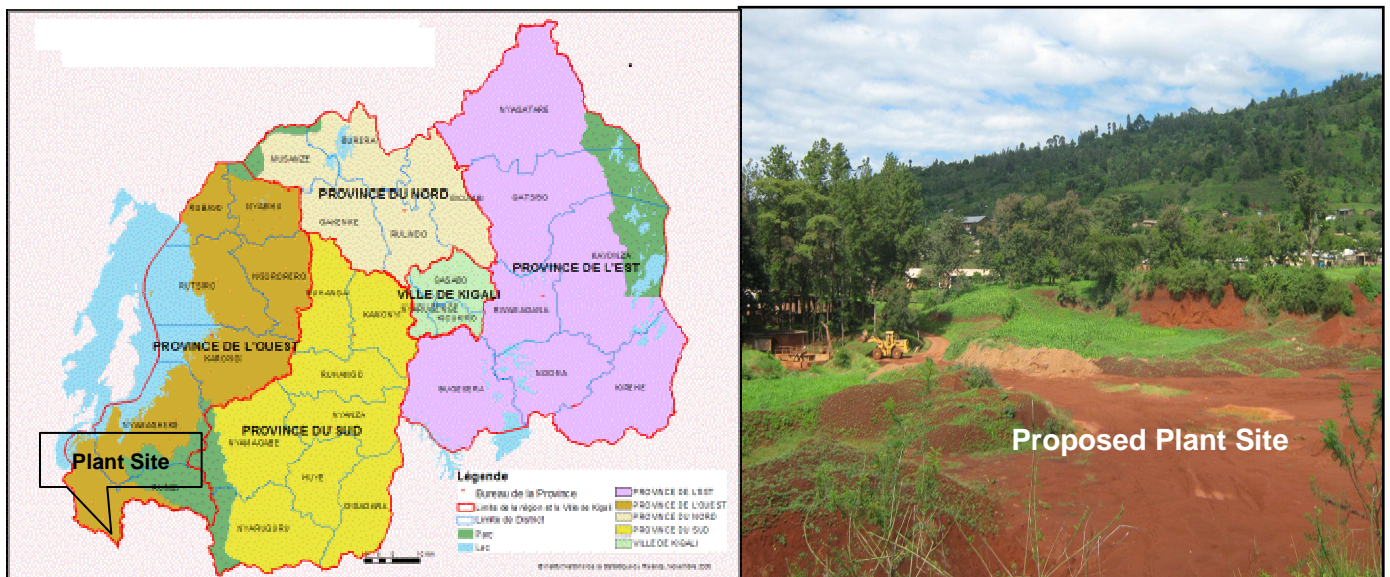




RAP Summary

for Establishment of 600,000 tonnes per annum
Cement Project in Muganza,
Rusizi District, Western Province, Rwanda



July 2010



RAP SUMMARY

1. INTRODUCTION

Rwanda Investment Group (RIG) is a Rwandan company created and incorporated in May 2006. **RIG**'s main purpose is to mobilize resources, from both domestic and foreign sources to invest in high-impact, profitable development projects.

CIMENTS DU RWANDA LIMITED (CIMERWA), a company now owned by **RIG** was established in 1984. It is the only cement producer with full process in Rwanda. The cement plant was owned by the Government of Rwanda and was being operated by a Chinese company since 1984. **CIMERWA** commenced its operations with a capacity of 50,000 tonnes per annum (tpa) of cement and its capacity was doubled to 100,000 tpa in the year 2001. **CIMERWA** was privatized in 2006 when the Government of Rwanda sold 90% equity stake to **RIG**. The Government of Rwanda owns the balance 10% of the shares.

Currently the **CIMERWA** plant produces about 70,000 tpa of clinker equivalent to 100,000 tonnes of cement per annum using the wet process of cement manufacture. As per estimates, over the last few years, the local cement demand of Rwanda has increased to over 270,000 tonnes a year while the demand in neighboring countries (Southern Uganda, Burundi and Eastern DRC) averages about 100,000 tpa. **CIMERWA** thus proposes to expand its cement production capacity to 600,000 tonnes per annum to meet the market demand by establishing a new state-of-the-art, modern, dry process cement plant.

The existing cement project of **CIMERWA** is located in Muganza Sector, Rusizi District of the Western Province. The location is about 350 km from Kigali and about 60 km from Kamembe town. The new cement plant is proposed to be located adjacent to the existing plant.

