



**AFRICAN DEVELOPMENT
BANK GROUP**

**PROJECT: EAST AFRICAN COASTAL CORRIDOR
DEVELOPMENT PROJECT: BAGAMOYO –
TANGA – HOROHORO/ LUNGA LUNGA –
MALINDI ROAD PROJECT: PHASE 1**

COUNTRIES: KENYA AND TANZANIA

**RAP SUMMARY FOR THE PROPOSED UPGRADING TANGA -
PANGANI - SAADANI - MAKURUNGE (229 KM) ROAD TO BITUMEN
STANDARD IN TANGA AND COAST REGIONS, TANZANIA**

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1. INTRODUCTION

1.1 The Government of the United Republic of Tanzania (GOT) and the Government of the Republic of Kenya (GOK), with the support of the East Africa Community (EAC), intend to improve the transport infrastructure in order to support economic development programs within the two countries, deepen economic cooperation and foster regional integration within the EAC. EAC has received a grant from the African Development Bank (AfDB) to carry out the Feasibility Studies and Detailed Engineering Design of the Tanga-Pangani-Saadani-Makurunge Road (179km).

1.2 The proposed Tanga – Pangani – Saadani - Makurunge road forms part of the East African Community Regional Road Network Programme. In Kenya, the road links with Malindi – Mombasa - Lunga Lunga Road. This road is the most important link between Tanzania and Kenya, to and from Coastal areas of Tanzania and Kenya. The road facilitates cross border trade with Kenya (through Horohoro). The movement of people, goods, including agricultural produce from Tanga and Coast regions will be facilitated at national and international levels. The project road therefore provides an alternative trunk road between Dar es Salaam, Tanga and Mombasa facilitating transport and travel along the road impact areas and beyond.

2. PROJECT DESCRIPTION AND JUSTIFICATION

2.1 *The scope of work involves upgrading the Makurunge-Saadani-Pangani-Tanga road starting from Makurunge village then to Goma via Saadani, Mkwaja and Pangani to Tanga town to bitumen standard. The project road is located in Coast and Tanga region. The project has a total length of 178km starting from Makurunge village and ending at Tanga Municipality. The existing road is built to gravel and earth standard. The road forms part of the Eastern Corridor that connects Dar-Es-Salaam to Tanga and Mombasa in Kenya. The present state of the road requires major rehabilitation and frequent maintenance. The upgrading aims at revamping its versatility so as to contribute more to the socio economic progression of the Coast and Tanga Regions, and especially Bagamoyo and Pangani Districts.*



Figure 1: Map of the Project Area

2.2 Major parts of the existing road are in poor conditions making it impassable during the rainy seasons. The lack of a bridge at the Wami River Crossing aggravates the problem further. This condition hinders those leaving along the project road from accessing social services and reliable markets for their agricultural and fishing products. It also frustrates tourism activities in the Saadani National Park.

2.3 Project Justification: The project scope shall also involve developing the following links considered to be of economic importance:

- Series of spine roads to the tourist destinations and ports in Pangani including Ushongo beach road, and link road to the Safari Lodge and Kapumbwi Road;
- Bypass at Tanga to connect the Tanga – Segera and Tanga – HoroHoro roads; and
- Develop two bridges at the Wami and Pagani rivers bncrossing.
- The upgrade of the project road shall revamp the project areas versatility which shall contribute to the socio-economic progression of the Coast and Tanga Regions, and especially Bagamoyo and Pangani Districts. The road will also provide an alternative trunk road between Dar es Salaam, Tanga and Mombasa in neighbouring country of Kenya. This shall ease and enhance communication between Tanzania and Kenya from Dar es Salaam via the touristic and historical town of Bagamoyo, Pangani, Tanga Mombasa to Malindi.
- The northern part of the road i.e. Pangani and Saadani via Mkwaja is normally covered in two hours while using a 4x4 vehicle, and becomes impassable after the rains. The problem is even serious in the southern part of the same road (a coastal route to Saadani) because of lack of a bridge at Wami River North of Bagamoyo. This short coming in areas transport infrastructures forces commuters to take a circuitous route from Dar es Salaam via Chalinze to Bagamoyo then further North which translate to takes 4-5 hours of additional travel time. The development of the proposed road from Makurunge with the construction of a bridge at Wami River crossing will attract visitation to the closest wildlife destination to Dar es Salaam located 130km away which offer combination of beach and wildlife viewing opportunity.
- The improvement of the road is also intended to facilitate economic growth as it will reduce transportation costs and hence stimulate the movement of agricultural products to markets as well as enable exploitation of potentials fisheries and, minerals resources and, other social and cultural resources in the project regions. Specifically the project will improve transportation within Bagamoyo, Pangani, Handeni and Tanga districts and the respective regions.

