

**THE UNITED REPUBLIC OF TANZANIA
MINISTRY OF WATER AND IRRIGATION**



**LVWATSAN-MWANZA Project
Immediate Investment Plan (IIP)**

**Abbreviated Resettlement Action Plan (ARAP) for Contract
2: Extension and Rehabilitation of Water Supply Systems
and Construction of a Faecal Sludge Treatment Plant in
Misungwi, Magu and Lamadi**

CONFIDENTIAL FINAL REPORT

Prepared for:

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May 2017

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MACDONALD**

LVWATSAN – Mwanza

Immediate Investment Plan (IIP)

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May 2017

Mwanza Urban Water Supply and Sanitation Authority
(MWAUWASA)

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List of Abbreviations

ARAP	Abbreviated Resettlement Action Plan
AFD	French Development Agency
BDC	Bsuga District Council (for Lamadi)
BP	Bank Procedure (World Bank)
DED	Detailed Engineering Design / District Executive Director
DN	Distribution Network
DoE	Department of Environment
EIB	European Investment Bank
EIS	Environmental Impact Statement
EMP	Environmental Management Plan
ESIA	Environmental and Social Impact Assessment
ESMF	Environmental and Social Management Framework
ESMP	Environmental and Social Management/Monitoring Plan
EU	European Union
EUR	Euro
FSTP	Faecal Sludge Treatment Plant
GRM	Grievance Redress Mechanism
GoT	Government of Tanzania
HDPE	High Density Polyethylene
ID	(Pipe) Identity
IIP	Immediate Investment Plan (for Mwanza and three satellites)
LS	Lender's Supervisor
LVWATSAN	Lake Victoria Water and Sanitation (Project)
MaDC	Magu District Council
MCC	Mwanza City Council
MiDC	Misungwi District Council
MoLHS	Ministry of Lands, Housing and Settlements
MoWI	Ministry of Water and Irrigation
MWAUWASA	Mwanza Urban Water Supply and Sanitation Authority
NEMC	National Environment Management Council
NGO	Non-governmental Organization
O&M	Operation and Maintenance
OP	Operational Policy (World Bank)
PMC	Project Management Consultant (for LVWATSAN)
PMU	Project Management Unit (for LVWATSAN)
RMF	Resettlement Management Framework
RoW	Right of Way
RPF	Resettlement Policy/Planning Framework (for LVWATSAN)
SEP	Stakeholder Engagement Plan (for LVWATSAN)
STIP	Short-term Investment Plan (for Mwanza)
TD	Tender Document(s)

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Glossary

A/RAP	Document in which the responsible competent authority or project party describes the impact of involuntary resettlement and specifies the procedures that will be followed to identify, evaluate and displace or compensate Project Affected People, and defines the actions to be undertaken during all phases of displacement or compensation.
Census	Field survey carried out to identify and determine the number of Project Affected Persons as a result of land acquisition and related impacts. The census provides the basic information necessary for determining eligibility for compensation, resettlement and other measures emanating from consultations with affected communities and the local government institutions.
Compensation	Refers primarily to the cost of payment for expropriated land (including trees and crops that cannot be harvested), housing, structures and other fixed assets, including assets acquired for temporary project use. It includes the costs incurred to directly acquire substitute properties as well as the cost of acquiring resettlement sites. Compensation applies to vendors, enterprises, and other commercial operations, as well as residential units (households).
Resettlement Planning Framework	Provides guidelines for development of appropriate mitigation and compensation measures for the impacts caused by the project activities whose exact locations are not known prior to project appraisal. The RPF is intended for use as a practical tool to guide the preparation of A/RAPs for sub-project activities during implementation of the project.
Land acquisition	Process whereby a person is compelled by a government agency to alienate all or part of the land that person owns or possesses to the ownership and possession of the government agency for public purpose in return for compensation. It includes purchases or leasing of land and purchases or leasing of access rights (way-leave).
Involuntary resettlement	<p>Refers to (a) physical displacement (i.e. physical relocation of residence or loss of shelter), and/or (b) economic displacement (i.e. loss of assets or access to assets that leads to loss of income sources or means of livelihood) as a result of project-related land acquisition or restriction of access to natural resources.</p> <p>Resettlement is considered involuntary when affected individuals or communities do not have the right to refuse land acquisition resulting in displacement. Involuntary resettlement can be caused by environmental degradation, natural disasters, conflicts or development projects. Even if the resettlement is prompted by public safety concerns (such as natural hazard-induced displacement), it is still considered involuntary if the resettled population has no choice to remain at their location.</p> <p>Involuntary resettlement is associated with loss of housing, shelter, income, land, livelihoods, assets, access to resources and services, among others.</p>

These losses occur as a consequence of declaring a public purpose in cases of: (a) land acquisition, (b) expropriation or restrictions on land use based on eminent domain, (c) forfeiting of a livelihood/subsistence strategy dependant on the use of natural resources, and/or (d) negotiated settlements in which the buyer can resort to expropriation or impose legal restrictions on land use if negotiations with the seller fail.

Conversely, resettlement is considered voluntary when affected persons have the right to refuse land acquisition or engage in open market transactions. Voluntary resettlement implies that the people involved:

- (i) are fully and a priori knowledgeable about the project and its implications and consequences;
- (ii) agree freely to participate in the project; and
- (iii) have the option to agree or disagree with the land acquisition, without adverse consequences imposed formally or informally by the state.

Cut-off Date	Date of completion of the census and assets inventory of persons affected by the development. Persons occupying the area after the cut-off date are not eligible for compensation and/or resettlement assistance. Similarly, fixed assets (such as built structures, crops, fruit trees, and woodlots) established after the date of completion of the assets inventory, or an alternative mutually agreed on date, will not be compensated.
Grievance Redress Mechanism (GRM)	The A/RAP contains a GRM based on policies and procedures that are designed to ensure that complaints or disputes about any aspect of land acquisition, compensation, resettlement and rehabilitation are being addressed. This mechanism includes a procedure for filing of complaints and a process for dispute resolution within an acceptable time period.
Project Affected Person (PAP)	PAPs are defined in the RPF as all persons who lose as a consequence of the LVWATSAN – Mwanza Project ownership of and or part of their physical assets, which include their homes, tenancy, productive land, commercial properties, income earning and subsistence opportunities, cultural sites, communities, as well as social and cultural networks and activities. The impacts may be permanent or temporary. This include all members of the household (women, men, girls, boys, incl. Several generations in the case of extended households), the owner and employees of a business, tenants, land owners, and share croppers, informer settlers (i.e. lacking former titles)holders of customary land rights, informal business operators and their employees / assistants.

Acknowledgement

The Mwanza Urban Water Supply and Sanitation Authority (MWAUWASA) would like to acknowledge the assistance and guidance received for compiling this ARAP Report for the proposed extension and rehabilitation of water supply systems and construction of a faecal sludge treatment plant in Misungwi, Magu and Lamadi.

Executive Summary

The LVWATSAN – Mwanza Project (2014-2020), implemented by the Ministry of Water and Irrigation (MoWI), and co-financed by the European Investment Bank (EIB) and the Agence Française de Développement (AFD), aims at protecting the Lake Victoria environment and wellbeing of the population in the Lake Basin. The Project has several components, one being the preparation and implementation of an Immediate Investment Plan (IIP) for Mwanza City and its Satellite Towns of Misungwi, Magu and Lamadi. Implementation of the IIP is through a number of contracts, one being Contract 2: extension and rehabilitation of water supply systems and construction of a faecal sludge treatment plant (FSTP) in each of the three satellite towns. Contract 2 implementation is planned to commence shortly and is expected to have been completed in March 2020.

The aim of the present document is to assess – to the extent possible at this stage – any Project Affected People (PAP) resulting from the Contract 2 works, any necessary compensation arrangements, and to identify further steps that need to be taken before the construction works can start.

The package of project engineering interventions in each town consists principally of the same components and includes:

- A new raw water intake and water treatment plant located out of town on a plot of land on the side of Lake Victoria;
- Installation of new or replacement of existing but faulty water supply transmission mains between the raw water intake area and water storage reservoirs;
- New water storage reservoirs, i.e. two in Misungwi, and one each in the towns of Magu and Lamadi;
- Installation of new water distribution networks or replacement of existing sections that are in poor condition;
- Installation or replacement of customer water supply connections and meters; and
- Construction of a FSTP located at some distance out of town where waste from septic tanks collected by trucks is deposited, processed (dried) and after maturation distributed.

Two of the project interventions require the acquisition of land, and both of these land plots are located in Magu. Other lands required for the project works are mostly government land, i.e. for the other intake areas, reservoirs and FSTPs. Transmission mains will in part be constructed through and amidst agricultural lands or inside road reservations, whereas the distribution networks will be laid in road reservations in the majority of instances. Letters for release and landownership for some of the key locations where the project interventions will take place have been issued by the respective District Councils in each town and are available from MWAUWASA/PMU.

Chapter 3 provides an analysis of the applicable policy and legal framework. Land acquisition is mainly governed by the Land Act No. 4 (1999) and Village Land Act No. 5 (1999).

Contrary to conditions in the densely populated and rocky and hilly Mwanza City, in the three rural towns there is usually ample space between individual buildings, and between buildings and roads along which most of the pipes will be laid. The land is generally flat or slightly undulating and soils can be excavated for pipe laying relatively easily. According to the 2012 census the populations of the three towns were 43,000 for Misungwi, 46,000 for Magu and almost 20,000 for Lamadi.

Various rounds of consultation were conducted for preparation of the present report, and people consulted included district representatives, and leaders and members of the communities involved. Minutes of these meetings have been compiled and are available from the PMU on request. In general, there has been an overwhelmingly positive response towards the planned project interventions, people have been waiting eagerly for piped potable water in their town for many years.

The requirements for PAP identification and preparation of (Abbreviated) Resettlement Action Plans (A/RAP) has been described in detail in the Resettlement Planning Framework (RPF) for the project; the latter was endorsed by the MoWI in January 2016. However, some of the guidance provided in the RPF is not feasible under the present conditions. One of the constraints experienced is that contrary to RPF assumptions, the Design Consultant has not provided detailed maps that depict the exact locations of where the interventions will take place. Particularly the transmission mains and the distributions networks have been indicated in the design in an indicative manner only (i.e. straight lines between nodes), and size of land plots required for the works have not always been indicated in the design precisely or consistently, which hampers the assessment of PAPs.

Another constraint is the practical need for Contractor involvement in this process. Specifically, construction methods and sequencing of works by the contractor can impact the number of PAPs. The present report therefore is considered as a draft pending the involvement of the Supervising Consultant (SC) to finalise once details of construction methods and sequencing, as well as precise routing and marking of the new infrastructure, as proposed by Contractor/SC are known.

Prior to and in parallel to project involvement two (2) plots had been identified by the local authority that needed to be acquired to accommodate project interventions, both are associated with Magu town. One plot of 0.57 ha is located at the new raw water intake / water treatment plant, and the other plot of 1.84 ha is for the FSTP. For both plots, the Magu District Council had carried out by its Valuation Section of the Department of Lands and Natural Resources, a valuation of lost property and assets on each plot, and the resulting Valuation Reports of April 2014 and January 2017 (cut-off dates 9/4/2014 and 31/1/2017) have been made available. Valuation has been carried in accordance with the Land Assessment of the Value of Land for Compensation Regulations (2001), under Section 179 of the Land Act No. 4 (1999) and the Village Land Act No. 5 (1999), i.e. by using the Comparative Method which is sometimes referred to as the Direct Capital Comparison Method. This implies that the compensation for loss of any interest in land includes among other things the value of un-exhausted improvements, disturbance allowance, transport allowance, accommodation allowance and loss of profit. The Crop Compensation Schedule was adopted to arrive at the crop values.

Both reports describe how property and crop values and applicable allowances have been established, and which guiding principles have been used and what has been considered in assessing the compensation. Various authorizations complete the report, including the Government Chief Valuer, Dar es Salaam. Attachments to this report provide the detailed valuation analysis, as well as proof that the people concerned have been informed on the outcome of the valuation, and their signature. All PAPs associated with the water intake area and the FSTP (and the access road) have been paid compensation in cash.

In the absence of detailed design maps showing exact pipe locations, the PMC, accompanied by a senior engineer of the local Water Utility Company, has conducted a PAP survey resulting in the identification of four classes of potential PAP risk areas in each town; results have been entered in a digital PAP Risk Area Data Register (Appendix 6), which will be handed over to the Supervising Consultant and Contractor once these have been mobilized. This register aims at alerting them on possible problem areas during detailed planning and construction of the works, and to look for alternative non- or less impacting options as may be possible.

While doing the PAP survey, the PMC has tried to identify individual PAPs to the extent possible at this stage that are likely to result from the project interventions, as follows.

Misungwi

Raw water intake area / water treatment plant – The land plot measures approximately 170 x 200 m and is located close to Nyahiti village, adjacent to the existing water intake on the side of Lake Victoria. The land has been owned by the MiDC since the 1980s. As per the Land Act No 4 (1999) the lake shore was declared as a reserved area for public utilities as per Section 6, Sub-section (1) b and c. therefore, no PAPs.

Transmission mains – Replacement of the buried 2.5 km of faulty steel transmission main from the raw water intake is almost entirely through agricultural land. Additionally, 200 m of transmission mains will be installed towards the High Level Reservoir and 900 m between the HLR and the Low Level Reservoir. 5 m on either side of the pipe alignment has been declared as reservation area. There are not expected to be any PAPs involved as long as the start of the construction works is announced well in advance (one year earlier) and if the works itself are conducted outside the cropping season.

High and Low Level Reservoirs – Two plots have been selected on two rocky hilltops, measuring 25 x 40 m and 30 x 50 m, respectively. The land has never been owned by an individual; as per the Land Act No 4 of 1999 Section 6, Sub-Section 1b and 1c the hilltop has been reserved for public use only. On site there are already buildings and facilities of cellphone companies/electricity utilities for which the MiDC collects levy being considered as a justification of landownership. Apart from occasional grazing on degraded shrub and weeds, there are no PAPs associated with these works.

Distribution network – A 40.3 km network of water supply pipelines will be installed, including some replacement, primarily along existing village roads and inside road reservations. Two PAPs were identified, in both cases (Mitundo school and a Bar) the pipe will or may (depending on final decision on alignment) cross a fence. Both PAPs have provided a consent letter, not requiring compensation.

Faecal Sludge Treatment Plant – The land take for the FSTP is approximately 1 ha (100 x 100 m); land is part of an eucalyptus forest plantation since 1982, located along a rural unpaved road (Note: the Tender Documents indicate the wrong site). The land is owned by the MiDC as per Section 30 and Section 37 of the Forest Act No 14 of 2002 which stipulates that all forest reserves are managed by the designated local government authority. There are no people living on or using the site, apart from occasional grazing by roaming livestock, therefore, no PAPs.

Water supply to Nyahiti village – This has been considered as an optional intervention during design, but has been cancelled due to lack of project funds.

Misungwi summary – In total two (2) PAPs were identified but both have signed a letter of consent and therefore there is no need for compensation in any of the works.

Magu

Raw water intake area / water treatment plant – The area is situated in Busolwa sub-village at Bugabu village, and measures according to the Tender Documents 60 x 73 m (= 0.438 ha) and a plot of 0.58 ha has been acquired. The land take process started in early 2014 (well before project start), and was concluded in December 2015 by compensation payment to the previous landowner. The Valuation Report of April 2014 documents the process that the Magu District Council conducted and is available. One PAP.

Transmission mains – 10.8 km will be installed from the raw water intake through agricultural lands, along and within the RoW of the main Mwanza-Musoma highway, and inside Magu town along existing

roads towards Magu Hill. As long as the start of the construction works is announced well in advance (one year earlier) and if the works are conducted outside the cropping season, there will be no PAPs.

Water reservoir – The land size for the reservoir is not specified in the tender documents but it is located beside the existing reservoir at the top of Magu Hill that is owned by the MaDC. There are no people residing at the site, and there are no PAPs.

Distribution network – 64.7 km of pipelines will be replaced, mostly located along existing village roads and within road reservations. Three (3) houses were identified where a driveway/access apron has been constructed between the road and the house entrance, and the occupants have filled a questionnaire, and stated that they will remove any obstructions to the construction work and replace these when the work has been completed – all on their own expense.

Faecal Sludge Treatment Plant – Trapezoid shaped land, measuring 218 x 130 x 223 x 43 m, amidst agricultural land. The process of land take for the FSTP plot started in 2016. The land is situated at Moha sub-village Ilungu village, the land size is reported as '4.54 acres' (1.84 ha) involving six (6) people who own land and/or trees and two graves. The Magu DC had a Valuation Report (January 2017) prepared and this was made available to the PMC on 2 March 2017. Meanwhile compensation payments in cash have been made to all 6 PAPs.

The design and tender documents for Magu do not include an access road to be constructed from the Mwanza-Musoma main road towards the FSTP, i.e. through agricultural fields, however the Valuation Report of January 2017 includes the valuation of assets along this road alignment as well. Seven (7) landowners/ users and the land area and assets to be lost have been identified. As the access road is not included in or financed by the project (but it will be constructed and financed by the District Council itself), the PAPs associated with this work are not further considered within the framework of the present ARAP.

Magu summary – In total ten (10) PAPs have been identified to result from the project works: one (1) has been compensated already; three (3) have signed a consent letter and do not require compensation; and six (6) PAPs, all exclusively associated with the FSTP, have received compensation payment in cash.

Lamadi

Raw water intake area / water treatment plant – A plot of 55 x 75 m has been selected on the side of Lake Victoria, i.e. within a 6 ha plot owned by the Busega DC. The previous land occupant claimed landownership but was revoked due to breach of land legislation (non-citizenship).

Transmission mains – The 5.2 km pipe alignment runs through land that is currently used for small scale agriculture at and near the water intake/WTP plot and subsequently runs inside the reservation of the main Mwanza-Musoma road till it reaches the primary school premises along this road. No land titles were issued in Lamadi town but commitment letters have been issued by the village committee for the transmission main. As long as the construction works are announced well in advance (one year), and if the works itself are conducted outside the cropping season there will no PAPs.

Water reservoir – A 40 x 60 m plot of land has been selected at the Itongo Primary School premises for construction of the 400 m³ elevated water storage tank. As a number of trees, that currently provide shade for school children, have to be cut for the works, it is recommended to plant at least a same number of trees elsewhere on the premises for compensation.

Distribution network – In total 30.5 km of water supply pipe systems will be installed, mostly along existing non-tarred rural roads inside Lamadi village. Given the fact that there is usually ample space along

the mainly unpaved roads of Lamadi town it is not expected that any PAPs will be associated with the pipe system construction works.

Faecal Sludge Treatment Plant – A plot of 154 x 245 m has been selected amidst an open field outside town that has no other visible use than for occasional grazing by roaming livestock. No land titles were issued in Lamadi town but commitment letters have been issued by the village committee for the FSTP at Mwabayanda village. The remaining portion of land is still used by the villagers who want to conduct agricultural activities. No PAPs.

Lamadi summary – No PAPs have been identified.

Overall, the PAP survey conducted to date identified twelve (12) PAPs in the three towns. Depending on final decision on pipe locations, construction methodology and work sequencing more PAPs may be identified in a later stage. Accidental damage which may occur during construction works, for example to structures such as buildings, infrastructure, trees, fences, etc. will be dealt by the Contractor in collaboration with the developer, and cannot be considered within the framework of the present report due to the unknown about whether this will happen and if so, where and when.

The MoWI-endorsed RPF of January 2016 requires that compensation under the project is to be provided in accordance with Tanzanian law, particularly the 1967 Land Acquisition Act and 1999 Land Act. i.e. being cash equivalent to the market value. Both valuations for the acquired plots comply to this requirement.

The RPF states that “*all estimates of compensation will be based on Replacement Cost Methods. Nationally set values for crops and fruit trees by the Ministry of Lands, Housing and Settlements are used as the basis for crop values. The Comparative method of valuations which is sometimes referred to as the Direct Capital Comparison method (DCCM) is used and in absence of the market evidences the Replacement Cost Method (RCM) is adopted. Under the later method, Depreciated Replacement Cost is equated to the Market value of the subject property.*” Consequently, the valuations have been conducted by using the Comparative Method which complies to the RPF.

In general, as long as any outstanding compensation payments are pending, the areas concerned will be off limits to contractors until at least the valuation process has been approved, including by the householders themselves (with compensation agreed).

Further sections of this present report detail institutional responsibilities and operational procedures, requirements for the grievance redress mechanism that has been set up in each town, as well as arrangements for implementation, monitoring and reporting on the ARAP activities.

The remaining steps that need to be taken are as follows:

- **Decision on final alignment of pipelines**– Although it is believed that this present report provides a practically complete PAP assessment, the final location of the transmission mains and distribution networks will have to be decided upon, ideally by a combined party of the Contractor, the Supervising Consultant, an Engineer from the town’s Water Utility Company, PMU/PMC as well as the local community involved. This may result in some PAPs that still need to be added.
- **ARAP Report review and approval** – As per the RPF requirements, the present ARAP report will be forwarded to the District Councils for scrutiny and approval.

Once satisfied with the ARAP report the District Council will forward the report on together with their recommendations to the Ministry of Land, Housing and Settlements and the Ministry of Water and Irrigation for their endorsement and final approval.

The two valuer's reports have been submitted already to the Chief Valuer based at the Ministry of Lands to cross-check assumptions, procedures and that the evaluation complies with the statute, and these reports have been approved.

Compensation and resettlement plans (contracts) will be binding under statute, and will recognize that customary law governs land administration and tenure in the rural/village areas.

Further review and approval steps are given MoWI's notification of 15 February 2017, that are presented in Appendix 5.

- **Compensation Payments** – Compensation is finally handed to the beneficiary or the body responsible for resettlement i.e. the provincial water authority for payment to the PAP. All payments and transfers in kind will be made in the presence of the affected party and the village authorities. All compensation and social assistance that project affected persons are eligible for, needs to be offered and completed prior to any land acquisition takes place.
- **Monitoring and Evaluation** – Monitoring will be ongoing from the outset. Early commencement of monitoring is essential in order that any issues are raised early in the project construction phase.

1. Introduction

1.1 Background – Lake Victoria Water and Sanitation (LVWATSAN)

The Lake Victoria Water and Sanitation (LVWATSAN) Initiative was launched in 2004 by the ministers responsible for water from Kenya, Tanzania and Uganda with the aim of achieving the Millennium Development Goals (MDG) for water and sanitation in secondary centres within the Lake Victoria Basin.

The Water Sector Development Programme (WSDP; 2005-2023) established under the Ministry of Water and Irrigation (MoWI), under which LVWATSAN resorts, is the main financing mechanism for the water sector in Tanzania. Its past five year programme has foreseen almost USD 1 billion of funding for the WSDP. An Environmental and Social Management Framework (ESMF) and a Resettlement Management Framework (RMF) for the programme were prepared and completed in 2006.

1.2 LVWATSAN – Mwanza Project Preparatory Studies

Following a request from the ministers in 2009, the European Investment Bank (EIB) launched a project formulation study in 2010, with the aim to develop plans to scale up the UN-Habitat-promoted LVWATSAN Initiative to the major settlements of Kisumu in Kenya, and Mwanza, Musoma and Bukoba in Tanzania together with three smaller satellite towns around Mwanza, i.e. Misungwi, Magu and Lamadi. This study, concluded by Atkins in August 2012, resulted in a Project Formulation Report (PFR) covering the six fore-mentioned Tanzanian shore towns. Supplementary studies were conducted by R-Solve, the findings of which are reflected in the Supplementary Engineering Report (SER, August 2012). Both the PFR and SER include sections on preliminary perceived environmental and social impacts of the interventions, which were regarded as mostly positive.

EIB's Environmental and Social Datasheet, of 5 February 2013, concluded for the LVWATSAN project that "the majority of the investments will need to be subjected to Environmental and Social Impact Assessments (ESIAs) at town level, with development of Resettlement Action Plans at intervention level tailored in accordance with the spatial footprint as ultimately determined".

1.3 LVWATSAN – Mwanza Project Implementation

Implementation of the LVWATSAN project, the Project, started in October 2014, with the engagement of a Detailed Engineering Design (DED) consultant, COWI, followed by UN-Habitat being responsible for community liaison and starting in February 2015, and finally, a Project Management Consultant (PMC), Mott MacDonald, commencing in April 2015. Meanwhile, Halcrow had been contracted by EIB to develop a project-specific Resettlement Policy (Planning) Framework (RPF) in late-2014, whereas UN-Habitat was entrusted with the task to develop a project-specific Stakeholder Engagement Plan (SEP) – the resulting RPF and SEP, meant to guide Project implementation, were endorsed by the MoWI on 8 January 2016.

Key deliverables of the COWI/DED consultant (October 2014 – early-2017) include the following:

- **Immediate Investment Plan (IIP) / Mwanza City** – i.e. a study report and tender documents for planned interventions in Mwanza City for (i) sanitation in selected schools and public places; (ii) water supply extension and rehabilitation of pipelines; (iii) simplified sewerage and sewer rehabilitation and extensions.

- **IIP/Satellites Investment Plan** – study report, tender documents and design report for planned [immediate] water supply, wastewater and sanitation interventions in Misungwi, Magu and Lamadi.
- **Master Plan for Mwanza City** – a water supply, wastewater and sanitation strategy for Mwanza and satellites covering the period 2015-2040 and including the Short-term Investment Plan (STIP) for proposed funded works and the Long-term Investment Plan (LTIP) for unfunded works.

Meanwhile for the various project components contracts have been developed as is outlined in Table 1-1.

