RESETTLEMENT POLICY FRAMEWORK

GREEN CITY KIGALI PROJECT

August 2024

Glossary of Terms **4**
Abbreviations and Acronyms **8**
List of Figures **10**
List of Tables **10**
Appendices **10**
Executive Summary **11**
1. Introduction **22**
1.1 Project Description 22
1.2 RPF Purpose 26
1.3 Objectives and Principles of the RPF 27
2. Institutional & Legal Framework **29**
2.1 Rwanda Institutional Framework 29
2.2 Rwanda Legal and Policy Framework 34
2.3 Applicable International Standards 37
2.5 Green City Kigali Project Policies 43
2.6 Gap Analysis of National Law and WB/KfW Standards 43
3. Baseline Data Collection and Analysis **48**
3.1 Baseline Data Collection & Analysis 48
3.2 Future Baseline Data Requirements 49
3.4 Storage & Analysis of Baseline Data 53
4. Stakeholder Engagement **54**
4.1 Purpose & Objectives of Stakeholder Engagement 54
4.2 Approach to Stakeholder Engagement 55
4.3 Stakeholder Identification, Analysis and Mapping 55
4.4 Stakeholder Groups 57
4.5 Planned Stakeholder Engagement Activities 57
4.6 Implementation 59
4.7 Future Stakeholder Engagement Schedule 60
5. Project Impacts & Mitigation Strategy **61**
5.1 Identifying Project Impacts 61
5.2 Project-affected Households 61
5.3 Project-affected Public Facilities 62
5.4 Livelihood Impacts 62
5.5 Influx & Speculation Management 62
5.6 Project Impact Minimisation Efforts 63
6. Mitigation Measures Framework **67**
6.1 Key Considerations 67
6.2 Mitigation Measures Framework Objectives 67
6.3 Eligibility Framework 67
6.4 Impacts and Entitlement Matrix 69
6.5 Valuation Methodology and Market-related Compensation Rates 72
6.7 Expropriation as a Last Resort 73
7. Physical Resettlement **74**
7.1 Overview 74
7.2 Resettlement Packages Key Provisions 75
8. Livelihoods Measures **76**
8.1 Key Challenges and Considerations 76
8.2 Approach 76

8.3 Guiding Principles 76
8.4 Needs Assessment 78
8.5 Program Identification 78
8.5 Additional GCK Project Programs & Initiatives 80
9. Temporary Hardship & Vulnerable Households 82
9.1 Defining Vulnerability 82
9.2 Vulnerable Persons Identification 83
9.3 Vulnerability Management 84
10. Cultural Heritage Protection 86
10.1 Cultural Heritage Assessment 86
11. Grievance Management 87
11.1 Grievance Process 87
11.2 Grievance Mechanism for Land Access and Resettlement 88
12. Organisational Framework 89
13. Monitoring and Evaluation (M&E) 90
13.1 Internal M&E Process 91
13.2 External M&E Process 92
13.3 Key Performance Indicators 92
13.4 Reporting 93
14. Budget and Schedule 94
14.1 Parameters and Assumptions 94
14.2 Project Work Plan and Schedule 94
15. Change Management & Next Steps 94
15.1 Change Management 94

Glossary of Terms

Applicable International Standards: In the context of this RPF, applicable international standards refer to KfW's Sustainability Guideline and its requirement to adhere to the following international resettlement Standards: World Bank Environmental and Social Standards (ESS), UN Basic Principles and Guidelines on Development-Based Evictions and Displacement, Voluntary Guidelines on Responsible Governance of Tenure of Land, Forests and Fisheries (VGGT), as well as the Green Climate Fund's Environmental and Social Policy.

Asset Survey: A detailed survey of all buildings, farms, and crops within a Project Area, recording various data such as ownership, constructional and crop details, measurements, photographs, and GPS positioning.

Community: Usually defined as a group of individuals broader than the household, who identify themselves as a common unit due to recognised social, religious, economic, or traditional government ties, or through a shared locality.

Compensation: Cash or in-kind payment for an asset or resource that is acquired or affected by a project at the time the asset needs to be replaced.

Cut-off Date: The date after which people will not be considered eligible for compensation, i.e., they are not included in the list of project-affected persons as defined by the socio-economic survey. Also known as the **Entitlement Cut-Off Date** or **Moratorium Date.**

Displaced Persons: All the people affected by a project through land acquisition, relocation, or loss of incomes and includes any person, household, firms, or public or private institutions who, as a result of a project, would have their (i) standard of living adversely affected; (ii) right, title, or interest in all or any part of a house, land (including residential, commercial, agricultural, plantations, forest, and grazing land), or any other moveable or fixed assets acquired or possessed, in full or in part, permanently or temporarily adversely affected; (iii) business, occupation, place of work, residence, habitat, or access to forest or community resources adversely affected, with or without displacement or (iv) loss of access to fishing grounds.

Displacement Assistance: Support provided to people who are physically displaced by a project. Assistance may include transportation, shelter, and services that are provided to affected people during their move. Assistance may also include cash allowances that compensate affected people for the inconvenience associated with displacement and defray the expenses of a transition to a new locale, such as moving expenses.

Economic Displacement: Loss of income streams or means of livelihood resulting from land acquisition or obstructed resource access (land, water, or forest), resulting from the construction or operation of a project or its associated facilities.

Economically Displaced Households: Households whose livelihoods are impacted by the project, which can include both resident households and people living outside the Project Area but having land, crops, businesses, or various usage rights there.

Encroachers: Those people who move into the project area after the cut-off date and are therefore not eligible for compensation or other rehabilitation measures provided by the project.

Entitlements: The range of measures comprising cash or kind compensation, relocation cost, income rehabilitation assistance, transport assistance, income substitution, and various other allowances.

Expropriation: Expropriation is an act by the government to claim privately owned property against the owner's wishes for public interest and compensation is provided in alignment with the Rwandan Law. This is conducted in accordance with the Rwandan Expropriation Law No. 32/2015 of 11/06/2015, which mandates that compensation be fair and provided prior to the transfer of property..

Forced Eviction: Forced eviction is the permanent or temporary removal of individuals from their homes or land they occupy, without adequate legal protection and right to due process, often without due consideration of the PAPs rights during the process, and providing (or not) compensation that is not in alignment with the Rwandan Law. Forced eviction is not aligned with the International standards nor the Rwandan Expropriation Law No. 32/2015 of 11/06/2015. Forced eviction is strictly prohibited within this Project.

GCK Masterplan: The GCK Masterplan was developed for the overall 700 ha Project area on Kinyinya Hill in the Gasabo District of Kigali Province. The GCK Masterplan includes a new enhanced urban area including green housing for low to middle-income inhabitants, commercial spaces, light industrial areas, schools, hospitals, recreational areas, sports facilities, and green areas. The GCK Masterplan delineates 18 Local Area Plans (LAP), categorized into three overarching groups: greenfield, brownfield, or sub-centre. RAP Sub Projects will deal with the development of one or more LAPs.

Host Community: A community in or around the Project Area to which people physically displaced by a project will be resettled that, in turn, may be affected by the resettlement.

Household: A person, or group of persons living together, in an individual house or compound, who share cooking and eating facilities and form a basic socio-economic and decision-making unit.

Involuntary Resettlement: Resettlement refers both to physical displacement (relocation or loss of shelter) and to economic displacement (loss of assets or access to assets leading to loss of income sources or livelihood means) as a result of project-related land acquisition or natural resource access restriction. Resettlement is involuntary when it occurs without the informed consent of the displaced persons or if they give their consent without having the power to refuse resettlement. This occurs in cases of: (i) lawful expropriation or restrictions on land use based on eminent domain; and (ii) negotiated settlements in which the buyer can resort to expropriation or impose legal restrictions on land use if negotiations with the seller fail.

Land Acquisition: The process by which a project acquires land from affected individuals or households in exchange for compensation at replacement value.

Land Pooling and Land Readjustment (LPLR): Land Pooling and Land Readjustment (LPLR) represent integrated strategies within urban planning and land management aimed at optimizing land use and development in a coordinated manner. In the context of a GCK Sub Project RAP, these LPLR strategies play a crucial role in mitigating both physical and economic displacement impacts. Landowners or private developers can agree to pool and readjust individual land parcels to secure a unified area in order for the Sub Project development to be implemented. Through this consolidation and readjustment, the land can be reorganized and realigned to create a more

efficient and functional layout while at the same time minimising physical and economical displacement for PAPs.

Livelihood Restoration: The measures required to ensure that project-affected persons have the resources to at least restore, if not improve, their livelihoods.

Physical Displacement: Loss of shelter and assets resulting from the acquisition of land associated with a project that requires the affected person(s) to move to another location.

Project: The Green City Kigali Project, referred to as "the GCK-related projects" in this RPF.

Project-affected Household: All project-affected household members, whether related or not, operating as a single socio-economic and decision-making unit.

Project-affected Person (PAP): Persons who, as a result of project implementation, lose the right to own, use, or otherwise benefit from a built structure, land (residential, agricultural, or pasture), annual or perennial crops and trees, or any other fixed or moveable asset - either in full or in part, permanently or temporarily - regardless of whether or not they are required to physically relocate. PAPs may be impacted in the following ways:

- Standard of living adversely affected, whether or not the PAP must move to another location;
- Right, title, or investment in any house, land (including premises, agricultural, and grazing land) or any other fixed or movable asset temporarily or permanently possessed or adversely affected;
- Access to productive assets temporarily or permanently adversely affected; or business, occupation, work, or place of residence or habitat adversely affected.

Preventive Resettlement: Preventive resettlement refers to the proactive relocation of individuals or communities from areas that are at risk of natural disasters, environmental degradation, or other hazards. This measure is taken to prevent harm and protect the safety and well-being of the affected population. Preventive resettlement aims to mitigate risks and vulnerabilities before a disaster occurs, rather than waiting for a crisis to unfold.

Rapid Asset Survey: An initial asset survey of all buildings within the Project Area at the Entitlement Cut-Off Date, recording basic information such as external measurements, photographs and GPS positions, with the aim of recording all buildings as rapidly as possible and minimizing post-moratorium speculation.

RAP Sub Projects: Resettlement Action Plan (RAP) Sub Projects refer to the management plans (RAPs) developed to address land access and resettlement needs when developing the 18 Local Area Plans (LAP). RAP Sub Projects will deal with the development of one or more LAPs and will align with the RPF provisions.

Relocation: A process through which physically displaced households are provided with a one-time lump sum compensation payment for their existing residential structures and move from the Project Area.

Replacement Cost: An asset's market value plus transaction costs. Compensation rates for lost assets must be calculated at full replacement cost. IFC defines "replacement costs" for land and structures as follows:

- Agricultural Land: The market value of land of equal productive use or potential located in the vicinity of the affected land, plus the cost of preparation to levels similar to or better than those of the affected land, plus the cost of any registration and transfer taxes
- Land in Urban Areas: The market value of land of equal size and use, with similar or improved public infrastructure facilities and services preferably located in the vicinity of the affected land, plus the cost of any registration and transfer taxes.
- Household and Public Structures: The cost of purchasing or building a new structure, with an area and quality similar to or better than those of the affected structure, or of repairing a partially affected structure, including labour and contractors' fees and any registration and transfer taxes. In determining the replacement cost, depreciation of the asset and the value of salvage materials are not taken into account, nor is the value of benefits to be derived from the project deducted from the valuation of an affected asset.

Resettlement / Relocation Assistance - Support provided to people who are physically displaced by a project. Assistance may include transportation, food, shelter, and social services that are provided to affected people during their relocation. Assistance may also include cash allowances that compensate affected people for the inconvenience associated with resettlement and defray the expenses of a transition to a new locale, such as moving expenses and lost workdays.

Resettlement Policy Framework (RPF): A resettlement policy framework is required for projects that cannot be fully defined before project approval or have Sub Projects or multiple components. This instrument may also be appropriate where there are valid reasons for phasing or delaying the implementation of the resettlement, provided that the implementing party provides an appropriate and concrete commitment for its future implementation.

Socio-economic Survey: A detailed survey of all Project Area households, recording detailed demographic and socio-economic data at the household and individual level.

Speculation: The erection of buildings or structures, or planting of crops within the Project Area, with the sole aim of claiming compensation from the Project Proponent. Speculation may occur pre-Cut-off (before the Entitlement Cut-Off Date has been declared), or post-Cut-off (after the Entitlement Cut-Off Date).

Stakeholders: Any and all individuals, groups, organisations, and institutions interested in and potentially affected by a project or having the ability to influence a project

Vulnerable Persons: People who, by virtue of gender, ethnicity, age, physical or mental disability, economic disadvantage, or social status, may be more adversely affected by resettlement than others and who may be limited in their ability to claim or take advantage of resettlement assistance and related development benefits.

Abbreviations and Acronyms

CBO	Community Based Organisation
CDP	Community Development Plan
CSO	Civil Society Organisation
DA	District Authorities
DTF	District Task Force
E&S	Environmental & Social
ESCP	Environmental and Social Commitment Plan
ESIA	Environmental and Social Impact Assessment
ESMF	Environmental and Social Management Framework
ESMMP	Environmental and Social Management and Monitoring Plan
ESMP	Environmental and Social Management Plan
ESMS	Environmental and Social Management System
ESS	Environmental and Social Standards (of the World Bank)
ESS5	Environmental and Social Standard 5 (Land Acquisition, Restrictions on Land Use and Involuntary Resettlement)
FBAS	Full Built Asset Survey
FONERWA	Rwanda Green Fund (formally FONERWA)
GCF	Green Climate Fund
GCK	Green City Kigali
GCKC	Green City Kigali Company
GCKPT	GCK Project Team
GoR	Government of Rwanda
Ha	Hectare
HH	Household
HIV/Aids	Human Immunodeficiency Virus/ Acquired Immune Deficiency Syndrome
HoH	Head of Household
IFC	International Finance Corporation
IGA	Income Generating Activities
ILO	International Labour Organisation
IRPV	Institute of Real Property Valuers
KfW	Kreditanstalt für Wiederaufbau (German Development Bank)
LAC	Land Adjudication Committee (at Cell level)
LAP	Local Area Plan
LAR	Land Access and Resettlement
LART	Land Access and Resettlement Team
LC	Livelihoods Committee
LEP	Local Employment Plan
LMT	Livelihood Management Team
LPP	Local Procurement Plan
LRC	Local Resettlement Committee
LRP	Livelihood Restoration Plan
MINALOC	Ministry of Local Government
MINECOFIN	Ministry of Finance and Economic Planning
MININFRA	Ministry of Infrastructure
MoE	Ministry of Environment
NLA	National Land Authority
NGO	Non-Governmental Organisation
NISR	National Institute of Statistics Rwanda
PAH	Project Affected Household

PAP	Project Affected Person
RAP	Resettlement Action Plan
RAS	Rapid Asset Survey
RDB	Rwanda Development Board
REMA	Rwanda Environment Management Authority
RHA	Rwanda Housing Authority
RPF	Resettlement Policy Framework
RURA	Rwanda Utilities Regulatory Authority
SME	Small and Medium Enterprises
VGGT	Voluntary guidelines on the responsible governance of tenure of land, fisheries and forests in the context of national food security
VMC	Village Mediation Committee
VS	Valuation Specialist (certified valuer)
VUP	Vision 2020 Umurenge Program
WB	World Bank

List of Figures

Figure 1: Green City Kigali Project Area 23
Figure 2: GCK Masterplan 18 LAPs 24
Figure 3: Proposed GCK Masterplan 25
Figure 6: Resettlement Management Plan Linkage Mapping 27
Figure 7: Project-related Institution Hierarchy 30
Figure 9: LPLR Exercise to Minimise Displacement 64
Figure 10: Explanation of Land Readjustment 73
Figure 11: Difference between Livelihood Restoration and Community Development 80

List of Tables

Table 1: Comparative Analysis of National Law and WB/KfW Requirements 43
Table 2: Baseline Data Collection Sequencing and Involvement 51
Table 3: Impacts and Mitigation Measures Matrix 69
Table 4: Temporary Hardship Assistance, Objectives, Outcomes, and Strategies Example 84
Table 5: Temporary Hardship Assistance Practices and Services Example 84
Table 6: Budget Summary 94

Appendices

Appendix 1: Types of Data Required for RAP Development (Data Matrix)

Appendix 2: Structure for Subproject RAPs

Executive Summary

This document represents the Resettlement Policy Framework (RPF) for the Green City Kigali (GCK) Project, covering all resettlement-related Sub Projects related to the implementation of the Green City Kigali (GCK) Masterplan.

GCK is situated on Kinyinya Hill in the Gasabo District of Kigali and will encompass an area of 700 hectares. Any Sub Projects under the GCK that require resettlement are committed to complying with this RPF, as well as the GCK Masterplan, Rwandan laws, internal GCK policies, and the applicable international standards.

Introduction

Rwanda's population of 13.2 million is anticipated to more than double to approximately 26 million inhabitants by the middle of the century. Since it is already one of the most densely populated countries in the world, the pressure on available land will further increase. Migration from rural areas to cities is estimated at a constant 4% a year, further exacerbating the need for effective spatial planning and development of public infrastructure.

Sustainable and integrated urban planning is needed to ensure that towns do not expand erratically, developing slums and intolerable traffic levels. Sustainable urban development and housing concepts are growing in significance. As a result, the topic is an important part of Rwanda's national development and anti-poverty strategy. To show how a city of the future could look like, Rwanda launched a project by the name of Green City Kigali (the Project / GCK). The GCK Project is an urban planned neighbourhood that will be the first Green City in Africa. The GCK Project's goal is to provide an urban development model for increased resilience against climate change consequences and to ensure sustainable socio-economic development in Rwanda.

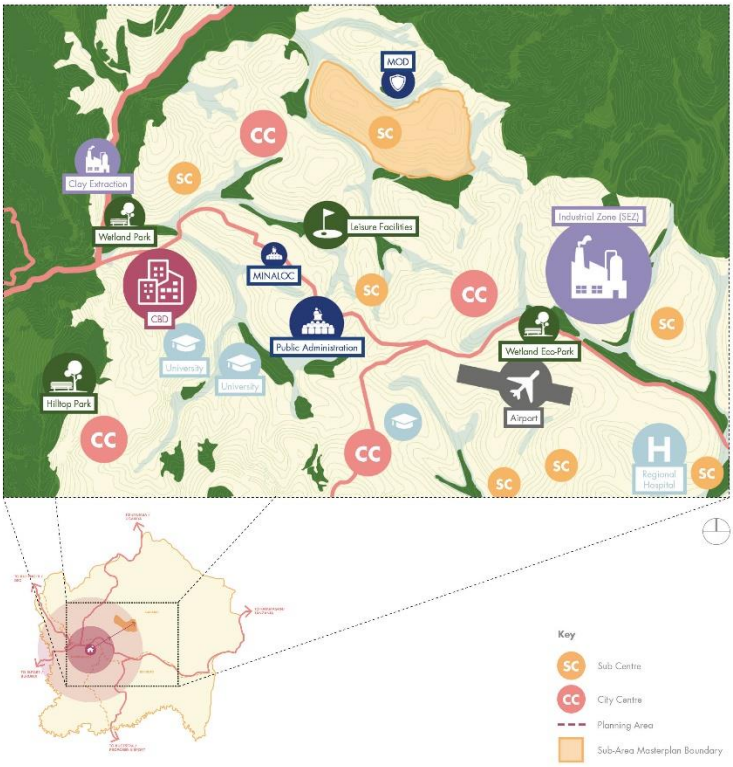
The GCK Project covers an area of 700 hectares and is located on Kinyinya Hill in the northeast of the central business district of Gasabo, Kigali. The site has its main access from Kigali centre in the south, through the districts of Nyarutarama and Remera.

The GCK Masterplan has been developed with the purpose of delivering an exemplar, holistic, affordable, sustainable urban development model. It is a landscape-led masterplan, amongst which is an urban area that is largely residential (16 LAPs), supported by schools, health centres, light industrial zones, recreational facilities and a significant public park, but also includes commercial spaces in the Sub-centre (1 LAP) and a Kinyinya Eco-Park (Deutsche Welle Site) (1 LAP). The key structural characteristics, that also integrate existing communities, are as follows:

- A Bus Rapid Transit Network running through the spine of the hill supported by Non-motorised transit networks.
- Active, safe and accessible colonnaded streets that climb the hill.
- 16 residential neighbourhoods surrounding a mixed-use, high-density core.
- A web of green/blue social networks, connecting to a landscaped plateau including a large eco-park.

The Figure below provides a broad overview of the location of the Project.

Green City Kigali Project Area



The GCK Masterplan is structured into 18 Local Area Plans (LAPs), categorized under greenfield, brownfield, or sub-centre groups. Each LAP is classified based on the unique characteristics of the site, guiding the specific design, planning, and development approach within the GCK Masterplan.

This Resettlement Policy Framework (RPF) is developed to ensure a consistent and standardized methodology for land access, resettlement planning, and execution of the overall GCK Project. The rationale for developing this RPF is to provide:

- A decision-making tool to develop the approach to resettlement planning and implementation, including objectives, guiding principles and key strategies, phasing, schedule, and cost
- A concise methodology for ensuring the RPF remains a living document to effectively guide the development of future RAPs in a consistent manner, incorporating procedures and principles outlined from an up-to-date RPF embedded with benchmarking and lessons learned
- A framework for developing subsequent Sub Project RAP(s) and other supporting social management plans and procedures
- Key actionable items for subsequent RPF updates

This RPF outlines the proposed approach for any developments (Sub Projects) to be implemented as part of the GCK Masterplan. Standalone Resettlement Action Plans (RAPs) will document the final proposed compensation entitlements and implementation schedules for each LAP development requiring land access and resettlement. During the implementation of Sub Project

RAPs, a 'LAP Committee' will be formed within each LAP[1]. This LAP Committee will comprise representatives from the LAP community with the support of local authorities as required in an oversight capacity. The primary objective of the LAP Committee will be to serve as the community's representative platform for engaging with Project developers during RAP implementation. These committees will be organized to ensure gender parity, with an equal representation of female and male community members.

Baseline Data Collection & Analysis
Data collection serves as a crucial tool for informing the related Sub Project RAPs. Data collection will support the Project in obtaining details regarding displacement impacts of the respective Sub-Projects which will inform the targeted support measures under the RAPs.

Each Sub Project RAP will provide comprehensive data-gathering and analysis on PAPs asset and socioeconomic circumstances. Asset surveys will be carefully scheduled to coincide with the Sub-Project RAP Entitlement Cut-off Date declaration.

Detailed PAP household data will be collected and will serve the following purposes:

1) PAP household identification
2) Vulnerable household identification
3) Identification of Project Impacts
4) Inform the establishment of household and community-level compensation entitlements
5) Yield basic social and economic information for appropriate livelihood and vulnerable assistance development packages
6) Provide quantifiable baseline data for future RAP implementation monitoring and evaluation.

Critical steps in Sub Project RAP baseline data-gathering and analysis will include:

- Survey matrix development
- Secondary data source analysis
- Stakeholder engagement, including community meetings, Focus Group Discussions, and key stakeholder interviews (discussed further in Section 5)
- Entitlement Cut-Off Date Declaration
- Rapid Asset Survey (Immoveable Assets)
- Full Built Asset Survey (Immoveable Assets)
- Land, Farms, and Crops Survey
- Socio-Economic Survey.

Stakeholder Engagement
The overall goal of consultation and stakeholder engagement is to establish an ongoing, accessible, and constructive dialogue with PAPs and other interested individuals and organisations so their views and concerns can be accounted for in project decisions, in accordance with international good practice. To develop an effective SEP per each Sub Project, it is necessary to determine whom the stakeholders are and understand their needs and

[1] Alternatively, one 'LAP Committee' may be formed for two or more LAPs if these are commonly affected by the same development and if it better serves the community's needs.

expectations for engagement, their interest, and objectives in relation to the Project. This information shall then be used to tailor engagement to each type of stakeholder.

A general framework for stakeholder engagement is relevant as the outlined principles can be adjusted and applied to the various Project subcomponents. The Stakeholder Engagement Framework (SEF) developed as part of the ESIA provides a framework to identify the actions the Project needs to undertake to ensure that a timely, consistent, comprehensive, coordinated and culturally appropriate approach is taken to consultation and project disclosure. The framework includes the core principles and applicable guidance for stakeholder identification and mapping, engagement, information disclosure, consultation meetings and public participation.

The SEF can be used to guide the development of project specific Stakeholder Engagement Plans (SEPs), which will define the official stakeholder engagement processes for the various project activities taking place. Building off the principles and approaches laid out in the SEF, this RPF provides an overview of an SEP tailored for land access and resettlement purposes. However, each Sub Project will develop its own SEP tailored to the Sub Project specific circumstances.

This high-level resettlement specific SEP aims to improve and facilitate decision-making and create an atmosphere of understanding that actively involves individuals, groups, and organisations that can affect, or be affected by, Project development.

Project Impacts & Mitigation Strategy
This RPF seeks to identify the broad PAP categories and all potential adverse land-take-associated impacts on their livelihoods. This is based on the surveys, desk-based analysis, and ground-truthing undertaken by the Project to date.

Each Sub Project will analyse baseline data and identify impacts in light of their characteristics i.e. nature (positive or negative), extent (spatial), occurrence (one-off, intermittent, or constant), magnitude, reversible or irreversible, direct or indirect, probability of occurrence, and significance with and without mitigation.

Potential identified impacts include:

- Loss of farm buildings and other structures (toilets, animal pens)
- Loss of housing and businesses
- Loss of agricultural land access
- Loss of pasture land access
- Loss of commercial trees and standing crops
- Loss of business income during transition
- Reduced income resulting from these losses
- Potential additional related impacts.