3. SOCIAL IMPACTS

3.1. Project Affected Persons (PAPs) along the Tanga – Pangani - Mkwaja - Kwamsisi Road will be impacted both positively and negatively by the various upgrading activities. Positive impacts include: increased employment opportunities; diversification of household economies; increased women incomes and capacity building (new skills are learnt). Negative impacts are: expropriation of businesses; land; residential structures; disruption of social networks; family networks; disruption of religious services; removal of burial sites and disruption of access to social services. However these negative impacts will be mitigated as follows:

S/N	Impact	Mitigation Measures	Implementing Authorities
1	Negative impact on the livelihoods of vulnerable households (e.g. poor female-headed households, disabled and elderly etc.)	<ul style="list-style-type: none"> • Provide vulnerability allowances • Give priority in prime business areas allocation to vulnerable groups • Capacity Building 	TANROADS, Local Authorities, EAC, NGO, Consultant
2	Disruption of social and family networks	<ul style="list-style-type: none"> • Consultation with PAPs for possibility of in-kind compensation for families 	TANROADS, Local Authorities, EAC, NGO, Consultant
3	Removal of burial sites	<ul style="list-style-type: none"> • Consultations with affected and community/religious leaders • Prompt facilitation of removal as per law 	TANROADS, Local Authorities, Religious Leaders, NGO

S/N	Impact	Mitigation Measures	Implementing Authorities
4	Disruption of access to places of worship	<ul style="list-style-type: none"> Construction of alternative structures before demolition Consult and coordinate closes with religious/local /community leaders 	TANROADS, Local Authorities, Religious Leaders, NGO
5.	Loss of productive assets	<ul style="list-style-type: none"> Timely and adequate compensation Enact measures for livelihood restoration 	TANROADS, Local Authorities, EAC, NGO, Consultant
6.	Community assets (disruption of access to services)	In kind compensation i.e. building of structures rather than cash compensation	TANROADS, Local Authorities, EAC, NGO, Consultant
7.	Loss of land	Timely and adequate compensation at market value	TANROADS, Local Authorities, EAC, NGO, Consultant
8.	Loss of structures	Timely and adequate compensation at market value	TANROADS, Local Authorities, EAC, NGO, Consultant

4. ORGANIZATIONAL RESPONSIBILITY

4.1. A number of institutions will be involved during RAP implementation processes at different levels and periods. However, the overall coordination of RAP activities will be under TANROADS and other institutions that have the legal obligations to carry out functions related to resettlement and/or compensation including various local authorities. These institutions include:

- TANROADS to implement RAP ;
- TANROADS to support sensitization of stakeholders on RAP, preparation of monitoring of RAP; provide technical support in preparation of RAP, monitor the implementation of RAP;
- Communities, Villages, Wards, affected groups - as the final owner of land, landed properties and assets to be acquired or affected will be the participants in the RAP implementation process. The local level authorities will support practical day-to-day implementation of the resettlement activities, including verification of PAPs in preparation for disbursement of compensation funds.

4.2. *The RAP activities and process require inter-agency coordination among and between different organizations.* The Ministry of Works, Transport and Communication is responsible for policy issues and regulations. The Ministry will oversee that the Government policies related to road development and its related Acts are in place and other Ministry policies crucial to the project are well executed. TANROADS as the project owner has a responsibility of coordinating the project activities including monitoring and evaluation of the project implementation. TANROADS may hire a consulting firm to execute the project on the behalf of TANROADS, although TANROADS has to monitor the activities of the consultants who are engaged in the project. TANROADS has to liaise with other government institutions at different levels during project implementation. These include the local government, the Ministry of land and urban development as well as the ward and village government.