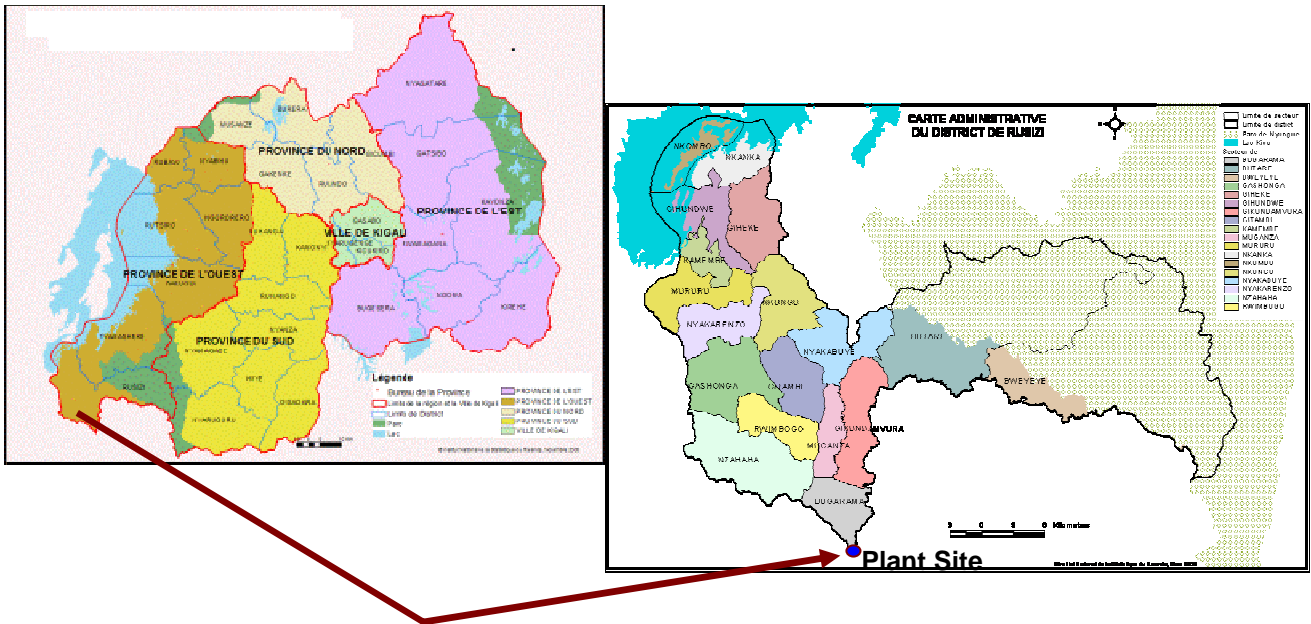
The topography of the project area and the surrounding consists of plains, mountains and valleys. The area is located in Rwanda Topographical Survey Sheet No. 38 (Scale 1:50,000) and the coordinates and elevation of the new plant site are as follows:

Coordinates	:	Latitude	: 2°36'23" South
		Longitude	: 29°1'02" East
Elevation	:	1071 m above Mean Sea Level	

Ordinary Portland Cement (OPC) and Portland Pozzolana Cement (PPC) are both proposed to be manufactured at the Plant as per Rwandan Standard RS EAS 18-1:2004 and European Standard EN197-1:2000. OPC shall comprise of 95% clinker and 5% gypsum. PPC shall contain 65% clinker, 30% pozzolana and 5% gypsum.

CIMERWA has approached the African Development Bank (AfDB) for partially funding the project. AfDB is considering providing **CIMERWA** with a Senior Loan. The ESIA and ESMP prepared for the project have been prepared by **Holtec Consulting Pvt. Ltd., India**. The Reports have been approved and the project has been accorded 'Certificate of Clearance' by the Rwanda Development Board.

The location of the site is shown overleaf.



This RAP Summary outlines the Summary of the Full Resettlement Action Plan prepared by **Holtec Consulting Pvt. Ltd., India** for the proposed project.

2. LAND ACQUISITION & RESETTLEMENT

The existing cement plant is located in Shara Cell (village) of Muganza Sector. The new plant is to be located adjacent to the existing plant and is to be built over the existing clay concession area of **CIMERWA** covering 13 hectare (ha) area. The area required for the new plant is already in possession of **CIMERWA** as it is a part of its existing clay quarry. Thus no new land is required for construction of the new plant. However, some settlements have come up around this area. In its efforts to create a safety zone around the plant site and also considering environmental impacts, **CIMERWA** has acquired the land in the buffer zone of the new plant. This buffer zone of the new plant area covers an area of 6.2 ha.

Thus only the buffer, safety zone of 6.2 ha requires additional land acquisition. This buffer zone is inhabited by 114 households including a church building of the Anglican Church of Rwanda covering 155.04 m².

In place of the existing clay quarry, a new clay mining area has been acquired. The new clay quarry area has been identified by the Rwandan Geology and Mines Authority (OGMR, French acronym), who have also carried out geological investigations in the area.

The new clay quarry is located 2 km from the plant site and extends over 16.2 ha area including the access to the quarry which covers 2.97 ha area. Land from 90 households has been acquired for the clay quarry and its access road.

Thus the total area acquired by CIMERWA for the new cement project is 22.4 ha which has been acquired from 204 households (approximately 1,428 people).

3. ORGANIZATIONAL RESPONSIBILITY

The local Government structure in Rwanda is composed of District, Sector and Cell. The Province is the coordinating level between the Central Government and the District. Issues related to land and its expropriation are overseen by the Local Government authorities and specifically the Sector level authorities who report to the District level through the Bureau of Land.

“Law No. 18/2007 of 19/4/2007 Relating to Expropriation in the Public Interest, O.G. Special No. of 21/5/2007” is the law governing expropriation in Rwanda. As per this law only the Government can carry out expropriation. Expropriation can be carried out only in the public interest and with prior and just compensation. Individual activities, if are of public interest and the nation at large, are considered as being in public interest, but the owners of the activities are liable for payment of charges for inventory of assets and of just compensation to the person being expropriated.

Under the Expropriation law, the **CIMERWA** project has qualified to be in public interest. As per law, the competent organs, procedures and rights of the expropriated persons and the expropriators for public interest as applicable to the **CIMERWA** project have been defined as follows:

- ❑ The organ which initiates the expropriation process is the Executive Committee at the District Level. The Executive Committee, chaired by the Mayor of the District is the coordinating team of administrative, social, economic and political activities at the District level.
- ❑ The evaluation organ which approves that the expropriation proposals fulfill all the requirements is the Land Commission at the District level.
- ❑ The organ approving the final expropriation process is the District Council after considering the decision of the Land Commission at the District Level.

The site selected for resettlement of the landowners from whom land has been bought has been surveyed by **CIMERWA** and the road to the site has been developed by **CIMERWA**. Provision of other utilities shall be done by the Sector authorities since these utility providers are state monopolies. The resettlement process is being overseen by the concerned Sector authorities. The monitoring and reporting on the Resettlement process is proposed to be done by a Joint Commission between **CIMERWA** and the Sector authorities which will also comprise of representatives of the Project Affected Persons (PAPs).

