically feasible alternatives;

(c) Provided prompt and effective compensation at full replacement cost for; and

(d) Losses of assets and access attributable to the subprojects.

Subproject screening will be incorporated into the subproject application form which the Provincial Development Officer must submit as part of their local development plan. The goal is to identify and consider resettlement issues as early as possible. On the basis of the screening, the PDO will propose which of the following option should be put in place:

(a) An option assessment of alternative project designs in view to avoid and/or reduce displacement risks;

(b) The elaboration of an open minded option assessment as indigenous people might be affected and if avoidance is not feasible an indigenous peoples plan (this decision will need to be co-signed by the indigenous peoples screening structure);

(c) The elaboration of a resettlement policy framework where subprojects may lead to a restriction of the access of populations to gazetted and/or protected forests; and

(d) The elaboration of a resettlement action plan to address all other resettlement risks.

For projects not anticipated to result in displacement, and where loss of assets are anticipated to be negligible, then this information shall also be indicated in the subproject application form along with a request to waive the requirement for a RAP.

6.1.1 Screening checklist

The screening checklist form will be incorporated into the Project’s Implementation Manual. The screening checklist will be completed by a Provincial Project Coordination Team and submitted to the Resettlement Committee for decision.

6.1.2 Screening review form

The screening form will then need to be reviewed by the PEO and PDO and cleared by the Resettlement Committee. The Resettlement Committee will advise whether an additional option assessment should be carried out in view to avoid or reduce the physical or economic

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This page would continue with further details on the process and requirements as outlined in the Resettlement Policy Framework for LVEMP II.
displacement or whether the argument of the subproject proposal is providing sufficient evidence for the decision proposed. The checklist review form, presented in the annexes, prompts the reviewer to verify the information provided, and confirm the best course of action.

6.1.3 Subproject design

If the screening indicates that a subproject requires in its present layout the physical or economic resettlement, the project, which might want to finance this sub-project, will advice the relevant structures to consider feasible alternative sub-project designs to avoid or at least minimize physical or economic displacement, while balancing environmental, social and financial costs and benefits.

6.2 Baseline and Socio-economic data

An important aspect of preparing a RAP is to establish appropriate socio-economic baseline data to identify the persons who will be displaced by the individual subproject, to determine who will be eligible for compensation and assistance, and to discourage inflow of people who are ineligible for these benefits. The PAPs may be classified into three groups namely:-

(a) Those who have formal legal rights to the land they occupy;

(b) Those who do not have formal legal rights to land, but have a claim to land that is recognized or recognizable under the national laws including those measures put in place by the draft land policy; or

(c) Those who have no recognizable legal right or claim to the land they occupy.

In summary, the census consolidates information that (i) provides initial information on the scale of resettlement to be undertaken; (ii) gives an indication of further socio-economic research needed to quantify losses to be compensated and, if required, to design appropriate development interventions; and (iii) establishes indicators that can be measured at a later date during monitoring and evaluation. Baseline data for sub-project RAPs will include number of persons; number, type, and area of the houses to be affected; number, category and area of residential plots and agricultural land to be affected; and productive assets to be affected as a percentage of total productive assets.

6.3 Preparation of a sub-project RAP

A RAP shall be prepared by the Provincial Project Coordination Team, preferably with the support of technical service providers or mobile extension teams, for subprojects that have been determined to result in potential involuntary resettlement and/or land acquisition. When a RAP is required, the Provincial Project Coordination Team shall submit completed studies along with their RAP’s subproject application to the Resettlement Committee for appraisal, and subsequently to the Project Coordination Unit and World Bank. The basic elements of a RAP (in the case where an RPF is in place) are provided in the box below.
Contents of a Resettlement Action Plan

- Identification of project impacts and affected populations;
- Particular aspects of the legal framework for land acquisition and compensation, as applied to the sub-project;
- Particular aspects of the compensation framework, as applied to the sub-project;
- Description of resettlement assistance and restoration of livelihood activities;
- Detailed budget;
- Implementation schedule;
- Particular aspects of the description of organizational responsibilities, as applied to the sub-project;
- Details of public consultation, participation, and planning for the sub-project;
- Particular aspects of the description of provisions for redress of grievances, as applied to the sub-project; and
- Particular aspects of the Framework for monitoring, evaluation, and reporting, as applied to the sub-project.

6.4 Review of sub-project RAPs

Subprojects to be proposed by the Communal Council will be approved by the Resettlement Committee. The Resettlement Committee will review eligibility for subprojects based on field appraisals, which include results of the environmental and the social screening used. The RAP will be submitted once complete to the decentralized decision committees for screening and approval in compliance with the project institutional administrative arrangements. It is anticipated that Provincial Project Coordination Team will not have the institutional capacity to prepare RAPs or studies during the start of the programme and thus will be assisted and supported by local service providers/NGOs. The Focal Point Ministry should have representatives at the provincial level to provide the necessary technical support required.

Grievance Mechanism

As the screening process is mostly carried out by the sub-projects, the project will establish a grievance mechanism, through the Provincial Project Coordination Team to inform all PAPs about the project and receive and address specific concerns about compensation and relocation that are raised by displaced persons or members of host communities, including a recourse mechanism designed to resolve disputes in an impartial manner. See Section 9 for more details about the grievance mechanism.

Compensation and Benefits for Displaced Persons

The PPCT will oversee the implementation of resettlement activities and ensure that the displacement or restriction of access does not occur before necessary measures for resettlement are in place. When displacement cannot be avoided, the project will offer displaced persons and communities’ compensation for loss of assets at full replacement cost and other assistance to help them improve or at least restore their standards of living or livelihoods. Where livelihoods of displaced persons are land-based, or where land is collectively owned, the project will offer land-based compensation. The project will further provide opportunities to displaced persons and communities to derive appropriate development benefits from the project.

Consultation

Following disclosure of all relevant information through the project communication channels and the independent grievance mechanism, the project will provide for resettlement action
plans to consult and facilitate the informed participation of affected persons and communities, including host communities, in decision making processes related to resettlement. The MCAs will ensure that consultation will continue during the implementation, monitoring, and evaluation of compensation payment and resettlement to ensure that the living conditions of the PAPs are enhanced or at least restored.