- Three subcommittees shall be formed to monitor RAP implementation these are: Resettlement committee; Compensation committee and Grievances Redress committee.

5. COMMUNITY PARTICIPATION

5.1. A total of 42 consultative meetings were held, 38 of these were conducted in the local communities and the rest in the various institutions in RAP preparation. The consulted institutions include TANROADS Manager (Tanga Region); City Council Officials (Tanga); District Authorities and its various departments; District Councils (Tanga, Muheza, Pangani and Handeni); Ward Councils and Village/Street governments. Comprehensive consultations with communities aimed at involving the stakeholders and seek their views on various aspects in particular the resettlement issues arising from the upgrading of Project Road.

5.2. Consultations with PAPs focused to inform them of the project and its activities and discuss issues relating to property acquisition. Among key issues raised during community consultations included: timely and adequate compensation; alternative alignment or re-alignment; timely communication from responsible authorities regarding project activities; project start date; access to places of worship that will be affected; modalities of

compensation for community properties such as places of worship, schools etc.; grievances redress mechanisms; transparency in the valuation exercise; access to social services (e.g. water, schools); compensation of burial sites/graves (compensation and possibility for re-alignment); alternative plots from councils; multiple ownership of properties and how fair compensation can be effected; the status of partially affected structures and its modality of compensation; timely relocation of public utilities (e.g. water supply and power lines and issues around daily business records. These were some of the issues raised during the public consultations. Most of the issues raised were addressed by experts during the meetings and others were recorded for further action by various authorities.

6. SOCIO-ECONOMIC SURVEY

6.1. The main objective of the census and socio-economic survey is to prepare an inventory of all the affected assets and affected households and then to estimate the extent of resettlement impacts due to project implementation and prepare RAP for the compensation and assistance.

6.2. The initial census surveys and consultations were conducted between January and February 2014 and repeated during updating of RAP between March and April 2019. The heads or representatives of sample households whose buildings and other properties are affected were interviewed through a structured questionnaire. The surveys revealed that the majority of PAPs are small-scale farmers with limited sources of income, majority have low education attainment levels, and most families are characterized by age dependency ratio. Data showed that PAPs have more than one source of income and the main income source is agriculture and self-employment in the business sector; rent; formal employment; remittances; livestock and seasonal labor. 14% of households are below poverty line and thus vulnerable to economic shocks of property expropriation and relocation activities due to project implementation. 62% of PAPs are not members of any social or economic groups thus lacking social capital and skills which would have been useful in coping with the negative impact of project.

6.3. 91% of households are male-headed and 9% of all households are female-headed. Generally, the female-headed households have high levels of poverty, and are thus likely to face greater degrees of vulnerability because of social and economic dislocations brought about by the project. 52% of households have nuclear family structures and 48% are extended families. In terms of access to social service facilities such as health, primary and secondary schools, there are variations between the services. For example, secondary schools and health facilities are not easily accessible for a large proportion of PAPs. The surveys' results also showed that women do have substantial decision-making powers in matters relating to finances, education of child, health of child, purchase of assets, day to day activities and social functions. Women on average spend about 10 hours a day on domestic chores such as cooking, washing, cleaning, looking after children etc. a significantly heavy workload.

7. LEGAL FRAMEWORK AND GRIEVANCES REDRESS MECHANISM

7.1. In developing the RAP document, the relevant national laws, policies and regulations and international conventions were consulted. These include the African Development Bank Policies on Involuntary Resettlement (2003); Constitution of the United Republic of Tanzania Article 24 (1) which stipulates that every person is entitled to own property and has the right to the protection held in accordance with the law; Roads Act of 2007; National Land Policy of 1995 (revised 1997); Town and Country Planning Ordinance, Cap 378 of 1956 (revised 1961); Highway Ordinance, Cap 167; Graves Removal Act of 1969 and African Development Bank Involuntary Resettlement Policy of 2003; Land Acquisition Act of 1967, Local Government Law (Amendments) Act of 2006, National Land Use Planning Act of 2007, Gender Act and Human Settlement Policy of 2000; Land Act No. 4 and Village Land Act No. 5 of 1999.

