

REVOLUTIONARY GOVERNMENT OF ZANZIBAR



***TANZANIA PUBLIC-PRIVATE PARTNERSHIP
PROJECT (P159192)***

Resettlement Policy Framework (RPF)

March 2020

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ABBREVIATIONS AND ACRONYMS

AIDS	Acquired Immune Deficiency Syndrome
ARAP	Abbreviated Resettlement Action Plan
CDO	Community Development Officer
DC	District Commissioners
DP	Displaced Person
EO	Environmental Officer
EHS	Environmental Health And Safety
ESIA	Environmental and Social Impact Assessment
ESMF	Environmental and Social Management Framework
ESMP	Environmental and Social Management Plans
GBV	gender-based violence
GRM	Grievance Redress Mechanism
HIV	Human Immunodeficiency Virus
IA	Implementing Authority
LGAs	Local Government Authorities
M&E	Monitoring and Evaluation
MEP	Monitoring and Evaluation Plan
MoFP	Ministry of Finance and Planning
NGO	Non-Governmental Organization
OP/BP	Operational Policy/Bank Policy
PAP	Project Affected Person
PIUs	Project Implementing Units
PPP	Public-Private Partnership
PMT	Project Management Team
RAP	Resettlement Action Plan
RPF	Resettlement Policy Framework
TNA	Training Needs Assessment
TOR	Terms of Reference
TPPP	Tanzania PPP Project
WB	World Bank
WBG	World Bank Group
ZUSP	Zanzibar Urban Services Project
ZEM Act	Zanzibar Environmental Management Act
ZEMA	Zanzibar Environmental Management Authority
ZMC	Zanzibar Municipal Council

GLOSSARY OF TERMS

Abbreviated Resettlement Action Plan (ARAP)	The Abbreviated Resettlement Action Plan (ARAP) is a simplified form of a RAP that may be agreed where impacts on the entire displaced population are minor, or fewer than 200 people are displaced. Impacts are considered "minor" if the affected people are not physically displaced and less than 10 percent of their productive assets are lost.
Census	A field survey carried out to identify and determine the number of PAPs because of physical or economic impact due to project activities. The census provides the basic information necessary for determining eligibility for compensation, resettlement, and other measures.
Compensation	The payment in kind, cash or other assets given in exchange for the acquisition of land including fixed assets, is called compensation. These include other impacts resulting from activities to rehabilitate or cushion the impacts from displacement.
Cut-off Date	This is the date on and beyond which any person affected by a public investment project will not be eligible for compensation. The cut-off date is the date of commencement of the census for the RAP/ARAP, of PAPs or DPs. The cut-off date will be widely disseminated to PAPs and stakeholders in a timely manner and documented in the RAP/ARAP.
Grievance Redress Mechanism (GRM)	The RPF contains a grievance redress mechanism based on policies and procedures that are designed to ensure that the complaints or disputes about any aspect of the land acquisition, compensation, resettlement, and rehabilitation process, etc. are being managed appropriately. This mechanism includes a procedure for filing of complaints and a process for dispute resolution within an acceptable time.
Implementation Schedule	The RPF contains an implementation schedule that outlines the time frame for planning, implementation, monitoring and evaluation.
Involuntary	Involuntary means actions that may be taken without the displaced person's informed consent or power of choice.
Land	Land includes anything growing on or permanently affixed to land, such as buildings and crops. Land refers to all types of agricultural and/or non-agricultural land and any structures thereon whether temporary or permanent and which may be acquired by the project.
Land Acquisition	Land acquisition means the possession of or alienation of land, buildings, or other assets thereon for purposes of the project. TPPP will not support any PPP that requires Land Acquisition.
Project Affected Person (PAP) or Displaced Persons (DPs)	<p>Project Affected Person (PAP) are persons holding land or other assets or a means of livelihood otherwise adversely affected by a public investment project. These person(s) are affected because they may lose, be denied, or be restricted in their access to economic assets, such as by losing shelter, income sources, or means of livelihood. These persons are affected whether they will move to another location or not.</p> <p>Most often, the term displaced persons (DPs) applies to those who are physically relocated. These people may have their: standard of living adversely affected, whether the Displaced Person will move to another location or not; lose rights, title, interest in any houses, land (including premises) or any other fixed or movable assets acquired or possessed; or lose access to productive assets or any means of livelihood.</p>
Project Impacts	Impacts on the people living and working in the affected areas of the project, including the surrounding and host communities are assessed as part of the overall evaluation of the project.