6.5 Approval of Resettlement Action Plans

After clearance from the Resettlement Committee, the compensation, resettlement and rehabilitation activities of the RAP, overseen by the PPCT, will be satisfactorily completed and verified by the communities before funds can be disbursed for civil works under the subproject. The EMPs and RAPs developed for subprojects will also be reviewed by the NPCT and the World Bank. For quality assurance, it is required that RAPs prepared for subprojects be submitted to the World Bank for review to ensure that they are produced in line with the OP 4.12. Gaps in quality shall be addressed through training at the provincial level for relevant service providers and reviewers, funded by the project as part of the budget for capacity building.

7. METHODS OF VALUING AFFECTED ASSETS

This chapter sets out the detailed requirements for determining the value of affected assets.

7.1. Valuation procedure

The procedure to be followed during valuation of affected assets is as follows.

Use of Standard Valuation Tables

Due to the large number and the localized nature of the majority of sub-project interventions, it is anticipated that a relatively large number of small-scale asset valuations will need to be carried out during the course of the project. It would therefore be cumbersome and inefficient to deploy an individual valuation expert in each and every case. It is proposed that an evaluation expert is contracted by the Project Coordination Office at the project outset to develop a standardized procedure for asset valuation, which can then be applied by a project representative at the local and/or provincial level. This standardized procedure would include a series of reference tables for estimating asset value by type according to the approximate size and condition of the existing asset. The tables would be developed using legally acceptable valuation procedures accepted by both the Government of Burundi and World Bank for purposes of fairness and consistency. The approach will consider replacement costs and types and levels of compensation under the Burundi law. Valuation of lost assets will be made at their replacement cost.

Preparation of Asset Inventory

In order to prepare an inventory of assets for a sub-project, a field team will visit the affected area to carry out an asset valuation survey. The team will be led by a project representative and will include the local Chief, a representative of the PAPs, a representative of the local Land Control Board, a representative of the local County Council and a village representative who shall be members of the Compensation Committee.

During the survey, each asset will be enumerated and inscribed on an inventory and a valuation of the asset carried out using the approach described above. The values of each asset will then be recorded in a register and shown to the affected person for agreement. The register will be signed and a copy given on the spot to the affected person. The document will
indicate when the affected person will be notified, and that the inventory will not be official until a second signed copy, verified by project supervisory staff, is returned to the affected person. At this time, a copy of the grievance procedure will also be given to the affected person as stated in the grievance redress mechanism.

**Methods of Compensation**

Individual and household compensation will be made in cash, in kind, and/or through assistance. The type of compensation will be an individual choice. Table 7 below describes the forms of compensation.

**Table 5: Forms of compensation**

<table>
<thead>
<tr>
<th>Cash Payments</th>
<th>Compensation will be calculated in US dollars. Exchange Rates will serve to pay in BIF.</th>
</tr>
</thead>
<tbody>
<tr>
<td>In-kind Compensation</td>
<td>Compensation may include items such as land, houses, buildings, building materials, seedlings, agricultural inputs and financial credits for equipment.</td>
</tr>
<tr>
<td>Assistance</td>
<td>Assistance may include moving allowance, transportation and labour</td>
</tr>
</tbody>
</table>

Making compensation payments raises issues regarding inflation, security and timing that must be considered. One purpose of providing in-kind compensation is to reduce inflationary pressure on the cost of goods and services. Local inflation may still occur and thus market prices will be monitored within the time period that compensation is being made to allow for adjustments in compensation values. The issue of security, especially for people who will be receiving cash compensation payments should be addressed by the local administration. Local Banks and micro-finance institutions should work closely with the local administration at this level to encourage the use of their facilities, which will positively impact the growth of the local economies. The time and place for in-kind compensation payments will be decided upon by each recipient in consultation with the Compensation Committee. Monetary payments should be paid at a time in relation to the seasonal calendar.

**7.2. Valuation methods**

**Replacement Cost Approach**

The replacement cost approach is based on the premise that the costs of replacing productive assets is based on damages caused by project operations. These costs are taken as a minimum estimate of the value of measures that will reduce the damage or improve on on-site management practices and thereby prevent damage. The approach involves direct replacement of expropriated assets and covers an amount that is sufficient for asset replacement, moving expenses and other transaction costs.

**Gross Current Replacement Cost**

Gross Current Replacement Cost (GCRC) is defined as the estimated cost of erecting a new building having the same gross external area as that of the existing one, with the same site works and services and on a similar piece of land.

**Other methods**

*Rates from Contractors:* When rate schedules do not exist or are out of date, recent quotations by contractors for similar types of construction in the vicinity of the project can be used for calculating replacement costs. In projects offering the options of cash compensation or alternative accommodation, the construction cost estimates for alternative accommodation could be used for calculating cash compensation payable. The relevant Government Ministry should provide a schedule of rates for preparing estimates for construction projects, which the
consultant can use to assess costs for construction materials and labour. When applied to calculate replacement cost, rates current for the period of actual replacement must be used.

7.3. Calculation of compensation by assets
The following methods of calculation should be adopted for the preparation of the aforementioned standardized asset valuation tables and/or the application of specific case by case valuations in the case of projects that have significant impacts.

Compensation for Community Assets
Compensation will be provided for community assets identified through the socio-economic survey. In all cases these will be provided in kind and new facilities will be provided even if there are existing facilities at the new location.

Compensation for Sacred Sites
This policy does not permit the use of land that is defined to be cultural property by the Banks Safeguards OP 4.11. Sacred sites include but are not restricted to traditional and culture sites, altars, initiation centres, ritual sites and cemeteries. They include other such sites that are accepted by Burundian laws. To avoid any possible conflicts between individuals, communities, homesteads and/or local government, the use of sacred sites for any activity is not permitted under this project.