The Sub Project RAPs will identify all PAPs as well as all adverse Project-associated impacts on their livelihoods associated with land acquisition.

For the purposes of resettlement program development, a distinction is drawn between Project Area physically displaced households and economically displaced households, defined as follows:

- **Physically Displaced**, or resident households, are those inhabitants occupying a house in the Project Area, built on or before the Entitlement Cut-off Date, as their primary or sole

residence. These households will have to move from the Project Area (physical displacement) and their livelihoods will almost always be impacted by the Project (economic displacement).

- **Economically Displaced Households** are those whose livelihoods are impacted by the Project. This can include both resident households and people living outside the Project Area but having farms, crops, non-resident structures, businesses, or various usage rights there. For example, in the Kinyinya Hill area, there may not be many Project Area residences, but many households grow crops there.

The number of households requiring resettlement (i.e., losing their primary residence) will be ascertained during the RAP Sub Projects designs. Further survey work will include a detailed examination and measurement of homesteads to see if it is possible for some households to lose only an annex which could be rebuilt nearby – and not lose their primary accommodation – thereby further minimising the extent of physical resettlement.

Many households will be impacted by crop losses. Some will lose productive agricultural land, grazing land, and commercial trees. Further survey work for Sub Projects RAPs will include a detailed examination and measurement of crop and grazing land and orchards.

Mitigation Measures Framework

To comply with World Bank Environmental and Social Standard 5 requirements and to be consistent with Rwandan laws, each Sub Project will establish a resettlement entitlement cut-off date on the date on which a full asset census survey is completed. The purpose of the entitlement cut-off date is to record all affected households and assets at a specific point in time so that mitigation measures can be developed and to prevent further speculative development in anticipation of project benefits.

It is mandatory that the entitlement cut-off date is well-documented and disseminated throughout the affected community. Any persons occupying the Project Area after the entitlement cut-off date will not be eligible for compensation or resettlement assistance.

Project-affected households are eligible for compensation and other assistance if they have a “legitimate interest” in respect of “immoveable assets” in the Project Area that are in place (i.e. established, in the case of crops or constructed, in the case of buildings) at the time of the Entitlement Cut-off Date.

“Legitimate Interest” in immoveable assets at the household level is usually held by a single member: the household head. Through traditional and family practice, the household head is typically the most senior male member of the household. In some instances, the legitimate interest may be held jointly, i.e. by the household head and his/her spouse, or with other members of the extended family. When the household head dies, the GCK Project requires that other household members identify the inheritor through a court order before compensation will be paid.

Note that “Legitimate Interest” is not synonymous with ownership. Even those Project-affected persons/households/communities with no recognizable legal right or claim to the assets they are occupying are considered eligible for resettlement assistance. It is likely that there will be cases where PAPs do not have title deeds and may not have proof of ownership of crops and/or trees. A system must be created for such cases that may arise[2]. A system also needs to be created so

[2] Precedent from similar projects involves PAPs being assisted to obtain Form 33 (a temporary ownership document), authorised by the cell and sector, which acts as a temporary acknowledgement of moveable property ownership which has been sufficient for approval of compensation pay-outs.

that PAPs who may not be able to provide a title deed showing ownership of land with a permanent structure on it, are able to have their compensation payments approved. Importantly, PAPs will need to be assisted with obtaining formal titles issued through the relevant authorities. The developer of each LAP will need to invest efforts toward establishing a protocol with the relevant authorities to assist and accelerate the issuing of title deeds.

An Entitlement Matrix has been developed as a reference for the GCK Project (see section 6.4). It will require further compensation and resettlement package refinement per each Sub Project RAP. In particular, this may involve:

- Resettlement housing and community asset design
- Replacement land identification (either as part of the land readjustment and densification process, or outside Project Area) and basis for land distribution
- Determining cash compensation rates for structures, crops, land, and economic trees
- Determining amounts for relocation assistance and other transitional assistance
- Refining and costing livelihood restoration initiatives, including transitional assistance for vulnerable households.

In accordance with WB ESS 5, cash compensation rates for impacted assets must at least meet replacement cost and should be equal to or greater than full replacement value[3], with no depreciation deduction.

In the context of the GCK Project, PAPs will not have the right to refuse the implementation of the Masterplan land uses that are considered to be in the public interest. Consequently, and in alignment with International Standards, all Project-related displacement is considered to be involuntary displacement.

In the course of negotiations as part of the RAP implementation, where no agreements on compensation packages are reached within the context of the land access and resettlement process, the Project development could resort to expropriation in accordance with the process described in the Rwandan law, and in alignment with the international standards and best practice, ensuring no forced eviction is conducted.

Expropriation and forced eviction are both actions that involve involuntary resettlement of individuals from their property, but they differ in purpose, approach (including right to due process), and due compensation.

- Expropriation is an act by the government to claim privately owned property against the owner's wishes for public interest and compensation is provided in alignment with the Rwandan Law. This is conducted in accordance with the Rwandan Expropriation Law No.

[3] As per the WB ESS 5 " Replacement cost is defined as a method of valuation yielding compensation sufficient to replace assets, plus necessary transaction costs associated with asset replacement. Where functioning markets exist, replacement cost is the market value as established through independent and competent real estate valuation, plus transaction costs. Where functioning markets do not exist, replacement cost may be determined through alternative means, such as calculation of output value for land or productive assets, or the undepreciated value of replacement material and labour for construction of structures or other fixed assets, plus transaction costs. In all instances where physical displacement results in loss of shelter, replacement cost must at least be sufficient to enable purchase or construction of housing that meets acceptable minimum community standards of quality and safety. The valuation method for determining replacement cost should be documented and included in relevant resettlement planning documents. Transaction costs include administrative charges, registration or title fees, reasonable moving expenses, and any similar costs imposed on affected persons. To ensure compensation at replacement cost, planned compensation rates may require updating in project areas where inflation is high or the period of time between calculation of compensation rates and delivery of compensation is extensive.

32/2015 of 11/06/2015, which mandates that compensation be fair and provided prior to the transfer of property.

- Forced eviction is the permanent or temporary removal of individuals from their homes or land they occupy, without adequate legal protection and right to due process, often without due consideration of the PAPs rights during the process, and providing (or not) compensation that is not in alignment with the Rwandan Law. Forced eviction is not aligned with the International standards nor the Rwandan Expropriation Law No. 32/2015 of 11/06/2015. Forced eviction is strictly prohibited within this Project.

It should be noted that the expropriation process will not preclude Project agreements with the PAPs subject to the expropriation notice in advance or at any time during the process. The goal is to secure agreements with the Project as a priority wherever possible.

Additionally, the Project development will still make available top-up cash payments/in-kind compensation provisions following the expropriation process to ensure all affected PAPs can receive full compensation at project rates.

Physical Resettlement

ESS 5 states that both cash and in-kind options will be provided to PAPs. However, preference should made for in-kind compensation and that cash should be used as a last resort stating that "cash assistance alone, however, frequently fails to provide affected persons with the productive means or skills to restore livelihoods."

In alignment with the GCK Masterplan, in the context of an external development of the LAPs, PAPs will either be provided replacement residential structures in the GCK Project Area or outside, ideally as close to the area as possible via urban planning techniques, such as the Land Pooling and Land Readjustment (LPLR)[4]. Community-led development of the LAPs can also use the LPLR to develop the areas in alignment with the Masterplan to their benefit.

In the context of developing resettlement compensation packages/offers, the developer is required to consider several provisions:

- **In-kind Compensation**: In-kind compensation needs to offer PAPs possibility to resettle nearby with same conditions, if feasible. This includes the following provisions:
  - Housing Reservation: If the development project leads to involuntary physical resettlement, the developer should offer housing within the same development area as an in-kind mitigation measure where possible. This means that displaced persons should be given the opportunity to live in the new housing development, thereby ensuring that they can remain in their local community. If it is not feasible, the developer will explore alternative housing options within the LAP Sub Project area or the wider GCK Project area, such as other available lots. If finding housing within the LAP Sub Project or wider GCK Project area is not possible, the developer will consider options outside the GCK Project area, while aiming for proximity, to ensure continuity in the residents' lifestyle and livelihood. Throughout this process, the preferences of

[4] Land Pooling and Land Readjustment (LPLR) represent integrated strategies within urban planning and land management aimed at optimizing land use and development in a coordinated manner. In the context of a GCK Sub Project RAP, these LPLR strategies play a crucial role in mitigating both physical and economic displacement impacts. Landowners or private developers can agree to pool and readjust individual land parcels to secure a unified area in order for the Sub Project development to be implemented. Through this consolidation and readjustment, the land can be reorganized and realigned to create a more efficient and functional layout while at the same time minimising physical and economical displacement for PAPs.

PAPs will be taken into account, including factors such as access to public services, livelihoods, and other relevant considerations.

- Land Reservation: In cases where the development project requires land access and resettlement, it is crucial to reserve land for PAPs who are economically and physically displaced and who might want to opt for in-kind land replacement, where possible. This means setting aside land specifically for the use of displaced persons, allowing them to continue their livelihoods/living in the same community and with minimal disruption. If finding alternative land within the LAP Sub Project or wider GCK Project area is not possible, the developer will consider options outside the project footprint, while aiming for proximity, to ensure continuity in the residents' livelihoods and lifestyle. Throughout this process, the preferences of PAPs will be taken into account, including factors such as market locations, livelihood activities and business-related activities in the land.

- **Avoidance of Orphan Land:** When the LPLR or project design envisages partial land take and renders any remaining part of a land parcel as uneconomical, this is referred to as 'orphan land'. LPLR and design provisions should prioritize the prevention of orphan land. However, in instances where the creation of orphan land is inevitable, appropriate compensation of the entire parcel will be necessary. These provisions are essential to ensure that the rights and preferences of the PAPs are respected. The LAP Committee, established for each LAP, can play a significant role in supporting both PAPs and developers in this process.

Livelihoods Measures

Based on the existing data, it appears that the critical GCK Project livelihood impacts will be on urban and agricultural based livelihoods. Project Area farming includes homestead gardeners, small-scale and commercial farmers. Some PAPs rely on crop and livestock production as their primary source of food and income. In order to maximise the potential for rapid and effective livelihood and income restoration -- and ideally, improvement – the ability to farm as soon as possible after resettlement is critical.

It is important to note that alternative livelihood sources introduce a greater risk of failure. Given the urban setting of GCK, identifying adequate replacement agricultural land may be difficult. Therefore, safeguards will be integrated into Project planning to ensure livelihood programs, specifically those focused on alternative livelihoods, commence as early as possible and identify market opportunities for alternative livelihoods.

Each Sub Project will develop a comprehensive suite of livelihood and community development measures aimed at enhancing livelihoods and economic well-being. These will contribute to general community-wide development and will particularly target those affected by land acquisition. These programs will undergo regular monitoring, evaluation, and review.

In addition to developing specific programs to address livelihood restoration, development, and replacement, the Sub Projects approach to livelihoods restoration will require that all Project decisions mainstream livelihood considerations. All land access, resettlement, urban planning, housing and infrastructural development aspects must be considered in terms of livelihood implications, to ensure all Project decisions promote livelihood restoration and development.

A household livelihood needs assessment will be undertaken as part of the analysis of survey data and will aim to capture a holistic view of the existing livelihoods. This will allow an initial assessment of each household's livelihood restoration program requirements, which may

incorporate programs to restore farming practices, including facilitating land access, as well as temporary hardship assistance in certain cases.

Previous experience in Rwanda has demonstrated success in livelihood programs aimed at agriculture and financial literacy training. Evidence from the Rwanda Green Fund (formally FONERWA) RAP in Gicumbi district included:

- The Agriculture Program: This was the primary mechanism to restore livelihoods, addressing issues of food security and income generation. This should be implemented through: (i) Increased access to key agricultural inputs by farmers, (ii) Increase availability and quality of key agricultural and livestock services (Provision of drugs and vaccines);
- Financial Management Training Program: (i) Improve PAPs utilization and management of cash resources, (ii) Improved utilization of compensation money for long term sustainable livelihood initiatives.

A Community Development Plan (CDP) will be implemented in conjunction with the livelihood Programs for each Sub Project to help ensure that Project-affected communities (including host communities) share in project benefits to the utmost extent possible.

Temporary Hardship and Vulnerability

Vulnerable persons are defined as those who "by virtue of gender, ethnicity, age, physical or mental disability, economic disadvantage, or social status, may be more adversely affected by resettlement than others and who may be limited in their ability to claim or take advantage of resettlement assistance and related development benefits".

Vulnerable PAPs are those likely to be adversely affected by project impacts and/or are more limited than others in their ability to take advantage of a project's benefits. Such an individual or group is also more likely to be excluded from or unable to fully participate in the mainstream consultation process and, as such, may require specific measures and/or assistance to do so.
Vulnerability may be viewed in the context of two stages:

- Pre-existing vulnerability
- Temporary hardship vulnerability caused by project-related physical and economic displacement.

The Project is chiefly concerned with avoiding, or mitigating, project-induced vulnerability. In doing so, it is important to be aware of households with pre-existing vulnerabilities (i.e., PAPs having undergone previous resettlement processes). Such households may be poorly equipped to handle the shocks of resettlement or may need additional assistance to engage effectively with the Project, understand their rights, and access potential assistance.

A full assessment of potentially vulnerable households will be conducted per each Sub Project, working from the existing socio-economic and asset surveys and additional information gathered through follow-up engagements and surveys as required.

Cultural Heritage Protection

Cultural heritage, in its many manifestations, is important as a source of valuable scientific and historical information, as an economic and social development asset, and as an integral part of people's cultural identity and practice. It is important to note that cultural heritage can be both tangible and intangible.

Each Sub Project needs to take account of intangible cultural heritage such as the traditional practices, lifestyles, heritage and shared history of communities. This may include working with communities to ensure recording of cultural histories, stories, and music, as well as supporting the protection and enhancement of heritage through provision of cultural centres and other supports. The essential goal is to ensure resettlement does not adversely impact such heritage, and ensures community cohesion and continuity.

As part of the socio-economic surveys, each Sub Project will be engaging with communities in the Project area to develop a master list of all potential tangible heritage sites and non-tangible cultural heritage. Each Sub Project will also be responsible for undertaking cultural heritage management plans, including chance finds procedures, to identify cultural heritage impacts during construction. Examples of chance finds may include an archaeological site, which has remained unnoticed or undocumented in the past or a site of cultural / heritage significance which had not been identified previously.

Grievance Management

The aim of the grievance mechanism is to achieve mutually agreed resolution of grievances raised by stakeholders. This grievance mechanism ensures that complaints and grievances are addressed in good faith and through a transparent and impartial process.

The ESIA/SEF will provide further details on the grievance management framework applicable to GCK Project and each Sub Project.

Resettlement-related grievances are likely to arise especially during land access negotiations with the PAPs. These could include issues related to inadequate compensation for land acquisition, disputes over land ownership or boundaries, lack of consultation, representation, or consent from affected communities, environmental impacts on land due to project activities, and violations of land rights during resettlement processes. These claims would need to be carefully investigated and addressed through the grievance mechanism to ensure fair resolution and accountability.

Organisational Framework

The overall coordination of the implementation of Sub-Project RAPs will be the responsibility of the developer preparing the LAP with the oversight of relevant stakeholders as required. The developer will oversee all resettlement planning and coordinate all issues relating to the compensation in alignment with this RPF and the GCK Masterplan.

The developer for the Project must draw together technical, social, and environmental personnel. The developer will collaborate with government agencies as appropriate and Local District Authorities falling within the project area who will assist in coordination and implementation, as well as NGOs, and CBOs, as appropriate.

Monitoring and Evaluation

Monitoring and Evaluation (M&E) is essential in RAP implementation. Monitoring will involve establishing quantifiable targets for all impact mitigation interventions and subsequently measuring progress toward the achievement of those targets. Intervention evaluation will be designed to assess whether the progress in impact mitigation measure implementation is achieving the desired objectives. The M&E Framework with not only guide RAP implementation, but will also enable all stakeholders to share a common vision of any particular intervention and objectively assess its impact on PAHs and PAPs.

The purpose of monitoring is to provide Project Management, and directly affected persons, households and communities, with timely, concise, indicative information about whether compensation, resettlement, and other impact mitigation measures are on track to achieve sustainable welfare restoration and improvement, or if adjustments are needed.

Monitoring verifies that:

- RAP actions and commitments for compensation, resettlement, land access, and development are implemented fully and on time
- PAPs receive timely compensation and replacement housing
- Compensation and livelihood investments are achieving sustainable restoration and improvement Project-affected persons, household, and community welfare
- Complaints and grievances are followed up with appropriate corrective action
- Vulnerable persons are tracked and assisted as necessary.

In brief, monitoring answers the question: Are Project impact mitigation and other measures in place, on time, and producing the intended effects as planned in the RPF (or RAP)? Are Project compensation, resettlement, and other impact mitigation measures on time and having the intended effects?

Monitoring activities will comprise of three main components:

1) Internal Monitoring
2) External Monitoring (by external experts)
3) RAP Completion Audit (by one or more international experts).

Budget and Schedule
A detailed budget and schedule will be developed per each RAP Sub Project and will disaggregate costs. This RPF highlights the various tasks required to effectively guide the development of specific Project RAPs . Each Sub Project RAP will provide a tailored Work Plan and Schedule.

Change Management
This RPF is a living document that will be periodically updated as the project progresses and will remain fully aligned with the GCK Masterplan.

1. Introduction

This document represents the Resettlement Policy Framework (RPF) for the Green City Kigali (GCK) Project, covering all resettlement-related Sub Projects related to the implementation of the Green City Kigali (GCK) Masterplan. GCK is situated on Kinyinya Hill in the Gasabo District of Kigali and will encompass an area of 700 hectares. Any Sub Projects under the GCK that require resettlement are committed to complying with this RPF, as well as the GCK Masterplan, Rwandan laws, internal GCK policies, and the applicable international standards.

1.1 Project Description

1.1.1 Project Purpose

Rwanda's population of 13.7 million is projected to more than double to approximately 26 million by mid-century. According to the National Institute of Statistics of Rwanda (NISR), the population is expected to increase by over 50% to 17.6 million by 2035 and reach about 22.1 million by 2050. Rwanda has the highest population density in Africa, with about 16.52% of its population living in urban areas, nearly half of which is concentrated in Kigali, housing around 1.1 million inhabitants[5].

With this projected growth comes planned economic development. Rwanda aims to achieve Middle Income Country status by 2035 and High Income Country status by 2050, driven by seven-year National Strategies for Transformation (NST1) aligned with the UN's Sustainable Development Goals. Despite being a low-income country, Rwanda is ranked among the top 30 places globally to do business (2019) and is one of Africa's fastest-growing economies[6].

Poverty is on the decline, dropping from 77% in 2001 to 56% in 2016 according to the international poverty line, and 38% below the national poverty line. Nonetheless, 4.6 million people still live in poverty, posing a significant challenge in providing affordable housing, especially in urban centers where land prices are high. Additionally, 61.3% of the urban population in Rwanda live in informal settlements, highlighting the need for better infrastructure, public spaces, and climate-resilient buildings[7].

Increased urbanization will further exacerbate the impacts of climate change. Although Rwanda contributes only 0.003% to global greenhouse gas emissions, it is highly vulnerable to the effects of hotter weather and changing rainfall patterns, including flooding, health issues, and reduced crop yields. By 2050, the annual mean temperature is projected to rise by 1.9°C, with longer periods of drought and extreme precipitation. New urban environments must be designed to mitigate these impacts[8].

Sustainable and integrated urban planning is needed to ensure that towns do not expand erratically, developing slums and intolerable traffic levels. This especially applies to Kigali, where traffic and the associated concentration of air pollution are continually increasing. This is made worse because Kigali's public transport capacities are rudimentary, forcing inhabitants to resort to individual forms of mobility, mostly powered by combustion engines.

[5] GCK Masterplan, 2024. NISR – RPHC4 Population Projections

[6] GCK Masterplan, 2024. https://www.worldbank.org/en/country/rwanda/overview

[7] GCK Masterplan, 2024. Word Bank - Poverty & Equity Brief - Rwanda and UN Habitat - Rwanda overview - https://unhabitat.org/rwanda

[8] GCK Masterplan, 2024. World Bank Group - Climate Risk Country Profile Rwanda - 2021

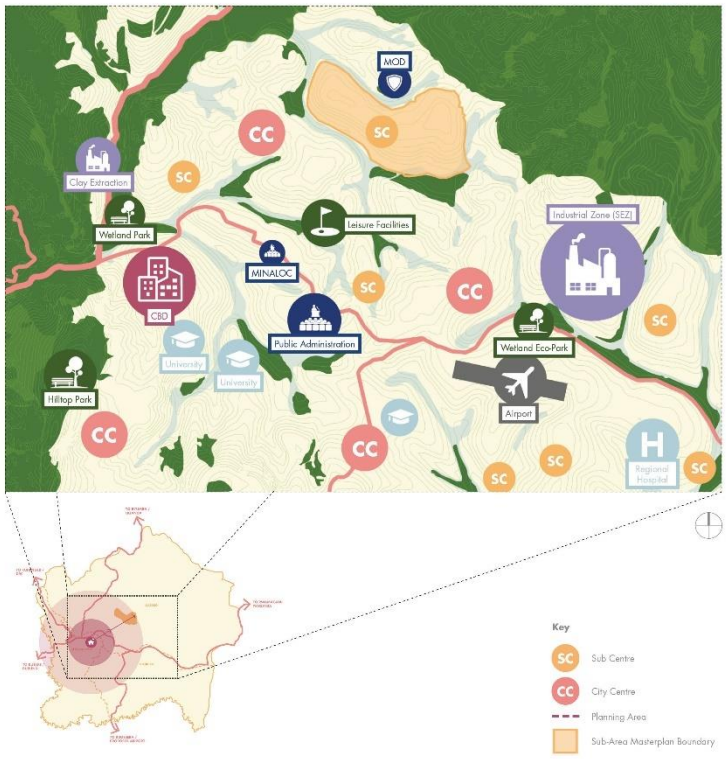
Sustainable urban development and housing concepts are growing in significance. As a result, the topic is an important part of Rwanda's national development and anti-poverty strategy. To show how a city of the future could look like, Rwanda launched a project by the name of Green City Kigali (the Project / GCK). The GCK Project is an urban planned neighbourhood that will be the first Green City in Africa. The GCK Project's goal is to provide an urban development model for increased resilience against climate change consequences and to ensure sustainable socio-economic development in Rwanda.

1.1.2 Project Overview

The GCK Project covers an area of 700 hectares and is located on Kinyinya Hill in the northeast of the central business district of Gasabo, Kigali. The site has its main access from Kigali centre in the south, through the districts of Nyarutarama and Remera.

The Figure 1 below provides a broad overview of the location of the Project.

Figure 1: Green City Kigali Project Area



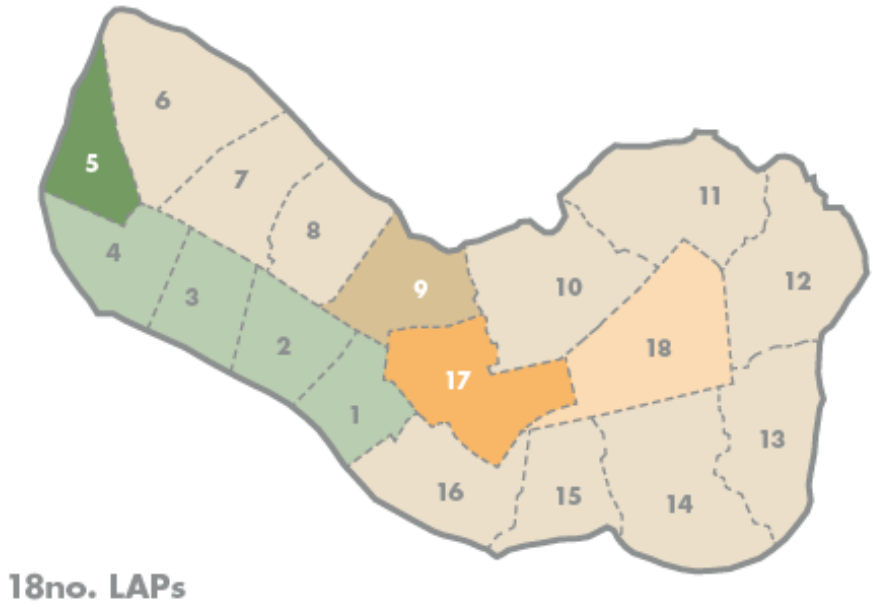
The GCK Project will be implemented in alignment with the GCK Masterplan, which was developed explicitly for the 700 ha Project area.

The GCK Masterplan has been developed with the purpose of delivering an exemplar, holistic, affordable, sustainable urban development model. It is a landscape-led masterplan, amongst which is an urban area that is largely residential, supported by schools, health centres, light industrial zones, recreational facilities and a significant public park. The key structural characteristics, that also integrate existing communities, are as follows:

- A Bus Rapid Transit Network running through the spine of the hill supported by Non-motorised transit networks
- Active, safe and accessible colonnaded streets that climb the hill
- 16 residential neighbourhoods surrounding a mixed-use, high-density core
- A web of green/blue social networks, connecting to a landscaped plateau including a large eco-park.

The GCK Masterplan is structured into 18 Local Area Plans (LAPs), categorized under greenfield, brownfield, or sub-centre groups. Each LAP is classified based on the unique characteristics of the site, guiding the specific design, planning, and development approach within the GCK Masterplan.

Figure 2: GCK Masterplan 18 LAPs



Note: Green refers to Greenfield areas, Beige refer to brownfield areas and orange refer to sub-centre areas.

More specifically, the Figure 3 below depicts the zonal Masterplan, which lays out the planned zones for different use purposes, including education (primary school), healthcare, commercial use, parks and recreation, public open spaces, community facilities, utilities, and residential zones.