7.2. Potential grievances and disputes that may arise during the course of RAP implementation are often related to the following issues:

- i) Inventory mistakes made during census survey as well as inadequate valuation of properties;
- ii) Mistakes related to identification and disagreements on boundaries between affected individual(s) and specifying their land parcels and associated development;
- iii) Disagreements on plot /asset valuation (e.g. inadequate compensation);

- iv) Expropriation of assets without compensation;
- v) Divorces, successor and the family issues resulting into ownership dispute or dispute share between in heirs or family;
- vi) Disputed ownership of given Assets (two or more affected individual(s) claim on the same);
- vii) Problems related to the time and manner of compensation payment.
- viii) Mistakes related to the identification of affected property and people within the ROW;
- ix) Disagreements related to the ownership of property (including inheritance and divorce related disputes);
Disagreement of land and asset valuation;
- x) Disagreement of other compensation allowances;
- xi) Mortgaged properties.

7.3. Land Acquisition Act, 1967, Local Government Law (Amendments) Act 2006, National Land Use Planning Act, 2007, Gender Act and Human Settlement Policy, 2000. Land Acquisition Act in Tanzania details procedures for dispute resolution with respect to compensation. Local authorities could handle the disputes and grievances in the first place. In summary those seeking redress will have to notify local government and ward offices. If this fails, disputes can be referred to district level.

7.4. Resolution of disputes should be speedy, just and fair and local NGOs that are conversant with these issues could be hired by the project management. Alternatively RAP proposes grievance procedure that are simple, administered in the first instance at the local level to facilitate access, flexibility and open to various proofs taking into account the need for speedy, just and fair resolution of their grievances. If not sorted at this stage then it will be referred to councils at ward level, district and regional levels in the same order. Unresolved disputes can be referred appropriate level of courts established by law.

7.5. A number of institutions will be involved in RAP implementation processes at different levels and periods. However, the overall coordination of RAP activities will be under the TANROADS and other institutions that have the legal obligations to carry out functions related to resettlement and or compensation including various local authorities.

- TANROADS will be responsible for implementing RAP;
- TANROADS will support sensitization of stakeholders on RAP, preparation of monitoring of RAPs;
- Local Government Authorities will sensitize communities on RAP, provide technical support in preparation of RAPs, monitor the implementation of RAPs;
- Communities, Villages, Wards affected groups as the final owner of land, landed properties and assets to be acquired or affected will be the participants in the process;
- Independent NGOs and other stakeholders may be engaged to witness the fairness and appropriateness of the whole process. The NGOs will be involved in the monitoring of the resettlement process, establishing direct communication with the affected population, community leaders, TANROADS to facilitate the completion of RAP.

7.6. Grievance Redressed Mechanism (GRM) and Grievance Redressed Committees (GRCs) at Ward and District levels will be established to resolve resettlement, compensation, and dispute. The committees will consist the representatives from various stakeholders who will assist in implementing RAP as per the applicable laws, regulations, and policies.

8. ELIGIBILITY

8.1. The principles adopted from the United Republic of Tanzania Laws and African Development Bank Policies establishes the eligibility and provisions for all types of losses (land, structures, businesses, employment,

wages, crops, trees). All affected persons will be compensated at full replacement costs and current market values together with relevant allowances. The PAPs were considered irrespective of their tenure status with respect to their land ownership and occupancy or use the affected land prior to the cut-off-date. The cut-off date for eligibility to resettlement entitlements for the project road was February 2014 after valuation of properties.

8.2. Properties that are eligible for compensation are buildings, land, assets attached to the land such as crops/trees, water wells, house buildings and other valuable structures etc. Local communities losing land and or access to assets under customary rights are eligible for compensation. These criteria have been used to determine which PAPs are considered eligible for compensation and other resettlement assistance, in accordance with Tanzania Laws. The delivery of entitlement will involve a number of agencies. The key issues in entitlement delivery include: PAPs participation and compensation payment. The institutions responsible for various activities for preparation and implementation of RAP include: TANROADS, District Authorities, NGOs, consultants, and external agency.

9. VALUATION AND COMPENSATION OF LOSSES

The total amount of compensation for the project road valued includes the values for land, buildings, trees, other developments and the allowances which includes disturbance allowance, accommodation allowance, transport allowance, and grave allowance is **TZS 225,600,000**.