8. IMPLEMENTATION SCHEDULE, LINKING RESETTLEMENT IMPLEMENTATION TO INVESTMENTS

8.1. Overview
Before any project activity is implemented, PAPs will need to be compensated in accordance with the resettlement policy framework. For activities involving land acquisition or loss, denial or restriction to access, it is further required that these measures include provision of compensation and of other assistance required for relocation prior to displacement and preparation of resettlement sites with adequate facilities, where required. Taking of land and related assets may take place only after compensation has been paid and where applicable, resettlement sites and moving allowances have been provided to displaced persons. For project activities requiring relocation or loss of shelter, the policy further requires that measures to assist the displaced persons are implemented in accordance with the individual RAPs.

The measures to ensure compliance with this RPF will be included in the RAPs that will be prepared for each land involving resettlement or compensation. The schedule for the implementation of activities must be agreed to between the Resettlement Committee and the PAPs. These include the target dates for start and completion of investments, timetables for transfers of completed investments to PAPs, and dates of possession of land that PAPs are using. The dates must be after transfer date for completed civil works to PAPs and payments of all compensation. How these activities are linked to the implementation of the overall sub-project must also be agreed between the parties. The screening process must ensure that RAPs contain acceptable measures that link resettlement activity to investments in compliance with this policy.

The timing mechanism of these measures would ensure that no individual or affected household would be displaced (economically or physically) due to civil works activity before
compensation is paid and resettlement sites with adequate facilities are prepared and provided for to the individual or homestead affected. Once the RAP is approved by the local and national authorities, the RAP should be sent to the World Bank for final review and approval.

8.2. Project launching

At each sub-project launching, an assessment of the social impacts of each sub-project will be conducted particularly for subprojects presumed to induce extensive adverse social impacts. The assessment will help to determine which mitigation measures to be taken and establish whether or not detailed RAPs with timetables and budgets should be prepared.

Terms of reference (TOR) for the assessments will be drafted by the Ministry of Water, Environment, Land and Urban Planning. Issues to be addressed by the screening process will include demography, land tenure and socio-economic structures for larger sub-projects involving more than 20 households and consultations with local authorities and PAPs for all sub-projects. A key task to be conducted under this process is a household survey describing the extent of the social impacts. At this stage, all PAPs will be listed in order to avoid an influx of people trying to take advantage of the compensation and rehabilitation. A cut off date from which eligibility for compensation will be terminated will be proclaimed and new inhabitants coming to the project affected areas will not be considered for compensation. The principles of compensation will be triggered wherever there will be land acquisition and adverse social impacts.

8.3. Implementation schedule

The timing of the resettlement will be coordinated with the implementation of the main investment component of the project requiring resettlement. All RAPs will include an implementation schedule for each activity covering initial baseline and preparation, actual relocation, and post relocation economic and social activities. The plan should include a target date when the expected benefits for resettled persons and hosts would be achieved.

Arrangements for monitoring implementation of resettlement and evaluating its impact will be developed during project preparation and used during supervision. Monitoring provides both a warning system for project managers and a channel for resettled persons to make known their needs and their reactions to resettlement execution. Environmental and Social Impact Assessments, if deemed necessary through the application of the ESMF, will be conducted parallel with the design of the sub-projects, and will determine the number of PAPs and to assess demand of needs of the displaced persons which could be housing, water, health facilities and sanitation.

Target dates for achievement of expected benefits to resettled persons and hosts should be set and the various forms of assistance to the resettled persons should be disseminated to them. Planning and coordination of the tasks of the various actors is key to successful implementation. To achieve this, workshops will be organized with the stakeholders and other relevant government agencies, at project launching and at the commencement of every subproject identified to have adverse social impacts. The workshops will focus on (i) taking stock of the legal framework for compensation, (ii) settling institutional arrangements and mechanisms for payment of compensation, (iii) defining tasks and responsibilities of each stakeholder and (iv) establishing a work plan.

The stakeholders will be requested to participate in the decision making process and provide inputs in the area of their expertise in order to establish a coherent work plan or schedule. PAPs will also be consulted with the aim of obtaining their positions on the issues at stake.
9. GRIEVANCES REDRESS MECHANISMS

Grievances may arise from members of communities who are dissatisfied with (i) the eligibility criteria, (ii) community planning measures, or (iii) actual implementation. This chapter sets out the measures to be used to manage grievances.

9.1. Overview

The overall process of grievance is as follows:-

(a) Compensation committees including representatives of PAPs will establish the compensation rates.

(b) During the initial stages of the valuation process, the affected persons will be given copies of grievance procedures as a guide on how to handle the grievances.

(c) The process of grievance redress will start with registration of the grievances to be addressed for reference, and to enable progress updates of the cases.

(d) The project will use a local mechanism, which includes peers and local leaders of the affected people. These will ensure equity across cases, eliminate nuisance claims and satisfy legitimate claimants at low cost.

(e) The response time will depend on the issue to be addressed but it should be addressed with efficiency.

(f) Compensation will be paid to individual PAPs only after a written consent of the PAPs, including both husband and wife.

(g) Should a PAP refuse the compensation suggested, he/she could appeal to the Provincial Project Coordination Team and local Land Control Board.

(h) A Compensation Committee and local Land Control Board at the local level will first revise his/her case.

(i) The Compensation Committee will draft its inclusions and submit them to the PPCT for deliberation in the aim of settling the differences.

(j) In case of failure to agree on compensation, the individual PAP has the right to take his/her case to the civil court for litigation.

In order to deal with the grievance that may rise during the implementation of the RAP, there is need to incorporate a grievance redress process with PPCT and with PAPs representatives committee to hear the complaints and provide solutions. This will reduce unnecessary litigation by resolving disputes through mediations.

9.2. Grievance redress process

At the time that the individual resettlement plans are approved and individual compensation contracts are signed, affected individuals and homesteads will have been informed of the process for expressing dissatisfaction and to seek redress. The grievance procedure will be simple and administered as far as possible at the local levels to facilitate access, flexibility and ensure transparency.

The Resettlement Committee being a party to the contract would not be the best office to receive, handle and rule on disputes. Therefore, taking these concerns into account, all grievances concerning non-fulfilment of contracts, levels of compensation, or seizure of assets without compensation should be addressed to the Provincial Lands Officer and the PPCT, assisted by the local Land Control Board.
If the verdict rendered by the chief is not acceptable to either the individual affected or the management committee, then the parties in their compensation contract would have agreed that the matter would be appealed in a court of law as provided for by law. Notwithstanding that the grievance redress mechanism accepts that the compensation and resettlement plans will be binding under the laws of Burundi.