Table 1-1. Construction contract implementation of the LVWATSAN – Mwanza Project

Nr*	Contract	Contract implementation period **
1	IIP/Mwanza: extension and rehabilitation of water supply and wastewater systems	January 2017 – September 2019
2	IIP/satellites: extension and rehabilitation of water supply systems and construction of faecal sludge treatment plants	January 2017 – March 2020
3	STIP/Mwanza: extension and rehabilitation of water supply and wastewater systems	May 2017 – May 2020
4a	IIP/Mwanza: simplified sewerage in three pilot areas in Mwanza City, including scaling up	October 2016 – May 2020
4b	IIP/Mwanza: sanitation in schools and public places	December 2016 – May 2020
-	Bukoba – sewerage systems	January 2017 – April 2019
-	Musoma – sewerage systems	January 2017 – April 2019

* Contract 1 to 4: mainly funded by EIB; Contract Bukoba & Musoma mainly funded by AfD

** As per JIP-planning of mid-December 2016

As one of the requirements of the Tanzanian government and the financing EIB, various environmental and social documents are to be prepared for these contracts. For Contract 2, which is the focus of the present report, the PMC prepared and submitted to the National Environment Management Council (NEMC) three (3) so-called Environmental and Social Management Plans (ESMP) in February 2016, one for each satellite town. NEMC subsequently concluded based on its review of these ESMPs in April 2016 that the works would not result in serious impacts and therefore gave its no-objection to fund spending on the works.

In April 2016 NEMC subsequently instructed that for the works in each town Environmental and Social Impact Assessment study were to be conducted, i.e. one for the water supply component and another for the faecal sludge treatment plant component in each town, so six (6) ESIA in total. Draft versions of these ESIA reports were submitted to NEMC for review and approval in September 2016; at time of preparation of the present report these ESIA reports were still under NEMC review.

Another requirement of the Tanzanian government and the EIB is to ascertain whether the works require a (Abbreviated) Resettlement Action Plan (A/RAP) as specified by the Tanzanian government-endorsed Resettlement Planning Framework (RPF) that has been developed for the LVWATSAN – Mwanza Project. Of particularly importance herein EIB's 2013 Social Standard 6 on Involuntary Resettlement ¹ and the World Bank's Involuntary Resettlement Policy (OP/BP 4.12), as the development partners involved agreed to apply the World Bank Safeguard Policies in the project.

¹ EIB, 2013, Environmental and Social Handbook, Volume 1. EIB Environmental Standards, Luxembourg.

The present document is the required ARAP report for Contract 2. An ARAP report (instead of an RAP report) is justified in this case as the project affects less than 200 people.

1.4 LVWATSAN – Mwanza Project Funding

The Project is financed under the European Union (EU) Africa Infrastructure Trust Fund within the overall context of the EU and Africa Strategic Partnership. The European Investment Bank (EIB) and the *Agence Française de Développement* (AFD) have signed two loan agreements with the Republic of Tanzania for an amount of EUR 45 million each for the financing of 86% of the investment costs associated to the extension and upgrading of water supply and sanitation in Mwanza City and satellite towns (Misungwi, Magu, Lamadi), as well as sewerage systems in the towns of Bukoba and Musoma. The total Project cost is estimated at EUR 104.5m, including EUR 14.5m provided by the Tanzanian government.

1.5 Objective and Scope of the Present Report and Methodology

Objective – The present report deals *exclusively* with Contract 2: *rehabilitation and expansion of water supply systems and construction of a faecal sludge treatment plant in Misungwi, Magu and Lamadi* of the Immediate Investment Plan. The main objective of this ARAP report is to provide a plan for resolving the displacement, resettlement and or compensation issues of the works and for ensuring that PAPs are not made worse off than they were before the commencement of this project. It is intended to be an agreed commitment by the involved parties, which guides the implementation of resettlement and/or compensation action for the affected persons and involved institutions.

Scope – The scope of this ARAP report is that it:

- Based on the RPF states the agreed principles that apply to resettlement and/or compensation;
- Identifies, as far as possible, people currently using or living within the proposed corridor of impact and who will negatively affected;
- Describes the legal and institutional framework for dealing with displacement;
- Provides a general socio-economic profile of the project affected persons living in or using the RoW;
- Estimates the nature and magnitude of displacement;
- Sets out the criteria used to determine eligibility for resettlement, compensation and/or other assistance and what entitlements are due to different categories of DPs and for different types of losses;
- Indicates how affected assets of individual DPs are valued;
- Describes how resettlement and/or compensation entitlements will be delivered, including procedures, responsibilities and timing;
- Describes mechanisms for maximizing stakeholder participation and for airing grievances and redress;
- Provides an indication of the costs involved for resettlement of eligible PAPs.

Prior to and after submission by COWI of the final designs (in July 2016) the proposed sites were visited, concerned stakeholders were consulted, and possible impacts were assessed. Reporting took place in January-March 2017.

Methodology – The starting point for preparing the present ARAP report was to study the design prepared by the Design Consultant COWI, for which the latest version of July 2016 was used. It was found however, that although the design provides maps of where the interventions will be located, these maps, particularly for the alignment of transmission mains and the distribution networks, are indicative only, and do not show precisely where these pipes will be located (e.g. on which side of a road) – and because of this it was not possible to determine PAPs based on the design maps only.

To counteract this omission, the E&S team embarked on a drive- and walk-by of all intervention sites (water intakes, transmission mains, water storage reservoirs, distribution networks and the faecal sludge

treatment plants) in the company of an engineer of the town's water utility company who could indicate where the interventions (pipes) are most likely going to be installed or replaced. This then helped in identifying those structures and people that will be negatively affected by the works, and to what extent. It is to be noted however, that the final decision on where exactly all interventions will be located is to be taken by a combined party including the contractor, the supervising consultant, the town's water utility company, PMC and last but not least the communities involved. So, there may still be deviations from the findings presented in the present report, although it is expected that these will not be significant.

In conducting this ARAP a participatory approach was adopted whereby key stakeholders including communities where the project is implemented, and involved institutions, were consulted. Various methods were employed by the study team in order to collect relevant information. Various documents were reviewed such as LVWATSAN project documents, subject related documents like policies and acts, the RPF and profiles of respective district councils.

Interviews using semi / structured questions were applied to gather socio-economic information from identified PAPs particularly where the project involved land take or affected properties. A tool for these interviews was a questionnaire which was complemented by a consent statement from PAPs (provided in Appendix 1). Also community leaders and representatives from relevant organizations were consulted and their views and opinions about the implementation of the project have been taken into account.

Public meetings with beneficiary communities were conducted in order to obtain their views, concerns and suggestions for improvement during implementation. Minutes and lists of attendees of the meetings were made and are available with PMC but these have not been attached to the present report because of their length (and mostly hand-written in Swahili). Focus Group Discussions (FGD) were conducted with Lamadi livestock keepers (Mwamayanda and Kalago villages) who graze their animals close to the earmarked area for sludge treatment plant and also take their animals for water at the proposed site for water intake respectively.

Upon visiting the three towns the E&S team collected documents from District Councils evidencing ownership and handing over such sites to MWAUWASA for LVWATSAN project development.

1.6 Principles for Guiding the Preparation of this ARAP Report

EIB's Environmental and Social Handbook (2013) provides policies, principles and standards which set out the context for the protection of the environment and human wellbeing, and which is aligned to international best practice.

Volume I of the Handbook presents ten (10) Environmental and Social Standards, of which Standard 6: Involuntary Resettlement is of particular relevance to the LVWATSAN – Mwanza Project. In undertaking A/RAP, Standard 6 states among others, the following objectives:

- Avoid or, at least minimize, project-induced resettlement whenever feasible by exploring alternative project designs;
- Avoid and/or prevent forced evictions and provide effective remedy to minimize their negative impacts should prevention fail;
- Ensure that any eviction which may be exceptionally required is carried out lawfully, respects the rights to life, dignity, liberty and security of those affected who must have access to an effective remedy against arbitrary evictions;
- Respect individuals', groups' and communities' right to adequate housing and to an adequate standard of living, as well as other rights that may be impacted by resettlement;
- Respect right to property of all affected people and communities and mitigate any adverse impacts arising from their loss of assets, or access to assets and/or restrictions of land use, whether temporary or permanent, direct or indirect, partial or in their totality. Assist all displaced persons to improve, or at

least restore, their former livelihoods and living standards and adequately compensate for incurred losses, regardless of the character of existing land tenure arrangements (including title holders and those without the title) or income-earning and subsistence strategies;

- Uphold the right to adequate housing, promoting security of tenure at resettlement sites;
- Ensure that resettlement measures are designed and implemented through the informed and meaningful consultation and participation of the project-affected people throughout the resettlement process; and,
- Give particular attention to vulnerable groups, including women and minorities, who may require special assistance and whose participation should be vigilantly promoted.
- Compensation, resettlement and rehabilitation entitlements will be provided in accordance with Tanzania law and procedures as a minimum but will include additional measures to meet EIB's Environmental and Social Standard / World Bank requirements, where appropriate.

1.7 Cut-off Date

The cut-off date determines the eligibility of persons and their properties/assets. It represents the actual date that the affected assets at a particular site were inspected and recorded during the census survey. Assets like land, trees, buildings and other structures which are created or acquired by individuals or groups after the cut-off date, will not be eligible for compensation. Accordingly, two cut-off dates were necessary: one for valuation of the land required for the Magu Raw Water Intake and Water Treatment Plant, i.e. 9 April 2014, and the other for valuation of the land for the Magu Faecal Sludge Treatment Plant, i.e. 31 January 2017. In Misungwi and Lamadi there was no need to value affected assets, so no cut-off date was set for these towns.

1.8 Disclosure of ARAP Document

For transparency, this ARAP document shall be made available and disclosed to relevant stakeholders, inter alia, MWAUWASA, District Councils of Misungwi, Magu and Busega (Lamadi). Disclosure provides an opportunity for the public and PAPs to be aware and raise complaints, if any to the relevant authority and seek responses or clarifications with regard to disclosed ARAP document.

2. Description of the Contract 2 Works

2.1 Data Sources

The extension and rehabilitation of water supply systems and construction of a faecal sludge treatment plant under Contract 2 have been described in the following documents that were all prepared and submitted by the Detailed Engineering Consultant COWI as follows:

Misungwi

- Satellite Towns Study Report – Misungwi Final – December 2015
- Tender Documents for Misungwi – July 2016
- Tender Documents, Addendum 1 – July 2016
- Tender Documents, Addendum 2 – August 2016
- Satellite Towns Design Report – Misungwi Draft – October 2016

Magu

- Satellite Towns Study Report – Magu Final – December 2015
- Tender Documents for Magu – July 2016
- Tender Documents, Addendum 1 – July 2016
- Tender Documents, Addendum 2 – August 2016
- Satellite Towns Design Report – Magu Draft – October 2016

Lamadi

- Satellite Towns Study Report – Lamadi Final – December 2015
- Tender Documents for Lamadi – July 2016
- Tender Documents, Addendum 1 – July 2016
- Tender Documents, Addendum 2 – August 2016
- Satellite Towns Design Report – Lamadi Draft – October 2016

The three **Study Reports** evaluate the options for water supply expansion and analyse for each town the existing water supply systems and sanitary conditions, present the design considerations and agreements reached, and propose the water supply and faecal sludge treatment works that will be implemented as part of the IIP in each town.

The **Tender Documents** describe the works to be done in the three towns and comprise the following volumes:

- Volume I – Bidding Procedures
- Volume II – Technical Specifications
- Volume III – Conditions of Contract and Contract Forms
- Volume IV – Bill of Quantity
- Volume V – Drawings

The **addenda to the Tender Documents** provide changes in the Tender Documents, but these changes are mostly for individual parts and do not include significant changes to plots sizes, lengths and locations

of pipe distributions networks or storage tanks, and for the purpose of the present report these are not of relevance.

The **Design Reports**, one for each town, set out the background and principles for the design and operation of the proposed water supply system. Appendices to these reports comprise a geotechnical report, distribution network EPANET data, and the structural calculation, respectively.

One combined **EIA Screening Report for the STIP works in Mwanza City and the [IIP] works in the three satellite towns** was issued by COWI in January 2017 as well.

2.2 Main Contract Components

The Design Reports provide the latest account of what will be constructed in each town. Basically in each town similar components will be installed but dimensions of these differ as is illustrated in Table 2-1.

Table 2-1. Main project components in the three satellite towns

Nr	Component	Unit	Misungwi	Magu	Lamadi
1	Raw water intake	Unit	1	1	1
2	Power supplies to Water Treatment Plant and High Lift Pump	Unit	1	1	1
3	Water Treatment Plant	m ³ /day	3,000	7,250	3,130
4	High Lift Pump Station	Unit	1	1	1
5	Mains Steel pipe DN300 Steel pipe DN200 – to LLR Steel pipe DN200 – to HLR	m m m	2,500 900 200	10,870	5,200
6	Reservoir High Level Reservoir Low Level Reservoir	m ³ m ³ m ³	 300 600	2,000	400
7	Distribution network pipes HDPE OD50 to OD315 Existing, replacement Extension	m m	'some' 40,430	'all' 64,700	30,500
8	Customer water supply connections & meters Existing, replacement New Domestic points	Pcs Pcs Pcs	'all' 2,145 13	'all' 5,600 33	4,239 9
9	(Optional) WS to Nyahiti village OD63 HDPE pipe	M	600		
10	Faecal sludge treatment plant	Unit	1	1	1

Source: COWI Design Reports for Misungwi, Magu, Lamadi – October 2016

2.2.1 Intakes

Component 1, 2, 3 and 4 in each town will all be constructed at the same location. The actual intake comprises a sub-surface pipe of several hundreds of meters long running into Lake Victoria. Raw water is sucked into this pipe and pumped into a raw water sump, from where is conveyed to the water treatment plant. The plot on which the land-based structures will be built is for convenience called here the 'intake area'. In Misungwi and Magu these plots are located beside the existing intake pump station. In Lamadi there are no existing water supply related structures on site, it is a new site. All three intake areas are located on the side of Lake Victoria in a rural setting.

2.2.2 Mains

These are steel pipes in diameter between 20 and 30 cm that convey water from the intake areas to water storage reservoirs. In the case of Misungwi poor sections of the existing mains will be replaced and two new sections will be built. In the case of Magu a new line will be constructed parallel to the existing one. And in the case of Lamadi a completely new line will be laid. All three lines run from the intake area

through mostly rural agricultural land and will be buried, at about one meter deep. Closer to the three towns the lines will run along the side of existing roads.

2.2.3 Reservoirs

These are usually of concrete and built on higher elevation such as a rocky hill top, as is the case with the two high and low level reservoirs for Misungwi, and the reservoir in Magu. In Lamadi one elevated tank will be built at a school compound in the town.

2.2.4 Distribution Networks

These networks convey water from the storage tanks to customers through gravity. In Misungwi and Magu these systems exist already but are in part in poor condition and therefore sections will be replaced. New systems will be built in all three towns. Construction of the distributions systems is expected to be considerably easier than for example in Mwanza City because the terrain in the three towns is generally flat, the soil is sandy/clayey (easy to excavate), there is ample space along paved and unpaved roads within road reservations that are little if at all encroached upon, and traffic is low. All piping will be buried.

2.2.5 Customer Connections

This work comprises the final sections of the distribution network and involves the replacement of existing connections and meters and construction of new ones. Pipe diameter of these connections is small, and most if not all of the connections will be buried.

2.2.6 Water Supply to Nyahiti Village

The design include the option of connecting Nyahiti village, located close to the intake area, to the distribution system but due to lack of funding this work will not be financed by the project. The setting is rural, the community is small.

2.2.7 Faecal Sludge Treatment Plants

As there is not sufficient budget for construction of sewerage networks in each town, a partial and low cost solution has been found by constructing a FSTP where waste from septic tanks, collected by trucks, is deposited, processed (dried), and after maturation distributed. All three FSTPs are located a few kilometers out of town and have the same layout, consisting of an access road inside a fence-confined plot within which a number of drying beds will be constructed. In Misungwi a plot has been reserved within a government-owned eucalyptus forest reserve, however COWI's Tender Documents of July 2016 indicate a wrong site located nearby but within an agricultural field. In Magu and Lamadi sites have been selected amidst agricultural and unused land, respectively.

2.2.8 Land Acquisition

The Study Reports (December 2015) for the works in each town present an estimate of the land that needs to be acquired for the works (Table 2-2).

Table 2-2. Land acquisition requirements for the works in each town (Study Reports)

Nr	Component	Unit	Misungwi	Magu	Lamadi
1	Intake area – Phase I	M	40 x 60	55 x 75	55 x 75
2	Intake area – Phase II	M	55 x 65		
3	High Level Reservoir	M	40 x 25		
4	Low Level Reservoir	M	50 x 30		
5	Reservoir	M		40 x 25	30 x 20
6	Faecal Sludge Treatment Plant	M	100 x 100	100 x 100	100 x 100

* Source: COWI Study Reports for Misungwi, Magu, Lamadi – December 2015

The Tender Documents (July 2016) provide detailed drawings of structures that will be built on the various plots that are to be acquired but these do not always provide information on plot size, for example for the Magu Hill reservoir (Table 2-3). For some plots only the coordinates are indicated (e.g. for High and Low Level reservoirs in Misungwi). Noteworthy is furthermore that plot size of all three FSTPs are considerably larger than estimates given in the Study Reports.

The Design Reports (October 2016) do not provide information on size of plots to be acquired.

Some of the lands required were already government land, or have been acquired recently.

Table 2-3. Land plots required for super-surface structures as presented in the Tender Documents

Nr	Component	Unit	Misungwi	Magu	Lamadi
1	Intake area – Phase I	m	55 x 32 + 55 (MIS-101 + MIS-102)	Irregular 5-point plot, no size given (MAG-101) + 60 x 73 (MAG-102)	55 x 75 (LAM-101 + LAM-102)
2	High Level Reservoir	m	Coordinates (MIS-411)	--	--
3	Low Level Reservoir	m	Coordinates (MIS-441)	--	--
4	Reservoir	m	--	No size given (MAG-411)	40 x 60 (LAM-441)
5	FSTP	m	Wrong plot indicated 220 x 263 (MIS-492 + MIS-493)	Rectangular plot about 218 x 130 x 223 x 43 (MAG-472 + MAG-473)	154 x 245 (LAM-481 + LAM-482 + LAM-483)

* Source: COWI Tender Documents for Misungwi, Magu, Lamadi – July 2016

2.3 Phasing and Timing

Timing of the works for Contract 2 is presented in Figure 2-4.

Table 2-4. Timing of the works for Contract 1

4 #02: (ICB) IIP Satellite Towns	1076 days	Fri 26/02/16	Thu 26/03/20
4.1 #02 Draft Tender Docs from COWI	70 days	Fri 26/02/16	Thu 26/05/16
4.2 #02 PMU Document Review	10 days	Fri 27/05/16	Thu 09/06/16
4.3 #02 COWI Final Edits to T Docs	25 days	Mon 13/06/16	Fri 15/07/16
4.4 #02 Tender Period	47 days	Fri 22/07/16	Fri 23/09/16
4.5 #02 Tender Evaluation	53 days	Fri 23/09/16	Wed 07/12/16
4.6 #02 Negotiations and Mobilisation	50 days	Wed 04/01/17	Thu 09/03/17
4.6.1 Contract Negotiations	0 days	Wed 04/01/17	Wed 04/01/17
4.6.2 Attorney General Approval	0 days	Wed 04/01/17	Wed 04/01/17
4.6.3 Contract Signing	0 days	Fri 27/01/17	Fri 27/01/17
4.6.4 Contracts Awarded & Announced	0 days	Fri 27/01/17	Fri 27/01/17
4.6.5 Prepare Plan of Works	2 wks	Fri 27/01/17	Wed 08/02/17
4.6.6 #02 Construction Programme Agreed	0 days	Wed 08/02/17	Wed 08/02/17
4.6.7 Contractor Mobilisation	1 mon	Thu 09/02/17	Thu 09/03/17
4.7 #02 IIP Satellites RAP & Valuation	67 days	Fri 27/01/17	Thu 27/04/17
4.7.1 Pipe route marking	7 days	Fri 27/01/17	Sat 04/02/17
4.7.2 PAPs identification	14 days	Mon 06/02/17	Wed 22/02/17
4.7.3 Draft A/RAP preparation	10 days	Thu 23/02/17	Wed 08/03/17
4.7.4 PAPs Census & Valuation of affected assets by LGAs	14 days	Thu 23/02/17	Tue 14/03/17
4.7.5 A/RAP Review & Approval by MoWI	12 days	Wed 15/03/17	Thu 30/03/17
4.7.6 Release of fund and compensation process	7 days	Fri 31/03/17	Mon 10/04/17
4.7.7 Monitoring & reporting of the A/RAP implementation	13 days	Tue 11/04/17	Thu 27/04/17
4.8 #02 IIP Satellites ESIA	595 days	Thu 15/12/16	Fri 22/03/19
4.8.1 Review of ESIA by NEMC and revision by PMC	24 days	Thu 15/12/16	Mon 16/01/17
4.8.2 Approval of Final ESIA by NEMC	7 days	Tue 17/01/17	Wed 25/01/17
4.8.3 Monitoring of & reporting on ESMP implementation	24 mon	Wed 15/03/17	Fri 22/03/19
4.9 #02: (ICB) 24m Construction & 12m Defects	792 days	Wed 15/03/17	Thu 26/03/20
4.9.1 Construction Period (24m)	528 days	Wed 15/03/17	Fri 22/03/19
4.9.1.1 Non PAP affected areas (duration assumed)	18 mon	Wed 15/03/17	Wed 19/09/18
4.9.1.2 PAP affected areas (duration assumed)	6 mon	Thu 20/09/18	Fri 22/03/19
4.9.2 Defects period (12m)	12 mon	Mon 25/03/19	Thu 26/03/20

Source: Joint Implementation Plan (JIP), 14 December 2016

2.4 Costs

The estimated costs of the various components of the project works in each town were estimated in the Study Reports (December 2015) at EUR 11.2 million.

Table 2-5. Estimated costs of the project works in each satellite town

Town	Euro
Misungwi	3,170,416
Magu	5,269,334
Lamadi	2,761,589
Total	11,201,339

* Source: COWI Study Reports for Misungwi, Magu, Lamadi – December 2015

3. Policy, Administrative and Legal Framework

3.1 Tanzanian Government

Development and implementation of the LVWATSAN – Mwanza Project is a response to a number of international and national policies adopted by the Government of Tanzania that have been outlined in other project documentation, such as:

- Agenda 21 of the United Nations Conference on Environment and Development (UNCED), held in Rio de Janeiro (1992);
- National Environmental Policy (1997);
- National Water Policy (2002);
- National Land Policy (1997);
- National Human Settlement Development Policy (2000).

These have resulted in or trigger a number of laws, relevant for LVWATSAN, including and chronologically the following:

- Land Ordinance (1923);
- Land Acquisition Act (1967);
- Graves Removal Act No. 9 (1969);
- Wildlife conservation Act (1974);
- Local Government (District Authorities) Act Cap 287 (1982);
- National Land Policy (1995);
- Land Act (1999);
- Village Land Act (1999);
- Land Regulations (including assessment of the value of land for compensation) (2001)
- Land Disputes Courts Act No. 2 (2002);
- Occupation health and Safety Act No. 5 (2003);
- Construction Industry Policy (2003);
- Environmental Management Act Cap 191 (2004);
- Urban Planning Act No. 8 (2007);
- Land Use Planning Act No. 6 (2007);
- Water Resources Management Act No. 11 (2009);
- Water Supply and Sanitation Act (2009);
- Public Health Act (2009).

The most relevant for the present ARAP report are elaborated upon in the following sections.

3.2 Constitution and Key Policies and Acts

Constitution – Provides for basic rights of the country's people, including the rights of citizens to own property and disallows the deprivation of one's property held in accordance with the law, unless the owner is fairly and adequately compensated. Article 24 (1) says: Every person is entitled to own property and has

a right to the protection of his/her property held in accordance to the law". The sub-article (2) further provides that;

"..... it shall be unlawful for any person to be deprived of property for the purposes of nationalization or any other purposes without the authority of the law which makes provision for fair and adequate compensation".

National Land Policy (1997) – Provides guidance and directives on land ownership and tenure rights (equitable distribution of land, access to land by all citizens, rights in unplanned areas) and taking of land and other land based assets. The policy and the Land Laws emanating from it stipulates organization and procedures for valuing assets, delivery of compensation and land disputes resolution. The overall aim of the policy is to promote and ensure a secure land tenure system in Tanzania that protects the rights in land and resources for its entire citizen. It addresses the various and ever-changing land use needs in Tanzania and in this context, the policy is relevant to LVWATSAN – Mwanza project.

National Water Policy (2002) – Its objective is to develop a comprehensive framework for sustainable management of the national water resources. In this case the policy recognizes the need to protect water sources from pollution and environmental degradation as well as equitable uses among sectors. The policy recognizes the role of agriculture as one of the key sectors in country's socio-economic development.

Land Act Nr. 4 (1999) – Provides basic legal requirements in relation to land other than village land, the management of land, settlement of disputes and related matters. The Land Act seeks to achieve the following objectives:

- To ensure that existing rights and recognized longstanding occupation or use of land are clarified and secured by the law
- To facilitate an equitable distribution of and access to land by all citizens
- To regulate the amount of land that any one person or corporate body may occupy or use
- To ensure that land is used productively and that any such use complies with the principles of sustainable development.

The Act demands that any person or institution whose right of occupancy or recognized long-standing occupation or customary use of land is revoked or otherwise interfered with to their detriment should be paid full, fair and prompt compensation. In addition, the Land Act (Section 151) states that the Minister "may create rights of way which shall be known as public rights of way" to serve for the purpose of the proposed development. Regarding the application for a Way-Leave the Act establishes that:

- Except where the Commissioner is proposing of his own motion to create a Way-Leave, an application from any ministry or department of Government, or local authority or public authority or corporate body shall be made to the Commissioner;
- The applicant shall serve a notice on:
- All persons occupying land under a right of occupancy over which the proposed Way-Leave is to be created, including persons occupying land in accordance with customary pastoral rights,
- All Local Government Authorities (LGA) in whose area of jurisdiction the proposed Way-Leave to be created is located,
- All persons in actual occupation of land in an urban and peri-urban area over which the proposed Way-Leave is to be created and,
- Any other interested person.