Figure 3: Proposed GCK Masterplan



The GCK sub-area Masterplan development covers approximately 700Ha of land, which is comprised of the following key areas:

- 353Ha (50%) of residential led mixed use
- 20Ha (3%) of commercial, mixed use sub-centre
- 63Ha (9%) of green/blue networks that connect to a major sub-urban park
- 40Ha (6%) are comprised of schools (primary, secondary, vocational & higher).

Within the sub-area masterplan, there are several large areas of greenfield land for development, including:

- **The GCK Pilot Site**: a 16Ha residential and commercial area, including a primary school.
- **Cactus Site**: the Cactus Green Park, a 13ha housing project to be developed by Horizon Ltd
- **RSSB Site**: a 130ha site owned by the RSSB, and financed by IFC.

There are also large areas of brownfield land containing existing settlements. The masterplan proposes concept strategies and implementation frameworks to incorporate all existing settlements into the new proposals. Public and/or private entities will be invited to develop the sub-areas masterplan for development.

1.1.3 Project Area Characteristics

Currently the GCK Project Area includes a sizable government-owned parcel, along with existing agricultural and village community areas with social housing. Six villages lie within the Project area: Agatare, Binunga, Gasharu, Ngaruyinka, Rusenyi, and Taba.

1.2 RPF Purpose

This Resettlement Policy Framework (RPF) is developed to ensure a consistent and standardized methodology for land access, resettlement planning, and execution of the overall GCK Project. The rationale for developing this RPF is to provide:

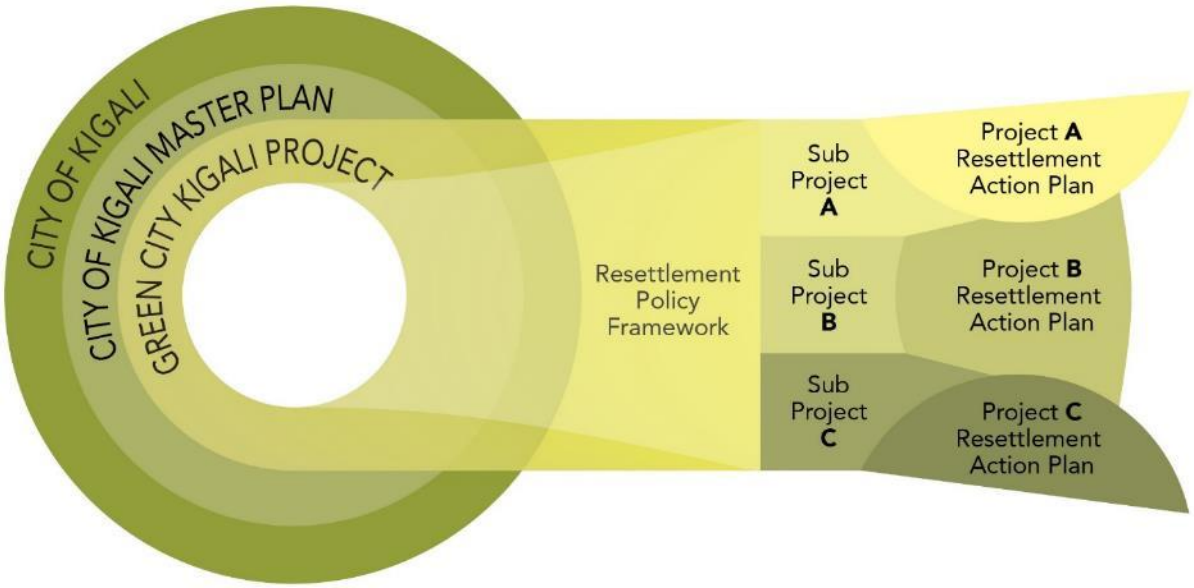
- A decision-making tool used to develop the approach to resettlement planning and implementation, including objectives, guiding principles and key strategies, phasing, schedule, and cost
- Outline key actionable items for subsequent RPF updates
- Provide a concise methodology for ensuring the RPF remains a living document to effectively guide the development future RAPs in a consistent manner, incorporating procedures and principles outlined from an up to date RPF embedded with benchmarking and lessons learned
- A framework for developing subsequent Sub Project RAP(s) and other supporting social management plans and procedures.

This RPF outlines the proposed approach for any developments (Sub Projects) for the implementation of the GCK Masterplan. RAP Sub Projects refer to the management plans (RAPs) developed to address land access and resettlement needs when developing the 18 Local Area Plans (LAP). RAP Sub Projects will deal with the development of one or more LAPs and will align with the RPF provisions.

Standalone Resettlement Action Plans (RAPs) will document the final proposed compensation entitlements and implementation schedules for each LAP development requiring land access and resettlement. During the implementation of Sub Project RAPs, a 'LAP Committee' will be formed within each LAP[9]. This LAP Committee will comprise representatives from the LAP community, with the support of local authorities as required in an oversight capacity. The primary objective of the LAP Committee will be to serve as the community's representative platform for engaging with Project developers during RAP implementation. These committees will be organized to ensure gender parity, with an equal representation of female and male community members.

[9] Alternatively, one 'LAP Committee' may be formed for two or more LAPs if these are commonly affected by the same development and if it better serves the community's needs.

Figure 4: Resettlement Management Plan Linkage Mapping



This RPF is comprised of the following sections:

1. Introduction
2. Institutional & Legal Framework
3. Baseline Data Collection and Analysis
4. Stakeholder Engagement
5. Project Impacts & Mitigation Strategy
6. Mitigation Measures Framework
7. Physical Resettlement
8. Livelihoods Measures
9. Temporary Hardship & Vulnerable Households
10. Cultural Heritage Protection
11. Grievance Management
12. Organisational Framework
13. Monitoring and Evaluation (M&E)
14. Budget and Schedule
15. Change Management & Next Steps.

1.3 Objectives and Principles of the RPF

The GCK Project's main land access and resettlement approach is to minimise impacts on potentially affected households wherever possible, ensure all impacts are identified and fully compensated, and that living standards and livelihoods are restored, and ideally, improved, in as timely a manner as possible.

The following project development guiding principles will be adhered to:

Principle 1: Effective project design shall minimise or avoid – to the extent possible – the impacts, physical and/or economic on PAPs

Principle 2: In-kind compensation will be prioritised and employed as an opportunity for improving the socio-economic status of resettled households and host communities

Principle 3: PAP interactions will be approached in a comprehensive, fair, equitable and transparent manner that fosters their full and informed participation and respects human rights; access to transparent, culturally appropriate and free of cost Grievance Redress Mechanism (GRM)

Principle 4: Resettlement planning will comply with and exceed national legislation and international standards, in a manner that considers local context to ensure practical and sustainable outcomes, specifically focusing on restoring livelihoods to at a minimum pre-displacement levels, but preferably improved

Principle 5: PAPs will be promptly compensated – at full replacement cost – for asset losses and access to assets /prior to occurrence of any displacement impact

Principle 6: Special attention will be paid to vulnerable people to enable them to take full advantage of resettlement assistance and development benefits

Principle 7: Activities will be undertaken in a manner that fosters strong, positive long-term relationships between the Project and PAPs, based on mutual respect

Principle 8: Resettlement activities will be managed in a manner resulting in measurable economic and social improvements of PAPs and communities over time.

2. Institutional & Legal Framework

This Institutional and Legal Framework section establishes the governance framework within which Project resettlement, assistance, or compensation elements will be designed, implemented, and operated, and includes distinct sub-sections on:

2.1 Rwanda Institutional Framework
2.2 Rwanda Legal Framework
2.3 International Standards & Guidance
2.4 Green City Kigali Corporate Policies
2.5 Gap Analysis of National Law and WB Standards.

2.1 Rwanda Institutional Framework

2.1.1 Government Structures

The Rwanda Constitution divides Rwanda into four provinces (*intara*) and the City of Kigali, districts (*uturere*), cities, municipalities, towns, sectors (*imirenge*), cells (*utugari*), and villages (*imidugudu*). The larger divisions and their borders are established by MINALOC.

The provinces act as intermediaries between the national government and their constituent districts to ensure the implementation of district-level national policies. Each province is headed by a Governor who is appointed by the President and approved by the Senate.

The districts are responsible for coordinating public service delivery and economic development. They are divided into sectors, which are responsible for district-mandated public services delivery. Districts are the implementation entities of government policies and strategies.

The cells and villages are the smallest political units providing a link between the people and the sectors. All adult resident citizens are members of their Local Cell Council from which an Executive Committee is elected.

Rwanda's legal and institutional framework do not explicitly refer to resettlement. There is no legal or formal institutional framework for the coordination of resettlement with the EIA process and the latter does not cover resettlement (except where funded by external donors, in which case RAPs are submitted along with EIAs for review by the Rwanda Development Board, RDB). The EIA process generally begins after any land acquisition and resettlement have already taken place.

The institutions relevant to – and with a mandate to – effect GCK resettlement processes are detailed in Figure 7 below.

Figure 5: Project-related Institution Hierarchy

National Government Institutions
Ministry of Environment (MoE)
Rwanda Green Fund (formally FONERWA)
Rwanda Development Board (RDB)
Ministry of Infrastructure (MININFRA)
Ministry of Local Government (MINALOC)
Ministry of Finance (MINECOFIN)
Rwanda Environment Management Authority (REMA)
National Land Authority (NLA)
Rwanda Housing Authority (RHA)
Provincial Institutions
City of Kigali Province
District and Sector Institutions
Gasabo District
Kinyinya Sector
Cells and Villages
Agatare, Binunga, Gasharu, Ngaruyinka, Rusenyi, Taba

2.1.2 National Institutions for Displacement Management

Ministry of Environment (MoE)

MoE is the government entity responsible for establishing norms and practices for rational exploitation and efficient land management, environment protection, water resources and evaluating their implementation. The Ministry of Environment (MoE) develops land utilisation policies (including surveying, land classification, land laws, and land tenure), environmental policies and procedures (including impact assessments) protecting natural resources (water, land, flora, and fauna), and environmental legislation, biodiversity, and other environmental aspects informed by Environment Law.

The Ministry of Environment (MoE) is responsible for developing the policies, laws and regulations as well as coordination of all activities related to efficient environmental management as well as their follow up and evaluation. In the Land Act (June 2021), the Ministry of Environment is responsible for all land management. All state land is registered in favour of the Government of Rwanda through the Ministry of Environment instead of having different public entities owning government land.

Rwanda Environment Management Authority (REMA)

The Rwanda Environment Management Authority (REMA) facilitates coordination and oversight of national environmental policy implementation and the subsequent legislation. REMA's mission is to promote and ensure the protection of the environment and sustainable use of natural resources through decentralised structures of governance and seek a national position to emerging global issues with a view to enhancing the wellbeing of the Rwanda people. One of REMA's principal functions is to oversee the conduct of EIA and take a decision on proposed development projects to be undertaken, which could include the ESIAs and potentially the subsequent RAPs.

Ministry of Infrastructure (MININFRA)
The Ministry of Infrastructure (MININFRA) has the oversight of the following sectors: transport, energy, housing and human settlement, water and sanitation, and meteorology. MININFRA's mission and purpose is to ensure sustainable infrastructure development and contribute to economic growth while enhancing the population's quality of life. The Ministry ensures national policy and strategy formulation, sector oversight, budgeting and resource mobilisation, and overall Rwanda sector performance monitoring including urban areas within which the GCK is located.

Ministry of Finance (MINECOFIN)
The Ministry of Finance (MINECOFIN) coordinates national budgeting, planning, and financing. In large-scale development projects, they are sometimes responsible for approving compensation pay-outs to PAPs for loss of crops and trees.

Ministry of Local Government (MINALOC)
The Ministry of Local Government (MINALOC) ensures the coordination of good governance and high-quality territorial administration programs that promote economic, social and political development throughout the country. MINALOC plays a crucial role in district, village, and cell-level decision-making. MINALOC has a prominent role in urban projects, particularly those including a housing component. MINALOC is responsible for developing, disseminating and coordinating the implementation of policies, legal framework, strategies and sector programs through the formulation of national policies, strategies and programs in those areas. MINALOC leads on a structure of local governance entities that implement the referred policies, legal framework and strategies. These entities hierarchically comprise Provinces, Districts, sectors, cells and villages.

Rwanda Green Fund (formally FONERWA)
Rwanda Green Fund (formally FONERWA) mandate includes climate and environment, including water, forestry, mining, and quarry resources. Rwanda Green Fund (formally FONERWA) employs a wide range of public financing mechanisms, such as performance-based grants and loan guarantees, as well as lines of credit and public venture capital to create an attractive investment environment for low-carbon activities.

Rwanda Green Fund (formally FONERWA) is the leading executing agency for the Strengthening Climate Resilience of Rural Communities in Rwanda. Rwanda Green Fund (formally FONERWA) seeks to employ a wide-range of public financing mechanisms, such as performance-based grants, loan guarantees, lines of credit, and public venture capital to create an attractive investment environment for low-carbon activities. It is through this institution that financial support from government and development partners shall support the GCK Project.

Rwanda Social Security Board (RSSB)
The Rwanda Social Security Board (RSSB) is the governmental agency for social security. RSSB is involved in the GCK as it has acquired the land of the 16ha Pilot Site for future development plans. It has also acquired 8 ha of land for the development of a new academic campus of the Kigali International Community School (KICS) and 130 ha in the South East and South West of the Project area, in which 22 ha of land will be dedicated to an affordable housing neighbourhood development (first development phase) financed by the IFC[10].

[10] https://greencitykigali.org/wp-content/uploads/Urban-Design-Handbook.pdf

Local Administrative Entities Development Agency (LODA)
The Local Administrative Entities Development Agency (LODA) is a Government Fund under the supervision of MINALOC. LODA focuses on the local economic and community development, capacity building of local entities and social protection. LODA monitors and evaluates the implementation of the projects by the six Districts in Rwanda and the City of Kigali.

The GCK Project will benefit from the experience of LODA in managing and implementing ESIAs and RAPs in Rwanda for World Bank funded projects.

National Land Authority (NLA)
The National Land Authority in Rwanda is responsible for overseeing land-related matters and policies in the country. It plays a key role in land administration, management, and regulation to ensure efficient and effective land use for sustainable development. The NLA could be involved in the review of the Sub Project RAPs.

The National Land Authority (NLA) is a key institution set up to implement the National Land Tenure Reform Program as provided for by the National Land Policy and the Organic Law determining the use and management of land in Rwanda. This program aimed at improving land tenure security by putting in place an efficient, transparent and equitable system of land administration. Cadastral surveys, mapping and land registration are the core components of land administration. The new and modern land administration is embedded in a broader land information system very useful in land-related conflicts management, fully co-ordinated and automated, without separation of land registration, cadastral surveys and mapping.

Other Relevant Agencies
Other ministries and agencies, such as the Rwanda Housing Authority (RHA), Rwanda Utilities Regulatory Authority (RURA) are relevant to the implementation of the GCK Project.

- Rwanda Housing Authority (RHA) is the implementing agency operating under the Ministry of Infrastructure (MININFRA), established in order to organize the construction industry as a whole and to spur the National Strategy for Transformation (NST).
- Rwanda Utilities Regulatory Authority (RURA) is the agency responsible to regulate certain public utilities, namely: telecommunications, electricity, water, removal of waste products from residential or business premises, extraction and distribution of gas and transport of goods and persons.

2.1.3 Province and District Institutions for Displacement Management

City of Kigali (CoK)
The City of Kigali (CoK) monitors and evaluates the Green City Kigali Masterplan (GCK Masterplan) adherence. This includes close coordination with MoE, REMA, MINECOFIN, and MINALOC. The CoK's Council oversees the CoK development strategies and their implementation, including the GCK, budget, and execution plan reviews. The GCK Masterplan oversight and its land management and urban planning, local land development plan, specific land development plan and the land subdivision plan falls under the purview of the CoK and its council.

According to the article 67 of the Land Law (2021), the land use management and monitoring at decentralised entity level falls under the responsibilities of the City of Kigali or the District with legal personality in accordance with the concerned land territorial location.

District Authorities (DAs)
The Project Area District Authorities (DA) are the district-level activity coordinating bodies.

District One Stop Centre
In 2012, in order to improve the quality of land related services at a decentralized level, the District Land Bureau was replaced by the District One Stop Centre. The District One Stop Centre serves as point of delivery of land related services, merging the departments of construction, land registration and inspection. Responsibilities include implementing land registration, maintaining land registers, monitoring and approving land and property valuation activities, and demarcating and approving land cadastral maps.

As for the City of Kigali (which is also a decentralized entity), Kigali construction and urban planning One Stop Centre was created by a cabinet decision of 14th April 2010.

District Task Forces (DTFs)
District Task Forces (DTFs) are established in each district to coordinate project-related activities. They include representatives of the various district departments such as Land Valuation, Infrastructure, Social Affairs, and Environment.

2.1.4 Sector & Village Level Institutions for Displacement Management

Sectors / Cells
The Sector is a territorial administrative entity responsible for implementation of development programs, service delivery, and promotion of good governance and social welfare. The Cell is an entity that provides basic services and helps the population to achieve sustainable development.

With the GCK Project located in Gasabo District, Kinyinya sector (specifically covering two cells of Gasharu and Murama and specific to the villages of Agatare, Ngaruyinka, Rusenyi, Gasharu, Taba and Binunga in the two cells) it falls under the jurisdiction of Gasabo District. The Project will abide by laws, instructions of good governance handed down from Gasabo district and its subsidiary governance entities.

Kinyinya sector and Project affected cells are essential in stakeholder engagement towards Project implementation.

Sector / Cell Land Committees
Sector- and Cell-level Land Committees (e.g., Cell Land Adjudication Committee (LAC)) assist in raising public awareness, including facilitating extensive PAP consultations. They also approve sector- and cell-level land use changes, ensure Land Use Master Plan alignment, and provide information on current local land use and land tenure and ensure project grievance mechanisms meet legislative requirements. The Land Committees are responsible for monitoring land management and use.

Land Adjudication Committees (LACs)
Cell-level Land Adjudication Committees (LACs) are implemented only when there are land ownership conflicts. A crucial LAC role to manage land ownership conflicts, part of which involves helping vulnerable people appeal grievance cases.

Mediation Committees (MCs/*abunzi*)

Existing cell-level Mediation Committees (MCs/abunzi) could be used as the first step in resolving land acquisition disputes and grievances, together with Cell or Sector Offices. This will be further determined in the GCK Project SEF and high level ESIA.

2.2 Rwanda Legal and Policy Framework

The legal framework lays the foundation for four key RPF elements, and any subsequent RAPs:

1) Approach to Land Access and Management
2) Establishing compensation rates
3) Determining compensation and resettlement assistance eligibility, including livelihood initiatives
4) Establishing grievance mechanisms to resolve compensation and eligibility-related grievances.

Land acquisition and resettlement activities are governed by the following legislation:

- The Constitution of Rwanda (2015) amended in 2023.
- Law No. 32/2015 Relating to Expropriation in the Public Interest
- Law No. 17/2010 Establishing and Organizing Property Valuation Profession
- Law No. 27/2021 of 10/06/2021 governing Land in Rwanda amending the Law No 43/2013 of 16/06/2013

2.2.1 National Legislation

The Constitution of the Republic of Rwanda (2015)
The Rwandan Constitution, promulgated in 2015, recognises property ownership and every person's right to hold private property individually or collectively (Article 34). Consequently, private property, whether individually or collectively owned, is inviolable.

The right to own property may not be encroached upon except in public interest and in accordance with legal provisions. In these cases, parties with land rights shall be fairly compensated in consideration of their right to own private property. Circumstances and procedures are determined by the law to ensure fair and prior compensation.

Article 35 specifies that private land ownership and other land-related rights are granted by the State. The Constitution stipulates that a law must determine modalities of acquisition, concession, transfer, and land use.

The Rwandan Constitution of 2015 has undergone amendments in 2023 to address various issues, including the synchronization of election timelines and procedural clarifications. Key changes also include human rights protection.

Law No. 32/2015 Relating to Expropriation in the Public Interest
Expropriation law determines public interest expropriation procedures; only the Government can order expropriation in the public interest. Article 2 defines expropriation in the public interest as, "an act based on power of Government, public institutions and local administrative entities with legal personality to remove a person from his/her property in the public interest after fair compensation".

The Expropriation Law entitle landowners to a fair compensation for the value of their land and any activities undertaken thereon, based on area and location. “Fair compensation” is defined as, “an indemnity equivalent to the value of land and the activities performed thereon given to the person to be expropriated and calculated in consideration of market prices as well as compensation for disturbance due to expropriation”.

Article 14 dictates the decision on the relevance of a project of expropriation for public interest. Article 22 dictates that land values and property prices consistent with the prevailing market rates shall be established by the Institute of Real Property Valuers (IRPV) in Rwanda.

Article 23 states that independent valuers certified by the IRPV should conduct land and property valuations in the presence of (in accordance with Article 25) the landowner/property owner – or their lawful representatives -- and representatives of local administrative entities.

Law No. 17/2010 Establishing and Organizing Property Valuation Profession (2010).

This Law establishes the Institute of Real Property Valuers to analyze and find solutions to all problems related to the real property valuation profession. It also establishes a Council to approve regulations and guidelines governing the real property valuation profession. This Law requires any person who has been practicing in an official capacity as a valuer to register for certification within six months from the publication of the Law in the Official Gazette. The following articles should be considered:

- Article 27 introduces the appropriate valuation methods to determine fair property market value.
- Article 28 details the Comparable Prices Method, whereby the Valuer shall compare prices to those recently assigned to a real property similar or comparable to the real property subject to valuation.
- Article 29 discusses the Comparison Method, to be used when comparable prices are not available for land in a particular area, and comparable prices of similarly classified land from other areas of the country are used.
- Article 30 notes that, where sufficient comparable prices are not available to determine the value of improved land, the Replacement Cost Approach shall be used to determine the improved land value land by taking real property as a reference.
- Article 31 states that the Valuer shall use whatever combination of methods he/she considers best suited to determine the current market value and the methods used shall be clearly explained in a Valuation Report.

Law governing Land in Rwanda amending the Land Law No 43/2013 of 16/06/2013

The updated Law Governing Land in Rwanda, amending Land Law No. 43/2013, outlines the processes for allocation, acquisition, transfer, use, and management of land within Rwanda. It asserts the State's supreme authority over all land to ensure rational economic and social development, while establishing clear guidelines for land rights, transactions, and sustainable land management. The law emphasizes transparency, fairness, and comprehensive regulation of all land-related rights, whether naturally occurring or artificially created, to promote the general interest and national development goals.

Law No. 10/2012 Governing Urban Planning and Building in Rwanda (2012)
Law No. 10/2012 governs urban planning and building in Rwanda, providing a framework for the development and management of urban areas to ensure sustainable and orderly growth. This law outlines the roles and responsibilities of various stakeholders, the procedures for urban planning, and the standards for building construction.

All projects must be developed considering the existing local master plans, such as the GCK Masterplan, to ensure integration with city development strategies and planning. Development will be implemented after effective expropriation and compensation has been made to affected parties.

2.2.2 Other Relevant Orders

National Land Policy 2019
The National Land Policy provides land tenure system overview, guiding principles of land management, and effective and efficient land registry and land transactions. In order to achieve the Rwandan Land Policy objectives, a number of organic laws, decrees, and orders have been and are still being prepared and promulgated. The land policy and land law have been drafted to safeguard, protect and enforce land rights of woman and female orphans in Rwanda. The land in Rwanda is titled to individuals that clearly indicate the full ownership of land. For government program or projects, the government is obliged to full expropriation and compensation of the affected land in accordance with the national expropriation law (Article 26 of the Expropriation Law N° 32/2015 of 11/06/2015) and WB requirements.

Ministerial Order No. 001/2006 Determining the Structure of Lands (2006)
Ministerial Order No. 001/20006 determines Land Register structures and the DLB's responsibilities and functions. The DLB implements land registration, maintains land registers, monitors and approves land and property valuation activities, and demarcates and approves land cadastral maps.

Rural populations with customary land rights are being encouraged to register their land through these institutions.

The Revised National Gender Policy, 2021
The Revised National Gender Policy aims to eliminate all forms of gender-based discrimination and enable both men and women to participate fully and enjoy equitably from the development processes. The policy's main mission is to contribute to gender inequality elimination in all sectors of national life, in order to achieve the nation's goal for sustainable development.

Presidential Order No. 54/01 (2006)
Presidential Order No 54/01 determines committee structure, responsibility, function, and composition.

Article 9 of the order gives the Office of the Land Committee independence in discharging daily technical duties. Therefore, it receives no instructions from any other institution.

Law No. 27/2021 Governing Land Dispute Resolution and Land Registration Procedures
Law No. 27/2021 of 10/06/2021 governs land disputes in Rwanda, detailing the mechanisms and procedures for resolving conflicts related to land boundaries and systematic land registration:

- Article 73: This article specifies that individuals who have disputes related to systematic land registration or land boundaries can submit their claims to the district or the City of Kigali, depending on the location of the land. If the claimant is dissatisfied with the decision or if no decision is made within the prescribed period, they may appeal to the institution in charge of land management within 30 days.
- Ministerial Order No. 004/moe/22: This order outlines the detailed procedures for resolving land disputes. It emphasizes mediation and states that the institution in charge of land management will invite the concerned parties and relevant experts for mediation sessions. The institution must issue its decision in writing within 45 days of receiving the appeal. This decision is final and not subject to further administrative review unless appealed in court within 30 days of notification.

2.3 Applicable International Standards

Please refer to KfW's Sustainability Guideline and hereby to the requirement to adhere to the following international resettlement Standards

This section presents the applicable standards that frame the RPF.