The grievance redress mechanisms is designed with the objective of solving disputes at the earliest possible time which will be in the interest of all parties concerned and therefore implicitly discourages referring such matters to the courts which would otherwise take a considerably long time. Grievance procedures may be invoked at any time, depending on the complaint. No person or community from whom land or other productive assets are to be taken will be required to surrender those assets until any complaints he/she has about the method or value of the assets or proposed measures are satisfactorily resolved.

All attempts would be made to settle grievances and those seeking redress would do so by notifying their chief. The chief will inform and consult with the Resettlement Committee, the PPCT, the local Land Control Board and PAP and other records to determine a claim’s validity. If valid, the chief will notify the complainant and he/she will be settled.

If the complainant’s claim is rejected, then the matter will be brought before the Provincial Land Registrar and local Land Control Board and if the PAP is dissatisfied with their decision, then he/she will be free to seek the determination by a court of law as provided for in the Constitution. The decision of the High Court will be final. The local leaders will be required to give advice concerning the need for revision of procedures. Once they agree on necessary and appropriate changes, then a written description of the changed process will be made. The PPCT and the local Land Control Board will be responsible for communicating any changes to future potential PAPs.

9.3. PAPs Representative Committee

In redressing the grievances, PAPs Representative Committee shall hear the grievances of the PAPs, and provide an early solution. The Committee will immediately bring any serious matters to the attention of the PPCT and inform the aggrieved parties about the progress of their grievances and the decisions of the PPCT and Resettlement Committee.

A Grievance Redress Committee (GRC) will be constituted to register the grievance raised by the PAPs and address the grievance forwarded by the PAPs representative committee. The Grievance Redress Committee will try as much as possible to arrive at a compromise for the complaints raised. This may be obtained through a series of negotiations conducted with the PAPs. If PAPs accept the recommendations made by the committee, the parties may hold mediation meetings at the appointed places. In situations where PAPs are not satisfied with the decision of Grievance Redress committee, the PAPs can approach the Burundi courts of law. The response time for cases handled in both committees will depend on the issues addressed but it should be as short as it is possible.

10. RPF IMPLEMENTATION FUNDING

In the case of LVEMP II, any required physical resettlement will be financed through counterpart funds from the Government of Burundi. The sub-project mitigation measures for the Process Framework (see Section 13) would be financed by the project from subcomponent 3.3. At this stage, it is not possible to estimate the exact number of people who may be affected since the technical designs and details have not yet been developed. It is therefore not possible to provide an estimated budget for the total cost of resettlement that may be associated with implementation of LVEMP II. However, when these locations are
known, and after the conclusion of the site specific socio-economic study, information on specific impacts, individual and household incomes and numbers of affected people and other demographic data will be available, a detailed and accurate budgets for each RAP will be prepared.

11. MECHANISM FOR CONSULTATIONS AND PARTICIPATION OF DISPLACED PERSONS IN PLANNING, IMPLEMENTATION AND MONITORING

11.1. Overview

The involvement of involuntary resettled persons and hosts in planning prior to the move is critical and initial resistance to the idea of involuntary resettlement is expected. To obtain cooperation, participation and feedback, the resettled persons and hosts will be systematically informed and consulted during preparation of the resettlement plan about their options and rights. They will also be able to choose from a number of acceptable resettlement alternatives. Particular attention will be given to vulnerable groups such as described in section 3.3.3 of this document.

The plan will address and mitigate the resettlement’s impact on host populations who should be informed and consulted. Any payments due to the hosts for land or other assets provided to resettled persons should be promptly made. Conflicts between hosts and resettled persons may develop as increased demands are placed on land, water, forests, services etc., or if the resettled persons are provided services and housing superior to that of the hosts.

Conditions and services in host communities should improve, or at least not deteriorate and provision of improved education, water, health and production services to both groups will foster a better social climate for their integration. In the long run, the extra investment will help prevent conflicts and secure the project’s aim. Successful resettlement requires a timely transfer of responsibility from settlement agencies to the resettled persons. On the other hand, local leadership must be encouraged to assume responsibility for environmental management and infrastructure maintenance.

11.2. Data collecting phase

After familiarizing themselves with the project area through reading and consultations with the Ministry of Water, Environment, Land and Urban Planning; the consultants will design appropriate questionnaires intended for data collection at project location levels. The levels will vary from households to community groups, based on the TOR. The consultant will design questionnaires for data collection from various households, organizations and institutions such as women groups, farmers’ Associations, individual farm units, primary and/or secondary schools, health centres and agricultural cooperative unions or individual farm units, depending on the nature of information source.

All the actors will constitute the main taskforce in the data collecting phase and PAPs will be consulted to participate in the process by providing socio-economic information about their livelihoods. This could be done through use of forms, questionnaires and interviews. Persons or groups of persons at the project sites, location, village levels, or household levels to be interviewed will also be identified and selected through stratified random sampling. Those to be interviewed will include those directly affected by physical works and a scientifically accepted number of respondent households for each sub-project location.

The PAPs will be consulted through meetings to share information about the project, discuss social impacts of project operations and the mitigation measures suggested. The contribution of the PAPs will be integrated into the subproject implementation process, from planning to
evaluation. Furthermore, data about socio-impacts of the subprojects and the mitigation measures suggested will be provided to the media. This data will serve as instruments for the monitoring of the social mitigation measures.

11.3. Implementation operation

During implementation, the PAPs will be informed about their rights and options, at which point they will air their views. Cash compensation amount and size of land offered for compensation will be presented to each eligible PAP for consideration and endorsement before cash payment or land compensation can be effected. A committee of peers will be set up for grievance redress.

11.4. Monitoring and Evaluation phase

The PAPs representatives will participate in the project completion workshops, to give their evaluation of the impacts of the project. They will also suggest corrective measures, which may be used to improve implementation of other subprojects. After completion of all expropriation/compensation operations, the PAPs will be consulted in a household survey to be undertaken as a monitoring and evaluation exercise.