4. COMMUNITY PARTICIPATION

At the National and Regional levels, the stakeholders of the project include Rwanda Development Board (RDB), Rwanda Environmental Management Authority (REMA), Ministry of Land, Environment, Forestry, Water and Mines (MINITERE), Ministry of Infrastructure (MININFRA), Ministry of Commerce & Industry (MINICOM), Rwandan Geology & Mining Authority (OGMR), Utility providers like ELECTROGAZ (now Rwanda Energy Company (RECO) and Rwanda Water and Sanitary Company (RWASCO)), District Administrative Offices, Sector and Cell (village level) Administrative Offices, NGOs, etc. At the local level, the stakeholders of the project include local authorities at District, Sector & Cell levels, community leaders, PAPs, local villagers, employees of **CIMERWA**, etc.

The Expropriation Commission was set up in October 2008 and was entrusted with the task of carrying out the complete expropriation process. The Commission comprised of 18 members including 8 members representing the PAPs, 4 Heads of affected Conglomerations, local Government authorities of Shara Cell, Muganza and Gitambi Sectors and officials of **CIMERWA**.

For the proposed cement plant at Muganza, a series of consultations have been carried out with various stakeholders of the project at national and local level.

- ❑ Separate formal public meetings have been held with the local population/ PAPs in the presence of local government representatives including the Mayor and Vice Mayor of Rusizi District, Executive Secretaries of Muganza and Gitambi Sectors, officials of Executive Committee, Land Commission and the Bureau of Land and **CIMERWA** officials which were focused exclusively on the expropriation and resettlement process. This series of meetings were held during the period from September 2008 to April 2009 and aimed to sensitize the local population about the project, the process of expropriation and solicit their views on the whole process. Views of all the PAPs have been sought and incorporated to undertake the expropriation process and the process of resettlement.
- ❑ Two formal Public Hearings were conducted by the Rwanda Development Board – Division of Business Operations and Services (RDB-BOS) and the Rwanda Environmental Management Authority (REMA).

The first Public Hearing was organized at Kigali on 21st July 2009 and was attended by participants drawn from RDB, REMA, Rwanda Bureau of Standards (RBS), OGMR, MINICOM, MININFRA, ELECTROGAZ (now RECO-RWASCO), NGOs, media organizations, employees of **CIMERWA**, ESIA Consultants, etc. The Public Consultation at Kigali focused on getting views from technical authorities both Government and private, who could make tangible contributions in reviewing the design of the project.

A second Public Hearing was organized by the RDB-BOS/ REMA at the existing cement plant of **CIMERWA** at Muganza on 23rd July 2009. The participants included representatives of local

newspapers, NGOs, institutions in the public sector, local administration including the Vice Mayor of the District of Rusizi in charge of Economic Affairs, Executive Secretaries of Gitambi, Gikundamvura and Muganza Sectors, representatives of the National Police and Army, representatives of faith based organizations including the Roman Catholic Church, Muslim community, Methodists and Anglicans, PAPs, etc.

- ❑ As a part of the assessment of socio-economic aspects of the project during the ESIA process, a primary survey was carried out to ascertain the local community's views and expectations regarding expansion of **CIMERWA's** cement project.
- ❑ A Focus Group Discussion was also organized during the ESIA studies with key stakeholders from the local population which also included some employees of **CIMERWA**.

4.1 ISSUES RAISED BY PAPs

During the public meetings on the expropriation, the local community has welcomed the project and has expressed their satisfaction at the expropriation process being implemented by **CIMERWA**.

- ❑ The people have requested that they may be allowed to continue working on the land till full compensation is paid.

CIMERWA has offered to let the PAPs cultivate their lands even after receiving compensation till the time the land is actually required for construction or mining purpose.

- ❑ Some local people were concerned about the graves in the land for which compensation provision is not covered in the law.

CIMERWA agreed to evaluate the work done on graves and has compensated the people for the same. **CIMERWA** will also give them time to shift the graves to a public cemetery.

- ❑ **CIMERWA** has allowed the PAPs to remove everything from their houses (including iron sheets, wooden doors, windows, timber, etc.) and take it with them while relocating.

As desired by the local population, and in compliance with the law regulating expropriation (Article 25), **CIMERWA** has transferred the payments in bank accounts and recognized financial institutions of their choice.

5. SOCIO-ECONOMIC STUDIES

A detailed socio-economic survey has been carried out in the 10 km area around the project site. The socio-economic profile of the area is given below.

Demography: The plant and mining areas fall within Muganza and Nyakabuye Sectors of Rusizi District and Gisenyi Sector of Rubavu District. The buffer zone (area within 10 km of plant and mining sites) falls partly in six Sectors, namely, Muganza, Gikundamvura, Bugarama, Nyakabuye, Rwimbogo and Gitambi.

The total population in the 6 Sectors which partly fall within the 10 km radius area is 116,954 (District Report of 3rd December, 2008). The estimated total number of households in all these 6 Sectors in 2007 was 17,133.

Major Economic Activities: Major economic activities that characterize the study area include those related to agriculture, apiculture, and handicrafts. Muganza Sector where **CIMERWA** is located has 11 agricultural based cooperatives of which 8 are involved in rice production in the Bugarama Marshland, 2 are involved in maize production and 1 in honey production.

Some local people are employed by **CIMERWA**, by the Health Centres, primary schools, financial institutions like COGEBANK and Micro-financing organizations, NGOs (like PREPAF, CARITAS, and Global Fund), etc. Commercial activities such as kiosks and small scale trade centres also characterize the study area.

Agriculture and Livestock: Agriculture is the chief occupation of the area and is the main source of income for all Sectors under the buffer zone. The dominant crops in the study area are maize, cassava, rice, beans, sorghum, banana, and mangoes. The dominant farming system is mixed crops compared to mono cropping.