2.3.1 KfW Sustainability Guideline (2023)

KfW-supported projects must comply with KfW's Sustainability Guidelines (2023), and financial cooperation projects with public entities must adhere to the World Bank's Environmental and Social Standards (ESS) in addition to national legislation and the international treaties to which Rwanda is a signatory.

All projects must comply with Human Rights Guidelines of the German Federal Ministry for Economic Cooperation and Development (BMZ). This includes the UN Basic Principles and Guidelines on Development-based Evictions and Displacements, the VGGT, and that the planning processes should include free, prior-informed consent (FPIC) in projects affecting indigenous peoples.

If there is a considerable loss of livelihood due to land taking or if project affected persons are impacted by involuntarily resettlement, a stand-alone Livelihood Restoration Plan, a Resettlement Action Plan (RAP) or Resettlement Policy Framework (RPF) must be developed. No physical resettlement of people shall take place until a project-specific RAP has been developed and agreed by KfW Development Bank.

Paragraph 3.3 of KfW's Sustainability Guidelines notes that to avoid adverse social risks and impacts, KfW Development Bank operates according to the following principles:

- To avoid, reduce, or limit environmental pollution and environmental damage including climate-damaging emissions and pollution;
- To preserve and protect biodiversity and tropical rainforests and to sustainably manage natural resources;
- To consider probable and foreseeable impacts of climate change including utilising the potential to adapt to climate change. In this context, climate change is understood as climate variability and long-term climate change;

- To avoid adverse impacts upon the living conditions of communities, in particular indigenous people and other vulnerable groups, as well as to ensure the rights, living conditions and values of indigenous people;
- To avoid and minimise involuntary resettlement and forced eviction of people and their living space as well as to mitigate adverse social and economic impacts through changes in land use by reinstating the previous living conditions of the affected population;
- To ensure and support occupational health and safety as well as health protection in the workplace;
- To condemn forced labour and child labour, ban discrimination in respect to employment and occupation, and support the freedom of association and the right to collective bargaining;
- To avoid all forms of discrimination;
- To avoid negatively influencing existing conflict dynamics;
- To protect and preserve cultural heritage;
- To support the executing agency in the management and monitoring of possible adverse environmental, social, and climate impacts and risks associated with the implementation.

2.3.2 World Bank Environmental and Social Standard 5: Land Acquisition, Restrictions on Land Use and Involuntary Resettlement

The WB ESS 5 is triggered in situations involving involuntary land-taking. The policy aims to avoid involuntary resettlement to the extent feasible, or to minimise and mitigate its adverse social and economic impacts. It promotes participation of displaced people in resettlement planning and implementation, and its key economic objective is to assist displaced persons in improving -- or at least restoring -- their incomes and living standards after displacement.

The policy prescribes compensation and other resettlement measures and requires that borrowers prepare adequate resettlement planning instruments.

Section 1 of ESS 5 notes that involuntary resettlement may cause severe long-term hardship, impoverishment, and environmental damage unless appropriate measures are carefully planned and implemented.

For these reasons, the overall WB involuntary resettlement policy objectives are the following:

- Avoid involuntary resettlement or, when unavoidable, minimise involuntary resettlement by exploring project design alternatives.
- Avoid forced eviction
- Mitigate unavoidable adverse social and economic impacts from land acquisition or land use restrictions by: providing timely compensation for loss of assets at replacement cost; and, assisting displaced persons in improving, or at least restoring, their livelihoods and living standards, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.
- Improve living conditions of poor or vulnerable persons who are physically displaced, through provision of adequate housing, access to services and facilities, and security of tenure.
- Conceive and execute resettlement activities as sustainable development programs, providing sufficient investment resources to enable displaced persons to benefit directly from the project, as the nature of the project may warrant.
- Ensure that resettlement activities are planned and implemented with appropriate information disclosure, meaningful consultation, and the informed participation of those affected.

In alignment with ESS 5 Section C, paragraph 30, an RPF should be established to clarify resettlement principles, organisational arrangements, and design criteria that will be applied to Sub Projects or project components during project implementation. Once the Sub Project or individual project components are defined and the necessary information becomes available, such a framework will be expanded into a specific plan proportionate to potential risks and impacts.

According to ESS 5's application scope, impacts to be considered include those involving involuntary land-taking resulting in relocation or loss of shelter; loss of assets or access to assets; and, loss of income sources or livelihood means, whether or not the affected persons must move to another location.

As per Section A of ESS 5, the Project Proponent should develop policies, such as RAPs, covering the following:

- Displaced persons are informed of resettlement options and rights; consulted with, offered choices among, and provided with technically and economically feasible resettlement alternatives; and provided prompt and effective compensation at full replacement cost for project-attributable asset losses
- Physical relocation impacts are countered with measures ensuring that displaced persons are provided relocation assistance (e.g. moving allowances) and residential housing, or housing sites, or, as required, agricultural sites for which a combination of productive locational advantages and other factors is at least equivalent to the advantages of the old site
- Measures to ensure displaced persons are offered post-displacement support based on a reasonable estimate of time needed to restore livelihoods and living standards
- Development assistance in addition to compensation measures, such as land preparation, credit facilities, training, and/or job opportunities.

Particular attention should be paid to the needs of vulnerable groups, especially those below the poverty line, the landless, the elderly, women and children, indigenous peoples, ethnic minorities, or other displaced persons who may not be protected through national land compensation legislation.

In accordance with Section 15, taking of land and related assets may occur only after compensation has been paid and, where applicable, resettlement sites and moving allowances have been provided, and other measures such as livelihood programs are established.

As per Sections 14 and 28, preference should be given to land-based resettlement strategies for displaced persons with land-based livelihoods. If land is not the displaced person's preferred option, or sufficient land is not available at a reasonable price, non-land-based options built around employment or self-employment opportunities should be provided in addition to cash compensation for land and other lost assets. The lack of adequate land must be demonstrated and documented.

As a displacement alternative, according to Section 32, in situ land development arrangements may be considered by which PAPs may elect to accept a partial land loss or localised relocation in return for improvements that will increase their property value after development. PAPs can opt instead for full compensation and other assistance as required in the ESS.

Section 28 notes that cash compensation payment for lost assets may be appropriate where livelihoods are land-based but the land taken for the project is a small fraction (normally considered as less than 20% of the total productive area), and the residual land is economically viable. Cash compensation is also appropriate where: 1) there are active markets for land, housing, and labour; 2) there is sufficient supply of land and housing, and; 3) the Project has demonstrated to the satisfaction of the funder that insufficient replacement land is available.

Section 10 notes that displaced persons may be classified in one of the following three groups:

1) Those with formal legal rights to land or assets (including customary and traditional rights as recognised under national law)
2) Those without formal legal rights to land or assets at the time of surveys but who have a claim to such land or assets – provided that such claims are recognised under the laws of the country or become recognised through a process identified in the resettlement plan
3) Those who have no recognisable legal right or claim to the land they are occupying.

2.3.3 UN Basic Principles and Guidelines on Development-Based Evictions and Displacement

Paragraph 38 indicates that states should fully explore all possible eviction alternatives. All PAPs, including women, indigenous peoples, and persons with disabilities, as well as others working on behalf of the affected, have the right to relevant information, full consultation, and participation throughout the entire process and the ability to propose alternatives that authorities should duly consider.

As per paragraph 43, evictions should not render individuals homeless or vulnerable to other human rights violations. The State must adopt all appropriate measures, to the maximum of its available resources – especially for those unable to provide for themselves – to ensure the provision of adequate alternative housing, resettlement, or access to productive land. Alternative housing should be situated as close as possible to the original place of residence and livelihood sources of those evicted.

Under paragraph 52, competent authorities shall ensure that evicted persons or groups -- especially those who are unable to provide for themselves – have safe and secure access to:

- Essential food, potable water, and sanitation
- Basic shelter and housing
- Appropriate clothing
- Essential medical services
- Livelihood sources
- Livestock fodder and access to common property resources previously depended upon
- Education for children and childcare facilities.

States should also ensure that members of the same extended family or community are not separated as a result of evictions.

As per paragraph 60, when eviction is unavoidable and necessary for the promotion of the general welfare, the State must provide or ensure fair and just compensation for any losses of personal, real, or other property or goods, including property rights or interests.

2.3.4 Voluntary Guidelines on Responsible Governance of Tenure of Land, Forests and Fisheries (VGGT)

The VGGT provide direction and information on internationally accepted practices for systems involved in the rights to use, manage, and control land, fisheries, and forests. As per Section 3, states should:

- Reasonable measures should be taken to:
  - Identify, record, and respect legitimate tenure right holders and their rights, whether or not tenure is formally recorded
  - Refrain from infringement upon tenure rights of others and to meet the duties associated with tenure rights.
- Safeguard legitimate tenure rights against threats and infringements. Tenure right holders should be protected against the arbitrary loss of their tenure rights, including forced evictions inconsistent with their existing obligations under national and international law.
- Promote and facilitate the enjoyment of legitimate tenure rights. Active measures should be taken to promote and facilitate the full realisation of tenure rights or the making of rights transactions, such as ensuring that services are accessible to all.
- Access should be provided to everyone, through judicial authorities or other approaches, to resolve tenure rights disputes. Affordable and prompt outcome enforcement should also be provided. States should provide prompt, just compensation where tenure rights are taken for public purposes.
- Active measures should be taken to prevent tenure disputes from arising and from escalating into violent conflicts. States should endeavour to prevent corruption in all forms, at all levels, and in all settings.

Under Section 8.1, states should ensure that appropriate systems are used for the fair and timely valuation of tenure rights for specific purposes, such as the operation of markets, loan security, tenure rights transactions resulting from investments, expropriation, and taxation. Such systems should promote broader social, economic, environmental, and sustainable development objectives.

Under Section 8.2, valuation-related policies and laws should ensure that valuation systems consider non-market values such as social, cultural, religious, spiritual, and environmental values where applicable.

As per Section 12.2, Considering that smallholder producers and their organizations in developing countries provide a major share of agricultural investments that contribute significantly to food security, nutrition, poverty eradication and environmental resilience, States should support investments by smallholders as well as public and private smallholder-sensitive investments.

Under Section 12.6, States should provide safeguards to protect legitimate tenure rights, human rights, livelihoods, food security and the environment from risks that could arise from large-scale transactions in tenure rights. Such safeguards could include introducing ceilings on permissible land transactions and regulating how transfers exceeding a certain scale
should be approved, such as by parliamentary approval. States should consider promoting a range of production and investment models that do not result in the large-scale transfer of tenure rights to investors, and should encourage partnerships with local tenure right holders.

Under Section 15.5, Where States choose to implement redistributive reforms, they should clearly define the objectives of reform programmes and indicate land exempted from such redistribution.

The intended beneficiaries, such as families including those seeking homegardens, women, informal settlement residents, pastoralists, historically disadvantaged groups, marginalized groups, youth, indigenous peoples, gatherers and smallscale food producers, should be clearly defined.

As per Section 23.1, states should ensure legitimate tenure rights to land, fisheries, and forests of all individuals, communities, or peoples likely to be affected – with an emphasis on farmers, small-scale food producers, and vulnerable and marginalised people -- are respected and protected by laws, policies, strategies, and actions to prevent and respond to climate change effects consistent with relevant climate change framework agreements.

2.3.5 Green Climate Fund's Environmental and Social Policy

The Green Climate Fund (GCF) has established an Environmental and Social Policy describing how the GCF integrates environmental and social considerations into its decision-making and operations to effectively manage environmental and social risks and impacts and improve outcomes.

During screening and risk assessment activities, GCF policy requires considering risks related to involuntary resettlement and indigenous people.

Section 46 specifies that ESMPs are required and that all activities are screened – including Sub Projects of programs and activities requiring financial intermediation – for potential involuntary resettlement impacts, with ESS land acquisition and involuntary resettlement standards taken into account.

GCF-financed activities must be designed and implemented to avoid or minimise involuntary resettlement. If involuntary resettlement is unavoidable, GCF requires – through informed consultations and participation of the people or communities affected by the activities – RAP preparation or, if specific activities or locations are undetermined, a RPF proportionate to the extent of physical and economic displacement and the vulnerability of the people and communities.

The RPF must include provisions for the development and implementation of site-specific RAPs. In cases of economic displacement or livelihood access restrictions resulting from land acquisition and resettlement, livelihood restoration and compensation plans or frameworks must be developed. The plans or frameworks must complement the activity social assessments and provide guidance on specific issues and due process related to:

- Involuntary Resettlement
- Land Acquisition
- PAP Consultations regarding:
  - PAP rights and options
  - Asset compensation
  - Free, prior and informed consent in cases of indigenous lands and territories
  - Livelihood loss and restoration
  - Transition allowances
  - Facilities and resettlement sites
  - Grievance redress.

Section 64 requires that RAPs and RPFs are publicly disclosed in the same manner and time frame as core instruments such as ESIA, ESMP, and/or operational ESMS and ESMF. The documents must be sufficiently comprehensive to inform proposed activity assessment and decision.

2.5 Green City Kigali Project Policies

2.4.1 GCK Masterplan (2024)

The GCK Masterplan identifies a Green City development theme arising from Rwanda's national green growth and climate resilience strategy. The GCK Masterplan identifies the need for a resettlement development model aligned with national legislation and policies.

2.6 Gap Analysis of National Law and WB/KfW Standards

International Standards require that Project Proponents demonstrate how they will address gaps between domestic requirements and international standards and requirements.

A gap analysis with the differences between Rwanda national legislation and policy and WB and KfW Guidelines and how they are mitigated in this RPF is presented in Table 1. The comparative analysis table herein is constructed in accordance with the principles outlined in the International Finance Corporation Performance Standard 5 (IFC PS5). It does not dictate the adoption of either national legislation or international standards by the RPF. Instead, it employs national legislation as the foundational framework, while integrating supplementary safeguards in line with superior protections provided by international standards where needed.

Table 1: Comparative Analysis of National Law and WB/KfW Requirements

Resettlement Topic	Rwandan Legislative Requirements	WB/KfW Requirements	Gap	GCK Strategy for GAP Closure
Stakeholder Engagement	Expropriation law requires evidence that communities are sensitised about the project and consultative meetings are held at the outset, PAPs are communicated with before survey/valuation and will sign off on compensation valuation (article 12, 19 and 21 of the Law No. 32/2015 of 11/06/2015 Relating to Expropriation in the Public Interest)	Extensive engagement with PAHs required, including those with no legal claim to the land they occupy ESS specifically requires that women's perspectives be obtained, and their interests factored into all resettlement planning and implementation aspects. (See WB Environmental and Social Framework, especially ESS 5)	International standards also require engagement with those without legal right to the land they occupy.	Agreed-to engagement procedures with users, while not creating national policy precedents. Any agreed-to strategy to be detailed in this RPF. Stakeholder Engagement Framework (SEF) to ensure all PAPs, including youth, elderly, and women's perspectives adequately captured in all engagement processes.
Displacement Minimisation	Does not expressly address	Displacement should be avoided	National legislation does	Review Project designs and where

Resettlement Topic	Rwandan Legislative Requirements	WB/KfW Requirements	Gap	GCK Strategy for GAP Closure
	displacement minimisation (Refer to Law No. 32/2015 of 11/06/2015 Relating to Expropriation in the Public Interest)	or minimised to the extent possible.	not expressly seek to minimise displacement.	feasible, amend project boundaries/designs to avoid displacement (e.g., Land Pooling and Readjustment urban planning techniques) Where displacement is unavoidable, relocate as close as possible to home area.
Participation and consultation	The Rwandan law on Expropriation simply stipulates that affected peoples be fully informed of expropriation issues (see article 4 of the Law No. 32/2015 of 11/06/2015 Relating to Expropriation in the Public Interest). The law also conflicts the very purpose of consultation and involvement by prohibit any opposition to the expropriation program if considered to be under the pretext of "self-centered justification" (See article 26 of the Law No. 32/2015 of 11/06/2015 Relating to Expropriation in the Public Interest)	WB ESS5 requires that persons to be displaced should be actively be consulted and should have opportunity to participate in planning and design of resettlement programs	Ensure that resettlement activities are planned and implemented with appropriate information disclosure, meaningful consultation, and the informed participation of those affected	Adopt WB ESS 5 methods of participation
Compensation Calculation	Law outlines valuation methods, which should be based on market rates (See article 28 of the Law No.	WB ESS5 determines that cash compensation should be sufficient to replace lost land and other assets at	National law requires approval of Government Valuers. WB stresses full	Compensation rates are determined by an independent valuer at market rates and if government rates

Resettlement Topic	Rwandan Legislative Requirements	WB/KfW Requirements	Gap	GCK Strategy for GAP Closure
	32/2015 of 11/06/2015 Relating to Expropriation in the Public Interest)	full replacement cost.	market replacement costs.	fall short of replacement rates, RPF outlines measures taken to ensure full replacement rate requirements were met.
Eligibility	Owners will be eligible for compensation based on evidence of land titles (See article 33 of the Law No. 32/2015 of 11/06/2015 Relating to Expropriation in the Public Interest)	WB ESS5 determines to establish a cut-off-date for inhabitants' eligibility regardless of tenure.	WB recognises squatters' rights before cut-off, regardless of legal tenure.	All eligible owners of pre-cut off date assets (buildings, crops, etc.) will be considered for some level of compensation and treated equally regardless of legal tenure.
Cut-off date	Rwanda's national expropriation law stipulates that properties to be expropriated must be surrendered 90 days after compensation payment but does not determine payment needs to be done first (See article 34 of the Law No. 32/2015 of 11/06/2015 Relating to Expropriation in the Public Interest) Therefore the national legal framework does not have any explicit regulations on the announcement of a cut-off date prior to asset valuations.	WB ESS5 provides for a timeframe (cut-off date); people who encroach on the area after the cut-off date are not entitled to compensation or resettlement assistance)	WB ESS 5 requires that cut-off date information is well-documented and disseminated throughout the Project Area at regular intervals in written and (as appropriate) non-written forms and in relevant local languages. This includes posted warnings that persons settling in the Project Area after the cut-off date may be subject to removal	A cut- off date should be applied. Adopt PS 5 approach, which states that, where the borrower has offered to pay compensation to an affected person in accordance with an approved resettlement plan, but the offer has been rejected, the taking of land and related assets may only proceed if the borrower has deposited funds equal to the offered amount plus 10 percent in a secure form of escrow or other interest-bearing deposit, and has provided a means satisfactory for resolving the dispute concerning said offer of compensation in a timely and equitable manner.

Resettlement Topic	Rwandan Legislative Requirements	WB/KfW Requirements	Gap	GCK Strategy for GAP Closure
Compensation Choices	Allows for compensation-in-kind, but focuses on cash compensation methodologies (See article 35 of the Law No. 32/2015 of 11/06/2015 Relating to Expropriation in the Public Interest)	WB ESS 5 states that projects must offer displaced persons the option for replacement land. Compensation-in-kind is preferred, but cash compensation at full replacement value applies where appropriate.	WB specifies that replacement properties must be equal or higher value, and there must be both a choice of properties – replacement in-kind being the preferred option – and a cash alternative where appropriate	Physically displaced persons will be offered a choice of replacement properties of equal or higher value, with equivalent or better characteristics and advantages of location.
Livelihood and Resettlement Assistance	No provision	WB ESS 10 determines that livelihood measures should be developed to ensure PAPs are no worse off than they were prior to relocation and will ideally be better-off. The Project should be seen as a development opportunity with clear benefits for PAPs.	National Law does not specify assistance, but WB requires targeted assistance in terms of livelihood support.	Resettlement assistance, specifically moving assistance and allowances, will form part of the compensation framework, in addition to loss of earnings assistance and longer-term livelihood development Programs.
Vulnerable Groups	No provision	WB ESS 5 determines that vulnerable persons and households should be identified, and Programs established to offset impacts and allow households to take advantage of project benefits.	WB requires focused measures for vulnerable groups.	Specific efforts will be made to identify vulnerable, or potentially vulnerable, households at time of baseline surveys. Subsequently, specific transitional measures and provisions for vulnerable groups appropriate to their circumstances will be developed.
Gender Considerations	National law does not detail particular considerations for women (See Law No. 32/2015 of 11/06/2015 Relating to	WB ESS 10 determines that the consultation process should ensure that women's perspectives are	WB requires specific gender considerations are in place throughout the entire	Specific measures will be taken to ensure women's views are incorporated and captured during the socio-economic

Resettlement Topic	Rwandan Legislative Requirements	WB/KfW Requirements	Gap	GCK Strategy for GAP Closure
	Expropriation in the Public Interest)	obtained, and their interests factored into all aspects of resettlement planning and implementation.	resettlement process.	surveying process and safeguards put in place to protect the women'' rights throughout the resettlement process, particularly compensation. Mitigation measures -- specifically designed for improving the livelihoods of Project-affected women – will be developed.
Grievances	Expropriation law allows only for written objections at initial project announcement and objections to valuation, whereby PAP must assign a valuer at their own cost (See article 36 of the Law No. 32/2015 of 11/06/2015 Relating to Expropriation in the Public Interest)	WB ESS 10 determines that the Project must establish a grievance mechanism to receive and address specific concerns about compensation and relocation, including a recourse mechanism designed to resolve disputes in an impartial manner.	WB requires specific grievance mechanism to be in place.	Development of a grievance mechanism compatible with existing legislation and WB requirements, including access to courts.
Monitoring and Evaluation (M&E)	No provision	Requires monitoring and reporting on RAP implementation effectiveness.	WB requires effective monitoring and evaluation of RAP implementation effectiveness.	Determine monitor outcomes for relocating households, including need for comprehensive baseline surveys as referenced above.

3. Baseline Data Collection and Analysis

Data collection serves as a crucial tool for informing the related Sub Project RAPs. Data collection will support the Project in obtaining details regarding displacement impacts of the respective Sub-Projects which will inform the targeted support measures under the RAPs. The following Section outlines important aspects of the data collection process.

3.1 Baseline Data Collection & Analysis

Secondary Data Collection
Secondary data sources serve an important role in designing Socio-economic Survey materials and can provide valuable comparisons to assess differences between national-level indicators and those identified in the primary data collection process. In general, Project related data capturing should align to national indicators.

Demographic Data
The PAP census, gathered through the surveys, is a critical initial step in RAP(s) preparation. The Project demographic data can serve four important and interrelated functions:

1) Enumerating and collecting basic information on the affected population
2) Registering the affected population by residence or locality
3) Establishing a list of legitimate beneficiaries to counter spurious claims from those moving into the Project Area solely in anticipation of benefits
4) Laying a framework for necessary subsequent socio-economic research.

Socio-economic Studies
In addition to basic demographic data (age, sex, family size), each Sub Project RAP needs to include PAPs social and economic information (health, education, occupation, income sources). This information can provide resettlement planners with a general understanding of Project-affected communities and the scope of compensation and resettlement assistance necessary to mitigate adverse effects.

Survey design must ensure it adequately captures vulnerable groups in the Project Area. These groups may include households headed by women or children, people with disabilities, and the extremely poor. In addition, all data collection must incorporate a gender disaggregated baseline.

Baseline Data for Monitoring and Evaluation
In addition to using gathered information to establish resettlement implementation indicators, it can also be used to monitor and evaluate income restoration and sustainable development initiatives.

Affected Asset Inventory
Each Sub Project must conduct a detailed survey of losses for each Project-affected household, enterprise, and community. The survey should account for land acquisition, physical asset losses, and loss of income. Assets held collectively, such as water sources, plantations, forest resources, and community structures should be recorded separately. It is essential that the Project consult with PAPs to develop a reasonable consensus on methods and formulas to be used for assigning value to lost assets and forgone income during resettlement.

Data will be housed in an integrated Project database that will be developed for the effective storage and analysis of all baseline data. The database will contain all baseline survey details within a secure system, allowing for effective data analysis. The data will also be linked to a mapping system, which will include all Project Area productive lands and structures.

The database will be used to assist in survey data analysis, assessment, and asset valuation for compensation, compensation payment, sign-off, and moves of resettling households and future project monitoring and evaluation.

3.2 Future Baseline Data Requirements

Each Sub Project RAP will provide comprehensive data-gathering and analysis on PAPs asset and socioeconomic circumstances. Asset surveys will be carefully scheduled to coincide with the Sub-Project RAP Entitlement Cut-off Date declaration.

Detailed PAP household data will be collected and will serve the following purposes:

1) PAP household identification
2) Vulnerable household identification
3) Identification of Project Impacts
4) Inform the establishment of household and community-level compensation entitlements
5) Yield basic social and economic information for appropriate livelihood and vulnerable assistance development packages
6) Provide quantifiable baseline data for future RAP implementation monitoring and evaluation.

Critical steps in Sub Project RAP baseline data-gathering and analysis will include:

- Survey matrix development
- Secondary data source analysis
- Stakeholder engagement, including community meetings, Focus Group Discussions, and key stakeholder interviews (discussed further in Section 5)
- Entitlement Cut-Off Date Declaration
- Rapid Asset Survey (Immoveable Assets)
- Full Built Asset Survey (Immoveable Assets)
- Land, Farms, and Crops Survey
- Socio-Economic Survey.

3.2.1 Survey Matrix Development

In order to ensure a systematic approach to data collection an outline Data Collection Matrix has been developed, as set out in **Appendix 1**.

The purpose of the Matrix is to ensure that all the types of data to be collected are identified and the most effective data collection methods are selected. In some cases, more than one data

collection method will be used to triangulate information for accurateness, but where this is not necessary then the matrix will help to avoid unnecessary duplication of data collection and community survey fatigue.

The Survey Matrix will confirm survey participants and appropriate survey methodologies per each Sub Project RAP. In addition to Rapid and Full Asset Surveys and a comprehensive Household Socio-economic Survey, data will be gathered via Focus Group Discussions (FGDs) and Key Person Interviews, as well as meetings with government stakeholders. These data-gathering methodologies are discussed further in Section 4: Stakeholder Engagement.