10. IMPLEMENTATION SCHEDULE

Implementation of the RAP consists of several resettlement activities. The timeframe of 15 months on the implementation schedule ensures that no PAP or affected household will be displaced due to civil works activity before compensation is paid and is undertaken when all necessary approvals have been obtained.

The following are key RAP implementation activities:

- Surveys; PAPs identification and inventory of assets;
- Consultation with PAPs;
- Valuation of affected properties and establishment of cut-off date for eligibility;
- Establishment of Grievance Redress Mechanism and formulation of Grievance Redress Committee;
- Actual payment of compensation and delivery of other entitlements;
- Payment within 6 months of giving notices;
- Dispute /grievances resolution by GRC;
- Owners can remove all affected structures at fixed date (advised at the time of compensation payment) provided in writing; and
- Monitoring and evaluation of RAP implementation.

11. COST AND BUDGET

11.1. The budget for the upgrading of Tanga-Pangani-Mkwaja - Kwamsisi road (150 km) for different ROW both for the main road (including Tanga Bypass). The cost includes the compensation, and any forms of assistance. Monitoring of RAP implementation cost is estimated at 2% of the total cost. Monitoring Cost for Monitoring during as well as after resettlement (These costs include the expenses to be incurred towards consultants, NGOs and cover both internal and external monitoring efforts needed) 2% of the total.

11.2. The budget for the upgrading of Tanga - Pangani - Kwamsisi Road (km) includes the cost includes the compensation for affected properties (structures, crops/trees, land) and any forms of assistance.

11.3. The estimated budget for RAP implementation is **TZS 26,214,164,077.20 (USD 11,178,748)** to cover the four key budget items. Office capital investment costs and running expenses; logistical costs for travel, meetings, field visits; public and stakeholder's consultations will be covered by TANROADS administrative budget. Indicative budget tune to be **TZS 250,000,000**.

12. MONITORING AND EVALUATION

12.1. RAP implementation is one of the central components of this project and its monitoring is critical to solve challenges or obstacles in the areas of mobilization, compensation and relocation. The monitoring and evaluation procedures will include external and internal evaluation of the compliance of the actual implementation with objectives and methods as agreed, and monitoring of specific situations. A set of verifiable indicators will be used to monitor and evaluate the implementation of resettlement and compensation plans.

12.2. Project implementation unit with the assistance from the Consultants and an NGO will be responsible for internal monitoring. External monitoring shall be engaged to carry out independent bi-annual review of RAP implementation and project evaluation. External monitoring and evaluation can be done by independent researcher, consulting agency, university department or an NGO.

12.3. Monitoring will ensure the following:

- Verification of land acquisition, property valuation, and economic rehabilitation whether these have been carried out as planned;
- Information dissemination has been carried out;
- Status of land acquisition and payments on land compensation;
- Value of entitlements received is equal to the original structure or land acquired;
- Compensation of affected structures and other assets;
- Payments for loss of incomes;
- Effective operation of grievances Committee;
- Funds for implementing land acquisition and economic rehabilitation activities are available in timely manner, are sufficient for the purpose and spent according to Plan;
- The Consultants shall submit reports on monthly basis documenting the RAP progress implementation;
- Project Unit shall be responsible for monitoring day to day resettlement activities;
- Performance data sheet shall be developed to monitor at the field level; and
- The Consultants shall be responsible for overall project level monitoring.

12.4. Evaluation of RAP implementation shall assess the compliance with objectives and methods stated in RAP and also laws, regulations and safeguard policies. It shall also:

- a. assess the consultation procedures that took place at individual and community level, together with the Central Government and Local Government levels in Tanzania;
- b. assess whether fair, adequate and prompt compensation has been paid;
- c. evaluate the impact of the compensation on income and standard of living; and

Identify actions as part of the on-going monitoring to improve the positive impact of the programme and mitigate its possible negative impact if any.

13. REFERENCES AND CONTACTS

13.1. Reference

GOT (2019) RESETTLEMENT ACTION PLAN PROPOSED UPGRADING TANGA - PANGANI - SAADANI - MAKURUNGE (229 KM) ROAD TO BITUMEN STANDARD IN TANGA AND COAST REGIONS

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