Section 156 of the Act requires compensation to be paid by non-governmental corporate bodies, institutions or groups of persons to any person for the use of land of which he/she is in lawful or actual occupation. These include:

- Any damage suffered in respect of trees, crops, and buildings,
- Damage due to surveying or determining the route of that Way-Leave and,
- Acquisition of land for the purpose of a Way-Leave.

As far as the proposed LVWATSAN project will require land for construction of water intakes, sludge treatment plants and way-leave for water pipes distribution, all anticipated damages have been accommodated in this ARAP.

Land Regulations (2001) – Provide guidance on the issue of compensation and according to Section 10 (1) of the Land (Compensation Claims) Regulation 2001, compensation shall take the form of:

- Monetary compensation,
- Plot of land of comparable quality, extent and productive potential to the land lost,
- A building or buildings of comparable quality, extent and use comparable to the building or buildings lost,
- Plants and seedlings and,
- Regular supplies of grain and other basic foodstuffs for a specified time.

The Regulation defines the basis for calculating compensation or any land being the market value of such land. The assessment of the value of land and any improvements will be done by a Qualified Valuer and verified by the Chief Valuer of the Government or his/her representative.

In addition, the Regulation defines affected persons that are eligible for compensation / resettlement if some of their properties are affected by a proposed development:

- Holder of right of occupancy,
- Holder of customary rights and who is moved or relocated because his/her land becomes granted to another person,
- Holder of land obtained as a consequence of disposition by a holder of granted or customary right of occupancy but which is refused a right of occupancy and,
- Urban or peri-urban land acquired by the President.

If the person does not agree with the amount or method of payment or is dissatisfied with the time taken to pay compensation, s/he may apply to the High Court for redress. If proved justifiable, the High Court shall determine the amount and method of payment, determine any additional costs for inconveniences incurred, and order the plaintiff to be paid accordingly.

Land Disputes Courts Act No. 2 (2002) – Every dispute or complaint concerning land shall be instituted in the Court having jurisdiction to determine land disputes in the given area (Section 3). The Courts of jurisdiction include:

- Village Land Council
- Ward Tribunal
- District Land and Housing Tribunal
- High Court (Land Division)
- Court of Appeal of Tanzania.

The Act gives the Village Land Councils powers to resolve land disputes involving village lands (Section 7). If the Council fails to resolve the dispute, the matter can be referred to the Ward Tribunal as established by the Land Act (1999) and the Village Land Act. If any dispute will arise because of this project, the provisions of this Act shall be observed.

Land Assessment of the Value Compensation – Regulations (2001) – These regulations made under S.179, (the Land Assessment of the value of land for Compensation) Regulations, 2001 and which became operational in May 2001 provide assessment of compensation on land to be based on the following:

- Market value of the real property;
- Disturbance allowance which is a percentage of market value of the acquired over 12 months;
- Transport allowance calculated as the cost of 12 tons hauled over a distance not exceeding 20 km;
- Loss of profit or accommodation based on business audited accounts;
- Accommodation allowance which is equivalent to the rent of the acquired property per month over 36 month's period;
- Methodology of valuation of the lost assets, mode of payment, dispute resolution mechanisms;
- Agencies responsible for expropriation and implementing resettlement (including an assessment of their institutional capacity to conduct those activities);
- Gaps, if any, between national laws and other donor agencies and the mechanisms to bridge those gaps.

The other criteria include loss of profit on accommodation based on business audited accounts and accommodation allowance equivalent to the rent of the acquired property per month over a 36 month period.

The SEP and RPF provide guidance on grievance redress mechanisms and procedures that should be used for third-party settlement of disputes that may arise from resettlement. The proposed procedures are based on existing judicial recourses and traditional mechanisms for dispute settlement.

Land Acquisition Act (1967) – Gives powers to the President to take land for public purposes when in the public interest it is necessary to do so.

The **Local Government (District Authorities) Act No. 7 (1982)** and **Local Government (Urban Authorities) Act No. 8 (1982)** stipulate the functions of District / Urban councils. Issues of land are included as objectives of functions and therefore part of the mandates of local government in their respective areas.

The prices for cash crops will be determined as the average value over the previous year, corrected for inflation. The prices for subsistence crops will be determined as the highest value over the previous year, corrected for inflation. Crop values will be determined based on a combination of staple foods and cash crops. Specifically, the 80/20 ratio of land that a farmer typically has in food crops and cash crops is used to determine the chances s/he would lose food crop rather than a cash crop income. Another way of valuing agricultural production is through the value of stable crops to be taken as the highest market price reached during the year. This is based on three factors:

- (i) Although most farmers grow staple crops mainly for home consumption, they always have the option of selling these crops to take advantage of the market;
- (ii) Farmers most often purchase cereals when they have run out, during the "hungry season" when prices are high. Compensating at a lower value might put the individual or household at risk.
- (iii) Averaging the highest price of stable foods yields a high per hectare value that reimburses for the vegetables and other foods that are commonly inter-cropped with staples, but are almost impossible to measure for compensation.

Graves Removal Act No. 9 (1969) – Provides for the removal of graves from land required for public purposes. Subject to section 3 of this Act, where any land on which a grave is situated is required for a public purpose, the Minister may cause such grave and any dead body buried therein to be removed from the land and, in such case, shall take all such steps as may be requisite or convenient for the

reinstatement of the grave and the re-interment of the dead body in a place approved by him for the purpose.

3.3 EIB's Environmental and Social Standards / World Bank Involuntary Settlement

The LVWATSAN – Mwanza project activities are mainly subject to EIB's Environmental and Social Standards (6) / World Bank's OP 4.12 on Involuntary Resettlement since the majority of the project is financed by the European Investment Bank (EIB) and the Agence Francaise du Developpement (AFD). The policy aims at ensuring that PAPs are compensated, assisted in resettlement and in their efforts to improve their livelihoods and standards of living or at least to restore them, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher. According to the World Bank OP 4.12, involuntary taking of land may result in:

- Relocation or loss of shelter;
- Loss of assets or access to assets; or
- Loss of income sources or means of livelihood, whether or not the affected persons must move to another location; or
- The involuntary restriction of access to legally designated parks and protected areas resulting in adverse impacts on the livelihoods of the displaced persons

The overall objectives of the policy on involuntary resettlement are the following:

- Involuntary resettlement should be avoided where feasible, or minimized, exploring all viable alternative project designs;
- Where it is not feasible to avoid resettlement, resettlement activities should be conceived and executed as sustainable development programs, providing sufficient investment resources to enable the persons relocated by the Project to share in Project benefits. Relocated persons should be meaningfully consulted and should have opportunities to participate in planning and implementing resettlement programs;
- Relocated persons should be assisted in their efforts to improve their livelihoods and standards of living or at least to restore them, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of Project implementation, whichever is higher.

The World Bank Operational Policy 4.12 (paragraphs 15 and 16) recognizes that while non-landowners may have no right to compensation for the loss of land that they are occupying, they should be provided with certain resettlement measures, provided that they occupy the project area prior to a specified cut-off date. Such measures include compensation of crops or assets on land only excluding compensation of affected land, where appropriate to ensure that their livelihood is at least restored or improved regardless of ownership.

This A/RAP has been implemented as per the World Bank Operation Policy 4.12 on Involuntary Resettlement that includes effecting compensation at full replacement cost to eligible PAPs unlike the Rules of the GoT which only consider market value and or depreciation of assets.

3.4 Alignment of Tanzanian Laws and EIB Standards

As outlined in Section 1.3, above, the Project's Resettlement Planning Framework (RPF), formally endorsed by the Ministry of Water and Irrigation (MoWI) on 8 January 2016, is elaborating on national laws, mainly the Land Act, EIB's Standard 6, and the 2015 Resettlement Management Framework (RMF) of the MoWI which takes into account the World Bank's OP/BP 4.12 on involuntary resettlement. The RPF for LVWATSAN will apply throughout the preparation and implementation of the project. The RPF provides among others:

- Key social impacts related land acquisition that were identified during project preparation;

- Guiding principles reflecting the policies of the Government of Tanzania, EIB and World Bank;
- Overview of national policy and laws on land rights and acquisition;
- The institutional framework and organizational responsibilities over social safeguards and operationalization of the various provisions outlined in the RPF;
- Guidance on implementation of the RPF;
- A synopsis of the main stakeholders involved in the project;
- Overview of socio-economic requirements for any land acquisition
- Methods for valuing assets and eligibility criteria for compensation, including an entitlement matrix;
- Overview of budgets and sources of funding;
- Monitoring and evaluation framework.

3.5 Project Administration and Institutions

The institutions responsible for the implementation of these instruments are the Mwanza Urban Water Supply and Sanitation Authority (MWAUWASA), the Bukoba Urban Water and Sanitation Authority (BUWASA) and the Musoma Urban Water and Sanitation Authority (MUWASA). The MoWI has oversight and quality control roles during implementation of the project.

Other key organizations that are involved in the preparation and implementation of the project are these:

- Regional and District Commissioners
- Misungwi, Magu and Busega (Lamadi) District Councils
- Wards and Village Authorities
- Tanzania Regional Roads Agency.

4. Socio-economic Baseline Data

4.1 Misungwi

Misungwi is an administrative town within Misungwi District close to Mwanza Gulf, one of the southern branches of Lake Victoria, as shown in Figure 1 below. Administratively, the town comprises 21 villages/hamlets: Misungwi A, Misungwi B, Misungwi C, Misungwi D, Kanisani, Bariadi, Majengo, Masawe A, Masawe B, Masawe C, Bukwaya, Muungano, Mbela A, Mbela B, Mbela C, Mbela D, Misri, Sekondari, Mitindo A, Mitindo B and Polisi.

It is located about 40 km from Mwanza City along the Mwanza – Shinyanga Highway. It is growing at a fast rate towards Mwanza City rather than in the other direction along the Shinyanga highway; the reason being the closeness to Mwanza City and the businesses along the highway including rice mills.

Misungwi town lies at latitude 2° 48' to 2° 51' South and longitude 33° 05' East. It is the District Headquarters of Misungwi District. The altitude varies from about 1,165 to 1,250 m above sea level. The area is also partly influenced by the existing water service coverage as well as the intended development expansion of the township.

Misungwi experiences a tropical climate. The average annual temperature ranges from 18°C to 30°C with annual rainfall ranging between 700 to 1000 mm per annum. The main rain season lasts for about 5 to 6 months attaining its peak in April. The drought season is between June and August. A large part of the town lies on terrain consisting of arable land and some sections have natural scattered forests, which are a factor for attracting rainfall. There are also few hills to the south.

The Census 2012 showed that the population of Misungwi District was 43,535. It has been estimated that this population increased to 49,573 in 2015. The population of Misungwi town was 12,127 at the 2002 Census and 21,113 at the 2012 census that gives an average annual growth rate of 5.70%. The population is estimated to have grown to 24,933 in 2015 (source: COWI Misungwi Study Report, December 2015).

4.2 Magu

Magu is an administrative town within Magu District Council. It is located about 64 km from Mwanza City along the Mwanza – Musoma Highway. It is growing at a fast rate towards Mwanza City rather than in the other direction along the Musoma highway where agriculture is prominent, the reason being the closeness to Mwanza and the businesses along the highway include rice mills and a few industries.

Administratively the town is comprised of three wards of Kahangara, Nyigogo and Magu Mjini. These wards comprise sub-wards which include: Bugabu, Ilungu, Kipeja, Sagani, Nyashimba, Isandula 'B', Nyigogo, Nyalikungu, Itumbili, Ndagalu, Mashineni, Mwabasabi, Unyamwezini, National, Nyanguge, Wabiza, Bank, Idiganja, and Isandula 'A'.

Magu town lies at latitude 2°35' South of Equator and longitude 33°25' East of Greenwich Meridian. It is the District Town Headquarters of Magu District. The ground levels in the town vary from about 1,140 masl to 1,190 masl although there are some rocky hills at higher elevations. The project includes wards and 19 sub-wards classified as urban and/or mixed. The area is also partly influenced by the existing water service coverage as well as the intended development expansion of the township.

Magu experiences a tropical climate. The temperature and climate of the area are influenced by the proximity to Lake Victoria. The average annual temperature ranges from 20°C to 30°C with annual rainfall ranging between 700 to 1000 mm per annum. Rainfall is bimodal and occurs from September to December and March to May. The drought season is between June and August. A large part of the town lies on terrain consisting of arable land and some sections have natural scattered forests that are a factor for attracting rainfall. There are also few rocky hills to the east.

The total population of the Magu service area boundary according to the 2012 Census was 45,983 which is expected to reach 53,063 by 2015, and 107,484 by 2040. (source: COWI Magu Study Report, December 2015)

4.3 Lamadi

Lamadi town is located within Lamadi ward in Busega District in Simuyu Region on the shore of Lake Victoria about 130 km east of Mwanza. The town comprises one ward that has 11 sub-villages/hamlets as listed as follows: Lamadi, Kisesa, Makanisani, Itongo, Kalago, Kashishi, Sokoni, Mwabasabi A, Mwabasabi B, Mwabayanda, Mwalukonge. The Census 2012 showed that the population of Lamadi town was 19,024. It has been estimated that this population increased to 21,611 in 2015 (source: COWI Lamadi Study Report, December 2015).

4.4 Land Ownership and Tenure Systems in Tanzania

All land in Tanzania is nationalized and it is public land vested the President as a trustee on behalf of all citizens. There are three (3) types of land in Tanzania, namely;

1. General land – vested under the President of United Republic of Tanzania and administered by the Land Commissioner;
2. Reserved land – this is mainly under the authority of institutions like National Parks, Game Reserves, etc.;
3. Village land – This is mainly demarcated for the established village and administered by the respective village governments.

Within these types of land, there are several forms of land tenure such as right of occupancy, recognized long standing occupancy, customary tenure and illegal land occupancy.

- **Formal Tenure – Right of Occupancy:** The government permits the leasehold on land and individuals can apply for a formal right of occupancy and pay annual rent fee. The right of occupancy is granted by the President for three (3) different periods of 33 years, 66 years, and 99 years.
- **Informal Tenure – Recognized Long Standing Occupancy:** This form applies to individuals in the urban or per-urban areas that occupy land for a period of not less than three (3) years. In this regard, these persons deem rights of occupancy as residential licensees.
- **Informal Tenure – Customary Tenure:** This form primarily exists in the demarcated villages and is administered by a village government.
- **Informal Tenure – Illegal Occupancy:** Individuals that occupy land in rural areas for a period of not less than three (3) year deem the right of occupancy.

4.5 Topography and Land Use

The locations for the proposed works (water supply rehabilitation and extension and FSTP) are generally sited on flat sandy terrain that is well-drained. Most of the proposed works are typically located in a rural agricultural setting and/or along wide open roads and streets where there is ample space for excavation of trenches for laying of pipes. Traffic intensity is almost everywhere low.

5. Stakeholder Consultation

5.1 Stakeholder Engagement during ESMP and ESIA Preparation

Public consultation activities were conducted by PMC for the preparation of ESMPs and later ESIAs in the period June-December 2015: all targeted interventions sites were visited and local residents, local authorities were consulted by providing them with relevant information on the project and the proposed interventions, obtaining their views on issues and their involvement in planning and operation of the planned facilities. Issues discussed with the consultees included the perceived positive impacts (water supply, improved sanitation conditions) as well as their concerns. The latter included expected hindrance from the construction works, such as noise, dust, soil pollution and soil erosion; improper behavior of workers towards residents particularly the youth; and influx of infected workers (HIV/AIDS risks). To the extent possible these concerns have been addressed in the design and management plans.

People and organizations consulted, as well as minutes of consultation meetings and land release letters were included in the ESMPs and ESIAs for the three towns.

5.2 Stakeholder Consultation for ARAP Preparation

Further stakeholder consultation by MWAUWASA staff and PMC (the E&S team) in the targeted Contract 2 implementation areas took place in the period November 2016 to February 2017. The following activities were carried out.

The preparation of the ARAP was participatory involving various stakeholders i.e. persons and institutions that have interest in the planning and execution of the project, including those positively and negatively affected. The stakeholders consulted were officials in Misungwi, Magu and Lamadi towns and the project communities.

Various approaches were employed by the E&S team during the stakeholders' consultation process. These include consultative and participatory meetings, interviews, discussions and filing in questionnaires with Project Affected People (PAP). Among others, the public meetings conducted entailed the following:

- Inform about the project activities, impacts and project period;
- Identifying potential PAPs and their consent on voluntary land take by the project;
- Establish Grievance Redress Mechanism (GRM) Committee which is gender sensitized amongst the community members.

During the meetings, the E&S team explained what was entailed in the project proposal and envisioned social and environmental impacts. After presentations, questions and opinions were invited from the participants. In general there was no dissenting opinion about the proposed project. At the end of meetings it was confirmed that all participants in principle agreed with the proposed project.

The minutes of the meetings were prepared and signed by the village government chairmen/persons and the E&S team. For clarity and understanding of the meeting proceedings by the local community, the minutes were prepared in Kiswahili. Appendix 2 provides further detail on the scope and outcome of the various consultation activities that were undertaken.

5.3 GRM Committee Establishment

During the consultations communities were able to get feedback on their needs and priorities with regard to the proposed project activities, therewith ensuring a dialogue between them and the Promoter.

The need for having a well-organized Grievance Redress Mechanism (GRM) committee for the project activities was introduced, the process on obtaining the committee members was explained and elaborated by the facilitators as per the project's Stakeholder Engagement Plan (SEP) and in line with EIB safeguard Standard 10.

Each community where there will be a project activity was advised to identify people whom will be responsible in coordinating and documenting issues which may negatively affect community members. Information on any grievance as a result of the project activities is to be collected and recorded to the already established Multi-Stakeholder Forum (MSF) representative for each council for follow-up, who has to coordinate with the project's Community Liaison Officer (CLO) to find a reasonable and acceptable solution.

A selection process was proposed and agreed upon that each sub-village should be represented in the GRM for each town. This meant that the number of the GRM committee members was rather large, especially in Magu and Lamadi due to the number of wards and villages represented by two committee members each. A list of all GRM committee members in each town is given in Appendix 3.

6. PAP Assessment

6.1 PAP Definition

The MoWI-endorsed Resettlement Planning Framework (RPF) of January 2016 defines *Project Affected People* (PAP) as:

“All persons who lose as a consequence of the LVWATSAN-Mwanza Project ownership of and/or access to all or part of their physical assets, which include their homes, tenancy, productive lands, commercial properties, income earning and subsistence opportunities, cultural sites, communities, as well as social and cultural networks and activities. The impacts may be permanent or temporary. This includes all members of a household (women, men, girls, boys, incl. several generations in the cases of extended households); the owner and employees of a business; tenants; land owners and share croppers; informal settlers (i.e. lacking formal titles); holders of customary land rights; informal business operators and their employees/assistants.”

This means that in principle all people living in the targeted Contract 2 implementation areas might potentially be affected by the project interventions: *positive* – by improved water supply and health and sanitation conditions, and *negative* – as people may lose permanently or temporarily access to part of their land or be affected in their businesses, even if they do not possess a formal title for the land that they are using or occupying.

Potentially there is an issue here in that MWAUWASA engineers accompanying PMC staff during field verification activities tend to consider people that illegally or without a land tile occupy a plot of land are not entitled to compensation – which contradicts the RPF (Section 8.1.3, page 46).

6.2 Project Activities That May and May Not Generate PAPs

As outlined in Section 2.2, above, only some of the interventions may reasonably speaking potentially result in people being negatively affected by the works, particularly those that take space, either above, on or below the ground surface, and either temporarily or permanently. These interventions comprise the following:

1. Land acquisition for construction of the above ground structures in the intake areas – permanent impacts as land owners or users will have to be compensated or relocated elsewhere.
2. Replacement of mains and construction of new mains, especially there where these run through agricultural land – temporary impacts as construction works may affect crops or other assets. These negative impacts may be minimized or avoided by proper timing of the works, i.e. informing land owners and user timely on the works that will be carried out (at least one year in advance) and conducting the works outside the cropping season.
3. Land acquisition of the construction of the water storage tanks, as far as these lands are not owned by the government already – permanent impacts, as above.
4. Installation of water supply distribution pipe systems, including manholes and inspection chambers, as these may cut through physical assets or affect access. Most if not all of these systems will be buried underground and therefore the impacts, if any, will in most cases be temporary.
5. Land acquisition for the establishment of the FSTPs – permanent impacts as outlined above.

The intakes and above ground structures in the intake areas themselves cannot be expected to result in PAPs.

It is not expected that the customer pipe connections will result in PAPs as these pipes are all of a small diameter and most if not all pipes will be buried in customer plots themselves, and therefore in the framework of the present report these are not further considered.

It is assumed that the Contractor will temporarily store or permanently dispose of excavated materials on sites that have been designated or decided upon by local authorities and that such sites are chosen in a way that physical assets of and access for people, whether temporarily or permanently used, will not be affected, either temporarily or permanently.

Construction sites are not expected to result in substantial impacts, such as traffic disruption, because there is usually plenty of space, but any traffic disruption will need to be managed by the Contractor, and supervised by the Supervising Consultant, in a way as to minimize or avoid such impact as much as possible. Likewise, workers' camps and vehicle parking lots are to be selected in a way that physical assets and access will not be affected.

This means that the key interventions that may potentially result in PAPs are the acquisition of lands for the intake areas, water storage reservoirs and FSTPs, and potentially some individual cases of PAPs due to the works on the mains and distribution networks, although the latter can probably be avoided by proper planning and siting of pipes. All other activities and items of the Contract 2 bills are reasonably speaking not expected to result in people being negatively affected.

6.3 RPF and Design Limitations

With respect to the works that will be constructed under Contract 2, the MoWI-endorsed Resettlement Planning Framework (RPF) of January 2016 and the COWI Tender Documents of July 2016 show for the assessment of PAPs a number of significant limitations.

The agreed and endorsed RPF states among others the following:

- *“Once the final engineering designs are complete a census will be undertaken in the project affected area. The final designs should identify broadly where there will be land acquisition and affected persons. The cut-off date for eligibility of compensation assistance will be set once the census begins”.*
- *“Once the final designs and cut-off date have been agreed, the process of gathering data on affected persons will take place”.*
- *“Where a sub-project triggers the need for a RAP this will be prepared by the relevant Water Utility Company”.*
- *“All compensation and social assistance that project affected persons are eligible for, needs to be offered and completed prior to any land acquisition takes place”.*
- *“The constructions cannot start if the RAP has not been fully implemented”.*

Limitations of COWI's designs include:

- Contrary to statements in the RPF, the final designs/tender documents (FD/TD) do not indicate whether there will be affected persons due to the land acquisitions.
- The FD/TDs do not indicate precisely where the constructions will be located, particularly the mains and distribution networks. Although the main routing of these systems is indicated in the FD/TDs, these do for example not indicate whether the pipes will be laid on the right or left side of roads, or anything in between, or through which agricultural plots these systems will be constructed.

- Moreover, the FD/TDs do not describe the methodology with which these distribution networks will be constructed, for example whether or not blasting techniques will be used to create trenches with required depth in rocky terrain, and of relevance especially near and on the hilltops where the reservoirs will be built.

Therefore, the exact routing of the mains and distribution network pipes and the methodologies used will need to be decided by the Contractors, and this means that final PAPs can only be determined during the construction phase.

Hence A/RAPs can only be finalized during construction and therefore the procedure outlined in the RPF (preparing and implementing A/RAPs prior to construction) is deemed unfeasible.

6.4 Information Required to Identify PAPs

To be able to identify PAPs for the kind of interventions that will be conducted for Contract 2, particularly the distribution networks, detailed maps are needed showing the location of houses, land ownership (plot boundaries), public paths, planned location of pipes, chambers, steps, path crossings, etc. in a large scale (e.g. 1 : 100), construction methodology, excavation spoil disposal sites. Although during the EIB/AFD progress mission of early-December 2016 it was decided and agreed that COWI would prepare detailed such design maps and issue these in early-January 2017, at time of writing this ARAP report these maps had not been received as yet.

6.4.1 Preliminary Census Survey Data Register

Meanwhile, in the absence of detailed information on where the pipe systems will be installed, PMC has conducted a preliminary PAP survey during which all planned pipe routes have been walked, and four (4) PAP risk classes for all pipe lengths have been determined. Information has been stored in a digital Data Register that will be shared with and handed over to the Contractor and Supervising Consultant as soon as these have been mobilized.

This data register was developed by the E&S team by walking or driving along all pipe sections (Start-to-End Nodes as per COWI design) with the help of handheld GPS and blown-up A0 pipeline layout maps, and in the company of engineers of the local Water Utility Company concerned. This process helped in the identification of PAP risk areas for all works of Contract 2.

6.4.2 Risk Level Classification

The following PAP risk levels for areas where the Contract 2 works will be carried out were distinguished:

- **High Risk** – Pipeline through narrow passage between existing buildings - potential cracks/demolition when rock blasting/vibration is applied (red highlighted)
- **Medium Risk** – Pipeline crossing people's plots or lands leading to loss of land or assets (blue highlighted)
- **Low Risk** – Pipeline crossing households/commercial premises within road reserve (green highlighted)
- **No Risk** – No households/business premises nearby (grey highlighted)

6.4.3 Final Decision on Location of Pipelines

Once Contractor and Supervising Consultants have been contracted a joint party consisting of the Contractor, Supervising Consultant, MWAUWASA and PMC's E&S team need to decide in close consultation with the local communities concerned where exactly the pipes will be installed, and in such a way that PAPs are as much as possible avoided, or negative impacts minimized.

6.5 Impact Scenario's and Compensation Requirements

The MoWI-endorsed RPF presents four (4) impact scenarios that may be triggered by the project interventions in the Contract 2 project sites (Table 6-1).

Note is taken of the fact that the RPF is inconsistent as its Table 8-3 in Chapter 8 erroneously states that for Scenario 2 a RAP is required, while the RPF states elsewhere that no RAP is needed.