The main livestock in the area include pigs, goats, sheep, cattle and hens. Since Rwanda has implemented the "National Zero Grazing Policy", the livestock feed on grasses, leftover rice, etc.

The livestock diseases prevalent in the area include Verminose, Typhos aviaire, Muryamo y'ingurube, Indwara ziterwa n'uburondwe. There are no existing veterinarian facilities in the area.

Educational Facilities: There are limited government educational facilities in the area. There are a total of 29 primary schools, and 11 middle schools and 4 secondary schools in the six Sectors of the study area. Most of the schools are upto primary or middle levels. There are two secondary schools in Muganza, one in Bugarama and one in Rwimbogo Sector.

It is observed that the Muganza Sector, where the **CIMERWA** plant is located has higher literacy level as compared to other Sectors. Muganza Sector has the highest proportion of residents who have procured a University degree as also a higher proportion as far as secondary education is concerned.

Housing Conditions: On the basis of sample survey, it is seen that 85.7% of households own houses, 12% have rented accommodation and the balance use houses temporarily. As regards the quality of construction of houses, 41.3% people have houses constructed with clay bricks followed by those with houses constructed using timber (32.2 %). Very few people use cement bricks/ blocks. As per survey carried out, only 32% of people in Muganza Sector have access to electricity in their homes. The situation is worse in Bugarama and Rwimbogo Sectors where an abysmally low 5% and 3% of the households have electricity connections.

Average Landholding: Land is a scarce resource in the project area and an important indicator of the fragmented land holding pattern in the area. A majority, 53% of the survey respondents have a land size of 0-0.2 ha which is less than the national average of 0.4 ha. Few households have a land holding more than 2 ha.

Health Facilities: In general, the health status of the community can be described as poor. The prevalent diseases in the project areas are Malaria, Respiratory Tract Infection, Urinary tract infection, Intestinal parasites, HIV/ AIDS, etc. Most of the respondents are familiar with health service providers such as Health Centers. They are mostly facilitated by health insurance scheme such as Mutuelle de santé. There is no large hospital in the six surveyed Sectors though there are 6 Health Centres in the six Sectors of the study area.

CIMERWA's Health Centre: **CIMERWA** is currently operating a Health Centre established at the Plant premises since 1984, which comprises of a Pharmacy, a 14 bed hospital and a laboratory manned by trained staff. People served by this Health Centre are the staff of the plant and their dependents in addition to people from the neighboring Sectors of Muganza, Gitambi, Bugarama, Nyakabuye, and Gikundamvura.

The Health Center is open to the local population who pay a subsidized consultation fee and the medicines are made available to them at cost price. The Health Centre records about 1,200-1,500 consultations per month and about 70% of the patients are local people and only 30% are **CIMERWA** employees and their dependents. Monthly Reports of the Check ups at the Clinic are reported to the Government. Immunization is carried out at the Health Centre where the vaccines are provided by the Government. Family planning facilities are also available at the Center.

CIMERWA has recently signed a contract (MOU) with Mibilizi Hospital (main Government Hospital in the area) to avail the services of its Doctors for two days per week to help in consultations and treatment of serious illnesses. In addition to Mibilizi Hospital, there are two Government Health Clinics at about 3 km from the Plant. These Health Clinics are doing HIV surveillance in the area under Government programmes.

As a part of its CSR activities, **CIMERWA** will continue to extend medical facilities at its Health Center to the local community which will also include the population being resettled. This resettled community will be specially monitored for health issues. However, there are no diseases or illnesses that the resettled population will be exposed to.

6. LEGAL, REGULATORY & INSTITUTIONAL FRAMEWORK

The expropriation process and RAP complies with:

- Law N° 18/ 2007 of 19/04/2007 on 'Expropriation in the Public Interest, O.G. Special No. of 21/5/2007, the law governing expropriation in Rwanda.
- Organic Law N° 04/2005 of 08/04/2005 determining the modalities of protecting, conservation and promotion of the environment in Rwanda

- Organic Law N° 08/2005 of 14/07/2005 determining the use and management of land in Rwanda
- AfDB's Involuntary Resettlement Policy, 2003

7. ELIGIBILITY

The people who have been considered as PAPs for the purpose of compensation and resettlement are identified as the people residing or owning assets within the new Plant area of 6.2 ha and clay quarry area of 16.2 ha.

All holders of legal title deeds of the land or assets within the area of acquisition have been considered as PAPs eligible for compensation. In addition, in the absence of title deeds which is common in rural areas, the owner has to provide evidence to confirm that he or she possesses right on the land as per provisions of Article 18 of Law N° 18/2007 of 19/4/2007 relating to expropriation in the public interest which also recognizes the testimony of neighbors as evidence of ownership.

The supporting facts for rights over the land include a purchase contract; a written evidence of donation; or a legacy or a successor; a local administrative statement or document; a court certificate or a testimony of the neighbors confirming ownership of the land. A household within the expropriated area is defined as any person/ organization or association, which had a building/ land, crops/ trees/other assets in the area to be acquired and has been compensated for the assets lost. On an average, a family in the area has 7 members.

Cut off Date : The cut off date for identification and inventorying of assets has been considered as 8th February 2009 when the process of identification of PAPs and their assets has ceased. The payment of compensation has been done in two phases and has been completed on 8th June 2009. All the PAPs have already been compensated.

8. CURRENT USE OF LAND

Prior to acquisition of land, the new plant area was mostly inhabited whereas the clay quarry area was mostly cultivated land. The clay area is currently being used for cultivation of maize, beans, cassava, bananas, etc. The alternative land being provided for resettlement is also agricultural land with the same fertility levels so that the same agricultural practices may be pursued there too. In addition, **CIMERWA** has also permitted the PAPs to continue cultivation of their land which has already been acquired till such time the construction of new plant and clay mining commence. In addition the land for resettlement is 50 ha in extent which is much larger than the 22.4 ha that has been acquired.