12. ARRANGEMENTS FOR MONITORING AND EVALUATION -

Monitoring and evaluation of resettlement activities will be an integral part of project monitoring. Key indicators will be: (i) duration to sign land acquisition agreements; (ii) duration to pay compensation expenses; (iii) changes in affected household's economic situations.

Monitoring. In order to assess whether the goals are met, RAPs will indicate parameters to be monitored, institute monitoring milestones and provide resources necessary to carry out the monitoring activities. The NPCT will institute an administrative reporting system that will:

(a) Provide timely information about all resettlement arising as a result of project activities;

(b) Identify any grievances that have not been resolved at a local level and require resolution through the involvement of the NPCT;

(c) Document the timely completion of project resettlement obligations for all permanent and temporary losses;

(d) Evaluate whether all PAPs have been compensated in accordance with the requirements of this RPF and that PAPs have higher living standards in comparison to their living standards before physical or economic displacement.

Monitoring of RPF Implementation. Provincial Development Officers will compile basic information on all physical or economic displacement arising from the project, and convey this information to the NPCT, on a quarterly basis. They will compile the following statistics:

(a) Number of sub-projects requiring preparation of a RAP;

(b) Number of households and individuals physically or economically displaced by each sub-project;

(c) Length of time from sub-project identification to payment of compensation to PAPs;

(d) Timing of compensation in relation to commencement of physical works;
(e) Amount of compensation paid to each PAP household (if in cash), or the nature of compensation (if in kind);

(f) Number of people raising grievances in relation to each sub-project; and

(g) Number of unresolved grievances.

The PCU will scrutinize these statistics in order to determine whether the resettlement planning arrangements as set out in this RPF are being adhered to. They will alert the National Project Coordinator, and the Focal Point Ministry, if there appears to be any discrepancies. The NPCT will directly monitor compensation and loss of wages. Financial records will be maintained by the subprojects and the NPCO to permit calculation of the final cost of resettlement and compensation per individual or household. The statistics will also be provided to an independent consultant that will be contracted on an annual basis. The following indicators will be used to monitor implementation of the RPF.

### Table 6: Verifiable indicators

<table>
<thead>
<tr>
<th>Monitoring</th>
<th>Evaluation</th>
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<tbody>
<tr>
<td>Outstanding compensation or resettlement contracts not completed before next agricultural season.</td>
<td>Outstanding individual compensation or resettlement contracts.</td>
</tr>
<tr>
<td>Subprojects unable to settle compensation after two years.</td>
<td>Outstanding compensation contracts.</td>
</tr>
<tr>
<td>Grievances recognized as legitimate out of all complaints lodged.</td>
<td>All legitimate grievances rectified</td>
</tr>
<tr>
<td>Pre-project production and income (year before land used) versus present production and income of resettled persons, off-farm-income trainees, and users of improved agricultural techniques.</td>
<td>Affected individuals and/or households compensated or resettled in first year who have maintained their previous standard of living at final evaluation.</td>
</tr>
<tr>
<td>Pre-project production versus present production (crop for crop, land for land).</td>
<td>Equal or improved production per affected household/homestead.</td>
</tr>
</tbody>
</table>

**Socio-economic monitoring.** The purpose of socio-economic monitoring is to ensure that PAPs are compensated and recovering on time. During implementation of each sub-project RAP, an assessment will be undertaken on payment of compensation, restoration of income delivery of resettlement objectives. Monitoring of living standards will continue following resettlement. A number of indicators will be used to determine the status of affected people and appropriate parameters and verifiable indicators will be used to measure the resettlement and compensation plans performance. For each sub-project with adverse social impacts, a monitoring and evaluation plan of the mitigation measures will be established. As part of the preparation of each RAP, a household survey will be conducted of all PAPs, prior to physical or economic displacement, and this will provide baseline data against which to monitor the performance of the RAP. Following the completion of all expropriation/compensation operations, a household survey will be conducted. The aim of the survey is to assess the impacts of the social mitigation and measures implemented. In addition, local authorities and PAPs will be consulted to provide their assessments of the impacts of social mitigation measures applied.

**Storage of PAPs Details**
Each PAP household will be provided with a signed report recording his or her initial situation, all subsequent project use of assets and compensation agreed upon and received. The Resettlement Committee and NPCT will maintain a complete database on every individual impacted by the project land use requirements including relocation, resettlement and compensation, land impacts or damages.

13. PROCESS FRAMEWORK FOR MITIGATING POTENTIAL LIVELIHOOD IMPACTS FROM PROTECTED AREAS.

13.1. Project Description

The project aims to enhance socio-economic development and natural resources management of the Lake Victoria basin and will contribute through actions and initiatives of achieving the EAC Basin’s social and economic development. The objectives are to: (i) improve collaborative management of the trans-boundary natural resources of LVB for the shared benefits of the EAC Partner States; and (ii) reduce environmental stress in targeted pollution hotspots and selected degraded sub-catchments to improve the livelihoods of communities, which depend on the natural resources of the LVB. The project is comprised of four components which are: (i) Strengthening institutional capacity for managing shared water and fishery resources; (ii) Point sources pollution control and prevention; (iii) Watershed management and (iv) Project coordination and management.

13.2. Physical Displacement

OP 4.12 is triggered on the slight chance that physical resettlement or land acquisition might become necessary in relation to subprojects, and the mitigation measures are addressed in the Resettlement Policy Framework (RPF) in the previous chapters of this document.

13.3. Potential Impacts on Livelihoods in Protected Areas and Project Strategy

Overall the project is expected to contribute to positive social outcomes relating to increased well-being and livelihood security for populations living near protected areas including improved natural resource and environmental conditions and potential economic benefits to local populations from a healthy environment, local involvement in PA management as well as other economic opportunities.