Table 6-1. Impact scenarios and RAP requirements

Impact Scenario	Level of impact	Conclusion
Scenario 1 Pipelines run through land underground, temporary affect of small portion of plot, no existing structures affected	Minor (less than 10% of land affected)	RAP not required
Scenario 2 Pipelines run through land over ground, permanently affecting a small portion of plot, no existing structures affected, income not significantly affected	Minor (less than 10% of land affected)	RAP not required
Scenario 3 Water treatment works or other water + sanitation structure significantly affecting plot and income, no existing structures affected	Significant (more than 10% of the land affected and where it is no longer viable)	RAP required
Scenario 4 Water treatment works or other water + sanitation structure significantly affecting plot and income, existing structures affected	Significant (more than 10% of land affected and / or physical assets affected)	RAP required

Source: MoWI-endorsed RPF, January 2016

Whether the less-than-10% rule applies may not be easy to assess as documented information on plot boundaries may not be readily available, and/or people may not have a land tile (yet) so that individual plot boundaries cannot be determined. However, as most plots that may be affected are of substantial dimensions whereas pipe diameter is relatively small, it is expected that most cases are within (i.e. less than) the 10% rule. This would not require the preparation of a RAP (>200 persons affected) or ARAP (< 200 persons affected).

However, the RPF provides in its Section 8.1.3 compensation requirements for lost land (minor, less than 10% affected), and distinguishes two options:

- **Option 1: Right of occupancy, recognized long standing occupancy, or customary land tenure –** “Where less than 10% of the land is acquired, project affected persons and households with right of occupancy, recognized long standing occupation, customary land tenure, or claims to land that are recognized by the national laws would receive cash for the land and crops using replacement cost methodology.”
- **Option 2: Illegal occupancy –** “Affected people that are occupying the land illegally (i.e. squatters, but not all informal settlements are living illegally) are eligible for the replacement cost of the affected crops and compensation for lost income but not the land itself.”

The question is here thus whether residents have right of occupancy or whether they are occupying the land illegally. To be able to answer this question, and to identify compensation needs, it is needed to determine:

- Where exactly the constructions will be established (outcome of the Contractor's survey)
- Whether the land occupant has land rights or is illegally occupying the lands (to be done by?)

- How much land is lost per land occupant (by an independent valuer), and
- The compensation needs (by an independent valuer).

Whatever the outcome of this assessment it will be clear that resolving the above would be a laborious and time-consuming process, which -as per RPF requirements- as long as this has not been concluded would stop the Contractor from proceeding with his construction activities.

6.6 Compensation for Other Assets

Potential other forms of compensation that are being considered in the RPF and that may be provided to PAPs as a result of the project interventions are included in Table 6-2, below. Based on the assessment presented it is concluded that no compensation will be needed to any of the PAPs.

Table 6-2. Forms of compensation as stated in the RPF

RPF section	Compensation for lost or affected	Applicability in the Contract 2 implementation areas
8.1.3	Land	Intake area and FSTP in Magu Occasionally plots along the mains and in distribution networks
8.1.4	Crops	Occasionally
8.1.5	Physical property	Occasionally
8.1.6	Income generation of non-land based businesses	Occasionally
8.1.7	Relocation costs	Unlikely
8.1.8	Community losses	Unlikely
8.1.9	Sacred sites	Two graves at the FSTP in Magu
8.1.10	Unoccupied land	Occasionally, particularly plots for water storage tanks and pump stations
8.1.11	Vulnerable people	Possibly
8.1.12	Inflation	Possibly if compensation in cash is delayed

7. PAP Results

7.1 General

This Chapter presents the preliminary results from the identification of PAPs associated with the implementation of the Contract 2 interventions, i.e. those resulting from the installation and construction of water supply systems and a faecal sludge treatment plant in each of the three towns. Results are presented in the same order as components given in COWI's Tender Documents of July 2016.

For two intervention sites, both in Magu town, land acquisition or compensation has already taken place, and is completed.

The following sections summarize for each town the identified PAPs and land requirements for each project work, status of ownership, and compensation arrangements made or required. Supporting documents have to the extent possible and available been collected and are obtainable from the PMU, but these documents have not been included in the present document due to their length and format. Meeting notes are mostly in hand-writing and in Swahili but are available as well.

Further detail on works, PAPs, and land acquisition is provided in Appendix 4.

PAPs identified within the present report are individuals, usually the family head. As the RPF considers family members also as PAPs this will -in most cases- increase the number of PAPs accordingly. However, based on an average family size of 5-6 in Tanzania, the total number of PAPs associated with the project works in the three towns combined will not exceed 200, i.e. the limit below of which an ARAP suffices.²

Damage caused during construction works – Accidental damage which may occur during construction works, for example to structures such as buildings, infrastructure, trees, fences, etc. will be dealt by the Contractor in collaboration with the developer, cannot be considered within the framework of the present report due to the unknown about whether this will happen and if so, where and when.

7.2 PAP Risk Areas

As noted earlier, due to the lack of detailed design maps that depict the exact location of particularly the pipe systems in each town (transmission mains and distribution networks), it was not possible to determine PAPs on the basis of the design information alone. Therefore, the E&S team embarked on a PAP risk area survey in the company of an engineer of the Water Utility Company.

Transmission mains and distribution networks were to the extent necessary and possible driven- and walked-by, and four (4) classes of risk levels were determined (Figure 7-1).

² The difference between an ARAP and RAP report is explained on page 90 of the RPF: both have the same structure ("appropriate and proportionate to the magnitude of resettlement impact provoked") but in the case of an ARAP only a summary of socio-economic data is required.

Nowhere high risks areas were found, indicating that there is generally ample space between buildings in the rural village settings.

Table 7-1. Preliminary results of PAP risk area survey in Contract 2 project intervention sites: mains and distribution networks

Risk level						
	Misungwi	Misungwi	Magu	Magu	Lamadi	Lamadi
	Mains	DN	Mains	DN	Mains	DN
Lengths in km	3.6	40.4	10.8	64.7	5.2	30.5
High Risk – Pipe through narrow passage between buildings	0%	0%	0%	0%	0%	0%
Medium Risk – Pipe potentially passing peoples plots	6%	7%	6%	6%	26%	7%
Low Risk – Pipe potentially through people's plot within road reserve	14%	85%	31%	92%	19%	91%
No Risk – No households/premises nearby	81%	8%	63%	2%	56%	3%
Total	100	100	100	100	100	100

Source: PMC Preliminary Census Survey Data Register, January/February 2017

The highest percentage of medium risk areas was found along the transmission mains alignment, largely due to the fact of existing agricultural plots between the intake area and the main Mwanza-Musoma road. If works are properly planned and announced well in advance it is expected that there will be no PAPs.

The relatively high percentages of potentially low risk areas in the three towns is due to the presence of houses built along the roads in these towns. It is expected that the contractor will be able to install the pipes without affecting people's properties.

The below sections summarize the findings from the PAP surveys that were conducted in the three towns in the company of the local engineer who could tell where most likely the interventions were going to be installed.

7.3 Misungwi

Raw water intake area – The land plot measures 170 x 200 m and is located close to Nyahiti village, adjacent to the existing water intake on the side of Lake Victoria. The land is owned by the MiDC since the 1980s. As per the Land Act No 4 (1999) the lake shore was declared as a reserved area for public utilities as per Section 6, Sub-section (1) b and c. No PAPs.

Transmission mains – Replacement of the buried 2.5 km of faulty steel transmission main from the raw water intake is almost entirely through agricultural land. Additionally, 200 m of transmission mains will be installed towards the High Level Reservoir and 900 m between the HLR and the Low Level Reservoir. 5 m on either side of the pipe alignment has been declared as reservation area. There will be no PAPs involved as long as the start of the construction works is announced well in advance (one year earlier) and if the works itself are conducted outside the cropping season.

High and Low Level Reservoirs – Two plots have been selected on two rocky hilltops, measuring 25 x 40 m and 30 x 50 m, respectively. The land has never been owned by an individual; as per the Land Act No 4 of 1999 Section 6, Sub-Section 1b and 1c the hilltop has been reserved for public use only. On site there are already buildings and facilities of cellphone companies/electricity utilities for which the MiDC collects levy being considered as a justification of landownership. Apart from occasional grazing on degraded shrub and weeds, there are no PAPs associated with these works.

Distribution network – A 40.3 km network of water supply pipelines will be installed, including some replacement, mostly along existing village roads and inside road reservations. Two PAPs were identified, in both cases (Mitundo school and a pub) the pipe will or may (depending on final decision on alignment) cross a fence (Table 7-2). Both PAPs have provided a consent letter, not requiring compensation.

Faecal Sludge Treatment Plant – The land take for the FSTP is 1 ha (100 x 100 m); land is part of an eucalyptus forest plantation since 1982, located along a rural unpaved road. The plantation was developed through a rural economy development program (REDEP). The land is owned by the MiDC as per Section 30 and Section 37 of the Forest Act No 14 of 2002 which stipulates that all forest reserves are managed by the designated local government authority. There are no people living on or using the site, apart from occasional grazing by roaming livestock, no PAPs.

Water supply to Nyahiti village – This has been considered as an optional intervention during design, but has been cancelled due to lack of project funds.

Misungwi summary – In total two (2) PAPs were identified but both have signed a letter of consent and therefore there is no need for compensation in any of the works (Table 7-2).

Table 7-2. PAPs identified in Misungwi

Nr	Project Component	PAP name & contact	Project impact	Compensation
1	DN Pipe ID: P37	Mitindo Primary School	Pipe crossing school fence	Consent form signed, compensation not required
2	DN Pipe: ID P73	Ndinga Pub	Pipe crossing temporary fence	Consent form signed, compensation not required

7.4 Magu

Raw water intake area – The area is situated in Busolwa sub-village at Bugabu village, and measures according to the Tender Documents 60 x 73 m (= 0.438 ha) and a plot of 0.578 ha has been acquired for the works. The land take process started in early 2014 (well before project start), and was concluded in December 2015 by compensation payment to the previous landowner (Table 7-3). The Valuation Report of April 2014 documents the process that the Magu District Council conducted and is available. One PAP.

Transmission mains – 10.8 km will be installed from the raw water intake through agricultural lands, along and within the RoW of the main Mwanza-Musoma highway, and inside Magu town along existing roads towards Magu Hill. As long as the start of the construction works is announced well in advance (one year earlier) and if the works are conducted outside the cropping season, there will be no PAPs.

Water reservoir – The land size for the reservoir is not specified in the tender documents but it is located beside the existing reservoir at the top of Magu Hill that is owned by the MaDC. There are no people residing at the site, and there are no PAPs.

Distribution network – 64.7 km of pipelines will be replaced, mostly located along existing village roads and within road reservations. Three (3) houses were identified where a driveway/access apron has been constructed between the road and the house entrance, and the occupants have filled a questionnaire, and

stated that they will remove any obstructions to the construction work and replace these when the work has been completed – all on their own expense (Table 7-3).

Faecal Sludge Treatment Plant – Trapezoid shaped land, measuring 218 x 130 x 223 x 43 m, amidst agricultural land. The process of land take for the FSTP plot started in 2016. The land is situated at Moha sub-village Ilungu village, the land size is reported as '4.54 acres' (which involves six (6) people who own land and/or trees and two graves (Table 7-3). The Magu DC had a Valuation Report (January 2017) prepared and this was made available to the PMC on 2 March 2017. All 6 PAPs have received compensation payment in cash.

The design and tender document for Magu does not include an access road to be constructed from the Mwanza-Musoma main road towards the FSTP, through agricultural fields, however the Valuation Report of January 2017 includes the valuation of assets along this road alignment as well. Seven (7) landowners/users and the land area lost have been identified. As the access road is not included in or financed by the project, the PAPs associated with this work are not further considered within the framework of the present ARAP.

Magu summary – In total ten (10) PAPs have been identified to result from the project works: one (1) has been compensated already; three (3) have signed a consent letter and do not require compensation; and six (6) PAPs, all exclusively associated with the FSTP, have received compensation payment in cash.

Table 7-3. PAPs identified in Magu

Nr	Project Component	PAP name & contact	Project impact	Compensation
1	Intake & WTP land plot	Peter Mathayo Maneno (0769510445)	Land take of 60 x 73 (TD, Jul 2016: MAG-102) but MAG-101 indicated larger irregular shaped plot. Valuation Report of April 2014 states: "1.43 acres"	Valuation Report of April 2014 Mr Maneno was paid by MiDC on 18/12/2015 Local land title (13MAG/1092) provided on 15/1/2016
2	DN Pipe ID: P17	Antony Pastor	Pipe crossing pavement blocks apron in road reserve	Consent form signed, compensation not required
3	DN Pipe ID: P54	Maleri Executive Lodge	Pipe crossing pavement blocks apron in road reserve	Consent form signed, compensation not required
4	DN Pipe ID: P54	Faustine Malungo	Pipe crossing pavement blocks apron in road reserve	Consent form signed, compensation not required
5	FSTP	Ngarani Bujilima (0769931127)	Land take of 4963 m ² and three (3) mihale trees and one (1) grave	Valuation Report of January 2017; payment received
6	FSTP	Ngwegwe Lubatula (nil)	Two (2) mango trees	Valuation Report of January 2017; payment received
7	FSTP	Paulin Kachwele (0758840122)	Land take of 2504 m ²	Valuation Report of January 2017; payment received
8	FSTP	Dina Mabina (0769931127)	Land take of 5479 m ² and one (1) mihale tree	Valuation Report of January 2017; payment received
9	FSTP	Malambo Busiga (0764873725)	Land take of 4772 m ² and six (6) mihale trees (in FSTP and along access road)	Valuation Report of January 2017; payment received
10	FSTP	Leticia Mchele (0756558430)	One (1) grave to be replaced elsewhere	Valuation Report of January 2017; payment received

7.5 Lamadi

Raw water intake area – A plot of 55 x 75 m has been selected on the side of Lake Victoria, i.e. within a 6 ha plot owned by the Busega DC. The previous land occupant claimed landownership but was revoked due to breach of land legislation (non-citizenship).

Transmission mains – The 5.2 km pipe alignment runs through land that is currently used for small scale agriculture at and near the water intake/WTP plot and subsequently runs inside the reservation of the main Mwanza-Musoma road till it reaches the primary school premises along this road. No land titles were issued in Lamadi town but commitment letters have been issued by the village committee for the transmission main. As long as the construction works are announced well in advance (one year), and if the works itself are conducted outside the cropping season there will no PAPs.

Water reservoir – A 40 x 60 m plot of land has been selected at the Itongo Primary School premises for construction of the 400 m³ elevated water storage tank. As a number of trees, that currently provide shade for school children, have to be cut for the works, PMC has repeatedly recommended to select an alternative site on the school premises, without success. It is recommended to plant at least a same number of trees elsewhere on the premises for compensation.

Distribution network – In total 30.5 km of water supply pipe systems will be installed, mostly along existing non-tarred rural roads inside Lamadi village. The Village Head offered to be and was interviewed for the works, and stated on behalf of the other residents that no one will claim compensation as long as water is provided to the town.

Faecal Sludge Treatment Plant – A plot of 154 x 245 m has been selected amidst an open field outside town that has no other visible use than for occasional grazing by roaming livestock. No land titles were issued in Lamadi town but commitment letters have been issued by the village committee for the FSTP at Mwabayanda village. The remaining chunk of land is still used by the villagers who want to conduct agricultural activities. No PAPs.

Lamadi summary – No PAPs have been identified.

Table 7-4. PAPs identified in Lamadi

Nr	Project Component	PAP name	Project impact	Compensation
		N/a		

8. Inventory and Valuation of Assets

8.1 General

As outlined in Chapter 7, there are two plots, both in Magu, that require land acquisition to accommodate project works and that result in PAPs: one is the raw water intake area including the water treatment plan, and the other is the faecal sludge treatment plant. For both sites a Valuation Report has been prepared, details of which are presented below.

The Valuation Reports are not included in the present ARAP report for reason of confidentiality, it states: *“the report is confidential to the Client for the purpose to which it refers and cannot therefore be disclosed to third parties in any form without the valuer’s written approval of such disclosure”*.

8.2 Magu Raw Water Intake Area

Details on the raw water intake area are provided in Chapter 2, as well as in Appendix 4.

The Valuation Report was prepared (in English) for the District Executive Director by the Valuation Section, Department of Lands and Natural Resources, of the Magu District Council. The report is named:

Valuation Report for Compensation Purpose in Respect with Properties Located at Busulwa Area, -Bugabu Village, Magu District- Mwanza (the Case of Establishment of New Pumb House and Water Treatment Plant)

and is dated April 2014.

The payer is the District Executive Director – Magu District Council.

Cut-off date for the valuation was 9 April 2014.

The plot covers 1.43 acres [= 0.57 ha]. The valuation has been carried in accordance with the Land Assessment of the Value of Land for Compensation Regulations (2001), under Section 179 of the Land Act No. 4 (1999) and the Village Land Act No. 5 (1999), i.e. by using the Comparative Method which is sometimes referred to as the Direct Capital Comparison Method. This implies that the compensation for loss of any interest in land includes among others the value of un-exhausted improvements, disturbance allowance, transport allowance, accommodation allowance and loss of profit. The Crop Compensation Schedule was adopted to arrive at the crop values.

The report describes how the property and crop values and applicable allowances have been established.

The report states that compensation has been determined based on the following principles:

- Equivalence: under this principle the claimant should neither be better off, nor worse as a result of the acquisition;
- Claimant should not suffer financially;
- Compensation may be either monetary or by issuance of some other equivalent parcel of land;
- Compensation should be fair and adequate.

The report states furthermore that consideration in assessing compensation included:

- Severance – being a reduction of land that result in reduction of the land's area, usefulness and profitability;
- Injurious affections – referring to the loss of value to the part retained;
- Betterment – being the reverse of injurious affection;
- Disturbance – the loss to the claimant that is not directly related to the market value of the land.

The report states the total compensation to be paid in TZS, subdivided in land value, crop value and allowances. Various authorizations complete the report, including those of the Government Chief Valuer, Dar es Salaam.

Attachments to the report provide the detailed valuation analysis of the properties, dated 17 April 2014, and a location sketch map.

8.3 Magu FSTP

Details on the FSTP are provided in Chapter 2, as well as in Appendix 4.

The Valuation Report was prepared (in English) for the District Executive Director by the Valuation Section, Department of Lands and Natural Resources, of the Magu District Council. The report is named:

Valuation Report for Compensation Purpose Subject to Landed Properties Located at Moha Area, Ilungu Village, Nyigogo Ward, Magu District-Mwanza (for the Construction of Water Waste Disposal and Access Road)

and is dated January 2017.

The payer is the District Executive Director – Magu District Council.

Cut-off date was set at 31 January 2017.

The description of the method of the valuation of the land and crops is in the same or similar wording as valuation of the raw water intake (Section 8.2).

The valuation of the existing graves on the land is in accordance with the Grave Removal Act No. 9 (1969), Section 9(2). This implies that the compensation is “*limited to the reasonable expenses incurred for the removal, transportation, reinstatement and re-interment of the grave and any placatory, or other ceremony accompanying such removal and interment*”.

The report states the total compensation to be paid in TZS, subdivided in land value, crop value, compensation for the graves, and allowances. Various authorizations complete the report, including those of the Government Chief Valuer, Dar es Salaam.

Attachments to the report provide the detailed valuation analysis of the properties, dated 17 April 2014, and a location sketch map.

8.4 Compliance with the RPF

The MoWI-endorsed Resettlement Planning Framework of January 2016 requires that compensation under the project is to be provided in accordance with Tanzanian law, particularly the 1967 Land Acquisition Act and 1999 Land Act. i.e. being cash equivalent to the market value. Both valuations for the acquired plots comply to this requirement.

The RPF states that “*all estimates of compensation will be based on Replacement Cost Methods. Nationally set values for crops and fruit trees by the Ministry of Lands, Housing and Settlements are used as the basis for crop values. The Comparative method of valuations which is sometimes referred to as the Direct Capital Comparison method (DCCM) is used and in absence of the market evidences the Replacement Cost Method (RCM) is adopted. Under the later method, Depreciated Replacement Cost is equated to the Market value of the subject property.*” Consequently, the valuations have been conducted by using the Comparative Method which complies to the RPF.

The valuation report for the raw water intake is accompanied by a form signed by the landowner, as a proof of payment. The valuation report for the FSTP includes a form that included a picture of each PAP, and the detailed valuation analysis (item, quantify, unit rate, growth%, total compensation to be paid, and signature and finger print, as a proof that the outcome to the valuation has been presented to the PAP concerned. Payment to the FSTP claimants has been made.

Overall, the valuations are deemed to have been conducted in accordance with the agreed RPF.

9. Institutional Responsibilities for Implementation

9.1 Overall Project Organization and Implementation Arrangements

Whilst the Ministry of Finance (MoF) is the ‘borrower’ of the loan, the Ministry of Water (MoW) is the ‘Promoter’ and has the ultimate ownership of the project. Execution at local level rests with the three water utility and sanitation companies, namely the Mwanza Urban Water Supply & Sanitation Authority (MWAUWASA); the Bukoba Urban Water and Sanitation Authority (BUWASA); and, the Musoma Urban Water and Sanitation Authority (MUWASA).

MWAUWASA, BUWASA and MUWASA effectively act as the implementing agencies on the ground, charged with the responsibility of delivering upon this project’s and this Framework’s stated commitments within their respective territorial jurisdictions. MWAUWASA bears the additional responsibility for execution at the three satellite towns of Magu, Lamadi and Misungwi. The Ministry of Water is charged with the oversight of execution and the provision of enhanced technical assistance, as required, in Bukoba and Musoma, as well as carrying the responsibility to supervise execution across the entire project.

Daily oversight of this project at the operational level is provided by the Project Implementation Unit (PIU). A Lenders’ Supervisors is an additional part of the institutional structure, their role being to act as “a third party contracted by and acting on behalf of the Lenders [EIB] to monitor the Project, including monitoring physical progress and compliance, procurement supervision and quality assurance of technical solutions and physical deliverables.” The lender supervisor sits alongside the PIU to review all implementation tasks. Independent monitors appointed by the EIB are not full-time but go on short missions to check compliance of the program.

The responsibility of the “Valuation Report”, which is part of the A/RAP, lies with the District or Regional Government Authority.

Different institutions are involved at different levels: all Implementing Agencies; the Regional Commissioner; the District Council; the Ministry of Land and Human Settlement Development; and the Ministry of Water. Also as part of the Stakeholders are the project contractor, the RAP consultant, NGOs/CBOs and any additional project management support unit appointed by Lenders.

The role of the Regional Commissioner and the District Council lies in ensuring that the exercise is completed through the supervision of the executive officers by accompanying the municipal valuer to every land in his/her area and confirming the owners of the lands concerned.

The consultant and contractor identified the route and areas before giving it for valuation process; the District Council and the Regional Commissioner sign the valuation report document before sending it to the chief valuer for approval.

Once the Valuation Report is done, the consultant prepares the A/RAP using the RPF-LVWATSAN guidelines and once the draft document is completed, the Implementing Agency(ies) (IAs) submit the draft document to the MoWI for review and comments.

According with the WSDP DP agreements, all projects under the Program who requires a A/RAP should comply with the Environmental and Social Management Framework (ESMF) and Resettlement Management Framework (RMF) in order to comply with the national law and the World Bank Safeguard Policies.

MWAUWASA in collaboration with the District commissioner's office the Valuer and the leaders engaged in exercise of verification of the documents and payment of the affected people.

The village land committee who lead by village chairperson and village executive officer was responsible for attending all grievances during the property assessment and land assessment.

9.2 Responsibilities of Key Organisations

Without duplicating roles and creating additional bureaucracy for the program, there is a need to coordinate the resettlement and land acquisition components to ensure transparency and efficiency throughout the process.

Environmental and social safeguard measures will be implemented by the water utility companies, in collaboration with the respective local authorities, as relevant. In this spirit, the daily implementation and management of resettlement measures will fall upon each water utility company, each in its own spatial jurisdiction (where, additionally, MWAUASA will also cater for the three satellite towns). A specialist, acting as a focal person in this respect, has been nominated and shall be trained by MOWI from each water utility company. This officer will work on the RAP implementation collaborating as relevant with other local authority bodies, UN-Habitat, and other ancillary actors on the project (PIU, Lenders' Supervisors, Sanitation Task Force). Moreover, the same (or different) assigned officer in each local authority will be tasked with the monitoring and evaluation role over the RAP, and where necessary (based on whether EIB Standard 6 or WB OP.4.12 is triggered) any subsequent (abbreviated) RAPs. They will ensure all gaps are addressed by the project team, liaising with their counterparts at the Lenders' Supervisors or the Sanitation Task Force (STF), as necessary. Other specialists can be brought in over the course of implementing resettlement action plans, as and when required. All RAPs and monitoring progress reports will need to be approved and signed off by the MoWI.

The constructions works cannot start if the A/RAP has not been fully implemented.

9.3 Ministry of Water and Irrigation (MoWI)

The MoWI, as the primary promoter, and specifically the Environmental and Social Management Unit (ESMU) is responsible for endorsing the present document, as well as acting as the guarantor in terms of policy and procedural compliance, the overall coordination, monitoring and evaluation of the LVWATSAN-Mwanza Project, including the facilitation of capacity building. The MoW will furthermore ensure cohesiveness and policy alignment in terms of sector coordination across the three Urban Water Utility Authorities (UWUA), as well as the monitoring the feedback and results from the progress reports, ex-post surveys and any due diligence required from the implementation process. General program management for the full project scope will be coordinated through the Policy and Planning Division of MoWI, whilst relevant inputs regarding environmental and social compliance – as required – will be provided by the Environmental and Social Management Unit (ESMU) of the Ministry. The financial flows required under the budget of the specific A/RAPs will be based on GoT monies, to be transmitted in a timely and adequate manner via the MoW to the three UWUAs responsible for on-the-ground and day-to-day implementation of the A/RAPs.