9. PROCEDURE OF LAND ACQUISITION

For the proposed Cement project, **CIMERWA** followed the following procedural steps in line with the Law N° 18/ 2007 of 19/04/2007 on Expropriation in the Public Interest, O.G. Special No. of 21/5/2007 which is the law governing expropriation in Rwanda:

- Issue of notification to the local authorities to initiate the expropriation process
- Sensitization of the local affected population about the expropriation procedure
- Setting up of Expropriation Commission
- Price Negotiation

CIMERWA initiated the process of expropriation on 29th/30th September 2008 by requesting the local Cell and Sector authorities of Rusizi District to start the expropriation process pursuant to the Law in force. On the request of the population and pursuant to the expropriation law in force, the Muganza and Gitambi Sectors' Authorities supervised the setting up of an Expropriation Commission comprising of 18 members in charge of monitoring the expropriation process.

The Expropriation Commission was set up on 8th October 2008 during a meeting which comprised of stakeholders from Kabarore, Busasamana and Gakenke Conglomerations of Shara Cell, Muganza Sector and those from Runanira and Kabonabose in Nkangabashi Cell, Gitambi Sector. The representatives of local political and administrative authorities of Muganza and Gitambi Sectors as well as three representatives of **CIMERWA** were also included in the Commission. The concerned parties are represented in the Commission by 8 members designated by the population, 4 Heads of

Conglomerations, The Coordinator of Shara Cell, The Executive Secretary of Muganza Sector, The Agronomist of Gitambi Sector and 3 members from **CIMERWA**.

The mission of the Commission was to demarcate all areas necessary for the project in identified sites to be expropriated; to identify and count all assets of each household/ person located within the boundaries of these sites; to set the monetary value for every asset including fruit and ornamental trees of each household/ person in compliance with the Law; to negotiate the monetary value of land with **CIMERWA**; to consult individuals/ institutions familiar with the law and procedures and to regularly present a progress report to the population and concerned institutions.

For the process of setting the value of land, the law stipulates that in the absence of an instruction by local administration of the District or City, both parties namely, **CIMERWA** and the land owner have to agree upon the value of compensation for the land to be acquired. Based on the negotiations and on the land rates set for Kigali City, both parties agreed to set the land price at 1500 RWF/ m² (as of June 2009) i.e. 2.632 USD /m². The local population has been extremely satisfied with the price that has been offered for their land and other assets which is much higher than their expectations. This is because compensation price for land per sq m for Kigali city has been paid instead of land price for rural areas which is much lower than that of Kigali city. The value of other assets like trees, etc., has also been determined as per Kigali city indicators, which are much higher than those applicable for rural areas.

CIMERWA was asked to comply with the agreed upon timeframe of 120 days from 8th February 2009 provided for by the law, a period within which the just compensation must be paid to the population and to closely monitor the resettlement process.

Valuation of Land and Property : The Commission started with demarcating the sites indicated by **CIMERWA** and identified assets of each household/ person located within the boundaries of the sites. Totally 204 households (approximately 1,428 people) were identified to be affected by the new cement project. 114 households own land/ assets within the new plant site whereas 90 households own land/ assets within the site for the new clay quarry.

Valuation of Trees : Compensation has also been paid by **CIMERWA** for the trees growing in the acquired area. The Expropriation Commission has set the rate of compensation for trees as that set for Kigali city and it is much higher than the rates applicable to rural areas, which is valid for Muganza Sector. The rate of compensation for trees is dependant on the species of the tree and its age, the older trees having a higher rate. **CIMERWA** has paid compensation for 4,788 trees in the plant area and 5,130 trees in the clay quarry area.

Valuation of Other Assets : In addition to land, trees, crops, etc., landowners have also been compensated for their dwellings depending on the type of construction and its components like isolation roofing, sheet roof with wooden carpentry, hard sheet roof with wooden carpentry, hardcore foundation with cement mortar, etc.

10. GENDER ASPECTS

Gender concerns have been considered in all aspects of the resettlement activities. Gender balance was considered in the composition of the Expropriation Commission and women were a part of the Commission. In addition, women were invited to all the meetings related to expropriation and resettlement.

To avoid any post expropriation conflicts, **CIMERWA** insisted that PAPs come as couples to confirm the assets under expropriation and take the due compensation in joint bank accounts together. This was done to ensure that all the women have an understanding of the process and give their concurrence for the same. Since in such expropriations where the livelihoods of PAPs are affected, the women in the households are impacted significantly, it is important that the women understand the implications of the process and are granted security of compensation and resettlement.

In designing other resettlement measures and **CIMERWA**'s Socio-economic Development Plan, the socio-cultural roles and priorities of women, youth, and vulnerable groups have been considered.

11. SITES OF CULTURAL/ RELIGIOUS/ ARCHAEOLOGICAL IMPORTANCE

A church building of the Anglican Church of Rwanda covering 155.04 m² built on 4160.3 m² of church property falls within the buffer zone of the plant site and this area has also been acquired by

CIMERWA. The Anglican Church was constructed in the year 2007 and was the branch of the main church located in Kamembe. The church comprised of a building without any historical vestige or religious statue or any other religious indications. The management of **CIMERWA** expects that with the total compensation of 41,682,409 RWF received; the branch would be able to move to another area depending on the instruction of the main church. **CIMERWA** has allowed the church administration to take all its belongings including benches, tables and iron sheets to enable their usage at an alternate location, if required.