In Burundi,, some of the rural poor who live near protected areas sometimes use the the natural resources of the protected area including for natural resource extraction (such as for firewood or building materials). While protected area management plans in Burundi are done collaboratively and in a participatory manner with the local population, and some sustainable uses of selected natural resources in protected areas is allowed, the use of natural resources inside protected areas has a series of restrictions and limitations. Hence, during the implementation of LVEMP II the activities financed to support protected areas could potentially adversely impact some of the livelihood activities of the local population. When this is the case, the main strategy of the project to mitigate these potentially adverse effects will be to develop sub-projects for alternative livelihood activities. How the project will address potentially negative adverse effects of such restrictions is further detailed below.

a) **Minimizing Adverse Socio-economic Impacts.** One principle that the project will adopt is to avoid negative social impacts as much as possible. Thus, an overall project strategy is to involve local communities as much as possible in the creation and implementation of protected area management plans which allow for the sustainable uses of some natural resources by the local population.

b) **Participation.** Following international practices, the creation and consolidation of protected areas in Burundi is a highly participatory process, with active local participation in the formulation of PA management plans. In addition, the formulation, implementation and monitoring and evaluation of targeted sub-projects under component 3 of LVEMPII will also be carried out in a highly participatory manner.

c) **Ensuring Socioeconomic Well-Being.** The mechanisms described in (a) and (b) above are designed to ensure the socioeconomic well-being of human communities inside or near PAs. Nonetheless, additional mitigation measures may be needed to address the potential adverse effects such as alternative livelihood activities, changes in technology, and others which can be funded as subprojects to be financed under Subcomponent 3.3. 

**Community driven development for livelihoods improvement.** These are described in more detail in the following section.

d) **Target Population.** This Process Framework will apply to those persons and organizations that are directly affected by restrictive measures from the creation and/or consolidation of PAs in the selected project intervention areas, specifically those who: (i) Are subject to limitation of resources needed for their subsistence; and (ii) Might undergo negative effects on their means of subsistence or productive activities.

e) **Respect to national laws.** This Process Framework applies regardless of the absence of legal titles or deeds. However, it does not apply to persons who carry out activities or actions classified as illegal and criminal under national laws (e.g. illegal poaching, illegal mining, etc.).

f) **Respect for Cultural Diversity.** The definitions of restrictions to practices in PAs will take into account the subcultures and degree of vulnerability of local populations in or near each selected PA as well as traditional knowledge practices.

**13.5. Guidelines for Mitigation Measures**

The project will prepare alternative livelihood sub-projects when there are potential negative effects from natural resource limitations from protected areas being financed by the project. It is like that some of the sub-projects would finance the following types of activities, among others:

a) promoting the use of more sustainable technologies in relation to the use of natural resources
b) alternative livelihood activities to compensate for prohibited activities

c) trainings pertaining to environmental conservation and sustainable natural resource uses
d) joint protection activities

Sub-projects for mitigating adverse effects from non-physical displacement would be prioritized, but follow the same procedures as outlined in the project's manual for CDD sub-projects.
Financing. With respect to subprojects to mitigate potential adverse impacts, the financing for these activities would come from Subcomponent, 3.3, Community driven development for livelihoods improvement

Institutional Arrangements. The overall coordination of the project will be provided by the Ministry of Water, Environment, Land and Urban Planning (MEEATU) where the LVEMP II National Project Coordination Team will be based. The Process Framework will be supervised by the staff to be hired to coordinate component 3. Detailed implementation arrangements for sub-projects will be further specified in the project implementation manual which is being developed.

Monitoring and Evaluation. The project's M&E system will include process and outcome indicators for the Process Framework, with particular attention to assessing the mitigation of actual or potential negative effects of natural resource restrictions.
Annex 1: Template for the design of sub-project Resettlement Action Plans

The basis for preparing RAPs is provided by Resettlement Policy Framework (RPF), which guides and governs projects as sub-projects are selected. In the case of LVEMP II, it is the responsibility of the Government of Burundi through the Ministry of Water, Environment, Land and Urban Planning to prepare both the RPF and RAP. The RPF (and PF) document was consulted and publicly disseminated prior to the World Bank appraisal of the project.

This section of the RPF provides a template for description of the contents of individual RAPs for sub-projects, which are likely to trigger resettlement. It takes cognizance of the scope of RPF and includes the minimum information, which is required to complement what is contained in the RPF.

A resettlement action plan should address potential adverse impacts of the project and at the same time make provisions for improving the socio-economic conditions of the affected populations. To address the impacts, the plan should have the following attributes:

The resettlement plan includes measures aimed at ensuring that the displaced persons are (i) informed about their options and rights pertaining to resettlement, (ii) consulted over choices and given technically and economically feasible resettlement alternatives; and (iii) provided with prompt and effective compensation at full replacement cost for losses of assets due to the project.

In case the impacts include physical relocation, the resettlement plan includes measures to ensure that the displaced persons are (i) given assistance (such as moving allowance) during relocations; and (ii) provided with residential housing or housing sites or, as required, agricultural sites for which a combination of productive potential, location advantages and other factors is at least equivalent to the advantages of the old site.

Where necessary, to realize the objectives of the Resettlement Policy, the plan also includes measures to ensure that displaced persons are (i) offered support after displacement for a transition period which is likely to be needed to restore their livelihood and standards of living and (ii) provided with development assistance in addition to compensation measures. Such assistance includes land preparation, credit facilities, training and/or job opportunities.

The content and level of detail of a RAP will vary depending on circumstances such as the magnitude of resettlement. However, a satisfactory Resettlement Action Plan should include the following elements:

(a) Description of the project (sub-project), project area and area of influence

Information presented in this section includes description of the project area showing location, sitting of plants, structures, lands, affected dwellings etc; projects objectives and strategy; policy and legal framework; timeframe; geographical coverage; project strategic context and rationale.

(b) Potential Impacts

Description of project components or activities which would trigger resettlement; the cultural, social, economic and environmental impacts envisioned; and the alternatives considered to avoid or minimize resettlement

(c) Organizational Responsibility

The institutional arrangement within the implementing agency, provision of adequate resources to the agency and inter-agency coordination should be described. The capacity and
commitment of the institution to implement the RAP should be assessed. Strengthening of the
institutions should be considered if necessary and the steps that will be taken together with a
timetable and budget should be described at the time of preparing the project. Involvement of
the local people and NGOs in planning, implementation and monitoring resettlement should
be highlighted.