9.4 MWAUWASA- Mwanza Urban Water and Sanitation Authority

MWAUWASA is one of the three urban water and sewerage utility service providers in the LVWATSAN-Mwanza Project and is fully autonomous. As the single one urban utility company with a significant

territorial oversight that comprises the three satellite towns and the largest recipient of EIB financing for infrastructural improvements, it is regarded as the project's secondary 'promoter'. The activities of the authority are regulated by statutory bodies established by the GoT to ensure transparency, accountability and equity in governance.

As a recipient for both water and sanitation upgrading, MWAUWASA will be responsible for managing the new infrastructure work both in Mwanza and in the three surrounding satellite settlements – as the absence of administrative authorities in certain districts within Mwanza, require MWAUWASA to provide technical and administrative oversight. MWAUWASA will manage routine operations, maintenance as well as procurement of professional services and equipment to assist in the efficient expansion of the network.

Application of social safeguards in compliance with Lenders' standards in its jurisdiction (incl. the three satellite towns) and in the context of this project and the RPF-LVWATSAN will be under the responsibility of MWAUWASA. The latter will lead the operational application and implementation of the provisions under this Framework. The support of the PIU will be drawn in this endeavor, as necessary and as stipulated in the latter's terms of reference.

9.5 Satellite Towns of Mwanza

Whilst MWAUWASA provides water supply and sewerage services in eight Districts including Nyamagana and Ilemela in Mwanza City as well as Kisesa Township in Magu, some districts have the ability to manage and deliver LVWATSAN sub-project components under the guidance of MWAUWASA. For Magu and Misungwi – the district water authorities responsible for implementation of the project (including the resettlement and land acquisition components) manage their own teams. Whilst it may seem obvious, but the technical aspects particularly relating to the comprehension of engineering designs need to be addressed and 'owned' by the local implementing authorities.

In the absence of small district water authority in Lamadi town, MWAUWASA can provide technical support and advice on land acquisition and resettlement, and appropriate compensation standards, being – de facto – the executing agency of this RPF's provisions, as necessary.

9.6 Project Implementation Unit (PIU)

The implementation of the LVWATSAN-Mwanza Project is managed by a Project Implementation Unit (PIU), the latter located in MWAUWASA. The role of the PIU will embrace both program management as well as providing critical inputs under thematic areas such as resettlement, specifically in assisting the resettlement impact screening and the elaboration of any resettlement action plans, abbreviated or full. Currently, the PIU's scope of work is geared only at the level of MWAUWASA, yet it is foreseen that technical assistance in matters of screening and A/RAP elaboration will be extended to BUWASA and MUWASA as well. However, the PIU will not have a role in resolving the complexities of land acquisition at local level, which require a participatory rather than programmatic approach to implementation.

9.7 Non-Governmental and Community Based Organizations (NGOs /CBOs)

NGOs/CBOs are valuable facilitators thanks to their outreach capacity towards communities, whether they are brought on board through the SEP or in the context of the resettlement screening exercises. It will be imperative for such engagement activities to seek to identify the communities' willingness to cooperate in the program and to facilitate their mobilization, engagement and consultation therein.

If the projects impacts are considered major, an NGO/CBO could serve well in conducting baseline surveys (a census) and a necessary inventory of assets to understand 'impact' by classifying PAPs based on their tenure amongst other elements (see chapter 8 Methods of Valuing Assets) to determine what compensation measures would be adequate. The baseline data would feedback to the municipality and water utility provider. Outsourcing an NGO/CBO for such services would respectively befall the agencies in

charge of implementing this RPF's provisions, namely the three urban water and sanitation utility companies, as per jurisdictional resettlement profiles.

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10. Implementation Timetable

The compensation payment of the acquisition of the land for the Magu raw water intake and water treatment plant has already been completed (in December 2015).

The valuation of the land and other properties of the Magu FSTP has been completed (in January 2017); compensation payment to the claimants still has to materialize.

Implementation of the remainder of the ARAP process is depicted in Figure 11-1.

Table 10-1. ARAP implementation Timetable

Year		2017												Implementing agency	
Nr	Activity / Month	J	F	M	A	M	J	J	A	S	O	N	D		
1	Cut-off (Magu FSTP), Valuation Report prepared													Valuer	
2	Approval of Valuation Report for the Magu FSTP													Chief Valuer - DeS	
3	Review and approval of the ARAP Report													Satellite DCs MoWI, MoLHS	
4	Formation of grievance committee													PMU/CLO	
5	Training of grievance committee members													PMU/CLO	

11. Budget (Confidential)

This Chapter provides financial detail on the compensation that has been provided and that still is to be provided for the Contract 2 project works, i.e. in Magu town. Information provided in this chapter has been extracted from the two existing Valuation Report, i.e. one for the Magu water intake area and the other for the Magu FSTP. In Misungwi and Lamadi no PAPs have been identified, no land is to be acquired or other property is going to be lost as a result of the project works, and therefore there is no need for valuation.

As it is an RPF requirement that the present ARAP report is to be disclosed to the wider public (Section 1.6), this chapter needs to be removed before wider distribution of the report.

11.1 Magu Raw Water Intake and Water Treatment Plant Land Plot

The Valuation Report of April 2014 provides the following financial compensation analysis.

VALUATION ANALYSIS IN RESPECT WITH PROPERTIES LOCATED AT BUSULWA AREA, BUGABU VILLAGE, MAGU DISTRICT
THE CASE OF ESTABLISHMENT OF NEW PUMB HOUSE AND WATER TREATMENT PLANT

S/N	OWNER'S NAME	PROPERTY DESCRIPTION	QTY	RATE/ITEM/M ²	GROWTH%	COMPENSATION	TOTAL COMPENSATION
1	PETER MATHAYO MANENO LD/MG/VAL/COMP/BSLW/01	CROPS					
		Mitende	1	40,000.00	100%	40,000.00	
		Mihale	26	20,000.00	70%	364,000.00	
		Sisal cluster	316	4,680.00	50%	739,440.00	
		Sisal cluster	185	4,680.00	100%	865,800.00	
		Sisal cluster	282	4,680.00	70%	923,832.00	
		LAND=5,805sq.m	5,805	1,600.00		9,288,000.00	
		ALLOWANCES				-	
		Disturbance Allowance		12,221,072.00	7%	855,475.04	13,076,547.04
GRAND TOTAL							13,076,547.04







VALUED BY.....*SPM*.....17/4/2014.....
SILAS M. HONGA
VALUER II
MAGU DISTRICT COUNCIL

DISTRICT VALUER
MAGU

APPROVED BY.....
CHIEF GOVERNMENT VALUER
DAR ES SALAAM

11.2 Magu Faecal Sludge Treatment Plant

The Valuation Report of January 2017 provides the following financial compensation analysis.

VALUATION ANALYSIS FOR COMPENSATION PURPOSE OF PROPERTIES LOCATED AT MOHA-AREA, ILUNGU VILLAGE, NYIGOGO WARD, MAGU DISTRICT - MWANZA (THE CASE OF THE CONSTRUCTION OF WATER WASTE DISPOSAL AND ACCESS ROAD)							
S/N	OWNER'S NAME	PROPERTY DESCRIPTION	QTY	RATE/ITEM/ACRE	%OF GROWTH	COMPENSATION	TOTAL COMPENSATION
1	GALANI BUJILIMA 	TREES/CROPS Mihale Grave LAND=4,963m ² (1.23 Acres) ALLOWANCES Disturbance Allowance	3 1 1.23	20,000.00 300,000.00 900,000.00	40% 8%	24,000.00 300,000.00 1,107,000.00 - 114,480.00	1,545,480.00
2	NGWEGWE LUBATULA 	TREE/CROPS Mango lipu ALLOWANCES Disturbance Allowance	2	83,000.00 116,200.00	70% 8%	116,200.00 - 9,296.00	125,496.00
3	PAULINE KACHWELE 	LAND=2,504m ² (0.62 Acres) ALLOWANCES Disturbance Allowances	0.62	900,000.00 558,000.00	 8%	558,000.00 - 44,640.00	602,640.00
4	DINA MABINA 	CROPS/TREES Mihale LAND=5,479m ² (1.35 Acres) ALLOWANCES Disturbance Allowance	1 1.35	20,000.00 900,000.00	35% 8%	7,000.00 1,215,000.00 - 97,760.00	1,319,760.00
5	MALAMBO BUSIGA 	CROPS/TREES Mihale Mihale LAND=4,772m ² (1.179 Acres) ALLOWANCES Disturbance Allowance	4 2 1.18	20,000.00 20,000.00 900,000.00	80% 35% 8%	64,000.00 14,000.00 1,061,100.00 - 91,128.00	1,230,228.00
13	LETICIA MCHELE KABADI 	GRAVE Built of reinforced concrete with sand cement screed on top ALLOWANCES Disturbance Allowance	1	500,000.00 500,000.00	 8%	500,000.00 40,000.00	540,000.00
GRAND TOTAL							6,945,015.60
Prepared by SILAS M. HONGA DISTRICT VALUER MAGU				APPROVED BY CHIEF GOVERNMENT VALUER DAR ES SALAAM			
DISTRICT VALUER MAGU							

12. Arrangements for Implementation, Monitoring and Reporting

12.1 Next Steps

Decision on final locations of pipes – Although it is believed that the present report provides a fairly complete PAP assessment, the final location of the transmission mains and distribution networks will have to be decided upon, ideally by a combined party of the Contractor, the Supervising Consultant, an Engineer from the town's Water Utility Company, PMU/PMC as well as the local community involved. This may result in some PAPs that still need to be added.

ARAP Report review and approval – As per the RPF requirements, the present ARAP report will be forwarded to the District Councils for scrutiny and approval.

Once satisfied with the ARAP report the District Council will forward the report on together with their recommendations to the Ministry of Land, Housing and Settlements and the Ministry of Water and Irrigation for their endorsement and final approval.

The two valuer's reports have been submitted already to the Chief Valuer based at the Ministry of Lands to cross-check assumptions, procedures and that the evaluation complies with the statute, and these reports have been approved.

Compensation and resettlement plans (contracts) will be binding under statute, and will recognize that customary law governs land administration and tenure in the rural/village areas.

Further review and approval steps are given MoWI's notification of 15 February 2017, that are presented in Appendix 5.

Compensation Payments – Compensation is finally handed to the beneficiary or the body responsible for resettlement i.e. the provincial water authority for payment to the PAP. All payments and transfers in kind will be made in the presence of the affected party and the village authorities.

All compensation and social assistance that project affected persons are eligible for, needs to be offered and completed prior to any land acquisition takes place.

Monitoring and Evaluation – Monitoring will be ongoing from the outset. Early commencement of monitoring is essential in order that any issues are raised early on in the project.

12.2 Grievance Redress Mechanism

Grievance procedures will need to allow PAPs to go through a full agricultural season to realize their impact. Tanzania already has a linear process to manage complaints which are channeled through the local and national legislature system. This will need to be respected in light of the LVWATSAN- Mwanza Project, as articulated across relevant provisions for tiered grievance management at project/local/national levels in the project's SEP.

Local Level Grievance Resolution – In light of the WSDP Implementation Manual Volume 6 (description of Grievance Redress Mechanism pp.90), one needs to follow the current procedures and strengthen them where possible. The grievance process should be initiated at the project outset with communities affected by the project made aware early on. Although, traditionally, “all grievances concerning non-fulfillment of contract, levels of compensation, or seizure of assets, will be addressed to the local court systems of administration, of justice in the districts” (WSDP pp.90), in order to simplify the grievance procedure, complaints will be administered, as much as possible, at the local level. The intention of retaining the complaints procedure locally, is to resolve all matters in an amicable fashion without having to go through a national legal procedure.

To facilitate communication between the applicant and authorities at a comprehensible level (i.e. given the high prevalent levels of illiteracy and poverty), a complaints procedure should begin with a verbal testimony rather than something in writing), whilst also minimizing costs. Local Leaders will record all grievances and complaints, including minutes of discussions, and the recommendations and resolutions decided. These will be issued to the water utility company and relevant local authority to resolve as a first point of call.

Such grievances between the complainant and the authorities are likely to derive from inadequate levels of compensation, non-compliance of contracts, or relocation and seizure of assets prior to – or without - compensation. If any of these occurs the complainant shall address the Local Leader. In turn the local leader can consult with the District Authority, such as a District Commissioner (DC), or District Executive Director (DED) over the validity of the claim. If the complainant's case is considered legitimate, the Local Leader will notify the complainant and they will be assisted. If, on the other hand the complainant's grievance claim is rejected by the authority, the matter shall be brought before the local courts or District Land Tribunals for settlement.

12.3 Monitoring

The overall objective of the monitoring and evaluation process is to ensure that PAPs receive full compensation and improve, or at least to restore, their living standards and former livelihoods.

The RPF informs the monitoring requirements for A/RAP reports which are a mandatory requirement of EIB-funded projects that involve land acquisition, as well as for MoWI.

Example process indicators include:

- Level of engagement with affected people;
- Number of grievances made; number of grievances rectified, and time and quality of resolution;
- Outstanding individual compensation or resettlement contracts;
- Form of compensation provided;
- Preparation and adequacy of resettlement sites;
- Level of satisfaction of affected people with the various processes and stages.
- Targets are to be based on the relevant guidance in this Framework, EIB Standard 6, MoW's 2015 RMF, and national law.

Impact Monitoring – Impact monitoring involves assessing the impact of the land acquisition and the effectiveness of the A/RAP measures against baseline indicators and targets. The impacts include the effects on living conditions and livelihoods of affected people, and also include qualitative impacts such as emotional distress. Both quantitative and qualitative indicators should be included in the monitoring of impacts. Potential impact indicators include:

For temporary acquisitions:

- Number of people affected by temporary land use changes;

- Impact of temporary land use change on income;
- Number of affected people employed by the civil works contractors.

Permanent acquisitions:

- Living standards: condition of housing; access to water and sanitation; size and quality of land.
- Livelihoods: income levels; employment opportunities generated; pre-project production versus present production (crop for crop, land for land); seasonal or inter annual fluctuation of key foodstuffs; ability of individual and families to re- establish their pre displacement activities.
- Access to services: distance to water supply; distance to employment opportunities, education and health facilities, community facilities etc.
- Social and qualitative impacts: number of people affected by community changes, number of people reporting emotional distress, qualitative attitudes towards project, community feedback.
- Targets should be guided by EIB Standard 6 , MoW 's 2015 RMF, national law, and recommendations in this Framework.

Mechanisms for Monitoring – Organizations to be involved:

A template outlining the organizations responsible for M&E is provided in the MoW ESMF and RMF and is replicated, with context-specific adjustments, in this instance, too.

The ESMF and RMF states that the MoWI will perform a monitoring oversight function for the LVWATSAN-Mwanza Project. This will include land acquisition and compensation. The MoWI will have responsibility for signing off monitoring reports.

Appointed focal officers within each UWUA will be responsible for the day to day monitoring and reporting of feedback throughout the life of the project, specifically the monitoring of the implementation of the (abbreviated) Resettlement Action Plans. They will oversee compliance and check whether prescribed actions and monitoring have been carried out. They will work closely with the Water Utility Companies to ensure the monitoring plan is contained in the individual project proposals and is implemented.

A local nominated NGO/CBO can prove valuable as an independent, third-party agent assisting in gathering information and reporting on monitoring, as well as working with project affected people. Project affected persons should be involved in all phases of the monitoring, including the identification and measurement of baseline indicators. Effective linkages with the provisions of the SEP are critical in this regard and highly desirable.

Staff involved in carrying out the monitoring will need to have relevant training and experience in monitoring of projects and in the likely issues that will be encountered. They should be familiar with the methods and practices of effective community consultation, and with typical methods and processes for preparing, appraising, approving and implementing small-scale community development projects.

Last but not least, monitoring functions will be additionally provided by the PIU and the Lenders' Supervisors.

Reporting – Inception monitoring report: It is important to review progress of the project in the early phases of implementation and make early corrections if necessary. Performance and impact monitoring should be carried out within 4 to 6 weeks after the census and inventory forms are completed in order to identify any issue early, and to identify the number of affected persons, the extent to which they are affected and whether the creation of a sub project A/RAP is required.

Monthly Progress Report: When an (A)RAP is triggered, the EIB requires a Monthly Progress Report to be completed and submitted to them. The report should be prepared by each UWUA's designated RPF-focal officer on a monthly basis until the conclusion of the RAP implementation. Thereafter, these are to be rendered on a 6-month basis. The EIB will provide closer to the time a standard template on (A)RAP monthly monitoring. The MoWI is expected to sign off on this project's reporting requirements.

Annual report: the ESMF and 2015 RMF for the Water Sector Development Program (WSDP) requires an Annual Report and Annual Review Report to be prepared at the close of each year of the program. The LVWATSAN-Mwanza Project will include a monitoring update on any land acquisition and compensation that takes place as a result of the project. This will include both performance and impact monitoring.

Annual review report: An outline of what is required in the annual review report is presented in the ESMF. It will include:

- A review of project documentation including number of affected persons, and grievances.
- An annual survey of all affected persons, to identify the socioeconomic situation and living conditions of the affected persons. The results will need to be compared to the baseline data that was collected at the time of the cut-off date.
- Field visits of areas where affected persons are located to assess the completeness of planning and implementation work, the adequacy of social design, and compliance with this Framework and RAPs.
- Interview project and district officials responsible for sub project appraisal and approval (this will be done for the review of the ESMF as a whole) but will require consulting with the official regarding the strengths and weaknesses of the resettlement process, and areas for improvement.
- Develop recommendations for improving the performance of compensation and resettlement.

The annual survey should assess the socioeconomic situation of affected persons, the progress on compensation, and impacts of any compensation and land acquisition.

The sample indicators in Annex 10 of the RPF provide a guide as to what should be covered in the survey. Data from the annual monitoring survey should be inputted into an excel data base along with the baseline data requirements that are outlined in Chapter 7 of the RPF.

Due to the likely small number of affected persons, it should be possible to monitor the progress and impacts for every PAP, with the priority being affected persons that triggered a A/RAP. In some cases, resettlement has already taken place before the creation of this Framework. The progress and impacts of this resettlement will need to be included in the monitoring system Retrospective data collection for these affected persons may be difficult if detailed records were not collected at the time. However a census and inventory of assets, and interviews with the affected persons can be carried out in this situation in order to identify whether compensation has been in line with this RPF.

Documentation related to the project including records of numbers of affected persons, compensation, consultations, and grievances will need to be collected throughout the project.

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Appendix 1. PAP Interview Form

- Introduce yourself
- Show an MWAUWASA introduction letter if required
- Explain the purpose of your visit
- Explain the general purpose of the LVWATSAN Project, with particular focus on the works in the town in which you do the consultation
- This form is to be bi-lingual (Swahili/English), and is to be signed by the PAP and yourself, and attached to the A/RAP

Town:

Location:

Date:

Work:

Interviewer:

Part One: Socio-Economic and Demographic Data

1. What is the level of education of the interviewee
a) Illiterate b) Primary c) Secondary d) High school e) Graduate f) Vocational g) Others (tick the answer)
2. How do you earn your income (livelihood)
.....
3. Sex of interviewee: Female (), Male () Tick where appropriate
4. Age of Interviewee.....

Part Two: Information on the Project

1. Have you been informed about the project interventions earlier, and if so how and when?
(if not explain the purpose of the LVWATSAN project and main interventions relevant for this PAP)
 - ☐ Yes, through the media
 - ☐ Yes, through community meetings
 - ☐ Yes, through other means:
 - ☐ No
2. Do you know where the works will be installed at / near your house / plot of land?
 - ☐ Yes, a pipeline along the road but not on my plot of land / through my house
 - ☐ Yes, a pipeline along the road and on my plot / through my house
 - ☐ Yes, through the access road to my plot / house but this is part of the road reservation
 - ☐ No, I do not know

3. Do you know who is the owner of the land on which the works will be constructed at / near your house / plot of land?

- ☐ Yes, the local government / City Council
- ☐ Yes, it is my land but I have no title deed
- ☐ Yes, it is my land and I have a title deed (provide a copy of this deed)
- ☐ No, I do not know

4. Do you know how the work will or may affect you, your family, your house and/or your plot of land?

- ☐ Yes, the work (excavation / pipe laying / closure) will cross the access road to my house / plot
- ☐ Yes, the work will be constructed through my house / plot of land
- ☐ No, I do not know.

5. What will you do to allow the construction work to proceed near /at your house / plot of land without delay or disruption?

- ☐ I will remove anything that may be in the way of the works myself
- ☐ I will restore any damage myself
- ☐ I will not do anything

6. Do you agree with the works to proceed at / near your house / plot of land, and if not why not?

- ☐ I will allow the work to proceed as planned
- ☐ I will not allow the works to proceed as planned unless my conditions are met – these are
- ☐ I will not allow the works to proceed as planned because

Part 3: Permanent PAPs

7. We are aware that you have been compensated by MWAUWASA /voluntarily provided your piece of land for construction of main raising tank (mention the size offered if possible) how was your family or next of kin being involved

- ☐ Informed from the beginning
- ☐ Partially involved
- ☐ Not involved at all

8. If not involved at all, how will your commitment will be affected in case anything might happen to you in the future

- ☐ There is no problem
- ☐ Some of the family members might react and revoke the agreement
- ☐ I don't know

9. If he/she said did not involve family members ask, Why you did not involve your family

- ☐ I did not think it is a must
- ☐ I did not want them to know the process....Why.....
- ☐ I don't know

10. If he or she will say the family members might revoke the agreement ask, Now what is your advice to avoid such kind of misunderstanding in the future if it may happen.....
.....
.....

Part 4: Family member/next of keen of the permanent PAP

11. Are you aware of the ongoing water project in the community

- ☐ Yes, am aware
☐ No am not aware
☐ I do know

12. Were you involved when the land was provided for the project

- ☐ Yes, I was involved
☐ No, I was not involved
☐ I don't know

13. Are you satisfied that your spouse/father gave away the piece of land for the community development

- ☐ Am quite satisfied
☐ Am satisfied
☐ Am not satisfied at all

14. What is your opinion to make sure that the piece of land offered to the larger community will be implemented and avoid unnecessary impact
.....
.....
.....
.....
.....

Name interviewee: Signature:.....

Date:

Name of next of Keen Signature:.....

Date:

Appendix 2. Meeting Minutes

Summary of consultation meetings

For the purpose of the present ARAP report, two types of consultation meetings were held in each town in January/February 2017. First, one or more meetings were conducted with community leaders and influential people, during which the consultant explained the LVWATSAN interventions, and to get to know the participant's perception and concerns regarding the interventions. Then one or more public consultation meetings were held where consultant and villagers exchanged views on how to best approach implementation of the works.

1 Misungwi town

Meeting with community leaders – For planning purposes the E&S team convened meetings with the ward and village leaders, which had positive impacts on the public meetings. During these meetings the team was able to understand the situation prevailing in the community and hence established gaps which needed to be addressed. All issues which were not clear with the community leaders were ironed out during this meeting. It is through this meeting that the E&S team was able to set a plan for the public consultation meeting, and roles of each one was well stipulated at this meeting. All meetings were preceded by meetings with ward and village committees, the idea of having these meetings first was to enable the leaders be aware and therefore reduce unnecessary critics during the community meetings in which some cases leads to misleading and unnecessary prolonged meetings.

Public Meetings at Misungwi Mjini ward, Nange, Busolwa and Mwajombo villages – The E&S team together with the satellite town counterpart staff organized a series of meetings with community members. The aim was to inform them about the project which was about to start and chart out the community responsibility in ensuring that the project performs effectively. The meetings were held at ward and village levels, i.e. in Misungwi and Igokelo ward. In Igokelo the villages that participated in the meetings at different sessions were Nange, Buswolwa and Mwajombo villages. Mwajombo village hosts Nyahiti sub-village which is the water intake source.

The transmission main from the source at Nyahiti about 2.5 km will be replaced with steel pipe DN300. The village along this line, Mwajombo village Nyahiti sub-village, was summoned to a community meeting. The agenda was presented and people were informed that the defected pipe line will be replaced with a new pipe. Explained was that the project is about to start and that the pipes will be laid mainly along existing road reserves and foot paths. Community members were shown the pipe alignment on an A0 size map for verification.

Community members reiterated that their interest is to get water and when they were assured that no houses will be affected by the project they agreed with the works as long as they can continue with their activities in their sites. It was stressed however that people will not be allowed to construct permanent buildings on the pipelines reserve which is clearly known that it is 5 m on both sides of the pipes.

Meeting with District officials – The E&S had a forum with the district officials concerning the field work done. Feedback was given to the district and water utility to give the field insight and share issues which were noted. Results of the meeting:

- The Misungwi Mjini ward meeting was well organized, more than 300 people attended.
- The community was much motivated and ready for the project which they said was already late since have waited for it for a long time.
- On land issues they voted by raising up hands for those who agreed with the project infrastructure to cross in the fields in case there is no any other option.
- The meeting at Nyahiti sub-village was not very active although more than 50 people attended, women were very few, the idea of replacing the old pipe with a new one was deemed interesting although they complained about unavailability of enough DPs at the village while water is crossing their village.
- On land issues they all agreed and said to be aware of the 5 m reserve for water pipelines, therefore agreed to support the project.

- Coming to Busolwa and Nange the community meetings were moderate too, not much participation either, although the pipe section will depend more on internal resource it will not be served by this project.