In developing the Survey Matrix, the survey timing will be considered to ensure maximum participation and minimal inconvenience (e.g., ensuring daily activities and Rwanda's multiple farming seasons are considered).

3.2.2 Analysis of Secondary Data Sources

Each Sub Project will identify and examine relevant secondary data sources related to the project-affected communities and areas, including:

- Government education, health, livelihood, business, tax and other socio-economic records and reports for the households, businesses and communities that form part of the other surveys as well as comparative communities in the area
- State and local development plans
- Field studies and prior reports
- Academic and international aid agency reports
- Results of randomized evaluations and development outcomes to inform livelihood programs.

3.2.3 Cut-off Date Declaration

Rwanda's national expropriation law only require public disclosure of all assets valued after valuation and therefore does not have any explicit regulations on the announcement of a cut-off date. However, WB ESS 5 requires that cut-off date information is well-documented and disseminated throughout the Project Area at regular intervals in written and (as appropriate) non-written forms and in relevant local languages. This includes posted warnings that persons settling in the Project Area after the cut-off date may be subject to removal.

The cut-off declaration should be carefully planned and widely communicated, to ensure it is understood and agreed to by the affected communities. Prior to the conducting of any baseline data collection activities, the Project will prepare and implement a specific targeted Communications Plan, in order to facilitate the understanding and backing and presence of community leaders, household heads, relevant government representatives and other necessary parties during the process. The Communication Plan will outline the purpose of, and process for, undertaking baseline data collection. With regard to the use of photography and audio and video recording, the Project will ensure that it puts in place appropriate stakeholder engagement mechanisms to address potential community sensitivities and avoid misunderstandings.

Each Sub Project will ensure that suitable arrangements are in place to deal with project-affected people who need support during the process e.g. illiterate people.

Cut-off date declaration will ideally be coordinated with the Rapid Asset Surveys to ensure expedited asset capture and so surveyors can simultaneously inform households of the cut-off date and their rights and responsibilities, both verbally and in writing. Where households are absent, notices should be posted on structures.

A guide for sequencing of data collection field work is set out in Table 2.

Table 2: Baseline Data Collection Sequencing and Involvement

Method	Timing	Typical Community Involvement	Other Participants
Entitlement Cut-Off Date	Once Project Communications Plan and stakeholder engagement planning process is complete.	Will be informed by various levels of engagement.	Government to be informed as necessary
Rapid Asset Survey (RAS)	On date that Entitlement Cut-Off is declared.	Designated community leaders, household heads (if available) and representatives of owners of public structures and facilities (if available) to be present with each survey team	
Full Built Asset Survey (including related land) **(FBAS)**	Immediately after RAS.	Designated community leaders, household heads, business heads and representatives of owners of public structures and facilities to be present with each survey team	Government representatives as necessary
Crops and Commercial Trees Survey (including related land)	In parallel with FBAS	Designated community leaders and household heads / farm owners / users to be present with each survey team	Government representatives as necessary
Socio-Economic Survey	The census and socio-economic Survey will take place after the RAS and in conjunction with the FBAS.	Designated community leaders and household heads to be present with each survey team	Government representatives as necessary
Photography and Videos	As part of all surveys	Will be informed	
Key Person Interviews	Prior to and in parallel with FBAS	Key persons interviewed	
Focus Groups	In parallel with or shortly after FBAS	Community members invited to the focus groups	
Cultural Heritage	Questions to confirm whether or not there is tangible cultural heritage will form part of above surveys. With respect to intangible cultural heritage, data will be collected as part of the surveys mentioned in previous rows	Community leaders, household heads and religious leaders, as necessary	Representatives of relevant government agencies, as necessary
Secondary Data	Prior to and in parallel with FBAS	As necessary based on identified sources	As necessary based on identified sources

3.2.4 Rapid Asset Survey

The Rapid Asset Survey (RAS) records all Project Area structures on the cut-off date. The purpose is not to assess structures for valuation, but to quickly record basic data to prove which structures existed pre-cut-off date, and limit Project Area speculation. All buildings built subsequent to the RAS will be considered post-cut-off date and ineligible for compensation.

Project Area locations should be divided into zones with survey teams assigned to each zone to ensure efficiently area coverage and coordination. Survey teams should be trained prior to implementation, including in survey form piloting before full implementation.

The following information will be incorporated into the survey forms and gathered through the RAS:

- Development of a unique identifier (code) for each zone, homestead, and structure
- Record of all immoveable structures
- Basic owner/occupier information (where present)
- Basic structural observations
- Photographs of building number, and structure owner (if present)
- Building GPS coordinates
- Issuance of cut-off date notice, including verbal explanation if possible
- Sign-off by relevant owners (where present) and witnesses.

Each survey team will include Sub Project representatives to communicate the cut-off date implications as well as survey and compensation processes.

3.2.5 Full Built Asset Survey

The Full Built Asset Survey (FBAS) should commence immediately following completion of the RAS.

The FBAS will collect the following information:

- Basic demographic data (number of persons per household)
- Structure survey (internal and external measurements, recording of all construction materials)
- GPS coordinate reconfirmation
- Detailed structure sketches
- Photographic records
- Sign-off by owners and witnesses.

The central purpose of the FBAS will be to confirm the RAS results, determine if any speculative building has occurred since the GCK Sub project cut-off date was announced, and to collect detailed measurements and construction details for asset valuation.

As with the RAS, each survey team will include Sub Project representatives to communicate the cut-off date implications as well as survey and compensation processes.

3.2.6 Land, Farm, and Crop Surveys

The purposes of the Land, Farm and Crops Surveys will be to:

- Record all Project Area crops prior to the cut-off date and assess them for compensation
- Reconfirm all farm boundaries and ownership to determine deprivation of use of land compensation
- Record all Project Area non-cropped sites to determine deprivation of use of land compensation.

All crops planted subsequent to the Crops Survey are considered post-cut-off date and will be ineligible for compensation.

The following information will be gathered by the survey teams:

- Basic owner or occupier information
- Farm boundary reconfirmation
- Basic crop information
- Ownership interests in the land
- Dated photographs of farmer and GPS coordinates and photos of the farm
- Sign-off by farmers or owners and witnesses.

3.2.7 Socio-economic Survey

A detailed socio-economic survey will be required of 100% of impacted households. While a sample of households may be sufficient for ESIA development, detailed information will be required for all directly impacted households for resettlement planning, monitoring and evaluation.

The socio-economic survey will gather detailed individual and household data on current living standards, income, and livelihoods, to identify potential adverse impacts and vulnerable people; refine livelihood supports; and serve as a baseline to measure the effectiveness of resettlement plans and mitigation measures in ensuring measurable improvements in the economic conditions and social well-being of affected people and communities.

The socio-economic survey will include a robust livelihood assessment, including both FGs and Key Person Interviews (KIIs) to inform the development of a livelihood restoration program and identify "positive deviants[11]".

The guiding questions for the qualitative data collection will focus on triangulating information and insights into economic activities and community well-being. Questions will aim to identify community champions and positive deviants that can inform successful, locally appropriate strategies for improving livelihoods.

Additional guidance for the required data field types is provided in **Appendix 1**.

3.4 Storage & Analysis of Baseline Data

The Sub Project informational requirements necessitate the secure storage of data in accordance with data protection requirements. The data must also be analysed in order to develop mitigation programs and determine and pay compensation.

Data will be housed in an integrated Sub Project database that will be developed for the effective storage and analysis of all baseline data. The database will contain all baseline survey details within a secure system, allowing for effective data analysis. The data will also be linked to a mapping system, which will include all Project Area productive lands and structures.

The database will be used to assist in survey data analysis, assessment, and asset valuation for compensation, compensation payment, sign-off, and moves of resettling households and future project monitoring and evaluation.

[11] Positive deviance (PD) is an approach to behavioural and social change based on the observation that in any community there are people whose uncommon but successful behaviours or strategies enable them to find better solutions to a problem than their peers, despite facing similar challenges and having no extra resources or knowledge than their peers. These individuals are referred to as positive deviants. See Sternin, J., & Choo, R. (2000). The Power of Positive Deviancy. Harvard Business Review

4. Stakeholder Engagement

The overall goal of consultation and stakeholder engagement is to establish an ongoing, accessible, and constructive dialogue with PAPs and other interested individuals and organisations so their views and concerns can be accounted for in project decisions in accordance with international good practice. To develop an effective SEP per each Sub Project, it is necessary to determine whom the stakeholders are and understand their needs and expectations for engagement, their interest, and objectives in relation to the Project. This information shall then be used to tailor engagement to each type of stakeholder.

4.1 Purpose & Objectives of Stakeholder Engagement

A general framework for stakeholder engagement is relevant as the outlined principles can be adjusted and applied to the various Project subcomponents. The Stakeholder Engagement Framework (SEF) developed as part of the ESIA provides a framework to identify the actions the Project needs to undertake to ensure that a timely, consistent, comprehensive, coordinated and culturally appropriate approach is taken to consultation and project disclosure. The framework includes the core principles and applicable guidance for stakeholder identification and mapping, engagement, information disclosure, consultation meetings and public participation.

The SEF can be used to guide the development of project specific Stakeholder Engagement Plans (SEPs), which will define the official stakeholder engagement processes for the various project activities taking place. Building off the principles and approaches laid out in the SEF, this RPF provides an overview of an SEP tailored for land access and resettlement purposes. However, each Sub Project will develop its own SEP tailored to the Sub Project specific circumstances.

This high-level resettlement specific SEP aims to improve and facilitate decision-making and create an atmosphere of understanding that actively involves individuals, groups, and organisations that can affect, or be affected by, Project development.

The SEP's specific objectives are to:

- Work closely with key government departments, other organisations, community representatives, and communities in a coordinated way to enhance participation
- Continuously engage with all stakeholders through information disclosure, consultation, and participation in monitoring project activities to build positive relationships, minimise risks, and maximise opportunities for social development. This includes local communities and authorities, such as sector and cell committees and leadership
- Involve affected stakeholders in assessing and monitoring the Sub Project's RAP and identifying improvements
- Integrate stakeholder information across the project planning functions (including risk assessment, design and engineering, health and safety planning, external communication, workforce planning) by, for example, ensuring regular information exchange and communication between various teams, managers, and staff
- Effectively and efficiently respond to stakeholders' concerns and complaints based on two-way engagement and the Project's grievance mechanism
- Provide periodic updates on evolving Project design changes and other developments and issues regarding through established communication mechanisms appropriate and accessible to local, national, and international stakeholders.

4.2 Approach to Stakeholder Engagement

4.2.1 Stakeholder Engagement Plan (SEP)

This section serves as an initial Stakeholder Engagement Framework (SEP), outlining principles and strategies to identify stakeholders and plan for a comprehensive engagement process. The focus of the SEP and subsequent comprehensive tailored resettlement Stakeholder Engagement Plan (SEP) will be based on a participatory approach amongst various stakeholders at the village, district, and national levels.

The purpose of developing stakeholder engagement strategies as part of the RPF is to:

- Inform Project-affected Persons (PAPs) about the Project and Project-related proposals and decisions
- Receive feedback from PAPs on Project proposals, record their concerns, and provide feedback on issues raised
- Consult PAPs on local economic and social conditions and gather local knowledge
- Ensure vulnerable group identification and participation
- Enable PAPs to participate in Project development, endorsement, and implementation
- Encourage stakeholder participation in monitoring and evaluation activities.

All Project-related engagement activities should be designed to achieve the following objectives:

- Maintain and strengthen constructive, ongoing relationships with Project stakeholders, based on mutual understanding, respect, and trust
- Ensure engagement activities are undertaken in a manner that is inclusive, culturally appropriate, and tailored to PAPs language preferences, literacy levels, and gender-specific needs
- Ensure all engagement activities are free of intimidation or coercion, and all participants are aware of their rights under national law and international standards.

4.3 Stakeholder Identification, Analysis and Mapping

WB ESS guidance note defines stakeholder identification as the process of:

- Identifying individuals, groups or local communities that may be affected by the project, positively or negatively, and directly or indirectly, making special effort to identify those who are directly affected, including the disadvantaged or vulnerable
- Identifying broader stakeholders who may be able to influence the outcome of the project because of their knowledge about the affected communities or political influence over them
- Identifying legitimate stakeholder representatives, including elected officials, non-elected community leaders, leaders of informal or traditional community institutions, and elders within the affected community.

GCK Project stakeholders will be identified through a variety of methodologies including:

- Formal discussions with local leadership and government agencies
- Community meetings and forums
- FGs with key groups such as landowners, women, youth, religious leaders, and farmers.

Local community stakeholders will also be identified through asset and socio-economic surveys, which offer an additional opportunity to gather project development concerns and issues.

Stakeholders' contact details will be recorded in the Sub Project Database. Stakeholders will be mapped and analysed to understand their relationships, likely key issues, and the most effective engagement means for various groups.

4.3.1 Identification of Women and Vulnerable Groups

A key component of the WB's environmental and social standards update is the emphasis on ensuring vulnerable, women and youth are active participants in any Project. Women frequently suffer disproportionately when resettlement is badly planned or executed, as they are often a disproportionately large number of the poor; have more limited access to resources, opportunities, and public services than men; and as a result, rely more heavily on informal support networks within their existing communities.

The planning process will consider the situation of women and youth and adapt the engagement process as necessary to ensure that women have a role in decision making. This will include the identification of:

- Women's means of income generation and livelihoods, including non-formal activities such as gathering natural resources, or trading and bartering services and wares
- Women's social and economic networks, including extended family ties; and,
- Women's ownership of affected assets, including land and crops, in order to appropriately compensate them.

Despite notable advances, women's status in Rwanda remains vulnerable and marginalised. The primary issue facing rural women is a lack of economic empowerment, resulting from traditional custom, where women in peri-urban and rural areas are mainly responsible for household tasks and have limited access to employment and income-generating opportunities, a lack of skills training, and a general detachment from economic development.

Their intimate knowledge of issues such as land management, water resources, and food security make women essential contributors to a public consultation process. They can provide valuable information to specialist studies and are frequently in a good position to identify community needs and priorities that can be supported by social development programs.

The following specific steps will be taken to promote women's equitable and meaningful participation:

- Consultative events such as meetings will be timed to consider the various demands on women's time such as other work and meal preparation
- Baseline social profiles compiled as part of the land access and resettlement process special studies will include an analysis of gender dynamics and disparity between men and women's participation in the local and provincial economy. This information will be used as a basis for further planning to involve and meet the needs of female community members
- Training and awareness-raising workshops will be offered to sensitise participants to the relations between men and women, and to transform traditional relationships that have not allowed women to realise their potential
- Information posted on community notice boards will be presented in a gender-sensitive manner

- When monitoring the effects of ongoing community consultation, data will be collected and recorded in a gender-disaggregated manner so as to provide insight into the differential impacts of the Project on women and men.

4.4 Stakeholder Groups

At this stage, a number of key stakeholders have been identified and summarised below.

Government Ministries
GoR ministries will be critical for monitoring for compliance, and issuing licenses and permits. Government ministries may also be involved in livelihood improvement programs, such as agricultural outreach services. These ministries include: Ministry of Environment, Ministry of Infrastructure, Ministry of Local Government, Ministry of Agriculture and Animal Resources, and their associated agencies.

Local Authorities
This group may include the CoK, district (Gasabo), sector, cells and villages**.**

Developers
Public and/or private entities will be invited to develop the sub-areas masterplan for development.

Special Interest Groups
Residents, some of whom are small-scale and subsistence farmers, are the primary Project Area special interest group. Youth and women are particular special interest groups:

- Youth will benefit from and be greatly interested in additional employment opportunities
- Women, who can potentially be heavily impacted by land access and resettlement, culturally do not tend to participate in decision-making, will require special Project measures to ensure their participation and ability to benefit from Project programs.

Non-Governmental Organisations (NGOs)
Large-scale infrastructure projects throughout the world are under increasing scrutiny due to potential impacts to mostly rural groups. The Project will need to actively engage with Project Area, national, and provincial NGOs.

In addition, Project Area NGOs will be identified for potential collaboration on livelihood and vulnerables programs.

Contractors
Project Area contractors will be encouraged to hire local community members, particularly for semi-skilled and unskilled jobs.

4.5 Planned Stakeholder Engagement Activities

Stakeholder engagement on all resettlement-related issues will occur per each Sub Project RAP through a variety of processes and activities, as discussed below.

4.5.1 Sensitisation Meetings

A series of sensitisation meetings, open to the public, will be held periodically for each Sub Project RAP.

The purpose of initial public meetings will be to:

- Introduce the Sub Project, including discussions around Risks and adverse impacts from project activities, proposed mitigation measures or adaptation measures to the adverse impacts
- Gather opinions on proposed project interventions for the Sub Project component,
- Input on their expectations of the project intervention areas, benefits expected from the project
- Explain the land access process
- Gain trust and support for the process
- Declare Sub Project Area cut-off date
- Outline Sub Project cut-off date rights and responsibilities
- Outline surveying procedures.

Further meetings will:

- Detail Project progress
- Address community concerns
- Outline resettlement and livelihood programs and program eligibility criteria
- Inform regarding resettlement construction and moves.

Broad stakeholder concerns and comments will also be gathered in these meetings, but not as a substitute for more focused stakeholder consultation methods.

4.5.2 Focus Groups (FGs)

Relevant focus groups (FGs) will be formed as part of the socio-economic assessment for open discussion of specific concerns. The following FG types will be consulted with on a village-level basis:

- Key persons / opinion leaders
- Religious leaders
- Women
- Youth (men and women)
- Children
- Farmers
- Landowners.

4.5.3 Key Person Interviews

Specific Project Area residents will be interviewed on a regular basis to ascertain Project support and determine any concerns that have not been openly raised in other forums.

4.5.4 Socio-economic and Asset Surveys

Comprehensive surveys will be conducted at a Sub Project level as part of the resettlement planning process, particularly a comprehensive socio-economic survey of all PAHs and an asset survey of all affected immoveable assets.

In addition to the survey data gathered, questionnaires will allow for detailed individual feedback on stakeholder concerns outside of the group format.

4.5.5 Noticeboards

GCK Project noticeboards, located in the communities, will be used to disseminate information and advertise consultation activities. Additional boards will be erected at key Project Area locations.

4.5.6 Project Factsheets

A series of factsheets will be developed to further explain key Project aspects, such as baseline surveys and crop enumeration. These factsheets will seek to address frequently asked questions, and act as a guide for both community relations staff and stakeholders.

4.5.7 Media Broadcasts

Messages broadcast on local radio stations and community public address systems will inform PAPs and key stakeholders of planned community meetings and outline key project activities such as Sub Project cut-off declaration and surveys, as well as educating and informing PAPs on livelihood programs and compensation and resettlement plans.

4.6 Implementation

4.6.1 Resources and Responsibilities

Each Sub Project LAP implementor holds the responsibility for stakeholder consultation and alignment with the RPF and the GCK Masterplan's implementation. Key Sub Project stakeholder-related responsibilities include:

- Respond to concerns and issues expressed during public consultations
- Effective information disclosure
- Allocate sufficient funds to implement a viable SEP
- Effective consultation with all stakeholders
- Ensure that all public consultation and information disclosed is documented
- Incorporate consultation results into project planning
- Maintain an effective grievance procedure (in alignment with the grievance procedure that will be described in the GCK Project SEF / ESIA)
- Disclose key project documents.

4.6.2 Reporting and Evaluation

Each Sub Project will maintain an active file of all public consultation and disclosure documentation, which will be available for public review upon request. Any commitments made at any point during the engagement process must be recorded and tracked.

SEP evaluation is qualitative as well as quantitative, and evaluation occurs as part of overall project evaluations on a regular basis as well as at project milestones (See Section 13: Monitoring and Evaluation for additional details).

4.6.3 Record-keeping

Record-keeping will be planned and thorough, and will follow specific procedures:

- Electronic and hard copy filing systems will be maintained for all external relations activities
- Issues/commitments raised/ made at meetings will be recorded and distributed to meeting attendees for verification at regular intervals

- Attendance registers will be completed at all meetings, and, as possible, digital photographs and/or video recordings will be made of all meetings
- A comprehensive record for reporting purposes will be kept of:
  - All meetings (dates, venues, attendees, objectives)
  - All comments, compliments, grievances and responses to these
  - Times and content of media advertisements and radio broadcasts.

4.7 Future Stakeholder Engagement Schedule

The Sub Project RAPs will include a detailed SEP covering planned consultation and disclosure activities occurring prior to any cut-off date declaration. This will include development of a detailed stakeholder engagement schedule.

5. Project Impacts & Mitigation Strategy

5.1 Identifying Project Impacts

This RPF seeks to identify the broad PAP categories and all potential adverse land-take-associated impacts on their livelihoods. This is based on the surveys, desk-based analysis, and ground-truthing undertaken by the Project to date.

Each Sub Project will analyse baseline data and identify impacts in light of their characteristics i.e. nature (positive or negative), extent (spatial), occurrence (one-off, intermittent, or constant), magnitude, reversible or irreversible, direct or indirect, probability of occurrence, and significance with and without mitigation.

Potential identified impacts include:

- Loss of farm buildings and other structures (toilets, animal pens)
- Loss of housing and businesses
- Loss of agricultural land access
- Loss of pasture land access
- Loss of commercial trees and standing crops
- Loss of business income during transition
- Reduced income resulting from these losses
- Potential additional related impacts.

The Sub Project RAPs will identify all PAPs as well as all adverse Project-associated impacts on their livelihoods associated with land acquisition.

5.2 Project-affected Households

For the purposes of resettlement program development, a distinction is drawn between Project Area physically displaced households and economically displaced households, defined as follows:

- **Physically Displaced**, or resident households, are those inhabitants occupying a house in the Project Area, built on or before the Entitlement Cut-off Date, as their primary or sole residence. These households will have to move from the Project Area (physical displacement) and their livelihoods will almost always be impacted by the Project (economic displacement).
- **Economically Displaced Households** are those whose livelihoods are impacted by the Project. This can include both resident households and people living outside the Project Area but having farms, crops, non-resident structures, businesses, or various usage rights there. For example, in the Kinyinya Hill area, there may not be many Project Area residences, but many households grow crops there.

The number of households requiring resettlement (i.e., losing their primary residence) will be ascertained during the RAP Sub Projects designs. Further survey work will include a detailed examination and measurement of homesteads to see if it is possible for some households to lose only an annex which could be rebuilt nearby – and not lose their primary accommodation – thereby further minimising the extent of physical resettlement.

Many households will be impacted by crop losses. Some will lose productive agricultural land, grazing land, and commercial trees. Further survey work for Sub Projects RAPs will include a detailed examination and measurement of crop and grazing land and orchards.

5.3 Project-affected Public Facilities

The principal infrastructures are roads, social infrastructures such as health centres, schools and churches, transport facilities, electricity, water networks, sport centres and environmental infrastructure.

The number of public facilities – such as educational facilities and places of worship – that may be affected will need to be identified by each development Sub Project. This will require specific engagement with the owners and authorities.

5.4 Livelihood Impacts

PAHs livelihood impacts will include formal employment, agriculture and livestock.

This information will be updated per each Sub Project RAP.

Hotel and restaurant facilities and businesses

As evidenced by a 2020 World Bank study focused on housing solution in Rwanda[12], similar Rwanda housing projects, gentrification has led to higher prices for rental space. Affordable housing is an important policy agenda in Rwanda, where housing challenges are serious. A wide gap between housing supply and demand – approximately 1,000 units supplied by professional developers versus 15,000 new units needed in 2017 – is exacerbated by a huge affordability gap. In Kigali, the lowest price of a developer-built housing unit is around US$20,000. This is far out of the range of the bottom 50 percent of the income group, who can only afford to rent a unit priced below US$12,000. That is, at least half of the residents in Kigali currently cannot access formal housing options.

Evidence suggests that the cost of living in the communities to which people will be resettled may be higher than it is in their existing communities, so their incomes will not support them as well in the new communities. This information will be updated per each Sub Project RAP in each LAP.

Safeguards, such as land pooling and readjustment in nearby plots will be implemented to extent feasible as part of the Sub Project RAPs and in alignment with the Masterplan provisions, to ensure displacement minimization and that Project Affected Peoples (PAPs) are provided with improved security of tenure and economic opportunities.

5.5 Influx & Speculation Management

The GCK Project has enjoyed high-profile publicity and therefore may be identified as ripe for speculation and encroachment. Many major projects experience an influx of people and other speculative activities like erection of new structures by existing local populations and newcomers attempting to take financial advantage of project land access and resettlement processes. If not carefully managed, these activities can pose a number of environmental, health, safety and

[12] World Bank. Housing Solutions for Low-Income Urban Communities in Rwanda. 2020. Report No: AUS0001351

security risks and challenges; cause friction between project staff, local communities and newcomers; and add significantly to project costs.

The Project will need to develop incorporate Influx and Speculation strategies which will include engagement with local leadership and district level government to dissuade encroachers and gain community level support by informing GCK of any expected speculative activities. Community engagement will inform communities that speculation may make the GCK Masterplan Sub Projects implementation unfeasible, thereby negatively impacting the existing communities that stand to benefit from the urban development.

As mentioned in Section 3.2, an Entitlement Cut-Off Date will be declared in respect of the defined Sub Project Area/s in order to set a date for determining eligibility for compensation. The Rapid Asset Survey will start at this time. Influx and speculation will be monitored by each implementing developer during the RAP process.

5.6 Project Impact Minimisation Efforts

The goal of any project should be to avoid physical and economic displacement of households and communities. Where unavoidable, such impacts should be minimised. Not only is minimisation desirable from a social impact perspective, but it is also economically advantageous to limit the scale of displacement given the cost of providing compensation, replacement housing, livelihood restoration, and other measures.