12. GRIEVANCE MANAGEMENT

All acquisition by **CIMERWA** has been voluntary and the value of compensation has been arrived at after direct negotiations with the landowners. Thus grievances are expected to be minimal. However, as per Article 26 of the Law No. 18/ 2007 on “Expropriation in the Public Interest, O.G. Special no. of 21/5/2007”, any person not satisfied with the value determined for the land can appeal to the Land Commission and its immediate superior level.

As per provisions of the law, in case the affected person is not satisfied with the value determined for the land, he shall provide an alternate value through a legally accepted expert or the survey office as professionals in value verification engaged by him. In case the alternative value is rejected by the Commission, the affected person can appeal to the Land Commission at the immediate superior level within a period not exceeding 15 working days which shall also provide a decision within 30 days of the appeal. In case the affected person is not satisfied with the decision of the Land Commission, he can file the case with a competent Court.

No other informal or traditional grievance structures at the local level are recognised in Rwanda.

13. IDENTIFICATION & SELECTION OF ALTERNATE RESETTLEMENT SITES

CIMERWA management is committed to help in resettlement of the displaced households whose lands/ houses or other assets are being acquired for the new plant.

CIMERWA requested the local administration to locate and reserve alternate resettlement site for resettling of the displaced population in tandem with the National Habitat Policy of Rwanda. The Government of Rwanda is pursuing a policy of regrouping of villages to end the practice of scattered settlements in hills. Local governments are consistently promoting and implementing the policy of identifying sites, developing them and persuading people to shift to these agglomerations instead of living in isolated, scattered hamlets. Districts and Sectors through their respective assemblies identify lands and places within their jurisdictions which fit into this Policy and sensitize interested people to move to the identified land.

Amongst the sites offered, the displaced population after deliberations amongst themselves and with the authorities and **CIMERWA** evaluated the sites in terms of facilities offered and decided on the resettlement site. The host communities were consulted as well and raised no significant issues in accepting the PAPs into the new resettlement site.

Identification of Land : Gitambi Sector has been involved in the land acquisition process of **CIMERWA** from the initiation stage itself. The representatives of Gitambi Sector including their Executive Secretary participated in the process and negotiations which were held to fix up the compensation price.

Kankuba in Gitambi Sector was finally selected due to its landscape and the fact that electricity and drinking water services could be extended faster and more economically to Kankuba than to any other site. In addition, Kankuba is an extension of an existing settlement with a certain degree of development. Kankuba is also near to an established Health Clinic and a Secondary School.

Kankuba site has the same status of arable/ cultivable land as project site land since both sites are in the same area which is in general fertile. In terms of total area of the land, Kankuba resettlement area is much bigger (50 ha) than the land acquired by **CIMERWA** in both sites (22.4 ha).

Acquisition of Alternate Land for Resettlement : **CIMERWA** is currently in the process of handing over land for resettlement in Gitambi Sector to 177 households whose land has been acquired for the project. **CIMERWA** has already paid 53,100,000 RWF to Gitambi Sector for the resettlement site in Kankuba. The local Government representative will remit the money to the

landowners against their certificate of ownership of land and these landowners will then become new landowners and settle at the resettlement site.

Facilities Provided at Resettlement Site : **CIMERWA** has surveyed and mapped the area selected for relocation. In addition to paying a large amount of money to Gitambi Sector for the land for resettling the displaced landowners, **CIMERWA** would also assist the Sector and District authorities in providing water and electricity facilities to the resettlers, if required. **CIMERWA** has already developed approach road to the site and also roads within the site. Kankuba is close to Mashasha which already has a Health Centre and also primary and secondary schools.

In addition to cash compensation, **CIMERWA** is giving the following special assistance to the resettlers:

- ❑ People are being allowed to continue to cultivate their land even after it has been acquired by **CIMERWA** and full compensation has been paid till such time the actual construction of plant starts or mining starts in the clay quarry.
- ❑ People are being allowed to take away all their housing material such as doors, iron sheets, windows, timber, etc., wherever possible.
- ❑ **CIMERWA** shall assist with in transportation of materials by providing machines, trucks, etc.
- ❑ Relocated people are allowed to use **CIMERWA**'s Health Centre facilities if they bear "Carte de Mutuelle de Santé" (health insurance)
- ❑ The relocated people have been invited to enroll their children at **CIMERWA**'s primary school at the existing admission conditions.

The Gitambi Sector authorities are responsible for developing and implementing the livelihood restoration programme and provide for facilities like electricity, water, school, medical facilities, etc.

Water and Electricity connections shall be supplied by RECO (Rwanda Energy Company) and RWASCO (Rwanda Water and Sanitary Company), which are State Owned monopolies. No increase of price or any other extra connection charges will be passed on to those who will be resettled for connection to the national grid.

CIMERWA would help in whatever request the District of Rusizi and Gitambi Sector may have in relation to the process of supplying electricity and water at Kankuba site. However, the development of these facilities is the direct responsibility of the District and Sector authorities.

14. ACQUISITION OF LAND

The buffer zone of Plant covering 6.2 ha and the assets within this area has already been acquired. There are 114 households whose lands have been acquired for the plant site. Out of the 114 affected households, only three (3) have lost all their land whereas 111 have lost only part of their land. **CIMERWA** has paid the final total compensation of 413,247,646 RWF to 114 landowners for land/ assets within the plant area acquired.

CIMERWA has already acquired 16.2 ha area/ assets within the area for the new clay quarry which also includes the access road of 2.97 ha. The number of landowners from whom this land has been acquired is 90. The total compensation paid for acquisition of clay area is 241,941,194 RWF.

The process for the attribution of land parcels is still ongoing. The parcels are still being attributed to PAPs.

The section wise details for assets acquired and the compensation paid are summarized below.