Table 1.1. Main comments and responses during consultative meetings held in Misungwi town

Nr	Issues Comments from the Community	Remark/Action by the Consultant
1.	People have long waited for the project implementation due to acute shortage of water	The project implementation is scheduled to commence immediately after contract signing scheduled for February 2017 and project duration is 18 months.
2.	Possibility of getting water to areas not covered by the project	The Misungwi District Council will internally arrange extension of water supply to uncovered areas for the purpose of increasing the number of customers.
3.	Scope of the project	The project activities were explained.
4.	Compensation arrangement for identified PAPs	The E&S team identified and interviewed all 3 PAPs: one constructed a mud-brick house roofed with iron sheets on the existing transmission main, Mitindo Primary School whereby the distribution pipeline will cross the already constructed blockwork fence and another person extended his commercial premise's fence on the existing distribution main. All of them accepted to allow the execution of the project without any compensation.
5.	Need of introducing cattle troughs	The design has not considered the construction of cattle troughs for feeding livestock, the project is intended to supply clean water for human consumption.
6.	High concentration of the residual chlorine prevailing in current water which cause decrease the water quality due to incomplete treatment plant system	The new design of Water Treatment Plant has considered the treatment of raw water by all necessary methods (flocculation, sedimentation, filtration, and chemical dosing) whereby the clear water from the clear storage tank will be pumped to these two individual tanks.
7.	The execution of agricultural activities along the pipeline routes after pipe laying	Temporary agricultural activities above the backfilled trenches is allowed.
8.	The nature of the route reserves for the proposed transmission and distribution pipelines	The proposed transmission and distribution pipelines will be laid mainly on the existing public utility area of road reserves and few pipe sections will cross on the people's plots and/or farms.
9.	Labour force (employment)	The project will provide temporary jobs to local residents and hence, enhance the local economy.
10.	Number of domestic points proposed for the construction in the peri-urban areas	The contract has considered 13 domestic points for these areas.
11.	The introduction of pipeline marker posts to avoid future encroachment	The design has considered installation of marker posts for both transmission and distribution mains at their specified distances and associated valve chambers.

2 Magu town

Meeting with ward and village leaders – This meeting was used to plan for the community meetings. Some issues were raised and clarified beforehand to enable the community leaders be part of the team while doing the community meetings.

Public Meetings at Magu Mjini, Isandula ward, and Illungu village – The E&S team together with the satellite counterpart staff organized a series of similar meetings. The meetings were held at ward and village levels, i.e. in Itumbili ward, Magu Mjini ward, Isandula ward and Illungu village. The meetings aimed at informing the community about the project and land issues, mainly concentrating on showing them the project maps and where the pipe networks will pass in their community, i.e. mainly along existing paths and roads. The explanations were basically based on the A0 blown out maps which catered for all project particulars for verification. In all meetings the community had no objection. Results of the meetings were that:

- All meeting participants agreed by voting that there is no objection concerning the project implementation.

- Photographs were taken to verify the commitment of the villagers to support the project implementation without objection.

Meeting with district officials – Consultation was held with the District Commissioner, Director, Community Development Officer and Water Engineer. The meeting was conducted to iron out the issue of the land for the raw water intake. The land belongs to the District Council therefore they were working on getting ownership from the Assistant Commissioner from the Land Authority Mwanza. The land is an open space used by few farmers for periodic farming especially vegetables. Those used to farm here were already informed and they agreed to stop the farming activities.

Observation/advice – The contractor should inform the community leaders on the exact date they will be working in their areas so that they community will provide the needed support and work closely with the contractors.

Table 2.1 Main comments and responses during consultative meetings held in Magu town

Nr	Comments from the Community	Remark/Action by the Consultant
1.	People have waited for so long for the project implementation due to acute shortage of water which has persisted for years	The project implementation is scheduled to commence immediately after signing contracts in February 2017 and project duration is 18 months.
2.	Probability of getting enough water with adequate pressure heads to entire distribution network by using the selected Magu hill while other elevated locations have not been put into consideration	The tank location (Magu Hill) has proper pressure heads for entire distribution network as per design.
3.	Cost of buying water per unit after project completion	Water tariffs are regulated by the responsible authority (EWURA) with the involvement of stakeholders.
4.	The scope of the project	The project activities were explained.
5.	The nature of the route reserves for the proposed transmission and distribution pipelines	The proposed transmission and distribution pipelines will be laid mainly on the existing public utility area of the road reserve and few pipe sections will cross on the people's plots and/or farms.
6.	Vandalism to the new system by illegal connections by community members	The water utility company will continually run the campaign to inhibit the illegal connections that tend to increase Non-Revenue Water and hence, the loss by the water utility company
7.	The project period for the contract 2: WS and Sanitation for 3 satellite towns namely Misungwi, Magu, and Lamadi.	The original contract period is 24 months (works) and 12 months (defects). However, this period may be subjected into the contract extensions due to unforeseen events or other reasons.
8.	Labour force (employment)	The project will provide the temporary jobs to the local residents and hence, enhance the local economy.
9.	The number of domestic points proposed for the construction in the peri-urban areas	The contract has considered 35 domestic points for these areas.
10.	The introduction of pipeline marker posts to avoid future encroachment	The design has considered installation of marker posts for both transmission and distribution mains at their specified distances and associated valve chambers.
11.	The compensation for the identified PAPs (about 13) resettled from the proposed Faecal Sludge Treatment Plant (FSTP) and land owners for the proposed access road to the FSTP	The compensation arrangement for these PAPS on the process by Magu District council after receiving the approval of the valuation report from the Chief Valuer.

The Village Law 1999 allows local governments to provide titles to land ownership known as Customary Land Take for which the Urban Water and Sanitation Magu (UWASA-Magu) was issued a certificate on 15 January 2016 as per the Village Land Act No 5 of 1999 under Section 25.

3 Lamadi town

Meeting at Lamadi Primary School – The E&S team organized a meeting with the school and village committee. The meeting was held at Itongo Primary School, where the tank will be constructed. The team introduced the project and land take requirements. Participants, including the District Water Engineer and the Busega District Executive Director,

visited and inspected the location of the site for water storage tank to be constructed at Itongo primary school. Results of the meeting were that:

- All meeting participants agreed by voting that there is no objection concerning the land required.
- The meeting agreed to sign minutes with agreement note that the school and the community agree that there will be no objection concerning using the school land which is village land for the proposed water project.
- They know the land is village land no one has any right to raise an allegation against the entered agreement.
- The village will liaise with the district council to reinstate the tree which will be cut or destroyed during the project implementation, trees nurseries will be provided and taken care of by the villagers while awaiting for the project completion.

Observation/ advice:

- The school has a good number of children most of the time they seem running up and down during break hours or in case class teachers are not in the classrooms, there was no time we could not see children loitering here and there, the team suggest that during construction they should do the major construction works during holidays like June or December to avoid accidents and injury to children otherwise a fence should be constructed to demarcate between the existing playing ground and the area earmarked for the construction works.
- As the selection of the site for reservoir construction requires a substantial number of mature shade-providing trees to be cut, the E&S team has repeatedly recommended to select another location for the reservoir, albeit without success.

Lamadi village public meeting – The meeting was held on 26 January 2017 at an open space, the meeting was attended by more than 367 community members both men and women. The E&S team introduced the project with its key components, one villager stood up and said they are surprised why the project is delaying, another one said Lamadi has no land problem and one will complain in case part of his land will be used to lay pipes. The village chairperson said that part of his house veranda can be affected but he said he will be ready to sign to let the pipes pass and he will reinstate it himself. The villagers were asked whether they are ready to give all support required for facilitating the project works and succeed timely. They shouted Yes. In fact the meeting took only a short time and the participants said that there is no more discussion needed as they are waiting for the project to start, because another year has passed without any sign of project start being visible.

Meeting on land acquisition for FSTP, Lamadi township – The FSTP is earmarked to be constructed at Mwabayanda village which is one of the villages which makes the Lamadi ward (township). The village is 5 km from the main Mwanza-Musoma road. The meeting was preceded by a short meeting with community leaders. The consultant introduced the project to the meeting. It appeared that some participants were somewhat aware of the project while others were not, the consultant incurred their knowledge in relation to the three hectares of land which the village has provided to the government for construction of the FSTP, the village committee one after one agreed that the portion of land is part of the 32 acres of land which is village land which they use for farming activities, some villagers hire portions for farming and during dry season they do cattle rearing. The land will have no objection to none because it belongs to the villagers. The meeting was concluded by signing minutes and the photos were taken, later the team joined the villagers at an open meeting.

Community Consultation meeting in Mwabayanda village – The meeting was attended by more than 156 villagers, the meeting was held at Mwabayanda Primary School. The consultant explained the project which will be constructed in this village which is the FSTP. While introducing most of the villagers were frowning, some were laughing and some were cool. When asked why they were frowning and laughing they raised the following issues:

- One villager said they are looking forward to the project to start and sure that there will be some economic opportunities to the young men by getting some unskilled labour and women will sell food and soft drinks to the contractors team of staff.
- At the end of the meeting the councillor of the Lamadi ward also Mwabayanda councilor said that the project is an opportunity to the Mwabayanda people where they can begin to establish small scale petty business, the project will attract a good number of newcomers in the village, also the village will be known widely, through this is an opportunity to development activities.

- Concluding the meeting the chairperson asked if there is anyone who has an objection on using the village land for the construction works. The whole meeting said that there is no one can claim that the land is his or hers and therefore no one can object to use this land for development activities.
- The whole meeting voted by raising hands indicating that they support the project, photographs were taken to justify also signed the minutes and finally the meeting was closed. There is no title deed of the said land because all lands are customary owned, efforts to survey and provide title deeds is an ongoing activity which is done through village government.

Meeting with district officials – The consultation was held with the District Commissioner, Director, Community Development Officer and Water Engineer. The meeting was conducted to iron out the issue of the land for intake where water source will be constructed, the land belongs to the council therefore they were working on getting ownership from the Assistant Commissioner from the Land Authority Mwanza. The land is an open space which few farmers use for periodic farming especially short-term vegetables and plants, those used to farm here were already informed and they agreed to stop the farming activities.

Table 3.1 Main comments and responses during consultative meetings held in Lamadi town

Nr	Issues from the Community consultative meeting	Remark/Response by the Consultant
1.	The scope of the project	The project activities include the construction of raw water intake, water treatment plant and high lift pump station, pipe laying for the transmission main and distribution network, construction of elevated storage reservoir (400 m3 in cap.) and the Faecal Sludge Treatment Plant
2.	The community involvement during the project implementation	Among of the community members will be elected during the consultative meeting to establish the Grievance Redress Mechanism (GRM) committee that will liaise with the contractor in supervising the works including all grievances that may arising during construction works are going on and report to the responsible level
3.	Involvement of Kalago communities in-house connections for Lamadi Water Supply Scheme	The design provides Tee- connections to this community that will be further extended to the entire village in future plans.
4.	Labour force (employment)	The contractor will provide the temporary jobs to the local residents and hence, enhance the local economy, this will depend on how the contractor desired to work, manually or by using excavators, yet the guidelines advise them to recruit local labour force when they want to do so.
5.	The need of introducing the Cattle Troughs	The design has not considered the construction of cattle troughs for feeding livestock, the project is intended to supply clean water for human consumption.
6.	Easy access to safe and clean water	The community will receive reliable water supply after the completion of the WS construction
7.	The use of effluent flows of the treated faecal sludge from the disposal facility for irrigation purposes	The test results for the effluent flows will confirm the suitability of these waste water for agricultural activities
8.	The execution of agricultural activities along the pipeline routes after pipe laying	Temporary development above the backfilled trenches is allowed
9.	Safety and health issue The safety and health issues to primary school pupils during the construction of elevated storage reservoir	The construction of the elevated storage reservoir at the primary school location may be done during school holiday months (June or and December) to avoid any associated injury incidences to the pupils during the construction phase
10.	The nature of the route reserves for the proposed transmission and distribution pipelines	The proposed transmission and distribution pipelines will be laid mainly on the existing public utility area of the road reserve and few pipe sections will cross on the people's plots and/or farms.
11.	Number of domestic points proposed for the construction in the peri-urban areas	The contract has considered 9 domestic points for this scheme
12.	Probability of getting enough water with adequate pressure heads to entire	The tank location (Itongo Primary School) has proper pressure heads for entire distribution network as per design

Nr	Issues from the Community consultative meeting	Remark/Response by the Consultant
	distribution network by using the selected Itongo Primary School area for tank location compared with previously identified areas during the design stage	

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Appendix 3. GRM Committee Members

Town	S/No.	Name	Mobile No.
Misungwi			
	1	Modesta Wiliam	0766373109
	2	Emanuel Klja	0753143335
	3	Asha Kabola	0759615104
	4	Cosmas W. Nyeye	
	5	Shemsa Iddi	0756582366
	6	Elizabeth Bukebele	0758109005
	7	Theodora B Andrea	0764 561128
Magu	3		
Ilungu Village	1	Petro Robert Manegese	
	2	Susan Kinasa	0766385847
	3	Mtenga Manyama	0769520351
	4	Mariana Michael	0768604860
	5	Nkanda Mayila	0764962111
	6	Rebeca Tembo	0765782655
	7	Zawadi Devis	0755290106
	8	Buchenja Castor	0743033824
	9	Mashauri Kafula	0752353641
	10	Susan Ngwegwe	0763936842
	11	Kichenyenge Masala	0757849977
	12	Sophia Simon Bukula	0756568017
Itumbili Ward	13	Emanuel Mussa	0756320642
	14	Sada Adam	0763983810
	15	Emanuel Sabuni	0762053550
	16	Tabitha Elikana	0765942954
	17	Mgema Jarida	0752609036
	18	Rehema Omary	0759058088
	19	Happiness Mashenene	0782493438
	20	Mgosha Edward	0766088341
	21	Pendo George	0768198120
	22	Esther Kilangwa	0766498958
Isandula Ward	23	Richard Majebele	0754926867
	24	Sarafina Mahugi	0763717032
	25	Saimoni Lubudya	0765850795
	26	Maria Kagwata	0757281174
	27	Madirisha Matias	0753051439
	28	Rhoda Samweli	0763280676
	29	Anna Robert	0686870614
	30	Majaliwa Macheyek	0683113500
	31	Joseph Mwita	0756041292
	32	Paskazia Peter	0745541635
Kandawe Ward (Ihimbili Village)	33	Shile Renatus	0764812922
	34	Subira Sylvester	0755533773
	35	Elishadai Erastus	0769059634
	36	Elizabeth Justine	0755688672
	37	Gunze Sapa	0757930566
	38	Kwilingwa Fungwa	0765153586
	39	Peter Paulo	0764554064
	40	Kilima Samweli	0763597583

Town	S/No.	Name	Mobile No.
	41	Winfrida Lucas	0764554064
	42	Limi Zakaria	-
Lamadi			
Mwabayanda village	1	January Isomelo	0744 758799
	2	Minza Sangija	-
	3	Bulaya Bulihu	0688 215958
	4	Zakaria Kadolyo	0788 717450
	5	Juma Manungu	0789 950407
	6	Kulwa Matongo	-
	7	Mathias Boniphace	0746 220 334
	8	Sumay Alphonsi	-
	9	Madirisha B. Madirisha	0764 348427
	10	Kelele Sibaba	0783 601041
Lamadi village	11	John Batule	0787 572247
	12	Flora Mganga	0785 746502
	13	Daudi Paul	0786 993 268
	14	Rebeca Chacha	0767 055 656
	15	Saguna William	0786 043 533
	16	Neema Joseph	0766 917 011
	17	Ngwamba Shenye	-
	18	Alphonse Kabwa	0688 868 588
	19	Maheja Gaike	
	20	Ngolo Magembe	0784 761 240
	21	Kwilabya John	-
	22	Matane Mpogola	0753 462 627
Kalago village	23	Kazinzili Ngelengwa	0785 55457055
	24	Tabu Gervas	0683 559438
	25	Elias Mabula	0683 559438
	26	Keflen Shiwa	-
	27	Shala William	0754642935
	28	Fatuma Shosha	0789 995389
	29	Kilinde Kadenge	0769380989
	30	Amina Elias	0786 467673
	31	Masuku Nkwabi	0742 181 959
	32	Nyangi James	0683 707283
Kandawe Ward (Ihimbili Village)	33	Shile Renatus	0764812922
	34	Subira Sylvester	0755533773
	35	Elishadai Erastus	0769059634
	36	Elizabeth Justine	0755688672
	37	Gunze Sapa	0757930566
	38	Kwilingwa Fungwa	0765153586
	39	Peter Paulo	0764554064
	40	Kilima Samweli	0763597583
	41	Winfrida Lucas	0764554064
	42	Limi Zakaria	-

Appendix 4. PAPs and Land Acquisition for Project Works

A4.1 MISUNGWI

A4.1.1 Intake Area Plot

Item	Name	Contact
Current land owner(s)	Misungwi District Council (MiDC)	P.O. Box 20 Tel: 255-732980745; Fax: 255-732980745 E-mail: misungwi.ded@gmail.com
From whom was the land acquired	The land for the intake at Nyahiti sub-village is owned by the MiDC since the 1980s. In 1999 according to the Land Act No 4 the lake shore was declared as a reserved area for public utilities as per Section 6, Sub-section (1) b and c. Landownership of the Nyahiti raw water intake area is supported by letter MZA/MDC/R.30/4/121/78 (in English) of the MiDC Director, dated 10 February 2017.	
Date of land acquisition	1980s	
Size of the plot	170 m wide and 200 m in length	
Current plot use	Wasteland + some temporary sustenance agriculture	
Title deed	Not available	
Details of the transaction or compensation (to be) given	No compensation required	
To where have the previous land owners been settled?	No one was or will be resettled or compensated	
Supporting documents such as meeting minutes, letters, Valuation Report	MZA/MDC/R.30/4/121/78 (in English) of the MiDC Director, dated 10 February 2017.	
File / archive nr	PMC	

A4.1.2 Transmission Mains

Total pipe lengths (steel) (m)	<p>2,500 + 900 + 200 (Design Report – Oct 2016).</p> <p>Replacement of the buried 2.5 km of faulty steel transmission main from the raw water intake is entirely through agricultural land. The 200 m section is to be established to the HLR, and the 900 m is the new connection between the HLR and the LLR.</p> <p>5 x 5 m RoW on either side of existing pipeline.</p>
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Terrain	Gently slope and flat agricultural land
PAP high risk (%)	
PAP medium risk (%)	
PAP low risk (%)	
PAP no risk (%)	100%, if construction is done outside cropping season

Nr	Pipe ID	PAP name	Plot ID	Plot size (m ²)	Land (Y/N)	title	Project impact	Compensation	File ID
		N/a							

A4.1.3 Water Storage Tanks

High Level Water Storage Tank (300 m³)

Item	Name	Contact
Current land owner(s)	Misungwi District Council (MiDC)	P.O. Box 20 Tel: 255-732980745; Fax: 255-732980745 E-mail: misungwi.ded@gmail.com
From whom was the land acquired	Bomahill. As per letter MZA/MDC/R.30/4/121/79 of the MiDC of 10 February 2017 the land has never been owned by an individual; as per the Land Act No 4 of 1999 Section 6, Sub-Section 1b and 1c the hilltop has been reserved for public use only. On site there are already buildings and facilities of cellphone companies/electricity utilities for which the MiDC collects levy which is a justification of land ownership.	
Date of land acquisition	N/a	
Size of the plot	25 m wide and 40 m in length	
Current plot use	Rocky hilltop, wasteland with some shrub, and occasionally some grazing	
Title deed	Not available	
Details of the transaction or compensation (to be) given	No compensation required	
To where have the previous land owners been settled?	No one was or will be resettled or compensated	
Supporting documents such as meeting minutes, letters, Valuation Report	MZA/MDC/R.30/4/121/79 (in English) of the MiDC of 10 February 2017	
File / archive nr	PMC	

Low Level Water Storage Tank (600 m³)

Item	Name	Contact
Current land owner(s)	Misungwi District Council (MiDC)	P.O. Box 20 Tel: 255-732980745; Fax: 255-732980745 E-mail: misungwi.ded@gmail.com

Item	Name	Contact
From whom was the land acquired	As per letter MZA/MDC/R.30/4/121/79 of the MDC of 10 February 2017 the land has never been owned by an individual; as per the Land Act No 4 of 1999 Section 6, Sub-Section 1b and 1c the hilltop has been reserved for public use only.	
Date of land acquisition	N/a	
Size of the plot	30 m wide and 50 m in length	
Current plot use	Rocky hilltop, wasteland with some shrub, occasionally some grazing	
Title deed	Not available	
Details of the transaction or compensation (to be) given	No compensation required	
To where have the previous land owners been settled?	No one was resettled or will be resettled	
Supporting documents such as meeting minutes, letters, Valuation Report	Letter from MiDC with Ref. No. MZA/MDC/R.30/4/121/79 (in English) of 10/2/2017	
File / archive nr	PMC	

A4.1.4 Distribution Network

Total pipe lengths (HDPE & steel) (m)	40,430 + 'some' replacement (Design Report, Oct 2016)
Terrain	Village residential areas, slightly undulating
PAP high risk (%)	
PAP medium risk (%)	
PAP low risk (%)	
PAP no risk (%)	100%; 2 PAPs identified, interviewed and consent form signed: no need to compensation

Nr	Pipe ID	PAP name	Project impact	Compensation	File ID
1	P37	Mitindo Primary School	Pipe crossing fence	N/a	PMC
2	P73	Ndinga Pabu	Pipe crossing temporary fence	N/a	PMC

A4.1.5 Water Supply to Nyahiti Village (optional but cancelled due to lack of funding)

Total pipe lengths (HDPE & steel) (m)	600 (Design Report, Oct 2016)
Terrain	Slightly undulating, sandy loam, agriculture, low population density
PAP high risk (%)	
PAP medium risk (%)	
PAP low risk (%)	
PAP no risk (%)	100% - due to lack of funds these works will not be financed by the project

Nr	Pipe ID	PAP name	Plot ID	Plot size (m ²)	Land title (Y/N)	Project impact	Compensation	File ID
		N/a						

A4.1.6 Faecal Sludge Treatment Plant

Item	Name	Contact
Current land owner(s)	Misungwi District Council (MiDC)	P.O. Box 20 Tel: 255-732980745; Fax: 255-732980745 E-mail: misungwi.ded@gmail.com
From whom was the land acquired	The land take for the FSTP is 1 ha (100 x 100 m); land is part of an eucalyptus forest plantation since 1982. The plantation was developed through a rural economy development program (REDEP). The land is owned by the MiDC as per Section 30 and Section 37 of the Forest Act No 14 of 2002 which stipulates that all forest reserves are managed by the designated local government authority. The Mitindo FSTP land take is supported by letter MZA/MDC/R.30/4/121/80 of the MiDC Director, dated 10 February 2017. There are no people living on the site, but there is some grazing in the forest.	
Date of land acquisition	N/a	
Size of the plot	100 m wide and 100 m in length	
Current plot use	Forest reserve, with occasionally some grazing	
Title deed	Not available	
Details of the transaction or compensation (to be) given	No compensation required	
To where have the previous land owners been settled?	No one was resettled or will be resettled	
Other supporting documents such as meeting minutes, letters, Valuation Report	Letter from MiDC with Ref. No. MZA/MDC/R.30/4/121/80 , dated 10/1/2017	
File / archive nr	PMC	

A4.2 MAGU

A4.2.1 Intake Area Plot

Item	Name	Contact
Current land owner(s)	Magu District Council (MaDC)	Tel: 028-2530035/2530003 Fax 028- 2530199/028-2530310 P.O.Box 200 Magu
From whom was the land acquired	Peter Mathayo Maneno (0769510445) The area is situated in Busolwa sub-village at Bugabu village, the area is 75 x 55 m. The land take process was concluded in 2015, Valuation Report of April 2014 documents indicating the process which the Magu District Council are available.	
Date of land acquisition	29 April 2014	
Size of the plot	60 x 73 (TD, Jul 2016: MAG-102) but MAG-101 indicated larger irregular shaped plot. Valuation Report of April 2014 states: "1.43 acres"	
Current plot use	Some temporary agriculture, washing and filling of jerry cans, boat landing	
Copy of title deed	Available – village law -1999	
Details of the transaction or compensation (to be) given	Land owner Mr Peter Maneno was compensated by MiDC in 2015.	
To where have the previous land owners been settled?	He had other residence in Mwanza City and used this acquired land only for farming activities	
Other supporting documents such as meeting minutes, letters, Valuation Report	Valuation Report of April 2014 (English) Signed compensation form of 18 December 2015 (English) Customary Title deed Nr 13Mag/1092 (Swahili)	
File / archive nr	PMC	

A4.2.2 Transmission Mains

Total pipe lengths (steel) (m)	10,870 (Design Report, Oct 2016), from raw water intake through agricultural lands, along and within the RoW of the main Mwanza-Musoma highway, and inside Magu town along existing roads towards Magu Hill
Terrain	Flat, agriculture land and along main road into town, sandy loam
PAP high risk (%)	
PAP medium risk (%)	
PAP low risk (%)	
PAP no risk (%)	100%, if construction works are conducted outside cropping season

Nr	Pipe ID	PAP name	Plot ID	Plot size (m ²)	Land title (Y/N)	Project impact	Compensation	File ID
		N/a						

A4.2.3 Water Storage Tank

Magu Hill Water Storage Tank (2,000 m³)

Item	Name	Contact
Current land owner(s)	Magu District Council (MaDC)	TEL: 028-2530035/2530003 Fax 028- 2530199/028-2530310 P.O.Box 200 Magu
From whom was the land acquired	The land for the reservoir is not specified in the tender documents but it is located beside the existing reservoir at the top of Magu Hill that is owned by the MaDC. There are no people residing at the site.	
Date of land acquisition	N/a	
Size of the plot	Not indicated in TD, Jul 2016 (MAG-411)	
Current plot use	Site located on government owned existing water storage tank site on rocky hilltop	
Copy of title deed	Not available	
Details of the transaction or compensation (to be) given	No compensation required	
To where have the previous land owners been settled?	No one was resettled or will be resettled	
Other supporting documents such as meeting minutes, letters, Valuation Report	Village land ownership permit authorized under Village Law 1999	
File / archive nr	PMC	

A4.2.4 Distribution Network

Total pipe lengths (HDPE & steel) (m)	64,700 + 'all' existing pipes (Design Report, Oct 2016) The distribution network pipes in Magu town will mostly be installed or replaced along existing roads where there is ample space for pipe laying. Few people have constructed a driveway/access apron between the road and their house entrance. Four of them have filled a questionnaire, and all of them have stated that they will remove any obstructions to the construction work and replace these when the work has been completed – all on their own expense. Filled questionnaires of these people are available. Photographs were taken of the interviewed PAPs for reference. No one needs to be resettled or compensated.
Terrain	Mostly flat, sandy loam, paved and unpaved roads and streets
PAP high risk (%)	