The GCK Masterplan and the RPF examine a range of options and strategies for the minimisation and mitigation of land access and displacement impacts, which are presented below. These will need to be reflected in more detail in Sub Project RAPs.

5.6.1 Good Urban Planning Techniques to Avoid Displacement

As indicated in the GCK Masterplan, good urban planning in alignment with International Standards seeks to minimise the adverse impacts on existing populations, especially vulnerable PAPs. The GCK masterplan has taken the following measures to minimise displacement impacts:

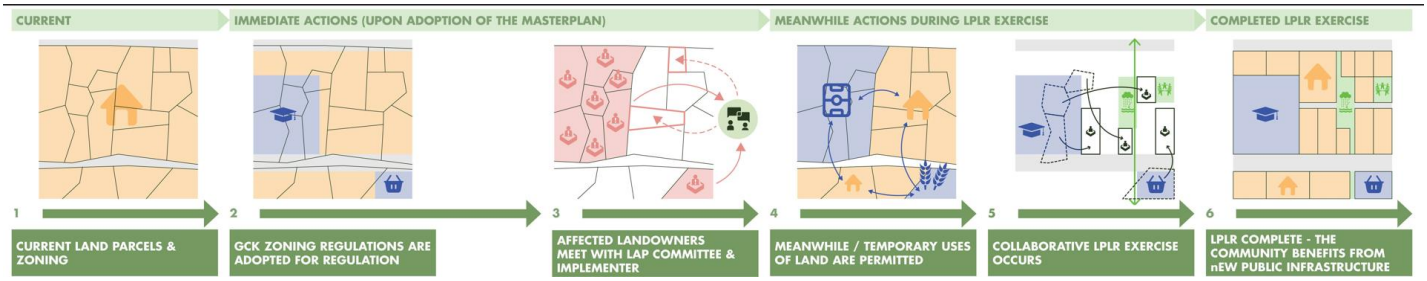
- Public Facilities have been located on existing sites and greenfield land
- Green/Blue Networks have been located on greenfield land that occurs in and around existing hydrological routes
- Mobility Networks have been located on existing routes and/or greenfield land; and
- The Large Public Space (Eco-Park) has been located on a single, largely undeveloped land ownership parcel.

5.6.2 Land Pooling and Land Readjustment (LPLR)

Land Pooling and Land Readjustment (LPLR) represent integrated strategies within urban planning and land management aimed at optimizing land use and development in a coordinated manner. In the context of a GCK Sub Project RAP, these LPLR strategies play a crucial role in mitigating both physical and economic displacement impacts. Landowners (community-led) or private developers can agree to pool and readjust individual land parcels to secure a unified area in order for the Sub Project development to be implemented. Through this consolidation and readjustment, the land can be reorganized and realigned to create a more efficient and functional layout while at the same time minimising physical and economical displacement for PAPs.

In alignment with the Masterplan, the LPLR process to minimise displacement in a LAP would comprise the following steps outlined in Figure 9 below and described further thereafter.

Figure 6: LPLR Exercise to Minimise Displacement



1. Current land parcels and zoning. As indicated in the GCK Masterplan, the current existing zoning arrangements in the 700ha Project area limit infrastructure access for many landowners, with current zoning being primarily residential. Thus, the GCK Masterplan identifies the need for a comprehensive review and adjustment of land parcels and zoning regulations to ensure equitable infrastructure access and foster sustainable development in the area. This entails reevaluating and adapting the current land use and zoning parameters to create a more balanced and inclusive framework for community needs and responsible urban planning.

2. GCK Zoning Regulations are Adopted. The execution of the GCK Masterplan involves the introduction of designated zones for public facilities, green/blue infrastructure, and open spaces. Consequently, landowners whose properties undergo zoning or land use changes may face restrictions on developing their land as previously allowed. Additionally, they may experience physical and/or economic displacement impacts due to the LAP development. This impact can extend to land users, such as PAPs who may not own the land but are engaged in cultivating crops on it. LPLR processes, whether developer-led or community-led, aims to minimise displacement impacts.

3. Affected PAPs meet with the LAP Committee and Implementer. RAP Sub Projects will deal with the development of one or more LAPs. Each LAP will establish a 'LAP Committee,' consisting of representatives from the LAP community and relevant local authorities as needed as a supporting role. These LAP Committees will be structured to uphold gender parity, ensuring an equal representation of both female and male community members. This approach is implemented to guarantee that the diverse interests, needs, and preferences of the community are adequately and fairly represented in the decision-making process.

The LAP Committees will play a crucial role in overseeing LPLR initiatives and will facilitate communication between PAPs and developer(s). They will also actively engage in participatory processes with the rest of the community members, ensuring that all members' interests are represented. The LAP Committee will be established as soon as the GCK Masterplan is published to notify landowners and LAP community members of the changes to Zoning Regulations and channel their grievances / queries through the Grievance Redress Mechanism (GRM).

Upon notification of a LAP Sub Project, the LAP Committee will inform affected PAPs about the local LPLR program and will document land owners willingness to participate. Landowners also

retain the option to proactively approach the LAP Committee to express their interest or address concerns related to the LPLR process.

During this process, preventive resettlement will also be considered in coordination with relevant authorities. Preventive resettlement[13] may be advisable in order to protect populations from disaster risk reduction (DRR).

(4) Meanwhile Temporary Uses of Land are Permitted. The implementation of LAP development Sub Projects, encompassing public facilities, green/blue infrastructure, and open spaces in accordance with the GCK Masterplan, may not occur immediately following the publication of the GCK Masterplan. During this interim period, landowners retain the opportunity to continue with their existing land uses or participate in interim uses. These interim uses could serve dual purposes, acting as both revenue-generating activities and contributors to community well-being. Examples include urban agriculture, non-polluting industry and manufacturing, markets, play spaces, and more. The selection and approval of these interim uses will be a collaborative effort, involving local landowners, the LAP Committee, and the City of Kigali (CoK). This decision-making process will adhere to a predefined set of criteria, ensuring that the chosen interim uses align with community needs and the GCK Masterplan provisions, while avoiding any influx or speculative purposes.

(5) Collaborative LPLR Exercise. In this stage, the LPLR process is initiated with the aim of fostering a fair and equitable redistribution of land, ensuring accessibility to future green infrastructure. To uphold the high standards established in the GCK Masterplan, it is recommended to engage a GCK Champion (and/or Urban Designer) to oversee the LPLR exercise. The GCK Champion (and/or Urban Designer) will ensure that the process aligns with the GCK Masterplan's guidelines. By involving a GCK Champion, the LPLR exercise is subject to expert scrutiny, thereby safeguarding the land for upcoming GCK infrastructure developments. This careful oversight not only guarantees compliance with established standards but also contributes to the realization of the Green City vision.

(6) LPLR Complete. Once the LPLR is carried out, the 'Physical Plan' or Land Cadastre Plan will need to undergo revision to integrate the approved outcomes of the LPLR process. This revision may necessitate minor adjustments to zoning boundaries, and these modifications will be meticulously captured in the updated Masterplan Data. In regard to land access and resettlement, if any physical or economic displacement has occurred as a result of the LPLR process, cash and/or in-kind compensations will be offered to PAPs in alignment with the Entitlement Matrix that each Sub Project RAP will develop.

In cases where economic and/or physical displacement impacts occur, relocation of PAHs will be undertaken with careful consideration of the following factors:

- Replacing affected households in the closest possible location
- Reducing the risk that the Project, and potential gentrification, will force PAHs to relocate far away from the Project area to re-establish livelihoods
- Meeting international standards by providing PAHs with equal or improved land tenure status

[13] Preventive resettlement refers to the proactive relocation of individuals or communities from areas that are at risk of natural disasters, environmental degradation, or other hazards. This measure is taken to prevent harm and protect the safety and well-being of the affected population. Preventive resettlement aims to mitigate risks and vulnerabilities before a disaster occurs, rather than waiting for a crisis to unfold.

- Aligning with international standards by offering a viable in-kind compensation option (within the same LAP if possible).

5.6.2 Identification and Support for Replacement Agricultural Land (Umudugudu)

As outlined in the recent 2020 World Bank report on housing solutions in Rwanda, the availability and affordability of land in the urban areas, especially land that can be used for agricultural production is increasingly scarce. Therefore, Rwanda has had recent success supporting households reliant on agricultural production identify plots outside the urban centre in an organized manner which facilitates improve access to infrastructure and resources. The National rural settlement policy on Integrated Development Project (IDP) for model rural village settlements (locally called Umudugudu) in order to provide consolidated basic services to these settlements rather than scattered dwellings and furthermore a contribution to the National land consolidation policy. The approach introduces a paradigm shift of green settlements, where resources are optimally used and reused. For example; rainwater harvesting off house roofs for domestic water use, combining livestock and human waste for biogas production as fuel for cooking as opposed to fuel wood hence reducing deforestation and application of waste from the biogas digester as manure for the agricultural land close by. A good example of the approach being implemented with success is by Rwanda Green Fund (formally FONERWA) as part of Gicumbi District.

5.6.2 Cropping and Harvesting

Each Sub Project RAP will determine whether food crop farming will be allowed to continue until compensation and resettlement is agreed to, whether households would be allowed to harvest seasonal crops prior to resettlement, compensation methods, and livelihood program roll-out ensuring a smooth transition for households without compromising food security.

6. Mitigation Measures Framework

6.1 Key Considerations

This section outlines the proposed Compensation Framework as a reference for the overall GCK Project. The framework will be refined in each RAP Sub Project once impacts in each LAP are fully identified.

The framework consists of the following main sections:

- Mitigation Measures Framework Objectives
- Eligibility Framework: The types of impacts that are eligible for compensation and assistance
- Entitlements Matrix: The range of proposed compensation, assistance and mitigation measures to address eligible impacts.

6.2 Mitigation Measures Framework Objectives

Integrated Project Policies and Principles applicable to all Sub-Projects:

- Establish mutually acceptable and fair policies, procedures, and mitigation measures through consultation with Project-Affected People and their representatives
- Address short-term and long-term Project impacts and the well-being of Project-Affected People in a comprehensive manner
- Restore and improve livelihood and welfare of any households affected by access restrictions, or physically and economically displaced peoples and households, such that they are equal to or better off than before
- Any compensation and resettlement of PAPs will be carried out in compliance with Rwandan legislation and international standards, mention replacement cost and compensation prior to displacement impact
- Where Rwandan legislation is less favourable to PAPs than international requirements or is not applicable, the latter shall apply.

6.3 Eligibility Framework

This section outlines the Eligibility Framework which will form the basis of compensation.

The impacts identified as eligible for compensation are:

- Loss of land or access to land
- Loss of crops
- Loss of livelihoods / income
- Loss of residences
- Loss of structures.

6.3.1 Eligibility for Compensation and Assistance

To comply with World Bank Environmental and Social Standard 5 requirements and to be consistent with Rwandan laws, each Sub Project will establish a resettlement entitlement cut-off date on the date on which a full asset census survey is completed. The purpose of the entitlement cut-off date is to record all affected households and assets at a specific point in time so that

mitigation measures can be developed and to prevent further speculative development in anticipation of project benefits.

It is mandatory that the entitlement cut-off date is well-documented and disseminated throughout the affected community. Any persons occupying the Project Area after the entitlement cut-off date will not be eligible for compensation or resettlement assistance.

Project-affected households are eligible for compensation and other assistance if they have a "legitimate interest" in respect of "immoveable assets" in the Project Area that are in place (i.e. established, in the case of crops or constructed, in the case of buildings) at the time of the Entitlement Cut-off Date.

"Legitimate Interest" in immoveable assets at the household level is usually held by a single member: the household head. Through traditional and family practice, the household head is typically the most senior male member of the household. In some instances, the legitimate interest may be held jointly, i.e. by the household head and his/her spouse, or with other members of the extended family. When the household head dies, the GCK Project requires that other household members identify the inheritor through a court order before compensation will be paid.

Note that "Legitimate Interest" is not synonymous with ownership. Even those Project-affected persons/households/communities with no recognizable legal right or claim to the assets they are occupying are considered eligible for resettlement assistance. It is likely that there will be cases where PAPs do not have title deeds and may not have proof of ownership of crops and/or trees. A system must be created for such cases that may arise[14]. A system also needs to be created so that PAPs who may not be able to provide a title deed showing ownership of land with a permanent structure on it, are able to have their compensation payments approved. Importantly, PAPs will need to be assisted with obtaining formal titles issued through the relevant authorities. The developer of each LAP will need to invest efforts toward establishing a protocol with the relevant authorities to assist and accelerate the issuing of title deeds.

Immoveable assets comprise:

- Land and Crops
- Immoveable Structures
    - Structures used for living, sleeping, cooking and storage, and other structures such as latrines and wells
    - Institutional structures such as churches, mosques, schools
    - Business structures such as restaurants, kiosks etc.
    - Other structures, including fishponds etc.

Immoveable assets that are in place as of the Entitlement Cut-off Date comprise:

- Complete Immoveable Assets: assets that are fully established (in the case of crops) or fully constructed (in the case of buildings), at the Entitlement Cut-off Date
- Incomplete Immoveable Assets: assets that are only partially established: newly planted (in the case of crops) or partially constructed (in the case of buildings), at the Entitlement Cut-off Date

[14] Precedent from similar projects involves PAPs being assisted to obtain Form 33 (a temporary ownership document), authorised by the cell and sector, which acts as a temporary acknowledgement of moveable property ownership which has been sufficient for approval of compensation pay-outs.

Note that immoveable Assets that are planted (in the case of crops) or constructed (in the case of buildings) *after the Entitlement Cut-off Date* will not be included in compensation calculations.

6.3.2 Determination of Eligible Assets

The inventory of immoveable assets, supported by household socio-economic data, will form the basis for compensation of PAPs/households.

6.4 Impacts and Entitlement Matrix

An Entitlement Matrix has been developed as a reference for the GCK Project. It will require further compensation and resettlement package refinement per each Sub Project RAP. In particular, this may involve:

- Resettlement housing and community asset design
- Replacement land identification (either as part of the land readjustment and densification process, or outside Project Area) and basis for land distribution
- Determining cash compensation rates for structures, crops, land, and economic trees
- Determining amounts for relocation assistance and other transitional assistance
- Refining and costing livelihood restoration initiatives, including transitional assistance for vulnerable households.

In accordance with WB ESS 5, cash compensation rates for impacted assets must at least meet replacement cost and should be equal to or greater than full replacement value[15], with no depreciation deduction. In order to ensure Project continuity and consistency, the following Project entitlement matrix which will be applied consistently to all Sub-Projects.

Table 3: Impacts and Mitigation Measures Matrix

Impact Category	PAP Category	Package	Eligibility Rules
SMEs	Economically Active PAPs and Business Owners	Local employment and service procurement scheme in operation, if possible. Preference for local employees and service providers, if possible.	SME located within Project Area or GCK 700ha (if possible) and recorded as in use at time of built asset survey.
	Business Owners	The GCK Project will offer: **In-kind –** Support in-kind replacement of SME at GCK	SME located within Project Area and recorded as in use at

[15] As per the WB ESS 5 " Replacement cost is defined as a method of valuation yielding compensation sufficient to replace assets, plus necessary transaction costs associated with asset replacement. Where functioning markets exist, replacement cost is the market value as established through independent and competent real estate valuation, plus transaction costs. Where functioning markets do not exist, replacement cost may be determined through alternative means, such as calculation of output value for land or productive assets, or the undepreciated value of replacement material and labour for construction of structures or other fixed assets, plus transaction costs. In all instances where physical displacement results in loss of shelter, replacement cost must at least be sufficient to enable purchase or construction of housing that meets acceptable minimum community standards of quality and safety. The valuation method for determining replacement cost should be documented and included in relevant resettlement planning documents. Transaction costs include administrative charges, registration or title fees, reasonable moving expenses, and any similar costs imposed on affected persons. To ensure compensation at replacement cost, planned compensation rates may require updating in project areas where inflation is high or the period of time between calculation of compensation rates and delivery of compensation is extensive.

Impact Category	PAP Category	Package	Eligibility Rules
		Cash - Cash compensation for a commercial structure and transport allowance.	time of built asset survey.
	Business Owners	**In-kind –** Cash compensation for transition period as per livelihoods business assistance **Cash-** Cash compensation for transition period as per livelihoods business assistance	SME located within Project Area or GCK 700ha (if possible) and recorded as in use at time of built asset and socio-economic surveys.
Rental Income Loss	Landlord	**In-kind –** New structure/rooms provided **Cash –** Cash equivalent for structures paid and reestablishment allowance equivalent to three months' income.	Rental property in place as of cut-off date.
	Tenant	Transitional allowance **Cash**– Reestablishment allowance equivalent to three months' rent. Assistance to find affordable residence	Rental property in place as of cut-off date.
Crops (cash & food)	Farmers	**Cash-** Compensation at prevailing market rates. Compensation to take into account productive life of crop. Each Sub Project RAP will determine seasonal crop compensation and potential allowance for harvest of mature crops before displacement.	Farmers identified through field and crop assessment surveys.
Houses (primary residences)	Owner	Replacement of equal or higher value and quality. **In-kind-** Like-for-like replacement (based on existing house size) Choice of resettlement house from range of approved designs. **Cash-** Compensation at full replacement value without depreciation. Title registration assistance	Locally-recognised owner of a habitable house used as a permanent residence prior to cut-off date.
Non-residential Immoveable Structures (walls, fences, animal pens)	Owner	**Cash –** Cash compensation for non-residential structures at their true replacement rate. Materials can be salvaged. All resettlement houses to have additional kitchen room.	Locally recognised owner of a non-residential structure prior to cut-off date.
Worship Buildings (churches), sacred places/trees (including how to compensate if not avoidable)	Owner	**In-kind –** Replacement with agreed church designs. Replacement area according to Rwandan standards for the type of replacement structure. **Cash –** Compensation at full replacement value without depreciation.	Locally recognised owner prior to cut-off date.

Impact Category	PAP Category	Package	Eligibility Rules
SME Buildings	Owner	**In-kind-** Replacement of structures at GCK commercial space to same floorspace and specs, if possible **Cash –** Compensation at full replacement value without depreciation	Locally recognised owner prior to cut-off date.
Fishponds / sand pits	Owner	**Cash –** Compensation at full replacement value without depreciation.	Locally recognised owner prior to cut-off date.
Incomplete Structures	Owner	**Cash –** Compensation at full replacement value without depreciation	Locally recognised owner prior to cut-off date.
Abandoned/ Ruined Structures	Owner	**Cash –** Compensation at full replacement value without depreciation.	Locally recognised owner prior to cut-off date.
Urban Land	Landowner/ Occupier	**In-kind-** Replacement plot within LAP or GCK 700ha if possible. **Cash –** Compensation at full replacement value without depreciation.	Owner must prove ownership at time of survey (not necessarily through legal title).
Crop Land	Landowner/ Occupier	**In-kind –** Replacement plot within LAP or GCK 700ha if possible. **Cash –** Compensation at full replacement value without depreciation	Owner must prove land ownership at time of survey (not necessarily through legal title).
Grazing Land	Landowner/ Occupier	**Cash-** Cash compensation for deprivation of use.	Owner must prove land ownership at time of survey (not necessarily through legal title).
Graves/ Cemeteries	Community and Family Members	Issue of whether bodies need to be moved to be discussed with impacted communities and government. Objective is to leave them in situ, undisturbed. If graves relocation to a municipal cemetery is required, this will be done in alignment with the national legal framework and in liaison with relevant authorities.	Identified graves at the time of survey.
Shrines	Community/ Traditional Authorities	To be discussed with impacted shrine owners and relevant authorities. Objective is to leave them in situ, undisturbed.	Identified shrines at the time of survey.

Other	PAP Category	Package	Eligibility Rules
Vulnerable Persons	Vulnerable Persons	**Vulnerables Assistance**- Eligible for participation in a Transitional Hardship and Vulnerability Program which includes Cash/food assistance, employment priority where possible, and fast-tracking to livelihood Program where possible.	Identified existing & potentially vulnerable households
Re-establishment Allowance	Physically Displaced Persons	Disturbance and transport allowance to be provided to all affected households. Additional assistance for vulnerable households as required.	Occupying habitable primary residence prior to entitlement cut-off date.

Salvaging Assistance	Building Owners	Will have the right to salvage any materials from their original residence.	

6.5 Valuation Methodology and Market-related Compensation Rates

As indicated above, all affected assets must be replaced in-kind or at replacement value. The preference is in-kind replacement, to best assist in timely livelihood restoration and prevent Project-induced vulnerability.

The National process and methods for determining compensation value is outlined below:

Structures
The replacement cost is determined by the use of Bills of Quantities. A bill of quantity is a document in which materials, quantities and cost (cash in Rwandan francs) are itemized into tables to show the cost of construction of a building. After arriving at the cost of construction as explained above, the replacement cost of a building was determined as below: Replacement Cost of Structures= Cost of Construction (Through Bill of Quantities) + Disturbance Allowance.

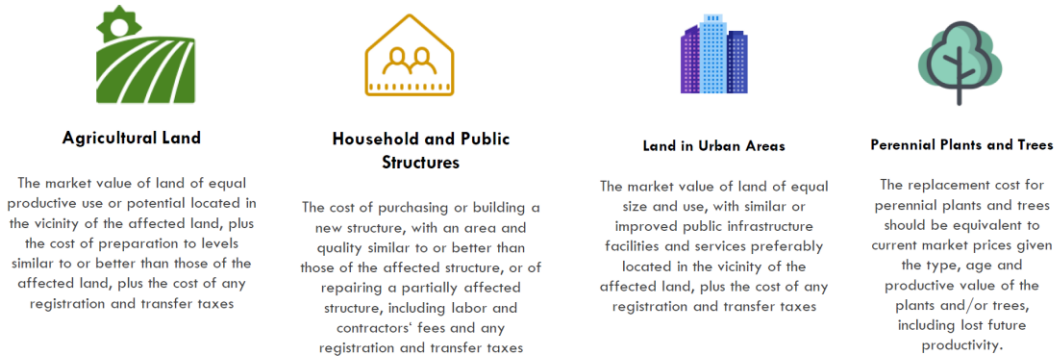
Crops
The crops are valued using the reference prices established by the Institute of Real Property Valuers in Rwanda approved by Regulatory Council of Real Property Valuers in Rwanda (GOR, 2018). Moreover, these prices are regularly updated by MINICOM and NAEB/PRICES operating within MINAGRI. Therefore, these market value prices were used for crops valuation.

Land
Land is valued with reference to the land prices set by the institute of real property valuers in Rwanda (IRPV).The computation of the replacement cost of land is done also by pursuing the Expropriation Law No. 32/2015 (GOR, 2015) and also by considering the market value of the land in the area of expropriation in order to avoid giving low price or exceed the current market value. It is worth noting that the valuation process is typically done in consultation with key stakeholders, especially local government (District, Sector, Cell and Village).

Ensuring Replacement Value
One of the resettlement objectives of WB Environmental and Social Standards (ESS) 5 is that compensation for loss of assets is to be at full replacement value. As noted above, replacement cost is defined as the market value of the assets plus transaction costs. In applying this method of valuation, depreciation of structures and assets should not be taken into account.

Replacement value is defined as the rate of compensation for lost assets must be calculated at full replacement cost, that is, the market value of the assets plus transaction costs. In determining the replacement cost, depreciation of the asset and the value of salvage materials are not taken into account, nor is the value of benefits to be derived from the project deducted from the valuation of an affected asset. Further explanation on how to achieve full replacement value is described in the Figure 10 below.

Figure 7: Explanation of Land Readjustment



In-kind/Cash Compensation

As is often the case in developing economies where there are high poverty levels, lessons from previous projects in Rwanda indicate that PAPs tend to choose cash compensation packages. Where cash compensation is provided it is important to provide PAPs with formal financial management training or guidance.

Each GCK Sub Project will present workshops during which PAPs are educated about the available compensation options, the consequences of a desired choice, risks of increased vulnerability, and possible negative household impacts. The Sub Projects will develop a detailed consultation process with PAPs on potential in-kind replacement as a housing option. This consultation will highlight the benefits of in-kind replacement for housing or land. Given the importance of LPLR as a central strategy of the Project, it must be highlighted to PAPs and how it benefits the PAPs.

6.7 Expropriation as a Last Resort

6.7.1 Difference between Expropriation and Forced Eviction

In the context of the GCK Project, PAPs will not have the right to refuse the implementation of the Masterplan land uses that are considered to be in the public interest. Consequently, and in alignment with International Standards, all Project-related displacement is considered to be involuntary displacement.

Expropriation and forced eviction are both actions that involve involuntary resettlement of individuals from their property, but they differ in purpose, approach (including right to due process), and due compensation.

- Expropriation is an act by the government to claim privately owned property against the owner's wishes for public interest and compensation is provided in alignment with the Rwandan Law. This is conducted in accordance with the Rwandan Expropriation Law No. 32/2015 of 11/06/2015, which mandates that compensation be fair and provided prior to the transfer of property.
- Forced eviction is the permanent or temporary removal of individuals from their homes or land they occupy, without adequate legal protection and right to due process, often without due consideration of the PAPs rights during the process, and providing (or not) compensation that is not in alignment with the Rwandan Law. Forced eviction is not aligned

with the International standards nor the Rwandan Expropriation Law No. 32/2015 of 11/06/2015. Forced eviction is strictly prohibited within this Project.

In the course of negotiations as part of the RAP implementation, where no voluntary agreements on compensation packages are reached within the context of the LAR process, the Project development could resort to expropriation in accordance with the process described in the Rwandan law, and in alignment with the international standards and best practice, ensuring no forced eviction is conducted.