Sn	Section	Land			Houses			Trees			Total Compensation paid (RWF)
		Land Acquired (ha)	Total no. of owners compensated for land	Compensation paid for land (RWF)	No. of houses compensated	No. of owners compensated for houses	Compensation paid for houses (RWF)	No. of trees compensated	No. of owners compensated for trees	Compensation paid for trees (RWF)	
1	Plant site	6.2	114	77,242,310	96	84	290,461,641	4,788	107	45,543,695	413,247,646
2	Clay quarry	16.2	90	168,417,965	49	43	49,673,653	5,130	85	23,849,576	241,941,194

Total	22.4	204	245,660,275	145	127	340,135,294	9,918	192	69,393,271	655,188,840
-------	------	-----	-------------	-----	-----	-------------	-------	-----	------------	-------------

15. SHELTER, INFRASTRUCTURE, AND SOCIAL SERVICES

The existing Socio-economic Development Plan of **CIMERWA** and the proposals to strengthen it are presented below. Since **CIMERWA** is already operating in the area, some of the initiatives are already being implemented and their reach will be widened and strengthened with the new project. The Plan has been prepared in consultation with the Sector authorities but its implementation is the direct responsibility of **CIMERWA**.

Sn	Issues	Action Plan
1	Employment and business opportunities	<p>Preference is being/ will be given in employment (temporary) during construction stage to qualified people whose land is being acquired for the project. The employment of PAPs will be regularly monitored.</p> <ul style="list-style-type: none"> ❑ CIMERWA will encourage the interested PAPs in setting up small businesses like transportation, auto workshops, small eateries, and other small shops which shall come up to cater to the new cement plant ❑ Preference shall be given to engage interested men and women for: <ul style="list-style-type: none"> ○ Transportation of raw materials/product ○ Distribution of product in region ○ Transportation/ supply of other essential items to plant/ township <p>As is being done currently, the packaging of cement has been outsourced to a Cooperative comprising of local labourers. This practice shall be continued at the new plant and more such activities could be outsourced to similar Cooperatives.</p>
2	Road Development	<ul style="list-style-type: none"> ❑ Road from the Bugarama crossing to the Plant will be upgraded and compacted over a length of 11 km. ❑ A road from the main Kamembe-Bugarama road to the peat areas is also being constructed over a length of 3 km by CIMERWA's parent company. ❑ CIMERWA has also developed the access road to Kankuba Resettlement site as well as the roads within the site. ❑ With improved roads, connectivity to the area shall improve.
3	Health Facilities	<ul style="list-style-type: none"> ❑ CIMERWA is operating a Health Centre at the Plant since 1984, which comprises of a Pharmacy, a 14 bed hospital and a laboratory manned by trained staff /other supporting staff. ❑ CIMERWA has also signed a MOU with Mibilizi Hospital (a main Government hospital) in the area to avail the services of its doctors twice a week to help in consultations and treatment of serious ailments at its Health Centre. ❑ Diseases of high concern during the construction phase due to labour mobility are sexually transmitted diseases (STDs) such as HIV/ AIDS. CIMERWA propose the following measures at the project level: <ul style="list-style-type: none"> ○ Undertaking health awareness and education initiatives by imparting information and counseling to influence individual behaviour as well as promote individual protection, and protect others from infection. ○ Training health workers in disease treatment ○ CIMERWA shall ensure ready access to medical treatment, confidentiality and appropriate care, particularly with respect

Sn	Issues	Action Plan
		to migrant workers <input type="checkbox"/> CIMERWA is proposing a number of measures to reduce the impact of malaria including improvement of sanitation in and around the project, use of repellants, clothing, netting, etc., educating project personnel and area residents on risks, prevention, and available treatment, etc.
4	Education Facilities	<input type="checkbox"/> CIMERWA is currently running a Kindergarten and primary school at the Plant which caters to wards of employees as well as outsiders. At present, the number of students is 312 and 10 teachers. <input type="checkbox"/> The School enjoys a very good reputation and its students have performed consistently well. CIMERWA spent 123.8 million RWF on the School during the year 2008. <input type="checkbox"/> CIMERWA is expanding the School to include 3 years of High School education with an additional student intake of 120 by the time the new plant is commissioned. <input type="checkbox"/> CIMERWA also propose to set up a Vocational training institute to train youth for employment in their plant.
5	Water Supply	<input type="checkbox"/> CIMERWA has installed a Water Treatment Plant in village Nkangabashi which uses water from Njambwe river. The water is treated and then supplied to the cement plant/ Colony. The Water Treatment Plant treats 2,600 m ³ of water per day out of which 1200 m ³ / day is supplied to the Plant. CIMERWA is supplying balance water to six villages Kabarore, Ramiro, Rubeho, Nyenyeri, Murabyo and Busasamana Primary school meeting the requirement of around 6,000 local villagers through Company owned pipelines. <input type="checkbox"/> An attempt will be made to extend the Water supply access to more villages.
6	Communication	<input type="checkbox"/> With the expansion of the plant, CIMERWA shall strengthen the modern communication facilities like telephones, internet, etc. in the area, which will also be available to the local population.
7	Electricity Power Line	<input type="checkbox"/> CIMERWA will extend the electric power line upto the new plant site. This may also facilitate personal connections for the community.
8	Periodic Public Consultation	<input type="checkbox"/> Periodic public consultation shall be carried out to assess the impact of ongoing welfare and development schemes at that particular time and to identify the local issues to be addressed.

16. COSTS AND BUDGET

The process of land acquisition and payment of compensation has already been completed by **CIMERWA**. The cost incurred on land acquisition and resettlement and the proposed budget for the balance activities to be incurred by **CIMERWA** are detailed below.