PAP medium risk (%)	
PAP low risk (%)	
PAP no risk (%)	100%; 3 PAPs identified, interviewed and signed no-claim forms

Nr	Pipe ID	PAP name	Project impact	Compensation	File ID
1	P17	Antony Pastor	Pipe crossing veranda	Agreed to bear own costs	PMC
2	P54	Maleri Executive Lodge	Pipe crossing veranda	Agreed to bear own costs	PMC
3	P54	Faustine Malungo	Pipe crossing veranda	Agreed to bear own costs	PMC

A4.2.5 Faecal Sludge Treatment Plant

Item	Name	Contact
Current land owner(s)	Magu District Council Director	TEL: 028-2530035/2530003 Fax 028- 2530199/028-2530310 P.O.Box 200 Magu
From whom was the land acquired	Malambo Busiga	0764873725
	Paulin Kachwele	0758840122
	Dina Mabina	0769931127
	Ngarani Bujilima	0769931127
	Ngwegwe Lubatula	NIL
	Leticia Mchele	0756558430
Date of land acquisition	All 6 PAPs have been paid compensation in cash.	
Size of the plot	Trapezoid shaped land, 218 x 130 x 223 x 43 m, amidst agricultural land (TD, Jul 2016: MAG-472 + MAG-473)	
Current plot use	Agricultural land, two graves on site as well as some trees, including mangos	
Title deed	Not available. The process of land take for the FSTP plot started in 2016. The land is situated at Moha sub-village Ilungu village, the land size is reported as '4.54 acres' which involves 6 people who own land and/or trees and two graves, who are to be compensated.	
Details of the transaction or compensation (to be) given	The process which led to this land take is elaborated in minutes of meetings with village and ward leaders and the villagers who owned the land, and assets to be compensated are assessed in a Valuation Report of January 2017 (available).	
To where have the previous land owners been settled?	The land was used for farming. The families have other lands for farming.	
Supporting documents such as meeting minutes, letters, Valuation Report	Minutes of meeting about land acquisition for FSTP held in Ilungu Village on 29/6/2016 Correspondence between D Executive Director and Finance Committee of the MaDC about raising fund for compensation, undated Letter of MaDC Director to Chief Valuer about submission of Valuation Report for PAPs of the FSTP and access road, 6/1/2017 Valuation Report of January, received on 2 March 2017	
File / archive nr	PMC	

A4.2.6 Access Road to Faecal Sludge Treatment Plant (not part of or financed by LVWATSAN project)

Item	Name	Contact
Current land owner(s)	Magu District Council Director	TEL: 028-2530035/2530003 Fax 028- 2530199/028-2530310 P.O.Box 200 Magu
From whom was the land acquired	Shimani Mbulu	
	Stanley Lupondije	0759597011/0688625412
	Naomi Magila	
	Shija Sabaganga	
	Cornelly Sendegulu	
	Pauline Someke	
	Malambo Busiga	0764873725
Date of land acquisition	In progress	
Size of the plot	Rectangular shaped land, 7 m wide and 900 m in length, amidst agricultural land	
Current plot use	Agricultural land	
Title deed	Not available	
Details of the transaction or compensation (to be) given	MaDC is in the process of acquiring the land for the access road to the FSTP. The land is owned by seven families (above), as outlined in letter to Chief Valuer/DeS of 6/1/2017 signed by DED Magu, and in the Valuation Report of January 2017.	
To where have the previous land owners been settled?	The land was used for farming. The families have other lands, they no longer use the plots for farming.	
Supporting documents such as meeting minutes, letters, Valuation Report	Minutes of meeting about land acquisition for FSTP held in Ilungu Village on 29/6/2016 Correspondence between D Executive Director and Finance Committee of the MaDC about raising fund for compensation, undated Letter of MaDC Director to Chief Valuer about submission of Valuation Report for PAPs of the FSTP and access road, 6/1/2017 Valuation Report of January 2017, received on 2 March 2017	
File / archive nr	PMC	

A4.3 LAMADI

A4.3.1 Intake Area Plot

Item	Name	Contact
Current land owner(s)	Busega District Council (BDC)	District Executive Director (DED) Busega P.O.Box Tel: ; Fax:
From whom was the land acquired	BDC	
Date of land acquisition	N/a	
Size of the plot	55 x 75 (TD, Jul 2016: LAM-101 + LAM-102) for intake/WTP facilities.	
Current plot use	Seasonal agriculture + lake side reeds and swamps	
Copy of title deed	N/a	
Details of the transaction or compensation (to be) given	Previous land occupant claimed land ownership but was revoked due to breach of land legislation (non-citizenship). The 6 ha plot is government property.	
To where have the previous land owners been settled?	N/a	
Supporting documents such as meeting minutes, letters, Valuation Report	Letter BDC/1.20/12/52 of BDC to MD/MWAUWASA on land acquisition for the raw water intake and WTP plot, dated 20/2/2017	
File / archive nr	PMC	

A4.3.2 Transmission Mains

Total pipe lengths (HDPE & steel) (m)	5,200 (Design Report, Oct 2016). HDPE and steel pipe will be installed between the raw water intake and the elevated water storage tank at Itongo Primary School. No land titles were issued in Lamadi town but commitment letters have been issued by the village committee for the transmission main and for the FSTP at Mwabayanda village.
Terrain	Flat, agriculture land and along main road into town, sandy loam. The pipe alignment runs through land that is currently used for small scale agriculture at and near the water intake/WTP plot and subsequently runs inside the reservation of the main Mwanza-Musoma road till it reaches the primary school premises along this road.
PAP high risk (%)	
PAP medium risk (%)	
PAP low risk (%)	
PAP no risk (%)	100%; local land users will not be affected by these works as long as the construction takes place during the off-cropping season.

Nr	Pipe ID	PAP name	Project impact	Compensation	File ID
		N/a			

A4.3.3 Water Storage Tank

Elevated Water Storage Tank (400 m³) at Itongo Primary School

Item	Name	Contact
Current land owner(s)	Lamadi Village Council	Busega DED P.O Box Tel: Fax:
From whom was the land acquired	N/a	The head teacher Itongo Pr School Tel: Fax:
Date of land acquisition	N/a	
Size of the plot	40 x 60 (TD, Jul 2016: LAM-441); plot of land has been selected at the Itongo Primary School premises for construction of the 400 m ³ elevated water storage tank.	
Current plot use	Trees that provide shade for school children. For this reason PMC has repeatedly recommended to select an alternative site during field visits.	
Title deed	N/a	
Details of the transaction or compensation (to be) given	No compensation is needed	
To where have the previous land owners been settled?	No resettling is needed	
Supporting documents such as meeting minutes, letters, Valuation Report	Minutes of meeting held between School Committee and Village Committee about availability of the site for the reservoir, dated 24/1/2017 Agreement made between SC and VC about releasing the land for the reservoir, dated 24/1/2017	
File / archive nr	PMC	

A4.3.4 Distribution Network

Total pipe lengths (HDPE & steel) (m)	30,500 (Design Report, Oct 2016)
Terrain	In total 30.5 km of water supply pipe systems will be installed, mostly along existing non-tarred rural roads inside Lamadi village.
PAP high risk (%)	
PAP medium risk (%)	
PAP low risk (%)	
PAP no risk (%)	100%; the Village Head offered to be interviewed, representing all residents of Lamadi town; he stated to be ready for the project and affected persons will reinstate their plots as long as water will be available.

Nr	Pipe ID	PAP name	Project impact	Compensation	File ID
		N/a			PMC

A4.3.5 Faecal Sludge Treatment Plant

Item	Name	Contact
Current land owner(s)	Mwabayanda Village Council (MVC)	Busega DED P.O Box Tel: Fax:
From whom was the land acquired	N/a	
Date of land acquisition	N/a	
Size of the plot	154 x 245 (TD, Jul 2016: LAM-481 + LAM-482)	
Current plot use	Farming and cattle grazing	
Copy of title deed	No land titles were issued in Lamadi town but commitment letters have been issued by the village committee for the transmission main and for the FSTP at Mwabayanda village.	
Details of the transaction or compensation (to be) given	No compensation required.	
To where have the previous land owners been settled?	The remaining chunk of land is still used by the villagers who want to conduct agricultural activities.	
Supporting documents such as meeting minutes, letters, Valuation Report	Minutes of meeting between E&S team and village government about release of the land for the FSTP, dated 25/1/2017 Minutes of public community meeting about release of village land for the FSTP, dated 25/1/2017	
File / archive nr	PMC	

Appendix 5. MoWI's Guidance on ARAP Preparation and Review

From: joseph kubena [<mailto:josephkubena143@gmail.com>]
Sent: 15 February 2017 18:12
To: Deo Celestine <deocelestine7@gmail.com>
Subject: Re: LVWATSAN-Review of Draft A/RAP and Acceptance of Non-PAP affected Area

Deo

*Thanks for clear understanding of the process. please send the documents ASAP as I will be present in the office effective from wednesday next week..
However where ever I am still is posible to review and advise accodingly.*

On Feb 15, 2017 5:23 PM, "Deo Celestine" <deocelestine7@gmail.com> wrote:

Dear Mr Kubena,

Following our conversation, I would like to confirm with you the process to be followed.

Step 1 –

- *PMC is to prepare and issue the Draft A/RAPs to the MoWI (Mr Kubena) for review. This process will entail sharing the draft document with other stakeholders including EIB/AFD for their comments*
- *This will also help the MoWIs to confirm areas that do not require an A/RAP i.e. as there are no effected PAPs. On the other hand, the process will also give the MoWI an understanding on the level of an expected value of compensation to be paid.*

Step 2 –

- *PMC to revise draft A/RAPs following comments, and pass onto the SC and Contractor.*
- *This will inform the contractor which areas they can commence construction on, and which they cannot.*

Step 3 –

- *The SC will then work with the contractor to confirm any details within the draft to enable the FINAL A/RAP to be finalised.*
- *Any further details will be passed to the PMC to update the A/RAPs, which will then be issued to the MoWI (Mr Kubena) and the EIB for final review and issue A/RAP approval letter. This will also allow the compensation process to commence, and following this the construction of remaining PAP affected elements.*

We will appreciate you feedback on this and we will call you in advance of sending you any draft or final A/RAPs to ensure that you are aware that they will be arriving, and with the hope that comments/certification/approval (as required) is able to be provided as quickly as possible to ensure works can proceed as soon as possible.

Kind regards,

Appendix 6. MoWI's Review Comments on the Draft ARAP Report

This Appendix presents the comments that were received from MoWI on 13/4/2017 on the Draft Final ARAP report that was submitted by the Consultant to MoWI on 8/3/2017

Nr	Section in the Draft Final Report of 8/3/2017	MoWI comment of 13/4/2017	Consultant's response on how the comment has been addressed in the present report
1	Executive Summary – section Magu, one but last para: access road to FSTP not being part of project and therefore PAPs not being considered	<i>How can the FSTP function without the access road. It should have been considered earlier and being included. . If the project cannot the MaDC should be informed so as to include it in there rural road plans and have an estimate for the PAP who shall also be compensated in he same way as the one at FSTP.</i>	Construction of the access road is not part of the project due to budget shortages. The road will be built and financed by the District Council itself and PAPs associated with the construction of this road (7) are included in the Valuation Report for the FSTP and have been compensated in accordance with government regulations.
2	Executive Summary – section Lamadi water reservoir: proposal to selected other site	<i>Remove the highlighted part as it has no value to the report.</i>	Sentence omitted.
3	Executive Summary – section Lamadi distribution network: statement made by village head	<i>General assemble should be be consulted and the minutes shared with PMC for further proof of the commitment.</i>	Noted. Meanwhile in the absence of such proof expectations are that due to the ample space along the mostly untarred roads in Lamadi, installation of the distribution network pipes will not lead to compensation being necessary.
4	Executive Summary – EIB Standard 6 requiring the Promotor to offer an informed choice of compensation	<i>Remove this, Since they have received the monetary compensation it is enough to close further discussion. In Tanzania all PAPs usually prefer the cash because land is not difficult to own.</i>	Sentence omitted.

Appendix 7. PAP Risk Area Digital Data Register

The following pages present some sections from the digital Data Register that has been compiled for PAP risk areas in the three satellite towns, for future referencing and updating by the Supervising Consultant.

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Misungwi

PRELIMINARY SURVEY DATA REGISTER (MISUNGWI WS)				Social Conditions				Permanent Impact			Temporary Impact			Engineering Issues & Permits				Environment				Land Use?				Ground Conditions?				Gradient				Proximity to open water									
COMI PIPE ID REFERENCE				Pipe Spec	Pipe Length, m	GPS Photo survey?	Qualitative Analysis for HH/Business	Compensation for land or other assets			Compensate lost income / minimise disturbance			Road Crossing?		Other Services?		Land Use?				Ground Conditions?				Gradient				Proximity to open water													
Pipe ID	Start Node	End Node	Nominal Diameter & Rating / Value	Y/N				Minor-buried	Medium-buried	Major-ditch on	Access	Dust	Noise	Vibration / Blasting	Earth	Small Tarmac	Large Tarmac	Electric	Sewer	Open Drain	Telecom	Other	High Informal	Med Density Informal	Low Density Informal	Suburb	Commercial / Industrial	Open / Agril	Other	Formal Settlements	Sand etc.	Sand / Boulder / s	Shallow Bedrock	Flat	Visible slope	Steep	Very Steep	None	River / Stream	Wetland	Lake		
P31	Janet17	Janet18	DN140 PN10 HDPE 230	Y			Household/Business Premises with Low Risk	Y	N	N	N	Y	Y	Y	Y	N	Y	N	N	N	N	N	N	N	N	N	Y	N	N	Medium Density	Y	Y	N	N	Y	N	N	Y	N	N	N	N	
P32	Janet18	Janet19	DN140 PN10 HDPE 240	Y			Household/Business Premises with Low Risk	Y	N	N	N	Y	Y	Y	Y	N	Y	N	N	N	N	N	N	N	N	N	Y	N	N	Medium Density	Y	Y	N	N	Y	N	N	Y	N	N	N	N	
P33	Janet19	Janet20	DN140 PN10 HDPE 240	Y			Household/Business Premises with Low Risk	Y	N	N	N	Y	Y	Y	Y	N	Y	N	N	N	N	N	N	N	N	N	Y	N	N	Medium Density	Y	Y	N	N	Y	N	N	Y	N	N	N	N	
P34	Janet20	Janet21	DN140 PN10 HDPE 230	Y			Household/Business Premises with Low Risk	Y	N	N	N	Y	Y	Y	Y	Y	N	Y	N	N	N	N	N	N	N	N	Y	N	N	High Density	N	Y	Y	N	Y	Y	N	Y	N	N	N	N	
P47	Janet21	Janet22	DN140 PN10 HDPE 360	Y			Household/Business Premises with Low Risk	Y	N	N	N	Y	Y	Y	Y	N	Y	N	N	N	N	N	N	N	N	N	Y	N	N	Medium Density	Y	Y	N	Y	Y	N	Y	Y	N	N	Y	N	N
P48	Janet22	DP2	DN140 PN10 HDPE 400	Y			No Household/Business Premises nearby	Y	N	N	Y	Y	Y	Y	Y	N	Y	N	N	N	N	N	N	N	N	N	Y	N	N/A	Y	Y	N	Y	Y	N	Y	Y	N	N	Y	N	N	N
P43	Janet23	Janet24	DN140 PN10 HDPE 250	Y			No Household/Business Premises nearby	Y	N	N	Y	Y	Y	Y	Y	N	Y	N	N	N	N	N	N	N	N	N	Y	N	N/A	Y	Y	N	Y	Y	N	Y	Y	N	N	Y	N	N	N
P44	Janet24	Janet25	DN140 PN10 HDPE 250	Y			No Household/Business Premises nearby	Y	N	N	Y	Y	Y	Y	Y	N	Y	N	N	N	N	N	N	N	N	N	Y	N	N/A	Y	Y	N	Y	Y	N	Y	Y	N	N	Y	N	N	N
P45	Janet25	Janet26	DN140 PN10 HDPE 250	Y			No Household/Business Premises nearby	Y	N	N	Y	Y	Y	Y	Y	N	Y	N	N	N	N	N	N	N	N	N	Y	N	N/A	Y	Y	N	Y	Y	N	Y	Y	N	N	Y	N	N	N
P46	Janet26	Janet27	DN140 PN10 HDPE 250	Y			No Household/Business Premises nearby	Y	N	N	Y	Y	Y	Y	Y	N	Y	N	N	N	N	N	N	N	N	N	Y	N	N/A	Y	Y	N	Y	Y	N	Y	Y	N	N	Y	N	N	N
P49	Janet27	Janet28	DN140 PN10 HDPE 250	Y			No Household/Business Premises nearby	Y	N	N	Y	Y	Y	Y	Y	N	Y	N	N	N	N	N	N	N	N	N	Y	N	N/A	Y	Y	N	Y	Y	N	Y	Y	N	N	Y	N	N	N
P50	Janet28	Janet29	DN140 PN10 HDPE 250	Y			No Household/Business Premises nearby	Y	N	N	Y	Y	Y	Y	Y	N	Y	N	N	N	N	N	N	N	N	N	Y	N	N/A	Y	Y	N	Y	Y	N	Y	Y	N	N	Y	N	N	N
P51	Janet29	Janet30	DN140 PN10 HDPE 250	Y			No Household/Business Premises nearby	Y	N	N	Y	Y	Y	Y	Y	N	Y	N	N	N	N	N	N	N	N	N	Y	N	N/A	Y	Y	N	Y	Y	N	Y	Y	N	N	Y	N	N	N
P52	Janet30	Janet31	DN140 PN10 HDPE 250	Y			No Household/Business Premises nearby	Y	N	N	Y	Y	Y	Y	Y	N	Y	N	N	N	N	N	N	N	N	N	Y	N	N/A	Y	Y	N	Y	Y	N	Y	Y	N	N	Y	N	N	N
P53	Janet31	Janet32	DN140 PN10 HDPE 250	Y			No Household/Business Premises nearby	Y	N	N	Y	Y	Y	Y	Y	N	Y	N	N	N	N	N	N	N	N	N	Y	N	N/A	Y	Y	N	Y	Y	N	Y	Y	N	N	Y	N	N	N
P54	Janet32	Janet33	DN140 PN10 HDPE 250	Y			No Household/Business Premises nearby	Y	N	N	Y	Y	Y	Y	Y	N	Y	N	N	N	N	N	N	N	N	N	Y	N	N/A	Y	Y	N	Y	Y	N	Y	Y	N	N	Y	N	N	N
P55	Janet33	Janet34	DN140 PN10 HDPE 250	Y			No Household/Business Premises nearby	Y	N	N	Y	Y	Y	Y	Y	N	Y	N	N	N	N	N	N	N	N	N	Y	N	N/A	Y	Y	N	Y	Y	N	Y	Y	N	N	Y	N	N	N
P56	Janet34	Janet35	DN140 PN10 HDPE 250	Y			No Household/Business Premises nearby	Y	N	N	Y	Y	Y	Y	Y	N	Y	N	N	N	N	N	N	N	N	N	Y	N	N/A	Y	Y	N	Y	Y	N	Y	Y	N	N	Y	N	N	N
P57	Janet35	Janet36	DN140 PN10 HDPE 250	Y			No Household/Business Premises nearby	Y	N	N	Y	Y	Y	Y	Y	N	Y	N	N	N	N	N	N	N	N	N	Y	N	N/A	Y	Y	N	Y	Y	N	Y	Y	N	N	Y	N	N	N
P58	Janet36	Janet37	DN140 PN10 HDPE 250	Y			No Household/Business Premises nearby	Y	N	N	Y	Y	Y	Y	Y	N	Y	N	N	N	N	N	N	N	N	N	Y	N	N/A	Y	Y	N	Y	Y	N	Y	Y	N	N	Y	N	N	N
P59	Janet37	Janet38	DN140 PN10 HDPE 250	Y			No Household/Business Premises nearby	Y	N	N	Y	Y	Y	Y	Y	N	Y	N	N	N	N	N	N	N	N	N	Y	N	N/A	Y	Y	N	Y	Y	N	Y	Y	N	N	Y	N	N	N
P60	Janet38	Janet39	DN140 PN10 HDPE 250	Y			No Household/Business Premises nearby	Y	N	N	Y	Y	Y	Y	Y	N	Y	N	N	N	N	N	N	N	N	N	Y	N	N/A	Y	Y	N	Y	Y	N	Y	Y	N	N	Y	N	N	N
P61	Janet39	Janet40	DN140 PN10 HDPE 250	Y			No Household/Business Premises nearby	Y	N	N	Y	Y	Y	Y	Y	N	Y	N	N	N	N	N	N	N	N	N	Y	N	N/A	Y	Y	N	Y	Y	N	Y	Y	N	N	Y	N	N	N
P62	Janet40	Janet41	DN140 PN10 HDPE 250	Y			No Household/Business Premises nearby	Y	N	N	Y	Y	Y	Y	Y	N	Y	N	N	N	N	N	N	N	N	N	Y	N	N/A	Y	Y	N	Y	Y	N	Y	Y	N	N	Y	N	N	N
P63	Janet41	Janet42	DN140 PN10 HDPE 250	Y			No Household/Business Premises nearby	Y	N	N	Y	Y	Y	Y	Y	N	Y	N	N	N	N	N	N	N	N	N	Y	N	N/A	Y	Y	N	Y	Y	N	Y	Y	N	N	Y	N	N	N
P64	Janet42	Janet43	DN140 PN10 HDPE 250	Y			No Household/Business Premises nearby	Y	N	N	Y	Y	Y	Y	Y	N	Y	N	N	N	N	N	N	N	N	N	Y	N	N/A	Y	Y	N	Y	Y	N	Y	Y	N	N	Y	N	N	N
P65	Janet43	Janet44	DN140 PN10 HDPE 250	Y			No Household/Business Premises nearby	Y	N	N	Y	Y	Y	Y	Y	N	Y	N	N	N	N	N	N	N	N	N	Y	N	N/A	Y	Y	N	Y	Y	N	Y	Y	N	N	Y	N	N	N
P66	Janet44	Janet45	DN140 PN10 HDPE 250	Y			No Household/Business Premises nearby	Y	N	N	Y	Y	Y	Y	Y	N	Y	N	N	N	N	N	N	N	N	N	Y	N	N/A	Y	Y	N	Y	Y	N	Y	Y	N	N	Y	N	N	N
P67	Janet45	Janet46	DN140 PN10 HDPE 250	Y			No Household/Business Premises nearby	Y	N	N	Y	Y	Y	Y	Y	N	Y	N	N	N	N	N	N	N	N	N	Y	N	N/A	Y	Y	N	Y	Y	N	Y	Y	N	N	Y	N	N	N
P68	Janet46	Janet47	DN140 PN10 HDPE 250	Y			No Household/Business Premises nearby	Y	N	N	Y	Y	Y	Y	Y	N	Y	N	N	N	N	N	N	N	N	N	Y	N	N/A	Y	Y	N	Y	Y	N	Y	Y	N	N	Y	N	N	N
P69	Janet47	Janet48	DN140 PN10 HDPE 250	Y			No Household/Business Premises nearby	Y	N	N	Y	Y	Y	Y	Y	N	Y	N	N	N	N	N	N	N	N	N	Y	N	N/A	Y	Y	N	Y	Y	N	Y	Y	N	N	Y	N	N	N
P70	Janet48	Janet49	DN140 PN10 HDPE 250	Y			No Household/Business Premises nearby	Y	N	N	Y	Y	Y	Y	Y	N	Y	N	N	N	N	N	N	N	N	N	Y	N	N/A	Y	Y	N	Y	Y	N	Y	Y	N	N	Y	N	N	N
P71	Janet49	Janet50	DN140 PN10 HDPE 250	Y			No Household/Business Premises nearby	Y	N	N	Y	Y	Y	Y	Y	N	Y	N	N	N	N	N	N	N	N	N	Y	N	N/A	Y	Y	N	Y	Y	N	Y	Y	N	N	Y	N	N	N
P72	Janet50	Janet51	DN140 PN10 HDPE 250	Y			No Household/Business Premises nearby	Y	N	N	Y	Y	Y	Y	Y	N	Y	N	N	N	N	N	N	N	N	N	Y	N	N/A	Y	Y	N	Y	Y	N	Y	Y	N	N	Y	N	N	N
P73	Janet51	Janet52	DN140 PN10 HDPE 250	Y			No Household/Business Premises nearby	Y	N	N	Y	Y	Y	Y	Y	N	Y	N	N	N	N	N	N	N	N	N	Y	N	N/A	Y	Y	N	Y	Y	N	Y	Y	N	N	Y	N	N	N
P74	Janet52	Janet53	DN140 PN10 HDPE 250	Y			No Household/Business Premises nearby	Y	N	N	Y	Y	Y	Y	Y	N	Y	N	N	N	N	N	N	N	N	N	Y	N	N/A	Y	Y	N	Y	Y	N	Y	Y	N	N	Y	N	N	N
P75	Janet53	Janet54	DN140 PN10 HDPE 250	Y			No Household/Business Premises nearby	Y	N	N	Y	Y	Y	Y	Y	N	Y	N	N	N	N	N	N	N	N	N	Y	N	N/A	Y	Y	N	Y	Y	N	Y	Y	N	N	Y	N	N	N
P76	Janet54	Janet55	DN140 PN10 HDPE 250	Y			No Household/Business Premises nearby	Y	N	N	Y	Y	Y	Y	Y	N	Y	N	N	N	N	N	N	N	N	N	Y	N	N/A	Y	Y	N	Y	Y	N	Y	Y	N	N	Y	N	N	N
P77	Janet55	Janet56	DN140 PN10 HDPE 250	Y			No Household/Business Premises nearby	Y	N</																																		