(d) Community Participation

This sub-section includes:

- Description of the consultation and participation of the displaced and host
  communities in the design and implementation of resettlement activities including a
  summary of the views expressed and how these views were incorporated during the
  preparation of the resettlement plan.

- A review of the resettlement alternatives identified and choices made by the displaced
  people, including choices related to forms of compensation and resettlement
  assistance, relocating as individual families or as part of pre-existing families and to
  retaining access to cultural property (e.g. cemeteries, places of worship etc)

- Description of procedures for redress of grievances by affected people throughout the
  planning and implementation period.

- Description of measures aimed at sensitizing and educating the affected and host
  communities on matters of resettlement

(e) Integration with host communities

- Arrangements for consultation with host communities and for prompt payment to the
  host for land and other assets should be provided to the resettled persons

- Arrangements for resolving conflicts which may arise between the resettled persons

- Arrangements for resolving conflicts which may arise between the resettled persons
  and host communities should be put in place

- Appropriate measures should be formulated to augment public services such as
  education, water, health in host communities in order to avoid disparities between
  resettled persons and the host communities should be put in place.

- Resettled persons should be integrated economically and socially into host
  communities so that adverse impacts to host communities are minimized

(f) Socio-economic Studies

- Population census of the project area including a description of production systems,
  household organization, baseline information on livelihoods and standards of living of
  the displaced population (and host communities)

- An inventory of assets of displaced households; the magnitude of the expected loss
  (total or partial for individual or group assets); and extent of physical and economic
  displacement.

- Information on disadvantaged/vulnerable groups or persons for whom special
  provisions may have to be made. Such groups and persons include those living below
  the poverty line, the landless, the elderly, women, children, indigenous people, ethnic
  minorities and displaced persons who are not protected through national land
compensation legislation. Resettlement involving vulnerable/disadvantaged groups/persons should be preceded by a social preparation phase to build their capacity to deal with issues of resettlement.

- Provisions for updating information on the livelihood of displaced people and their standards of living at regular intervals.
- Description of land tenure systems including common property and non-title based land ownership or allocation recognized locally and related issues.
- Public infrastructure and social services that will be affected and
- Social and cultural characteristics of displaced and host communities. Appropriate patterns of social organization should be promoted and the existing social and cultural institutions of resettled persons and their host should be retained, supported and used to the extent possible.

(g) Legal framework including mechanisms for conflict resolution and appeals

- The applicable legal and administrative procedures including a description of remedies available to displaced persons in the judicial process and the normal time frame for such procedures and available alternative dispute resolution mechanisms that may be relevant to the project
- Laws and regulations relating to the agencies responsible for implementing resettlement activities. In reference to land, water, land acquisition, environment and other laws which are force.
- Any legal steps that are necessary for ensuring the effective implementation of resettlement activities including a process for recognizing claims to legal rights over land (including claims that derive from customary and traditional law and usage)

(h) Institutional Framework

This will involve the identification of agencies which are responsible for resettlement activities and NGOs that may have a role to play in project implementation and assessment of the institutional capacity of such agencies and NGOs. In the case of LVEMP II, the agency which is responsible for resettlement activities is the Ministry responsible for Lands and Settlement.

(i) Eligibility

Definition of displaced persons and criteria for compensation and other resettlement assistance including relevant cut off dates. The assurance should be given that lack of legal title should not bar affected persons form being compensated.

(j) Valuation and Compensation for losses

- The methodology to be employed for valuing losses in order to determine their replacement cost. This is a description of the levels of compensation under the local laws and supplementary measures aimed at determining replacement of cost for lost assets and.
- A description of the packages of compensation and other resettlement measures that will ensure that each category of eligible displaced persons get their fair compensation. In conformity with the World Bank Operational Policy (OP.4.12 of Dec 2001), displaced persons should be assisted in their efforts to improve their
livelihoods and standards of living or at least to restore them to pre-displacement levels or to levels prevailing prior to the start of project implementation whichever is higher.

(k) Identification of alternative sites, selection of resettlement site(s), site preparation and relocation

- Institutional and technical arrangements for identifying and preparing relocation sites for which a combination of productive potential, location advantages and other factors, should be at least comparable to ancillary resources.
- Procedures for physical relocation including timetable for site preparation and land title transfer and description of resettlement sites.
- Measures to prevent the influx of ineligible person (encroachers and squatters) into the selected sites such as the identification and recording of affected people at the project identification stages.
- Legal arrangements for regularizing tenure and transferring titles to resettled persons.

(l) Shelter, infrastructure and social services

This sub-section provides details regarding plans to provide or finance housing, infrastructure (e.g. roads, water supply etc) and social services (schools, health services) and plans aimed at ensuring that services and any necessary site development to host communities are comparable to those provided to resettled persons.

(m) Environmental protection

An assessment of the possible environmental impacts of the proposed resettlement and measures to mitigate and manage the impacts. Reference will be made to the existing Environmental laws.

(n) Implementation Schedules

An implementation schedule covering all resettlement activities from project preparation through implementation to monitoring and evaluation indicating dates for achievement of expected benefits to resettled persons and hosts and dates for terminating the various forms of assistance.

(o) Costs and Budget

The breakdown of cost estimates for all resettlement activities including allowances for inflation and other contingencies, timetable for expenditures, sources of funds and arrangements for timely disbursement of funds.

(p) Monitoring and evaluation

Under this sub-section, information regarding arrangements for monitoring of resettlement activities by the implementing agency is presented. When appropriate, independent monitors will supplement the role of the implementing agency to ensure objectivity and completeness of information. Performance indicators for measuring inputs, outputs and outcomes of resettlement activities and for evaluating impacts for a reasonable period of time after the resettlement activities have been completed are also presented.
(q) Commitment to follow RPF guidelines and requirement
A statement of assurance that the implementing agency will follow the guidelines and requirement of the RPF should be included in the RAP.