Sn	Activity	Expenses incurred/ budgeted (RWF)
A. Land Acquisition		
1	Compensation for land acquired	655,188,840
2	Cost of Expropriation Commission	10,000,000
Sub-Total A.		665,188,840

B. Resettlement		
3	Cost of Mapping of Kankuba and Kabonabose sites	1,955,000
4	Cost of construction of roads at Kankuba site	10,000,000
<i>Sub-Total B.</i>		<i>11,955,000</i>
C. Monitoring of RAP		
5	Joint Commission of CIMERWA & Gitambi Sector for resettlement monitoring	5,000,000
6	Fee of external auditor	5,000,000
<i>Sub-Total C.</i>		<i>10,000,000</i>
D. Contingency		
7	Contingency @ 5%	34357192
Grand Total		721,501,032 <i>Say 1,265,790 USD (1 USD=570 RWF)</i>

17. IMPLEMENTATION SCHEDULE

All land acquisition activities have been completed by **CIMERWA** and all compensation has already been paid. The PAPs who have lost their land/ assets are being resettled presently and around 177 of the 204 households (approximately 1,428 people) have already been allotted land at the resettlement site at Kankuba. The Implementation Schedule for activities pertaining to land acquisition and resettlement issues is given below.

Activities	Responsible bodies	2008				2009				2010				
		1	2	3	4	1	2	3	4	1	2	3	4	
PHASE I														
Committee formation and Awareness Creation														
Conducting Consultation meetings and create awareness among the affected people	Rusizi District authorities, Muganza & Gitambi Sector authorities, CIMERWA & local population & their representatives				x									
Formation of Expropriation Commission	Muganza & Gitambi Sector authorities, local population, CIMERWA				x									
Formation of Grievance Committee	Land Committee of Rusizi District				x									
PHASE II														
Compensation														
Reassess names of the affected people	Adhoc Committee, Land Committee/ Expropriation Commission, CIMERWA				x	x								
Reassess Assets and properties of the affected people	Expropriation Commission				x	x								
Preparing and recording compensation payment for project affected people	Expropriation Commission				x	x	x							
Payment of cash compensation	CIMERWA						x							
Resolving Grievance	Land Committee of Rusizi District				x	x	x	x	x					

Activities	Responsible bodies	2008				2009				2010			
		1	2	3	4	1	2	3	4	1	2	3	4
PHASE III													
Resettlement and Income Restoration													
Resettlement	Gitambi Sector, CIMERWA							x	x	x	x	x	
Mapping of Kankuba site	CIMERWA					x	x						
Construction of road to Kankuba site	Gitambi Sector, CIMERWA									x	x	x	
Construction of public services	CIMERWA , Gitambi Sector administration							x	x	x	x	x	x
Assistance in Income Restoration	CIMERWA , Gitambi Sector administration									x	x	x	x
PHASE IV													
Monitoring													
Monitoring and Monitoring Report	Joint Commission of Gitambi Sector authorities & CIMERWA									x	x	x	x
PHASE V													
Evaluation Report													
Evaluation	External Evaluator / Financer												x
Resettlement Completion Audit	External Evaluator / Financer												x

18. MONITORING AND EVALUATION

The monitoring programme will focus primarily on the resettlement process. The major tools for conducting the monitoring activity include periodic progress reports (quarterly, yearly), field visits and Stakeholders meetings (along with representatives of District administration, **CIMERWA**, Project financers, the contractors and the community and other concerned bodies). A Joint Commission of **CIMERWA** & Gitambi Sector will be responsible for the resettlement monitoring.

The RAP monitoring will have both internal and external components.

INTERNAL MONITORING

Social and Economic Monitoring : This will focus on the social and economic follow up on the status of resettled people, environmental and health status, status of livelihood restoration and pursuance of activities like agriculture, setting up of small businesses, etc.

Monitoring of vulnerable people: This will focus on monitoring of vulnerable resettlers including female headed households, disabled, extremely poor, handicapped and the landless.

Grievances and grievance management system: Since the compensation process is complete and resettlement is in progress, the grievance management system will be monitored to see if all complaints have been closed.

EXTERNAL MONITORING

A suitably qualified external social auditor with pertinent experience of resettlement will be engaged by **CIMERWA** to carry out an annual review which will focus on the compliance with Rwandan regulations, AfDB's requirements and the ESMP.

The review shall verify that measures to restore the PAPs quality of life are being implemented and will also ascertain their effectiveness. The review shall also assess to what extent the PAPs livelihoods have been restored.

The review will also assess overall compliance with other mitigation measures to address social impacts as discussed in the ESIA and ESMP. The external monitoring Reports shall be prepared by the monitoring expert and submitted to the lenders and the project authorities.

RESETTLEMENT COMPLETION AUDIT

The objective of the Resettlement Completion Audit will be to verify that **CIMERWA** has complied with the resettlement requirements and commitments defined by statutes as well as AfDB.

The audit will assess the fairness and adequacy of the compensation and resettlement program and evaluate the impact of the resettlement programme on livelihood restoration, measured through incomes and standards of living.

The audit will also identify any potential corrective actions to mitigate any negative impacts of the programme.

The audit will be based on the auditor's own assessment, surveys, consultation with PAPs and the reports of internal and external monitoring.

CONTACTS:

CIMERWA

Fiacre G. Birasa, CEO, Rwanda Investment Group (RIG), UTC Building, 5th Floor, P.B. 2876 Kigali Rwanda, f.birasa@rig.co.rw, Tel: + 250 (0) 252 500 288/9, www.rig.co.rw

AFRICAN DEVELOPMENT BANK

Paul-Sylvain Diop, Investment Officer, Industries and Services Division, Private Sector Department, B.P. 323 - 1002 Tunis Belvedere, Tunisia, Tel: + 216 7110 3540, Fax: + 216 7110 3710, p.diop@afdb.org

Rachel Aron, Social Development Specialist, Environment and Climate Change Division, Energy, Environment and Climate Change Department, BP 323 - 1002 Tunis Belvedere, Tunisia Tel: +216 71 10 2792, Fax : +216 71 25 35 26, r.aron@afdb.org