6.7.2 Expropriation Procedure as a Last Resort

Where no agreements on compensation packages are reached within the context of the land access and resettlement process, the Project development could resort to expropriation in accordance with the process described in the Rwandan law, and in alignment with the international standards and best practice, ensuring no forced eviction is conducted (see section above for further clarification).

It should be noted that the expropriation process will not preclude Project agreements with the PAPs subject to the expropriation notice in advance or at any time during the process. The goal is to secure voluntary agreements as a priority wherever possible.

Additionally, the Project development will still make available top-up cash payments/in-kind compensation provisions following the expropriation process to ensure all affected PAPs can receive full compensation at project rates.

7. Physical Resettlement

7.1 Overview

ESS 5 states that preference should made for in-kind compensation and that cash should be used as a last resort stating that “cash assistance alone, however, frequently fails to provide affected persons with the productive means or skills to restore livelihoods.”

In alignment with the GCK Masterplan, PAPs will either be provided replacement residential structures in the GCK Project Area or outside, ideally as close to the area as possible via LPLR.

Steps that should be followed when physical resettlement is necessary are presented below:

- Identification, Assessment & Planning of Resettlement Sites: This involves generating criteria to identify and evaluate potential sites for each of the affected LAP developments, consulting with stakeholders, and obtaining approval for the sites.
- Resettlement Housing, Plots, and Related Structures: All housing design specifications will – at a minimum -- adhere to relevant Rwandan legislation and building regulations.
- Public and Religious Buildings: Tailored replacement designs will be agreed to with the statutory and/or religious authorities on a case-by-case basis. The needs of host communities will be taken into account.
- Businesses: Detailed asset surveys will be conducted to identify businesses, including table-top businesses, moveable kiosks, and immoveable properties. Surveys will be followed by defining the business relocation process, identifying (if possible) a replacement commercial

plot space in LAP Sub Project area / overall GCK area or a resettlement site, or providing cash compensation for structures.

- Transportation and Disturbance Allowance: Develop a procedure for providing allowances to resettling households for transportation assistance and a disturbance allowance.
- Construction, Handover & Maintenance: Ensure that an Environmental Construction Management Plan is developed in consultation with approved contractors prior to the commencement of resettlement site and house construction. Proposed resettlement house and site handover and maintenance approaches will be confirmed and agreed with PAPs. Priority will be relocation within the same LAP Sub Project area / overall GCK area.

7.2 Resettlement Packages Key Provisions

In the context of developing resettlement compensation packages/offers, the developer is required to consider several provisions:

- **In-kind Compensation**: In-kind compensation needs to offer PAPs possibility to resettle nearby with same conditions, if feasible. This includes the following provisions:
  - Housing Reservation: If the development project leads to involuntary physical resettlement, the developer should offer housing within the same development area as an in-kind mitigation measure where possible. This means that displaced persons should be given the opportunity to live in the new housing development, thereby ensuring that they can remain in their local community. If it is not feasible, the developer will explore alternative housing options within the LAP Sub Project area or the wider GCK Project area, such as other available lots. If finding housing within the LAP Sub Project or wider GCK Project area is not possible, the developer will consider options outside the GCK Project area, while aiming for proximity, to ensure continuity in the residents' lifestyle and livelihood. Throughout this process, the preferences of PAPs will be taken into account, including factors such as access to public services, livelihoods, and other relevant considerations.
  - Land Reservation: In cases where the development project requires land access and resettlement, it is crucial to reserve land for PAPs who are economically and physically displaced and who might want to opt for in-kind land replacement, where possible. This means setting aside land specifically for the use of displaced persons, allowing them to continue their livelihoods/living in the same community and with minimal disruption. If finding alternative land within the LAP Sub Project or wider GCK Project area is not possible, the developer will consider options outside the project footprint, while aiming for proximity, to ensure continuity in the residents' livelihoods and lifestyle. Throughout this process, the preferences of PAPs will be taken into account, including factors such as market locations, livelihood activities and business-related activities in the land.
- **Avoidance of Orphan Land:** When the LPLR or project design envisages partial land take and renders any remaining part of a land parcel as uneconomical, this is referred to as 'orphan land'. LPLR and design provisions should prioritize the prevention of orphan land. However, in instances where the creation of orphan land is inevitable, appropriate compensation of the entire parcel will be necessary. These provisions are essential to ensure that the rights and preferences of the PAPs are respected. The LAP Committee, established for each LAP, can play a significant role in supporting both PAPs and developers in this process.

8. Livelihoods Measures

8.1 Key Challenges and Considerations

Based on the existing data, it appears that the critical GCK Project livelihood impacts will be on urban and agricultural based livelihoods. Project Area farming includes homestead gardeners, small-scale and commercial farmers. Some PAPs rely on crop and livestock production as their primary source of food and income. In order to maximise the potential for rapid and effective livelihood and income restoration -- and ideally, improvement – the ability to farm as soon as possible after resettlement is critical.

It is important to note that alternative livelihood sources introduce a greater risk of failure. Given the urban setting of GCK, identifying adequate replacement agricultural land may be difficult. Therefore, safeguards will be integrated into Project planning to ensure livelihood programs, specifically those focused on alternative livelihoods, commence as early as possible and identify market opportunities for alternative livelihoods.

8.2 Approach

Each Sub Project will develop a comprehensive suite of livelihood and community development measures aimed at enhancing livelihoods and economic well-being. These will contribute to general community-wide development and will particularly target those affected by land acquisition. These programs will undergo regular monitoring, evaluation, and review.

In addition to developing specific programs to address livelihood restoration, development, and replacement, the Sub Projects approach to livelihoods restoration will require that all Project decisions mainstream livelihood considerations. All land access, resettlement, urban planning, housing and infrastructural development aspects must be considered in terms of livelihood implications to ensure all Project decisions promote livelihood restoration and development.

8.3 Guiding Principles

The development of livelihood restoration programs will be guided by, and is consistent with, the following principles recommended by international best practice:

- **Plan and negotiate livelihood restoration and improvement activities with displaced persons** – Due to the complexity involved in sustainable livelihoods, restoration and improvement activities cannot be a purely technical exercise, but require a high level of interaction with displaced people as well as communal land users in order to develop the most feasible and desirable activities

- **Livelihoods restoration is individual** – The goal is that no person will suffer a Project-induced economic loss. Thus, to the extent possible, restoration activities will be planned to account for each context. Women and men within a displaced household will be considered to have equal entitlement – and equal benefit – to any livelihood restoration activity. If it is determined that individuals or groups of individuals are unable to access and benefit equally -- within or outside the household -- supplementary activities will be provided

- **Implement pilot activities where possible –** Existing livelihood systems have evolved and adapted to particular environmental, socio-economic, and cultural circumstances over a long time period. Livelihood displacement may have complex, unpredictable, and, often, immeasurable effects. As such, even lower-risk livelihood interventions are not guaranteed to succeed. Therefore, livelihood interventions should be based on initiatives and practices employed elsewhere in the Project Area and Rwanda. Insofar as possible, interventions that are new to the area will be tested through pilot or demonstration activities. This will enable any potential technical or human issues to be identified prior to full-scale implementation. By basing pilot activities on the actual farms and under the ownership of displaced households, demonstrations can help all displaced persons make more informed choices while creating community-based 'champions' able to educate and support displaced persons to make informed choices of alternative activities

- **Focus on investments rather than direct interventions** – As cash compensation forms a significant portion of the compensation package, livelihood interventions will incentivise the use of compensation funds towards household and community investments that contribute towards livelihood outcomes. International best practice has demonstrated that incentive-based livelihood approaches have greater sustainability than interventions that prioritise in-kind assistance

- **Prioritize the replacement of existing livelihood activities** – Subject to consultations with displaced persons, livelihood mitigation measures have been planned according to the following hierarchy:

  - **Category 1 – Existing Livelihood Restoration**: Generally, the lowest-risk option is to re-establish existing livelihoods so that displaced persons can continue doing what they know best and what is known to work in the local situation. While the opportunity may be taken to introduce proven enhancements to the existing livelihoods (for example, replacement of fruit trees with locally tested, superior varieties), the emphasis should be on replacing livelihood assets with new assets of at least equal quality. In this case, there is little risk of failure due to technical, economic, or social factors. Even if, for any reason, displaced persons choose not to continue their previous activities, it can still be shown that they were provided with all the means to do so. The GCK Project will prioritise that the elderly continue doing their existing livelihoods, as they are more prone to change.

  - **Category 2 – Existing Livelihood Intensification**: For land-based livelihoods, if there is insufficient available replacement land of at least equal quality, in many cases a viable option is to bring about a permanent, sustainable intensification of land use, so that a smaller area of land can be made to produce as much or more than the original land base, net any additional labour or other costs on an ongoing basis. Sustainable intensification of non-land-based livelihoods may also be possible. Since any technical intervention is not guaranteed to succeed in a particular situation, care will be taken to identify interventions for which there are successful precedents under very similar conditions, and that have the fewest identifiable risk factors. Consultation and experimentation through pilot programmes will improve the chances of success

  - **Category 3 – Introduction of Alternative Livelihoods**: The substitution of a new type of livelihood (for example, doing business) for an existing one (for example, farming) should only be considered when there is no feasible way of restoring the existing livelihood means. Objectively, developing new livelihoods carries much more risk of failure than restoring existing livelihoods or intensifying existing livelihoods. For existing livelihoods, the factors

needed to maintain those livelihoods can usually be identified with some confidence. However, for new livelihoods, even with the best planning, it may not be possible to ensure that all technical, economic, human, and intangible factors are in place for the new activities to be successful and self-sustaining. If the introduction of a new livelihood activity is only partially successful, then the goal of restoring livelihoods of all displaced persons may not be met. In this case, the promotion of alternative livelihoods is only appropriate under livelihood improvement and community development programs, which are not intended to mitigate specific economic losses for specific individuals. Displaced households themselves should suggest any newly-introduced livelihoods

- **Create, foster, and enhance networks with government and existing civil society organisations and stakeholders** – To maximise in-place programme sustainability, it is vital to develop and strengthen social support networks, primarily from government agencies, but also from multilateral agencies and NGOs.

8.4 Needs Assessment

A household livelihood needs assessment will be undertaken per each Sub Project as part of the analysis of survey data and will aim to capture a holistic view of the existing livelihoods. This will allow an initial assessment of each household's livelihood restoration program requirements, which may incorporate programs to restore farming practices, including facilitating land access, as well as temporary hardship assistance in certain cases. The livelihoods assessment should include Focus Groups (FGs) and Key Person Interviews (KIIs) to inform the development of a robust livelihood restoration programme and identify "positive deviants[16]".The guiding questions for the qualitative data collection must focus on triangulating information and insights into various aspects of economic activities and community well-being. Questions must purposely target and identify community champions and positive deviants.

Household needs assessments will initially be established using baseline data gathered from the following sources:

- Household and Key Person Interviews
- Built Asset Surveys
- Land and Crops Survey
- Socio-economic Survey.

8.5 Program Identification

Land access and resettlement is not complete until livelihood impacts have been addressed. However, livelihood restoration is one of the most challenging resettlement aspects. The challenge is often exacerbated by the difficulty in finding enough replacement land to supplant agricultural livelihoods. Therefore, it is essential that appropriate livelihood restoration program identification is embedded into overall project planning. Livelihood program identification will include:

- Benchmarking against what government, development agencies, and other projects have implemented to develop an understanding of lessons learned
- Expected outcome mapping for each program and how it relates to the Project impacts

[16] Positive deviance (PD) is an approach to behavioural and social change based on the observation that in any community there are people whose uncommon but successful behaviours or strategies enable them to find better solutions to a problem than their peers, despite facing similar challenges and having no extra resources or knowledge than their peers. These individuals are referred to as positive deviants. See Sternin, J., & Choo, R. (2000). The Power of Positive Deviancy. Harvard Business Review

- Implementation partner identification.

Previous experience in Rwanda has demonstrated success in livelihood programs aimed at agriculture and financial literacy training. Evidence from the Rwanda Green Fund (formally FONERWA) RAP in Gicumbi district included:

- The Agriculture Program: This was the primary mechanism to restore livelihoods, addressing issues of food security and income generation. This should be implemented through: (i) Increased access to key agricultural inputs by farmers, (ii) Increase availability and quality of key agricultural and livestock services (Provision of drugs and vaccines);
- Financial Management Training Program: (i) Improve PAPs utilization and management of cash resources, (ii) Improved utilization of compensation money for long term sustainable livelihood initiatives.

Each Sub Project should build upon the lessons from Gicumbi and develop a more tailored set of livelihood programs.

8.5.1 Livelihood Program Management & Partnership

Livelihoods mitigation and enhancement measure implementation must take place in a coordinated, systematic, and adequately resourced manner.

A crucial issue with livelihood restoration is activity timing. Activities should commence, to the extent possible, prior to the moving of any affected people from the project footprint, in order to ensure a smooth transition by trying to avoid or limit any livelihood gaps once PAPs move.

The key phases are as follows:

- ***Inception Period***
  - Individual household sign-off on livelihoods program choices
  - Mobilize resources by establishing a multi-stakeholder implementation team (including community representatives, local government and civil society, as appropriate) with clear roles and responsibilities
  - Conclude tendering process and contracting arrangements for livelihood programs
  - Hold inception kick-off workshop(s)
  - Establish local capacity-building measures early on to enable PAPs and contractors to take advantage of the project construction phase and other opportunities and to ensure optimized livelihood program implementation
  - Establish and activate Monitoring & Evaluation (M&E) systems for each livelihood program.

- ***Main Implementation Period***
  - Implement activities per the work plan and schedule for each livelihood program
  - Pilot livelihood restoration programs before scaling up activities to ensure that these are proven and will be sustainable
  - Full program rollout
  - Progress monitoring and review
  - Revise operational plans if necessary, in light of experience
  - Report on progress.

8.5 Additional GCK Project Programs & Initiatives

8.5.1 Employment & Procurement

Each Sub Project will develop a proactive Local Recruitment and Procurement Policy, with a focus on the most impacted households and vulnerable groups where possible. Unskilled and semi-skilled labour will be sourced from PAHs wherever possible. That being said, it must be explicitly clear in any Sub-Project documents that employment will not be considered as livelihood restoration measure but as option to get access to Project benefits. Opportunities for local procurement will also be investigated.

8.5.2 Community Development Plan (CDP)

A Community Development Plan (CDP) will be implemented in conjunction with the livelihood Programs to help ensure that Project-affected communities (including host communities) share in project benefits to the utmost extent possible.

Although community development and livelihood Programs are very intricately linked, it is critical to distinguish between them. Both livelihood restoration and community development Programs serve essential roles in developing sustainable and resilient communities, but while often complementary, serve different purposes.

Figure 8: Difference between Livelihood Restoration and Community Development

Livelihood Restoration	Community Development
• Focused on **directly-impacted** households • Focused on fully mitigating impacts on the **livelihoods of displaced persons**, and ideally leaving them better off than before (e.g. replacement land and farming inputs) • Projects **should collectively address** all livelihood impacts on project affected households, with particular attention to vulnerable households. • **Medium term** (between 3-10 years), with clear exit strategies • Developed with the active **participation of impacted households** • Programs will often be developed and implemented with partners (e.g. NGOs, local government)	• Focused on both **directly and indirectly impacted** households and communities • Focused on addressing **community wide impacts** and needs (e.g. educational scholarship programs) • Projects **may address particular** community needs while also demonstrating benefits for the Project (e.g. educational scholarships ensure an educated local workforce in future) • **Short, medium or long term**, but in all cases, should have clear exit strategies and be sustainable • Developed with the active **participation of affected communities** • Programs will often be developed and implemented with partners (e.g. NGOs, local government)

8.5.3 CDP Guiding Principles

The guiding principles informing CDP development include:

- Support community involvement, empowerment, and ownership: sustainable development is not possible without a sense of local community ownership and empowerment

- Local context: the approach needs to be firmly rooted in the local context in order to have support and overall buy-in

  Long-term orientation: the approach needs to be focused on addressing long-term community-wide challenges.

9. Temporary Hardship & Vulnerable Households

9.1 Defining Vulnerability

Vulnerable persons are defined as those who "by virtue of gender, ethnicity, age, physical or mental disability, economic disadvantage, or social status, may be more adversely affected by resettlement than others and who may be limited in their ability to claim or take advantage of resettlement assistance and related development benefits".

Vulnerable PAPs are those likely to be adversely affected by project impacts and/or are more limited than others in their ability to take advantage of a project's benefits. Such an individual or group is also more likely to be excluded from or unable to fully participate in the mainstream consultation process and, as such, may require specific measures and/or assistance to do so. Vulnerability may be viewed in the context of two stages:

- Pre-existing vulnerability
- Temporary hardship vulnerability caused by project-related physical and economic displacement.

The Project is chiefly concerned with avoiding, or mitigating, project-induced vulnerability. In doing so, it is important to be aware of households with pre-existing vulnerabilities. Such households may be poorly equipped to handle the shocks of resettlement or may need additional assistance to engage effectively with the Project, understand their rights, and access potential assistance.

Involuntary resettlement, if not managed well, may increase impoverishment, with vulnerable households being particularly susceptible to the adverse effects of land acquisition and resettlement activities. The main hazards leading to impoverishment as a direct result of the resettlement process are:

- Landlessness – irreplaceable loss of land assets, including common property
- Tenure insecurity – loss or weakening of land use rights
- Joblessness – loss of workplaces
- Homelessness – loss of shelter
- General economic set-back
- Increased crime, disease, and mortality rates
- Food insecurity and malnutrition
- Loss of access to common assets
- Social disorganisation.

In resettlement projects, several of these hazards, such as loss of land, employment, and housing, are often realised simultaneously. This may further exacerbate household vulnerability.

Each Sub Project will collect additional data to identify the number of vulnerable households and who may lose >20% of productive land holdings as well as households farming <1ha at present. Further analysis through follow-up surveys will assess additional impacts which may be exacerbated by limited home food plot size, small farm fragmentation, and location..

The Livelihood Program is the primary mechanism to address issues of resettlement-related landlessness, homelessness, and joblessness. A Temporary Hardship Assistance Program will

be developed in each Sub Project to target those households identified as requiring additional support for a time during and after resettlement.

9.2 Vulnerable Persons Identification

Vulnerability will be determined on a household basis, initially determined through asset and socio-economic survey analysis. Data will also be triangulated through interfacing with the district social welfare departments, NGOs, traditional leaders ,and other key persons. An initial weighting and screening will identify potentially vulnerable households for follow-up visits and interviews.

A full assessment of potentially vulnerable households will be conducted per each Sub Project, working from the existing socio-economic and asset surveys and additional information gathered through follow-up engagements and surveys as required, such as the 'Imibereho Social Registry'. This is a new system in Rwanda designed to improve the implementation of social protection programs. It collects detailed information about households across the country, enabling the government to create an accurate and comprehensive profile of each household's socio-economic status. This profiling helps in identifying and understanding the needs of different households, ensuring that social protection programs are effectively targeted. The Sub Project RAPs will incorporate the existing Imibehero Social Registry data with any collected as part of the project-specific survey processes.

.

Further identification of vulnerable households will be determined with regard to the following factors:

- Female-headed households with limited resources. Female-headed households with limited resources have associated vulnerabilities that must be considered. It is appropriate to focus special attention on female households to ensure they are not disadvantaged in the relocation process.
- Elderly with limited support. A household headed by an elderly person could have difficulty producing enough crops to feed the family. Elderly people may not necessarily be vulnerable, particularly if they live in extended family groups, but the Project will need to ensure their needs are appropriately met during the physical relocation and re-establishment of houses and crops.
- Child-headed households. A household headed by a minor would find it difficult to support a family and would require assistance.
- Physically disabled households. These households may be impoverished due to the cost of providing support to the affected household members and potentially lower the productive capacity of the household.
- Mentally disabled households. These households may be impoverished due to the cost of providing support to the affected household members and potentially lower the productive capacity of the household.
- Chronically ill households. A household headed by a chronically ill person could have difficulty producing enough crops to feed the family. The household may not have enough resources having disposed most of them in treatment of the sick person and impoverished. The Project will need to ensure they do not misuse compensation by physically resettling them.
- Widows. In Rwanda, widows remain the most vulnerable members of society as they are often threatened by in-laws and without proper ownership documentation of the assets of their late husbands.

- Households small plots of land or informal agreements. Part of the program will be to support land tenants in obtaining documentation for their landholding as well as empowering them to relocate on land with secure tenure.

9.3 Vulnerability Management

The Temporary Hardship Assistance Program goal will be to provide a safety net until vulnerable households can become self-sufficient and resilient to economic stresses resulting from land access and resettlement.

Livelihood program components, particularly those related to farming, will be the primary mechanism to address resettlement-related landlessness, homelessness, and joblessness. Temporary hardship assistance measures will also be developed to target households identified as requiring additional supports for a time during and after resettlement. The tables 4 and 5 below provide examples of strategies for addressing vulnerability.

Table 4: Temporary Hardship Assistance, Objectives, Outcomes, and Strategies Example

Objective	Desired Outcome	Strategy
Temporary assistance and promotion of self-sufficiency	Increased food access and availability for vulnerable households.	Direct provision (distribution) of food aid, or cash assistance for meeting basic survival means.
		Access to potable water and health care
	Increased employment opportunities for vulnerable household's youth .	Prioritise vulnerable youth for local employment.

Table 5: Temporary Hardship Assistance Practices and Services Example

Activity	Desired Practices	Services
Increasing self-sufficiency	• Increased household-level food consumption • Use of clean potable water • Primary health care service utilisation • Education access • Employment access	• Direct provision of food or cash assistance • Employment prioritisation • Clean potable water provision • Primary health care provision

For each vulnerable household, time-bound tailor-made assistance packages may include the following. This will be determined by each Sub Project:

- Household food basket
- Registration in the Rwandan National Health Insurance Scheme
- Counselling services

- Prioritisation in employment and other GCK Project social initiatives where possible (e.g. scholarship Programs).

10. Cultural Heritage Protection

10.1 Cultural Heritage Assessment

WB ESS8 recognises that cultural heritage provides both tangible and intangible continuity between the past, present, and future. People identify with cultural heritage as a reflection and expression of their constantly evolving values, beliefs, knowledge, and traditions.

Cultural heritage, in its many manifestations, is important as a source of valuable scientific and historical information, as an economic and social development asset, and as an integral part of people's cultural identity and practice. It is important to note that cultural heritage can be both tangible and intangible.

Each Sub Project needs to take account of intangible cultural heritage such as the traditional practices, lifestyles, heritage and shared history of communities. This may include working with communities to ensure recording of cultural histories, stories, and music, as well as supporting the protection and enhancement of heritage through provision of cultural centres and other supports. The essential goal is to ensure resettlement does not adversely impact such heritage, and ensures community cohesion and continuity.

ESS8 establishes measures designed to protect cultural heritage throughout the project life cycle, with critical components including:

- Environmental screening to determine how the Project affects cultural heritage resources
- Consultation as an important means of identifying such resources, documenting their presence and significance, assessing potential impacts, and exploring mitigation options
- Baseline and impact assessments to establish an asset inventory, document asset significance, and assess the nature and extent of potential impacts on these resources
- Appropriate mitigation measures
- Capacity assessment and capacity-building for local stakeholders, including "chance finds"
- Management plans for implementing the above

As part of the socio-economic surveys, each Sub Project will be engaging with communities in the Project area to develop a master list of all potential tangible heritage sites and non-tangible cultural heritage. Each Sub Project will also be responsible for undertaking cultural heritage management plans, including chance finds procedures, to identify cultural heritage impacts during construction. Examples of chance finds may include an archaeological site, which has remained unnoticed or undocumented in the past or a site of cultural / heritage significance which had not been identified previously.

11. Grievance Management

The aim of the grievance mechanism is to achieve mutually agreed resolution of grievances raised by stakeholders. This grievance mechanism ensures that complaints and grievances are addressed in good faith and through a transparent and impartial process.

Grievances raised by stakeholders need to be managed through a transparent process, readily acceptable to all segments of affected communities and other stakeholders, at no cost and without retribution. The grievance mechanism should be appropriate to the scale of impacts and risks presented by a project and beneficial for both a proponent/operator and stakeholders, especially PAPs. The mechanism must not impede access to other judicial or administrative remedies.

International standards state that:

- Where there are affected communities, a project will establish a grievance mechanism to receive and facilitate the resolution of their concerns and grievances about project environmental and social performance
- The grievance mechanism should be scaled to the project risks and adverse impacts that have affected communities as its primary user
- The grievance mechanism should seek to resolve concerns promptly using an understandable and transparent consultative process that is culturally appropriate and readily accessible, and at no cost and without retribution to the party originating the issue or concern
- The grievance mechanism should not impede access to judicial or administrative remedies
- The project will inform the affected communities about the mechanism in the course of the stakeholder engagement process.

11.1 Grievance Process

As stated in the GRM CoK, meaningful stakeholder consultation is fundamental to stakeholder trust “legitimacy”. Without meaningful consultation, it is difficult to sufficiently understand and address the barriers to access that people face “accessibility”. Meaningful consultation is also needed to ensure that outcomes and remedies of processes are based on “dialogue” and are culturally appropriate and gender-sensitive “rights compatibility”. Further, the extent to which a mechanism can learn from stakeholder feedback will have a bearing on its success in being a “source of continuous learning.”

CoK must be prepared to meaningfully consult potentially affected stakeholders at various stages of the project activities. Such engagement should allow those concerned with developing and operating the mechanism to hear, understand, and respond to stakeholders’ interests and concerns.

The process of reporting a grievance should be easily accessible and unintimidating to any stakeholder. The preferable channels for reporting grievances can be discussed with the community as part of community engagement.