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[illegible]

[illegible]

Lamadi

PRELIMINARY SURVEY DATA REGISTER (LAAZER VWS)				GPS Photo survey?		Social Conditions		Permanent Impact		Temporary Impact		Engineering Issues & Permits		Environment		Land Use?		Ground Conditions?		Gradient		Proximity to open water			
COWI PIPE ID REFERENCE				Pipe Spec		Pipe Length, m		Qualitative Analysis for HH/Business		Compensation for land or other assets		Compensate lost income / minimise disturbance		Road Crossing?		Other Services?		Land Use?		Ground Conditions?		Gradient		Proximity to open water	
Pipe ID	Start NodeID	End NodeID	Nominal Diameter / Valve	Y/N	Y/N	Y/N	Y/N	Y/N	Y/N	Y/N	Y/N	Y/N	Y/N	Y/N	Y/N	Y/N	Y/N	Y/N	Y/N	Y/N	Y/N	Y/N	Y/N	Y/N	Y/N
P22	D571	D572	DN250 PN10 HDPE	101.43	Y	Household/Business Premises with Medium Risk	Y	N	N	N	Y	Y	Y	N	N	N	N	N	N	N	Y	Y	N	N	N
P23	D572	D5714	DN250 PN10 HDPE	235.23	Y	Household/Business Premises with Medium Risk	Y	N	N	N	Y	Y	Y	N	N	N	N	N	N	N	Y	Y	N	N	N
P24	D5714	D573	DN250 PN10 HDPE	243.9	Y	Household/Business Premises with Low Risk	Y	N	N	N	Y	Y	Y	N	N	N	N	N	N	N	Y	Y	N	N	N
P25	D573	D574	DN250 PN10 HDPE	145.79	Y	Household/Business Premises with Low Risk	Y	N	N	N	Y	Y	Y	N	N	N	N	N	N	N	Y	Y	N	N	N
P26	D574	D575	DN140 PN10 HDPE	163.33	Y	Household/Business Premises with Low Risk	Y	N	N	N	Y	Y	Y	N	N	N	N	N	N	N	Y	Y	N	N	N
P27	D575	D576	DN120 PN10 HDPE	154.93	Y	Household/Business Premises with Low Risk	Y	N	N	N	Y	Y	Y	N	N	N	N	N	N	N	Y	Y	N	N	N
P28	D576	D577	DN120 PN10 HDPE	106.06	Y	Household/Business Premises with Low Risk	Y	N	N	N	Y	Y	Y	N	N	N	N	N	N	N	Y	Y	N	N	N
P29	D577	D578	DN120 PN10 HDPE	226.33	Y	Household/Business Premises with Low Risk	Y	N	N	N	Y	Y	Y	N	N	N	N	N	N	N	Y	Y	N	N	N
P30	D578	D579	DN180 PN10 HDPE	105.15	Y	Household/Business Premises with Low Risk	Y	N	N	N	Y	Y	Y	N	N	N	N	N	N	N	Y	Y	N	N	N
P31	D579	D580	DN180 PN10 HDPE	118.14	Y	Household/Business Premises with Low Risk	Y	N	N	N	Y	Y	Y	N	N	N	N	N	N	N	Y	Y	N	N	N
P32	D580	D581	DN250 PN10 HDPE	123.55	Y	Household/Business Premises with Low Risk	Y	N	N	N	Y	Y	Y	N	N	N	N	N	N	N	Y	Y	N	N	N
P33	D581	D582	DN250 PN10 HDPE	200	Y	Household/Business Premises with Low Risk	Y	N	N	N	Y	Y	Y	N	N	N	N	N	N	N	Y	Y	N	N	N
P34	D582	D583	DN250 PN10 HDPE	216.07	Y	Household/Business Premises with Low Risk	Y	N	N	N	Y	Y	Y	N	N	N	N	N	N	N	Y	Y	N	N	N
P35	D583	D584	DN250 PN10 HDPE	228.22	Y	Household/Business Premises with Low Risk	Y	N	N	N	Y	Y	Y	N	N	N	N	N	N	N	Y	Y	N	N	N
P36	D584	D585	DN130 PN10 HDPE	282.81	Y	No Household/Business Premises nearby	Y	N	N	N	Y	Y	Y	N	N	N	N	N	N	N	Y	Y	N	N	N
P37	D585	D586	DN130 PN10 HDPE	177.36	Y	Household/Business Premises with Low Risk	Y	N	N	N	Y	Y	Y	N	N	N	N	N	N	N	Y	Y	N	N	N
P38	D586	D587	DN130 PN10 HDPE	155.03	Y	Household/Business Premises with Low Risk	Y	N	N	N	Y	Y	Y	N	N	N	N	N	N	N	Y	Y	N	N	N
P39	D587	D588	DN130 PN10 HDPE	261.35	Y	Household/Business Premises with Low Risk	Y	N	N	N	Y	Y	Y	N	N	N	N	N	N	N	Y	Y	N	N	N
P40	D588	D589	DN130 PN10 HDPE	141.06	Y	Household/Business Premises with Low Risk	Y	N	N	N	Y	Y	Y	N	N	N	N	N	N	N	Y	Y	N	N	N
P41	D589	D590	DN130 PN10 HDPE	222.81	Y	Household/Business Premises with Low Risk	Y	N	N	N	Y	Y	Y	N	N	N	N	N	N	N	Y	Y	N	N	N
P42	D590	D591	DN130 PN10 HDPE	328.89	Y	Household/Business Premises with Low Risk	Y	N	N	N	Y	Y	Y	N	N	N	N	N	N	N	Y	Y	N	N	N
P43	D591	D592	DN130 PN10 HDPE	202.21	Y	No Household/Business Premises nearby	Y	N	N	N	Y	Y	Y	N	N	N	N	N	N	N	Y	Y	N	N	N
P44	D592	D593	DN130 PN10 HDPE	222.25	Y	Household/Business Premises with Low Risk	Y	N	N	N	Y	Y	Y	N	N	N	N	N	N	N	Y	Y	N	N	N
P45	D593	D594	DN130 PN10 HDPE	170.73	Y	Household/Business Premises with Low Risk	Y	N	N	N	Y	Y	Y	N	N	N	N	N	N	N	Y	Y	N	N	N
P46	D594	D595	DN130 PN10 HDPE	114.41	Y	Household/Business Premises with Low Risk	Y	N	N	N	Y	Y	Y	N	N	N	N	N	N	N	Y	Y	N	N	N
P47	D595	D596	DN130 PN10 HDPE	96.82	Y	Household/Business Premises with Low Risk	Y	N	N	N	Y	Y	Y	N	N	N	N	N	N	N	Y	Y	N	N	N
P48	D596	D597	DN130 PN10 HDPE	105.5	Y	Household/Business Premises with Low Risk	Y	N	N	N	Y	Y	Y	N	N	N	N	N	N	N	Y	Y	N	N	N
P49	D597	D598	DN130 PN10 HDPE	299.42	Y	Household/Business Premises with Low Risk	Y	N	N	N	Y	Y	Y	N	N	N	N	N	N	N	Y	Y	N	N	N
P50	D598	D599	DN130 PN10 HDPE	122.6	Y	Household/Business Premises with Low Risk	Y	N	N	N	Y	Y	Y	N	N	N	N	N	N	N	Y	Y	N	N	N
P51	D599	D600	DN130 PN10 HDPE	106.8	Y	Household/Business Premises with Low Risk	Y	N	N	N	Y	Y	Y	N	N	N	N	N	N	N	Y	Y	N	N	N
P52	D600	D601	DN130 PN10 HDPE	126.76	Y	Household/Business Premises with Low Risk	Y	N	N	N	Y	Y	Y	N	N	N	N	N	N	N	Y	Y	N	N	N
P53	D601	D602	DN130 PN10 HDPE	124.11	Y	Household/Business Premises with Low Risk	Y	N	N	N	Y	Y	Y	N	N	N	N	N	N	N	Y	Y	N	N	N
P54	D602	D603	DN130 PN10 HDPE	118.47	Y	Household/Business Premises with Low Risk	Y	N	N	N	Y	Y	Y	N	N	N	N	N	N	N	Y	Y	N	N	N
P55	D603	D604	DN130 PN10 HDPE	138.1	Y	Household/Business Premises with Low Risk	Y	N	N	N	Y	Y	Y	N	N	N	N	N	N	N	Y	Y	N	N	N
P56	D604	D605	DN130 PN10 HDPE	177.6	Y	Household/Business Premises with Low Risk	Y	N	N	N	Y	Y	Y	N	N	N	N	N	N	N	Y	Y	N	N	N
P57	D605	D606	DN130 PN10 HDPE	76.88	Y	Household/Business Premises with Low Risk	Y	N	N	N	Y	Y	Y	N	N	N	N	N	N	N	Y	Y	N	N	N
P58	D606	D607	DN180 PN10 HDPE	105.05	Y	Household/Business Premises with Low Risk	Y	N	N	N	Y	Y	Y	N	N	N	N	N	N	N	Y	Y	N	N	N
P59	D607	D608	DN180 PN10 HDPE	111.45	Y	Household/Business Premises with Low Risk	Y	N	N	N	Y	Y	Y	N	N	N	N	N	N	N	Y	Y	N	N	N
P60	D608	D609	DN180 PN10 HDPE	126.94	Y	Household/Business Premises with Low Risk	Y	N	N	N	Y	Y	Y	N	N	N	N	N	N	N	Y	Y	N	N	N
P61	D609	D610	DN180 PN10 HDPE	166.7	Y	Household/Business Premises with Low Risk	Y	N	N	N	Y	Y	Y	N	N	N	N	N	N	N	Y	Y	N	N	N
P62	D610	D611	DN180 PN10 HDPE	126.19	Y	Household/Business Premises with Low Risk	Y	N	N	N	Y	Y	Y	N	N	N	N	N	N	N	Y	Y	N	N	N
P63	D611	D612	DN180 PN10 HDPE	105.08	Y	Household/Business Premises with Low Risk	Y	N	N	N	Y	Y	Y	N	N	N	N	N	N	N	Y	Y	N	N	N
P64	D612	D613	DN180 PN10 HDPE	295.63	Y	Household/Business Premises with Low Risk	Y	N	N	N	Y	Y	Y	N	N	N	N	N	N	N	Y	Y	N	N	N
P65	D613	D614	DN180 PN10 HDPE	200.73	Y	Household/Business Premises with Low Risk	Y	N	N	N	Y	Y	Y	N	N	N	N	N	N	N	Y	Y	N	N	N
P66	D614	D615	DN180 PN10 HDPE	105.09	Y	Household/Business Premises with Low Risk	Y	N	N	N	Y	Y	Y	N	N	N	N	N	N	N	Y	Y	N	N	N
P67	D615	D616	DN180 PN10 HDPE	255.87	Y	Household/Business Premises with Low Risk	Y	N	N	N	Y	Y	Y	N	N	N	N	N	N	N	Y	Y	N	N	N
P68	D616	D617	DN180 PN10 HDPE	126.75	Y	Household/Business Premises with Low Risk	Y	N	N	N	Y	Y	Y	N	N	N	N	N	N	N	Y	Y	N	N	N
P69	D617	D618	DN180 PN10 HDPE	165.45	Y	Household/Business Premises with Low Risk	Y	N	N	N	Y	Y	Y	N	N	N	N	N	N	N	Y	Y	N	N	N
P70	D618	D619	DN180 PN10 HDPE	227.98	Y	Household/Business Premises with Low Risk	Y	N	N	N	Y	Y	Y	N	N	N	N	N	N	N	Y	Y	N	N	N
P71	D619	D620	DN180 PN10 HDPE	102.31	Y	Household/Business Premises with Low Risk	Y	N	N	N	Y	Y	Y	N	N	N	N	N	N	N	Y	Y	N	N	N
P72	D620	D621	DN180 PN10 HDPE	202.96	Y	Household/Business Premises with Low Risk	Y	N	N	N	Y	Y	Y	N	N	N	N	N	N	N	Y	Y	N	N	N
P73	D621	D622	DN180 PN10 HDPE	262.42	Y	Household/Business Premises with Low Risk	Y	N	N	N	Y	Y	Y	N	N	N	N	N	N	N	Y	Y	N	N	N
P74	D622	D623	DN180 PN10 HDPE	17.18	Y	Household/Business Premises with Low Risk	Y	N	N	N	Y	Y	Y	N	N	N	N	N	N	N	Y	Y	N	N	N
P75	D623	D624	DN180 PN10 HDPE	463.25	Y	Household/Business Premises with Low Risk	Y	N	N	N	Y	Y	Y	N	N	N	N	N	N	N	Y	Y	N	N	N
P76	D624	D625	DN180 PN10 HDPE	166.2	Y	Household/Business Premises with Low Risk	Y	N	N	N	Y	Y	Y	N	N	N	N	N	N	N	Y	Y	N	N	N
P77	D625	D626	DN180 PN10 HDPE	173.33	Y	Household/Business Premises with Low Risk	Y	N	N	N	Y	Y	Y	N	N	N	N	N	N	N	Y	Y	N	N	N
P78	D626	D627	DN180 PN10 HDPE	173.84	Y	Household/Business Premises with Low Risk	Y	N	N	N	Y	Y	Y	N	N	N	N	N	N	N	Y	Y	N	N	N
P79	D627	D628	DN180 PN10 HDPE	196.67	Y	Household/Business Premises with Low Risk	Y	N	N	N	Y	Y	Y	N	N	N	N	N	N	N	Y	Y	N	N	N
P80	D628	D629	DN180 PN10 HDPE	318.62	Y	Household/Business Premises with Low Risk	Y	N	N	N	Y	Y	Y	N	N	N	N	N	N	N	Y	Y	N	N	N
P81	D629	D630	DN180 PN10 HDPE	125.67	Y	Household/Business Premises with Low Risk	Y	N	N	N	Y	Y	Y	N	N	N	N	N	N	N	Y				

[illegible]

Appendix 8. MoWI's RPF Endorsement Letter

CONFIDENTIAL

THE UNITED REPUBLIC OF TANZANIA
MINISTRY OF WATER AND IRRIGATION

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In reply please quote:

Ref. No. FA 379/599/01A

8th January, 2016

CEO
European Investment Bank
98-100 Boulevard Konrad Adenauer
L-2950 Luxembourg- Kirchberg, Grand Duche,
Luxembourg

**RE: ENDORSEMENT LETTER FOR RESATTLMENT PLANNING
FRAMEWORK (RPF) FOR THE LAKE VICTORIA WATER SUPPLY AND
SANITATION PROGRAMME (LVWATSAN)**

Reference is made to the above title,

The Lake Victoria Water and Sanitation Initiative (LVWATSAN) is a regional programme operated in partnership with the East Africa Community (EAC) and UN-HABITAT. The European Investment Bank (EIB) is funding the implementation of project which consists of the expansion and upgrading of the water supply and sanitation in Mwanza and three of its satellite towns, as well as sanitation in the towns of Musoma and Bukoba.

Within the LVWATSAN-Mwanza Project there is the WASH programme for schools, which will be rolled out during the project life-cycle. The LVWATSAN-Mwanza Project is part of the basket fund of the Water Sector Development Programme (WSDP).

A key component of the LVWATSAN-Mwanza Project is to expand the coverage of water and sanitation into informal urban areas, which will serve poor and vulnerable groups. The informal areas represent a large proportion of the urban population most of which inhabit topographically challenging areas.

It is realised that in the course of this project, temporary and permanent land acquisition will be inevitable. As a consequence, some resettlement of project-affected people (PAPs) will occur. The triggers EIB's 2013 Social Standard 6 on Involuntary Resettlement, the GoT land acquisition act and the World Bank's Involuntary Resettlement Policy (OP/BP 4.12), which has already been agreed between parties of the WSDP to apply the World Bank Safeguard Policies in the Programme.

The MoWI, as part of the DPs requirements for the WSDP, developed a Resettlement Policy Framework in 2008 for the Programme in order to comply with the Bank's Involuntary Resettlement Policy (OP/BP 4.12). The LVWATSAN initiative will be

financed by the European Investment Bank (EIB), and as part of its requirements, also prepared the document “Resettlement Planning Framework” for the specific initiative (RPF-LVWATSAN). The RPF-LVWATSAN has taken into account the national law, mainly the Land Act; the EIB’s Standard 6; and the 2015 RPF of the MoWI, which takes into account the World Bank’s OP/BP 4.12.

It is agreed that the responsibility for the implementation of these instruments are: Mwanza Urban Water Supply & Sanitation Authority (MWAUWASA), the Bukoba Urban Water and Sanitation Authority (BUWASA) and the Musoma Urban Water and Sanitation Authority (MUWASA). The MoWI will have an oversight role in the implementation of the instrument, which will apply throughout the preparation and implementation of the LVWATSAN- Mwanza Projects.

The Ministry of Water and Irrigation (MoWI) through Mwanza Urban Water and Sanitation Authority (MWAUWASA) is the owner of the document and is committed to comply and implement the RPF as defined below:-

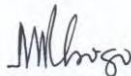
- The exact locations of displacement, acquisition and the households that may require relocation remain unknown until at the detailed design stage; in such circumstances a RPF-LVWATSAN is applicable in anticipation of project activities.
- As part of the Tanzanian Government’s National Water Sector Development Programme (WSDP), the Resettlement Policy Framework (RPF) prepared, and updated (June 2015), the same has been enhanced, tailored and modified, where necessary, to meet the purposes of the EIB LVWATSAN Mwanza Project as RPF-LVWATSAN.
- Therefore MoWI understand that the RPF-LVWATSAN is geared to strengthen policy application in the fields of land acquisition, resettlement, compensation and capacity building to be in line with EIB’s Standard 6 on Involuntary Resettlement and the Tanzania land acquisition legislations;
- The framework shall provide guidelines to ensure that any possible adverse impacts caused by the EIB’s LVWATSAN-Mwanza Project activities are addressed through appropriate mitigation measures, designed to reduce risk, particularly to vulnerable groups such as those less able to look after themselves (children, elderly, widows, single mothers) and other vulnerable groups.
- MoWI acknowledge that methods used in preparation of RPF-LVWATSAN are based on national policy requirements and regulations, the EIB Standard 6, which takes into account the World Bank Safeguard Policy (OP/BP 4.12) on Involuntary Resettlement. Where the national law is less stringent, the EIB and World Bank standards take precedent.
- The Ministry accept the eligibility criteria define in the Framework for identification of Project Affected People (PAPs) and their entitlements. It also provides schedules and indicative budget that will take care of anticipated resettlement and guide the subsequent elaboration of location specific RAPs. Additionally, provides a framework for monitoring and evaluating any acquisition and compensation that takes place.

The underline principal objectives of the RPF-LVWATSAN which are applicable in WSDP projects are to:

- avoid or, at least minimize, project-induced displacement whenever feasible by

- exploring alternative project designs;
- avoid and/or prevent forced evictions and provide effective remedy to minimize their negative impacts should prevention fail;
 - ensure that any eviction which may be exceptionally required is carried out lawfully, respects the rights to life, dignity, liberty and security of those affected who must have access to an effective remedy against arbitrary evictions;
 - respect individuals', groups', and communities' right to adequate housing and to an adequate standard of living, as well as other rights that may be impacted by resettlement;
 - respect right to property of all affected people and communities and mitigate any adverse impacts arising from their loss of assets, or access to assets and/or restrictions of land use, whether temporary or permanent, direct or indirect, partial or in their totality.
 - assist all displaced persons to improve, or at least restore, their former livelihoods and living standards and adequately compensate for incurred losses, regardless of the character of existing land tenure arrangements (including title holders and those without the title) or income earning and subsistence strategies;
 - uphold the right to adequate housing, promoting security of tenure at resettlement sites;
 - ensure that resettlement measures are designed and implemented through the informed and meaningful consultation and participation of the project affected people throughout the resettlement process; and
 - Give particular attention to vulnerable groups, including women and minorities, who may require special assistance and whose participation should be vigilantly promoted.
 - apply the EIB SAGN 6 and the guidelines in the Framework throughout the preparation and implementation of the LVWATSAN-Mwanza Project. When a RAP is required, it will be prepared in accordance with guidance provided in the Framework and in accordance with EIB SAGN 6.
 - uphold international social safeguard standards, sufficient personnel and allocate financial resources to implement measures that meet the needs of the persons affected or for those persons displaced from their land and assets.
 - present the document to the main stakeholders and disclose according with the EIB standards and the RPF of the MoWI.

With this understanding the Resettlement Planning Framework (RPF) is officially endorsed.



Eng. Mbogo Futakamba
Permanent Secretary

Appendix 9. MoWI's SEP Endorsement Letter

CONFIDENTIAL

THE UNITED REPUBLIC OF TANZANIA
MINISTRY OF WATER AND IRRIGATION

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In reply please quote:

Ref. No. FA379/599/01A

8th January , 2016

CEO
European Investment Bank
98-100 Boulevard Konrad Adenauer
L-2950 Luxembourg- Kirchberg, Grand Duche,
Luxembourg
..

RE: ENDORSEMENT LETTER FOR STAKEHOLDER ENGAGEMENT PLAN
(SEP) FOR THE LAKE VICTORIA WATER SUPPLY AND SANITATION
PROGRAMME (LVWATSAN)

Reference is made to the above title,

The Lake Victoria Water Supply and Sanitation Programme (LVWATSAN) is a regional programme being implemented in partnership with the East Africa Community (EAC) and UN-Habitat. The program focus on reduction of pollution flowing into the lake through improvement in sustainable water supply and sanitation infrastructure in the urban centres within the Lake Victoria Basin shared by the five East African Community Countries.

The Lake Victoria Mwanza project funded by the European Investment Bank (EIB) and the French Agency for Development (AFD) to improve on the extension and upgrading of water supply and sanitation. The EIB and AFD entered into a finance contract with the United Republic of Tanzania to implement the project in Mwanza town and satellite towns of Misungwi, Lamadi and Magu for EIB and Bukoba and Musoma towns for AFD. At completion there would be the significant improvement in water supply, sanitation and public health conditions in the six (6) target towns.

In order for the project to accomplish successfully the intended project outcome, active participation of local population and institution will be required. As a consequence in some of the target project areas stakeholders in communities will be affected by project interventions.

Henceforth the project engages in the plan the 2013 EIB Standard 7 on Rights and Interests of Vulnerable Groups and Standard 10 Stakeholder Engagement.

The EIB and GoT prepared the Stakeholder Engagement Plan (SEP) for the EIB financed operation for LVWATSAN Mwanza Project. As part of the EIB's 2013 Social and Environmental Standards, a Stakeholder Standard guideline was established which lead in prepared of SEP in order to ensure compliance to EIB'S Standards 7 and 10.

The GoT in this context the Ministry of Water and Irrigation (MoWI) through Mwanza Urban Water and Sanitation Authority (MWAUWASA) is the owner of this document and is committed to comply and implement the SEP as defined below:-

- Promote stakeholders engagement and protecting the rights of vulnerable groups in the project area of the LVWATSAN Mwanza, Musoma and Bukoba and the three growing satellite towns of Misungwi, Lamadi and Magu in order to facilitate an operational link with the utility in Mwanza in the future;
- deploy the two standards EIB'S Standards 7 and 10 to create the enabling environment for effective engagement with local communities and all other key stakeholders throughout the remainder of the life cycle of (LVWATSAN) Mwanza Project, and will seek to avoid the exposure of vulnerable populations to project-related risks and adverse impacts;
- Commit to a successful stakeholder engagement by actively engages with stakeholders, listen to them, build a relationship with them and then respond to their concerns in a mutually beneficial way. .
- give stakeholders a voice and choices throughout the preparation, implementation and monitoring phases of a project result in better project outcomes;
- introduce guiding principles and the approach of the SEP. These reflect the policies of the EIB, and the Government of Tanzania that address the rights of vulnerable groups and stakeholder engagement;
- uphold an open, transparent and accountable dialogue with all relevant stakeholders at the local level targeted by LVWATSAN-Mwanza Project operations;
- Ensure that all stakeholders are properly identified and engaged;
- Engage stakeholders in the disclosure process, engagement and consultations in an appropriate and effective manner throughout the project lifecycle, in line with the principles of public participation, non-discrimination and transparency;
- Ensure that the relevant stakeholders, including commonly marginalised groups on account of gender, poverty, educational profile and other elements of social vulnerability, are given equal opportunity and possibility to voice their opinions and concerns, and that these are accounted for in the project decision-making;
- Duly verify and assess that the quality and process of engagement undertaken by third parties on the project conform to the provisions included in the EIB standards;
- Agree that the Ministry of Finance as the borrower will have the ultimate responsibility to ensure that the LVWATSAN Mwanza project complies with EIB standard 7 and 10 in respect of environmental and social risks that may emerge during implementation, through delegation to the Ministry of Water as the Implementing Authority (IA);
- As duty-bearers, the local authorities in the project area shall have a legal obligation to protect, respect and fulfil human rights of all city residents, including the provision of water and sanitation services;
- The EIB Standards 7 and 10, respectively on Vulnerable Groups and Stakeholder Engagement, are of most relevance. In addition to having oversight of the overall stakeholder engagement process, ESIA's and A-RAP, EIB will also oversight for the project interventions in Mwanza and the satellite towns, while AFD will exercise oversight responsibility with respect to the implementation of the project in Bukoba and Musoma towns;

- UN-Habitat will assist MWAUWASA to implement the stakeholder activities by establishing stakeholders into Multi Stakeholder Forums (MSFs). The MSF shall represent the affected communities at ward, municipality, town and project levels for Mwanza, and for each of the major communities in informal settlements of Misungwi, Magu and Lamadi;
- Accordingly the consultant shall commit to the EIB Statement of Environmental and Social Principles and Standards (2009) that articulate EIB's commitments to environmental and social sustainability.

With this understanding the Stakeholder Engagement Plan (SEP) is officially endorsed.


Eng. Mbogo Futakamba
Permanent Secretary