(r) Description of programmes for improvement and restoration of livelihoods and standards of living of the affected people.
Programmes aimed at improving and restoring the livelihoods and standards of living of the affected people in line with the Resettlement Policy should be described and the magnitude of their funding should be indicated.
## Annex 2: Sample Census Survey Form

### 1A1: Socio-economic household datasheet of PAPs

<table>
<thead>
<tr>
<th>Name of Interviewer</th>
<th>Signature</th>
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<tbody>
<tr>
<td>ID Code</td>
<td></td>
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<tr>
<td>Name of Supervisor</td>
<td>After verification of interview</td>
</tr>
<tr>
<td>ID Code</td>
<td></td>
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</table>

<table>
<thead>
<tr>
<th>Village Name</th>
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</thead>
<tbody>
<tr>
<td>ID Code</td>
<td></td>
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</tbody>
</table>

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<thead>
<tr>
<th>Number of concessions in village</th>
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<tbody>
<tr>
<td>GPS Coordinates</td>
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</table>

**Date:**…………………………………

<table>
<thead>
<tr>
<th>Name of Head of Extended Family:</th>
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<table>
<thead>
<tr>
<th>Number of nuclear families in extended residential groups</th>
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1A2: Household Interview Form

<table>
<thead>
<tr>
<th>Name</th>
<th>Relationship to Family Head</th>
<th>Sex</th>
<th>Place of Birth</th>
<th>Age</th>
<th>Marital Status</th>
<th>Residence Tenure</th>
<th>Ethnic Group</th>
<th>Religion</th>
<th>Education Level</th>
<th>Yes</th>
<th>No</th>
<th>Primary</th>
<th>Secondary</th>
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</tbody>
</table>


Residential Status: 1. Permanent Resident, 2. Absentee Resident, 3. Member of non-resident HH, 4. Visitor, 5. Others (Specify, 0. No answer


Religion: 1. Muslim, 2. Christian (Specify denomination), 3. Others (Specify), 0. No answer
Annex 3: Sample Asset Valuation Survey Form

Land Asset Inventory for Project Affected People

Province: ____________________________ Date: ____________________________
Village: ____________________________

<table>
<thead>
<tr>
<th>Survey No.</th>
<th>Name of Head of HH</th>
<th>No. of persons in HH</th>
<th>Total HH Land holding (M²)</th>
<th>Land to be acquired (M²)</th>
<th>Land use Type</th>
<th>% Loss of land</th>
<th>Loss of assets</th>
<th>Loss of crops</th>
<th>Loss of other assets</th>
<th>Other losses</th>
</tr>
</thead>
<tbody>
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</tbody>
</table>

Permanent Structures (M²) Temporary Structures ((M²)) Area of residential land lost (Ha) Fruit trees lost (Type and No.) Agricultural land lost (Ha) Other (specify) Residence (rented) Business lost Income loss

* Land types are follows (please fill in the types of land appropriate for Burundi).
1. 
2. 
3. 
4. 
## Entitlements of Project Affected People

Province:………………………………………… Date:……………………………………….
Village:…………………………………………

<table>
<thead>
<tr>
<th>Survey No.</th>
<th>Name of HH Head</th>
<th>Compensation for land</th>
<th>Compensation for structures</th>
<th>Compensation for crops and trees</th>
<th>Compensation for other assets and losses</th>
<th>Total (BIF)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Quantity (m²)</td>
<td>Unit price (BIF/m²)</td>
<td>Entitlement (BIF)</td>
<td>Quantity (m²)</td>
<td>Unit price (BIF/m²)</td>
<td>Entitlement (BIF)</td>
</tr>
</tbody>
</table>
Annex 4: Sample Grievance Procedure Form

GRIEVANCE FORM

Grievance Number……………………………………………………

Name of the Recorder………………………………………………

Province/ Commune/Settlement………………………………………..

Date…………………………………………………………………..

Copies to forward to:

White (Original) – Receiver Party
Blue (Copy) – Responsible Party
Green (Copy) – DSI for database
Pink (Copy) – Complainant

INFORMATION ABOUT GRIEVANCE

Define the grievance

INFORMATION ABOUT THE COMPLAINANT

Name……………………………………………………………………..

Telephone Number……………………………………………………..

Address………………………………………………………………….

Village / Settlement……………………………………………………

Provincial / Province…………………………………………………./

Signature of complainant………………………………………………

Method of passing information

□ Telephone
□ Meetings
□ Mail
□ Informal
□ Other (Specify)

DETAILS OF GRIEVANCE

1. Access to land and resources
   * Fishing ground
   * Land
   * Pasture land
   * Houses

2. Damage to:
   * Houses
   * Land
   * Livestock
   * Means of livelihood

3. Damage to infrastructure or community assets
   * Roads
   * Railways
   * Bridges

4. Decrease or loss of livelihood
   * Agriculture
   * Animal husbandry
   * Bee keeping

5. Traffic accident
   * Injury
   * Damage to property
   * Damage to livestock
   * Others (specify)
<table>
<thead>
<tr>
<th></th>
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<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>* Commercial sites</td>
<td>* Others (specify)</td>
<td>* Power lines</td>
<td>* Small scale trade</td>
<td>* Others (specify)</td>
</tr>
<tr>
<td>* Others (specify)</td>
<td></td>
<td>* Telephone lines</td>
<td>* Others (specify)</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>* Water sources (specify type)</td>
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<tr>
<td></td>
<td></td>
<td>* Sewerage system</td>
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<td></td>
<td></td>
<td>* Others (specify)</td>
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</tbody>
</table>
GRIEVANCES CLOSE OUT FORM

Grievance close out number: .................................................................

Define immediate action required: ..........................................................

Define long term action required (if necessary): .....................................

Compensation Required: □ Yes □ No

Verification of corrective action and sign off

<table>
<thead>
<tr>
<th>Corrective action steps to carry out</th>
<th>Due date</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td></td>
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<td>6</td>
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<td>7</td>
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</tbody>
</table>

Responsible Party

COMPENSATION ACTION AND SIGN OFF

Notes: This part will be filled in and signed by the complainant when he/she receives the compensation or file is closed out

Complainant: ................................................................. Representative of Responsible Party: ..........................................
Name and Signature: .......................................................... Title, Name and Signature: ..................................................
Date: ................................................................. Date: .................................................................