The method for addressing grievances is systematic and is divided into six key steps. These are as follows:

- Step 1: Receive and log the comment/issue/grievance
- Step 2: Screen for eligibility and acknowledge comment/issue/grievance

- Step 3: Record comment/issue/grievance
- Step 4: Investigate and grievance resolution
- Step 5: Communicate the outcome to the complainant
- Step 6: Acceptance and closeout

11.2 Grievance Mechanism for Land Access and Resettlement

The ESIA/SEF will provide further details on the grievance management framework applicable to GCK Project and each Sub Project.

Resettlement-related grievances are likely to arise especially during land access negotiations with the PAPs. These could include issues related to inadequate compensation for land acquisition, disputes over land ownership or boundaries, lack of consultation, representation, or consent from affected communities, environmental impacts on land due to project activities, and violations of land rights during resettlement processes. These claims would need to be carefully investigated and addressed through the grievance mechanism to ensure fair resolution and accountability.

12. Organisational Framework

The overall coordination of the implementation of Sub-Project RAPs will be the responsibility of the developer preparing the LAP with the oversight of relevant stakeholders as required. The developer will oversee all resettlement planning and coordinate all issues relating to the compensation in alignment with this RPF and the GCK Masterplan.

The developer for the Project must draw together technical, social, and environmental personnel. The developer will collaborate with government agencies as appropriate and Local District Authorities falling within the project area who will assist in coordination and implementation, as well as NGOs, and CBOs, as appropriate.

13. Monitoring and Evaluation (M&E)

The WB requires Projects to "establish procedures to monitor and evaluate the implementation of the plan and will take corrective action as necessary during implementation to achieve the objectives of this ESS. The extent of monitoring activities will be proportionate to the project's risks and impacts".

Monitoring and Evaluation (M&E) is essential in RAP implementation. Monitoring will involve establishing quantifiable targets for all impact mitigation interventions and subsequently measuring progress toward the achievement of those targets. Intervention evaluation will be designed to assess whether the progress in impact mitigation measure implementation is achieving the desired objectives. The M&E Framework with not only guide RAP implementation, but will also enable all stakeholders to share a common vision of any particular intervention and objectively assess its impact on PAHs and PAPs.

The purpose of monitoring is to provide Project Management, and directly affected persons, households and communities, with timely, concise, indicative information about whether compensation, resettlement, and other impact mitigation measures are on track to achieve sustainable welfare restoration and improvement, or if adjustments are needed.

Monitoring verifies that:

- RAP actions and commitments for compensation, resettlement, land access, and development are implemented fully and on time
- PAPs receive timely compensation and replacement housing
- Compensation and livelihood investments are achieving sustainable restoration and improvement Project-affected persons, household, and community welfare
- Complaints and grievances are followed up with appropriate corrective action
- Vulnerable persons are tracked and assisted as necessary.

In brief, monitoring answers the question: Are Project impact mitigation and other measures in place, on time, and producing the intended effects as planned in the RPF and RAP? Are Project compensation, resettlement, and other impact mitigation measures on time and having the intended effects?

M&E will have the following general objectives:

- Monitoring specific situations or difficulties arising from RAP implementation as well as implementation compliance with RAP objectives and methods
- Evaluating emergent, mid- and long-term Project impacts on the welfare of households, communities, and local government
- Sufficient PAP involvement in participatory monitoring and evaluation of short-term, mid-term, and long-term Project activities and effects.

Monitoring activities will comprise of three main components:

- Internal Monitoring
- External Monitoring (by external experts)
- RAP Completion Audit (by one or more international experts).

13.1 Internal M&E Process

Internal monitoring will look at inputs, processes, outputs, and outcomes of compensation, resettlement, and other impact mitigation measures.

Input monitoring establishes if staff, organisation, finance, equipment, supplies, and other inputs are on schedule in the requisite quantity and quality.

Process monitoring will:

- Assesses Program implementation strategies and methodologies and the capacity and capability of Program management personnel to effectively implement and manage the Programs
- Document lessons learned and best practices and provide recommendations to strengthen the RAP design and implementation.

Output monitoring establishes if agreed-upon outputs are realised on time for:

- Communication with the affected communities
- Agreed resettlement and compensation policies, procedures, and rates
- Crops building, and lost business compensation
- Infrastructure and housing construction and occupation
- Livelihood Program delivery and uptake
- Grievance resolution
- Attention to vulnerable people.

Outcome (or effectiveness) monitoring will determine:

- The degree to which the Program objectives and performance targets have been achieved.

M&E indicators to assess RPF outcomes and PAP economic status, including livelihood measures, should be able to measure impacts (change over time) to determine whether PAP living standards has been restored or improved compared with their pre-displacement position. As such, indicators should be “outcome-based” -- considering household socio-economic status -- and not just “output-based”.

M&E indicator selection shall be guided by the following principles:

- Preference for fewer indicators that have significant validity over more indicators of less significant value
- Preference for indicators used by national institutions in order to be able to compare results with control groups in other parts of Rwanda
- Measuring outcome and impacts on the following levels:
    - Monetary livelihood measuring through a quantitative income or expenditure survey
        - Qualitative indicators measuring PAP perceptions
        - Livelihood improvement proxy indicators

Quarterly internal monitoring progress reports will be prepared. The internal monitoring assesses inputs, processes, and outcomes of compensation, resettlement, and other impact mitigation measures.

13.2 External M&E Process

An external audit will be conducted by an external party to assess RPF and RAP implementation compliance. The developer will hire a qualified external Social Auditor with significant resettlement experience, hands-on M&E experience, no previous Project involvement, and proven ability to identify actions to improve implementation and mitigate negative resettlement impacts to conduct an annual compliance assessment of social commitments contained in Rwanda legislation, WB Standards, this RPF, subsequent RAPs, and the ESIA and its attached social action plans. The Social Auditor will work closely with the Project-affected communities to track the RAP implementation progress.

Review objectives are as follows:

- To assess overall RPF and RAP compliance and determine whether corrective actions are required
- To verify that measures to restore and enhance PAP livelihoods are being implemented and to assess their effectiveness
- To assess the extent to which affected communities' livelihoods are being restored in an appropriate manner and how their living standards have been improved.

Compliance Monitoring will:

- Verify results of internal monitoring
- Assess whether resettlement objectives have been met, and, specifically, the extent to which Livelihood Programs have contributed to PAP livelihood restoration and living condition improvement
- Assess resettlement efficiency, effectiveness, impacts, and sustainability, drawing lessons for future resettlement activities and recommending implementation process improvements
- Ascertain whether resettlement entitlements are appropriate to meet the objectives, and whether the objectives are suitable to PAP conditions
- Assess grievance records to identify implementation problems and grievance resolution status
- Ensure RAP implementation is in compliance with WB Standards
- Focus on vulnerable persons and assess methods for assisting them

13.3 Key Performance Indicators

A number of indicators will be monitored to track RAP implementation progress:

- Process Indicators: Project inputs, expenditures, staff deployment, etc.
- Output Indicators: Number of compensated and resettled PAPs, training held, etc.
- Outcome Indicators: Level of immediate project objective achievement, observable changes in performance, behaviour, or resource status that should occur as a result of RAP implementation
- Impact Indicators: Long-term effect, change of state, or improved living conditions of PAPs toward which the project is contributing

- Assumption Indicators: Fundamental circumstances which may counteract -- or at least delay -- the attainment of results.

The first three indicator types are related to process, immediate outputs, and results. The final two longer-term impact indicators will focus on assessing whether the overall project objectives are being met, and will use the defined impact indicators as a basis for their evaluation. Data collected for the baseline socio-economic surveys will serve as the benchmark for measuring and evaluating RAP implementation success.

Monitors parameters will include:

- Compensation delivery
- Grievance resolution
- Land access
- Household asset increase or decrease
- Social stability
- Health
- Infrastructure and public facility rehabilitation
- PAP satisfaction levels
- Number of PAPs with restored and/or improved livelihoods.

13.4 Reporting

Internal monitoring will be reported to management on a quarterly basis.

External monitoring will be reported annually, and a summary report prepared for stakeholder disclosure.

14. Budget and Schedule

14.1 Parameters and Assumptions

A detailed budget and schedule will be developed per each RAP Sub Project and will disaggregate costs by the components outlined in Table 6 below.

Table 6: Budget Summary

Component	RWF	EUR
Physical Resettlement/Relocation		
Cash Compensation (Structures)		
Crops and Land		
Livelihood & Temporary Support Programs		
Demolition Costs		
Community Infrastructure		
Consultation & Negotiation		
Cultural Heritage		
GCK Project Staff Costs & Permitting		
Consultant Costs		
Equipment, Transport, Administration		
TOTAL		

14.2 Project Work Plan and Schedule

This RPF highlights the various tasks required to effectively guide the development of specific Project RAPs . Each Sub Project RAP will provide a tailored Work Plan and Schedule.

15. Change Management & Next Steps

15.1 Change Management

This RPF is a living document that will be periodically updated as the project progresses and will remain fully aligned with the GCK Masterplan.

Appendices

Appendix 1: Types of Data Required for RAP Development (Data Matrix)

GCK Project Example of Socio-economic Data Required *Draft prepared to ensure socio-economic surveys collect data relevant for potential resettlements*	
No.	**Types of Data**
A	**General Information**
1	Community
2	Database / Information Management System code number
3	Interviewer
4	Supervisor
5	Name of Respondent
6	Relationship to household head
7	Phone number of Respondent
8	Phone number of household head
9	GPS coordinate of the house/structure
10	Identification of district, sector, cell, village and "isibo"
	SOCIAL CAPITAL
B	**Occupant**
1	Building occupant details (owner, tenant, caretaker or relative/dependents)
C	**Demographic Information**
1	Name of head of household
2	Photo of household head
3	Name of property owner (if rented / occupied by family member)
4	No. of residents' present (male and female separate)
6	Names of residents, ages (m/f)
7	Ages of all residents
7	Tenants (m/f)
8	Absent residents (m/f)
9	Visitors (m/f)
10	Emigrants (m/f)
11	Year of construction
12	Month and year of occupation
13	Place of origin
16	Ethnic group
17	Religion
18	Marital status
19	Type of identity document(s)
20	ID number
D	**Local Culture**
1	Types of festivals
2	Traditional cultural groups, occasions, performance, music and dance etc.
3	Traditional customs
4	Traditional laws and taboos
E	**Community Participation**
1	Who are the local community leaders (religious, political)?
2	Are you a member of any community group/ which one?

3	Is any household member a participant in any community group?
4	Does your group receive any financial support?
5	What are the social Program available in this community?
6	Are you or a household member a leader in any of these groups?
7	Are there any important activities/groups/cultural events that binds the community together?
8	What facilities do you consider as important for community development?
9	Are there any major conflicts in the community?
10	What do you feel is the most important challenge/problem facing your community?
11	What is the crime situation in the area?
12	What do you like most about this community?
13	What do you like least about this community?
F	**Influx Management**
1	Has any member of your household joined in the last one year?
2	Where is he/she from?
3	What is the reason for relocating?
4	Is there any incidence of in-migration in the community?
5	What changes has the in-migration caused in the community?
6	What impact has the in-migration brought upon the infrastructure in the community?
7	What role do the migrants play in the community?
8	What economic benefits has the migration brought to the community?
	HUMAN CAPITAL
G	**Education**
1	Educational level of the household members (highest level of education obtained by members)
2	Are there any barriers preventing education (e.g. distance to school, marriage, work)?
3	Aptitude for reading and writing (good, fair, poor)
4	Speaks French or English (good, fair, poor)
5	Current school attendance of household members
6	The distance from home to school (e.g. 0.0 - 0.9Km; 1.0-1.9Km; 2.0-2.9km; 3.0-3.9km; 4.0-4.9km; 5.0km and above)
7	Means of transport to school (walking, bus, bicycles, others)
8	Do you regularly attend school? (if not, why?)
9	Skills possessed by household members (carpentry, masonry, etc.)
10	Any training skills you would like to acquire? (yes or no) if yes, what skills?
11	Computer literacy (good, fair, poor, none)
H	**Health**
1	Are you or any member of your family registered with any medical insurance scheme?
2	Where do you go for medical treatment? (clinic, hospital, traditional healer)
3	Distance from home to health facility (0-2km; 3-5km; 6-8km; 9-11km; above 12km)
4	Where do you buy medicines (pharmacy, other)
5	Has any member of the household given birth in the past year?
6	Where did they give birth?
7	Did they get medical assistance during pregnancy/birth?
8	Has any household member lost a child in the past year?
9	Are there any disabled (physically/mentally) persons in your household?
10	What illnesses did you or your family suffer in the past year?
11	Have your children received immunisations?
12	How many months did you exclusively breastfeed your child?

13	Was any member of your family ill in past 4 weeks (which illness)?
14	How many days did they lose at work because of this?
15	Did any member of your family die in the past year? what was the cause of death?
I	**STDs & HIV/AIDS**
1	Do you know of any sexually transmitted diseases? (which ones)
2	Does HIV/AIDS exist in this community?
3	Do you know of any household members who has HIV/AIDS?
4	Have you received education on HIV/AIDS (from where)?
J	**Respiratory Tract Infection**
1	Have you or any member of your household had any respiratory tract infection for the past 6 months?
2	Did you or the person go to clinic or hospital for diagnosis and medication?
3	Have you or any member of your household been diagnosed with (TB, Pneumonia, Common cold, Persistent cough, Covid 19, etc.)?
4	Are you or any member of your household asthmatic?
5	What is the frequency of the attack?
6	Is the person on any medication?
7	Do you or any household member have allergies? If so, what type?
K	**Food Security**
1	Did you have enough food all of last year?
2	If not, what period did you have problems?
3	Why did you have problems? (poor rainfall, drought, pests etc.)
4	What is the food situation of the community compared to last year?
5	What is the food situation of the household compared to last year?
6	How many times do the household eat in a day?
7	How balanced is you diet (fresh fruits/ vegetables)?
8	How often do you eat meat or fish?
9	Is the household part of any food support programs?
	FINANCIAL CAPITAL
L	**Employment**
1	Primary income-generating activity
2	Secondary income-generating activities
3	Aside this, do you have other sources of income?
4	What are the challenges associated with the work you do?
5	How do you cope with the challenges you have described above?
6	What kind of assistance would you require to improve upon the work?
M	**Agriculture**
1	Do you engage in farming? (if not why?)
2	Location of the farm/s
3	Size of landholding/s
4	Crops grown
5	Land farmed and % devoted to each crop (in and outside survey footprint)
6	Number of years farming plot/s
7	Distance to farm/s
8	Area of fallow land
9	Fallowing period between cultivations
10	Shared ownership?
11	Share type?
12	Land tenure arrangement (owned or rented, common use land)?

13	Fallowing period between cultivations
N	**Value Addition and Marketing**
1	What do you do to crops after harvest?
2	Kind of crop storage facilities
3	How long can the facility preserve the crops?
4	Holding capacity of the storage facility
5	Crop treatment
6	Crop sales
7	Timing of crop sales
8	Location of crop sales
9	Mode of transport to market to sell crops
10	Who purchases your products? (individuals, local traders, outside traders, etc.)
11	Harvest performance in current year
12	Area cultivated increased or decreased
13	Information on dry season agriculture
O	**Technical Assistance**
1	Type of agricultural technical assistance
2	Technical assistance provider
3	Frequency of technical assistance
4	Use of improved seeds
5	Use of chemical fertiliser
6	Use of herbicides/pesticides
P	**Livestock**
1	Do you keep livestock (chickens, cows, oxen, goats)
2	Has the size of your herd decreased/increased since last year?
3	Are there any factors limiting the growth of your herd?
4	Do you sell animal products?
5	Location of animal product sales
6	Mode of transport to market to sell animal products
7	Who purchases your products? (individuals, local traders, outside traders, etc.)
8	Use of veterinary services? If no, why?
Q	**Businesses in the Survey Area**
1	Type of business/es
2	Business structure/s (kiosk, stalls, stores, metal containers etc.)
3	Is the business structure movable? yes or no
4	Number of days the business operates within a week
5	What is your average daily profit?
R	**Income Sources**
1	Revenue from agriculture & livestock (from food sales, other crops & animal products)
2	Revenue from paid employment (non-agricultural)
3	What other sources of income (rent, remittances, pensions, social welfare)?
4	Are children engaged in any income-generating activities?
S	**Expenditures/loans/savings**
1	Does the household have a bank account?
2	Which bank does the household save with?
3	Does the household have any form of investment? (yes or no)
4	What type of investment? (bank, land, house, equipment, etc.)
5	Does household have a loan?
6	Loan provider (bank, micro finance, private individual, NGOs, others)

7	Loan repayment in cash or in-kind
8	The loan period
T	**Household Expenditures**
1	Food expenditure (daily/weekly/annually)
2	Education expenditure (annual)
3	Clothes expenditure (annual)
4	Health expenditure (medicines, consultations, hospitalisations)
5	Expenditure on 'luxury' goods (annual) (e.g. TV, smartphones etc.)
6	Expenditure on communication (internet, cell phones) (weekly/monthly)
7	Expenditure on house maintenance or rent (monthly /annually)
8	Social event expenditure (annual) (funerals, festivals, marriages, baptisms)
9	Expenditure on farming equipment and others
10	Do you hire labour on the farm?
11	How much do you pay farm labourers per day?
12	Fuel source for cooking
13	Fuel source for lighting
14	Annual fuel expenditure
15	Is fuel source easily available?
	PHYSICAL CAPITAL
U	**Local Infrastructure**
1	No. and location of schools, health centres, government buildings, etc.
2	Places of worship, markets, community centres, soccer fields, community parks etc.
3	Location of cemeteries, archaeological sites or cultural sites for rituals?
4	Roads availability, the nature and types (gravel, surface dressed, asphalt, concrete, etc.)
5	Drainage systems (gutter, culvert, bridge, storm drains, etc.)
6	Water Distribution System (standpipe, elevated water reservoirs, underground water reservoirs; boreholes, well etc.)
7	Types of solid waste facilities (bunker, skip container, refuse dump, landfill. etc.)
8	Household assets (fridge, radio, television, bicycle, car, motor bike, houses, mobile phones etc.)
9	Do you have electricity in this community (yes or no)
10	Is this house connected to the national electricity grid (yes or no)
11	Does this house have electricity meter (yes or no)
12	Do you have any of the telecommunication network companies in the community?
13	Main sources of transport for household (foot, bicycle, motor bike, carreta, car etc.)
14	Energy source for cooking (firewood, charcoal, cooking stove, etc.)
15	Available toilet facilities (design type)
V	**Water & Sanitation**
1	Principal source of drinking water (borehole, pipe borne water, rain water, river, hand-dug well, etc.)
2	Main source of water for household activities (cooking, washing etc.)
3	Source of water in wet/dry season
4	Daily household consumption (buckets, barrels)
5	Distance to water source
6	Condition of water source
7	Do you treat water in any way before drinking?
8	What toilet facility do you own or use? (design type)
9	Do you share the toilet facility with other households? (yes or no)

10	How does the household dispose of refuse (solid waste)?
11	How does the household dispose of refuse (liquid waste)?
W	**Resettlement Related Questions**
1	Who is the owner of this structure? (self, someone, family house)
2	Are you the structure owner or tenant?
3	Name of the structure owner
4	The age of the structure
5	The status of the structure (complete, incomplete, collapsed, etc.)
6	The use of the structure (residential, farmstead, commercial, institutional, annex, etc.)
7	Number of rooms in the structure
8	The uses of the rooms (sleeping rooms, living area, others)
9	Kitchen, toilet and bath in-built or located outside the structure
10	The occupation status of the structure (occupied, non-occupied)
11	Nature of occupation (farm items, household items, groceries, food stuffs etc.)
12	Nature of wall materials (concrete, corrugated iron sheets, etc.)
13	Nature of roofing materials (corrugated iron sheet, etc.)
14	Nature of windows (louvre blades, sliding glazed windows, wooden battened, etc.)
15	Nature of doors (metal security doors, panelled, plywood, etc.)
16	Nature of floor (tiled, cement screed, rammed earth, timber, earth, etc.)
17	External and internal measurements of the structure
18	Internal measurement of the rooms
19	Photographs of the structure and the rooms
20	Sketch/plan of the structure in relation to the compound
21	Is the structure connected to national electricity grid? (yes or no)
22	Does the structure have electricity meter? (yes or no)
23	Is the structure your primary or secondary residence?
24	Any cemeteries and archaeological sites - and their location
25	Water Distribution Systems available (standpipes, boreholes, elevated water reservoir, underground water reservoir, hand-dug wells etc.)
X	**Other Properties**
1	Do you own a building outside survey area?
2	If yes, please specify the place of the building
3	If you qualify for resettlement would you like to take cash and move to the other house?
4	Do you own a farmland outside the project area? Where is the farmland located?
5	What is the size of the land?
6	Land tenure system in the area
7	What types of crops are cultivated on the land and the % devoted to each crop?
8	What is the acreage of the various crops cultivated?
9	Do you have fallow land?
	NATURAL CAPITAL
Y	**Gathering and Hunting**
1	Any forest in the area?
2	What products do you gather from the surrounding area (timber, medicinal plants etc.)
3	What type of water bodies are available? (stream, river, pond, dam, etc.)
4	What is the distance to the water body?
5	Do you or any member of the community hunt for wildlife? (yes or no)
6	What type of meat do you get from hunting?
	PERCEPTION AND EXPECTATIONS

Z	**Perception of GCK Project**
1	What is your impression of the GCK Project working in this area?
2	What is your view about the GCK Project's local employment policy?
3	Are there any household members directly employed by the GCK Project or a contractor?
4	What is the GCK Project currently doing that you think is beneficial to the community?
5	What is your perception about the Project?
6	What informs that perception?
7	How would rate the level and quality of engagement with GCK Project?
	GENDER CONSIDERATIONS
AA	**Perception of Gender Considerations**
1	Are there major gender role differences in the household?
2	What are most common household activities by gender?
3	Who has control of the household spending and savings in the household?
4	Do women have equal access to education?
5	Do women have equal access to employment opportunities with the GCK Project or the Project?
6	Is there anything preventing women from employment with the GCK Project or Project contractors?

Appendix 2: Structure for Subproject RAPs

Summary
Preamble
Proponent's Commitment

1. Introduction
1.1 Purpose of the RAP
1.2 Format of the RAP
1.3 Project Background
1.4 Project Components
1.5 Description of Works
1.6 Projected Impacts

2. Institutional & Legal Framework
2.1 International Best Practice
2.2 National Institutional Framework
2.3 Rwandan Legal Framework
2.4 International Standards & Guidance
2.5 Project Policies
2.6 Gap Analysis of National Law and World Bank Standards

3. Stakeholder Engagement
3.1 International Best Practice
3.2 Stakeholder Engagement Plan (SEP)
3.3 Key Stakeholder Engagement Objectives
3.4 Identification of Stakeholders for the Project
3.5 Public Consultation to Date
3.6 Future Stakeholder Engagement
3.7 Communication Plans
3.8 Stakeholder Consultation and Disclosure Schedule
3.9 Reporting and Evaluation

4. Baseline Data Collection & Analysis
4.1 International Best Practice
4.2 Initial Baseline Data Collection
4.4 Household Surveys
4.5 Focus Group Sessions
4.6 Key Person Interviews
4.7 Analysis of Baseline Data
4.8 Thematic Mapping
4.9 Analysis of Socio-economic Survey
4.10 Analysis of Asset Survey
4.11 Further Survey Work and Analysis
4.12 Project Database

5. Identification of Project Impacts
5.1 International Best Practice
5.2 Physical Impact of the Project
5.3 Identifying Project Impacts

5.4 Project-Affected Households
5.5 Project-Affected Public Infrastructure & Facilities
5.6 Project-Affected Businesses
5.7 Efforts to Minimise Project Impacts

6. Compensation Framework & Assistance
6.1 International Best Practice
6.2 General Principles
6.3 Eligibility
6.4 Entitlements
6.5 Household Sign-Off & Moves

7. Livelihoods and Community Development
7.1 International Best Practice
7.2 Livelihood Program Approach
7.3 Livelihood Needs Assessment
7.4 Livelihood Program Components
7.5 Livelihood Program Management & Partnership
7.6 Local Employment and Procurement
7.7 Community Development Plan

8. Temporary Hardship and Vulnerability
8.1 International Best Practice
8.2 Vulnerability
8.3 Vulnerability in the Project Area
8.4 Temporary Hardship Assistance

9. Protection of Cultural Heritage
9.1 International Best Practice
9.2 Cultural and Religious Heritage
9.3 Chance Finds

10. Grievance Procedures
10.1 International Best Practice
10.2 Grievance Procedure
10.3 Compatibility with National Legislation & Grievance Mechanisms
10.4 Record Keeping and Reporting

11. Monitoring, Evaluation and Reporting
11.1 International Best Practice
11.2 Project Approach
11.3 Monitoring & Evaluation

12. Organisational Framework
12.1 International Best Practice
12.2 Institutional Roles & Responsibilities
12.3 Project Specific Committees

13. Resettlement Budget and Implementation Schedule
13.1 Best Practice Guidance
13.2 Project RAP Budget

13.3 Implementation Schedule

14. Change Management
14.1 Introduction
14.2 Further Steps in RAP Development
14.3 Further Iterations of the RAP

References

FAO Land Tenure Studies: Compulsory Acquisition of Land and Compensation (2009)

IFC Handbook on Preparing a Resettlement Action Plan (2002)

KfW Sustainability Guideline Assessment and management of Environmental, Social and Climate Aspects: Principles and Procedures (2023)

GCK Master Plan (2024)

Reddy, Smyth and Steyn Land Access and Resettlement: A Guide to Best Practice (2015)

The World Bank, REMA. Rwanda Environmental and Social Risk Management Capacity Needs Assessment. Background Paper (2022)