Livelihood Restoration	Livelihood Restoration is the provision of development assistance in addition to compensation such as livelihood support, relocation of businesses, credit facilities, training, or job opportunities, needed to assist PAPs or DPs restore their livelihoods
Replacement Cost	Replacement cost refers to the amount enough to cover full recovery of lost assets and related transaction costs. The amount of cash or in-kind compensation needed to replace an asset and does not consider the depreciation value of the asset.
Resettlement	Resettlement covers all direct economic and social losses resulting from land taking and restriction of access, together with the consequent compensatory and remedial measures. Resettlement is not restricted to its usual meaning—physical relocation. Resettlement can, depending on the case, include (a) acquisition of land and physical structures on the land, including businesses; (b) physical relocation; and (c) livelihood restoration of DPs to improve (or at least restore) incomes and living standards.
Resettlement Action Plan (RAP)	The Resettlement Action Plan (RAP) is a resettlement instrument (document) prepared when the location of a public investment project is identified. They are required when land acquisition leads to physical displacement of persons, and/or loss of shelter, and /or loss of livelihoods and/or loss, denial or restriction of access to economic resources. RAPs are prepared by the implementing agency (the contracting authority in the case of PPPs) and contain specific and legal binding requirements to resettle and compensate the affected people before project implementation.
Resettlement Assistance	Resettlement assistance refers to activities that are usually provided during, and immediately after, relocation, such as moving allowances, residential housing, or rentals or other assistance to make the transition smoother for affected households.
Resettlement Policy Framework (RPF)	The RPF sets out the objectives and principles, organizational arrangements, and funding mechanisms for any resettlement, that may be necessary during implementation.
Rights and Entitlements	Rights and entitlements are defined for PAPs and DPs (with the cut-off date) and cover those losing businesses, jobs, and income. This includes cash compensation. Options regarding community and individual resettlement, and provisions and entitlements to be provided for each affected community or household will be determined and explained, usually in an entitlement matrix.
Squatter	People displaced by the project who lack legal title to land or structures. Squatters in occupation of land <i>before</i> project initiation are likely to have invested in structures or land improvements that are eligible for compensation.
Vulnerable Individuals	Vulnerable individuals may disproportionately suffer from resettlement. They include: <ul style="list-style-type: none"> • Disabled people or people suffering from serious illnesses; • Orphans, widows and the elderly who lack the means to support themselves; • Female headed households with dependents and low income; • Women and children at risk of being dispossessed of their productive assets –land– as a result of the land compensation process that may benefit the sole male household head; and • Those that due to socio-economic or cultural reasons are unable to benefit equally from the Project (this could include excluded individuals who are PAPs).
Vulnerable Groups	There are social groups with identities that are often distinct from dominant groups in the national societies in parts of Tanzania. The following characteristics are used in identifying Vulnerable Groups: <ul style="list-style-type: none"> • Self-identification as members of a distinct indigenous cultural group and recognition of this identity by others;

- Collective attachment to geographically distinct habitats or ancestral territories in the project area and to the natural resources in these habitats and territories;
- Customary cultural, economic, social, or political institutions that are separate from those of the dominant society and culture; and
- An indigenous language, often different from the official language of the country or region.

EXECUTIVE SUMMARY

Background

The Revolutionary Government of Zanzibar (RGoZ) is implementing public-private partnerships (PPPs) to deliver infrastructure and other public services. Implementation is guided by the PPP Act 2015 and the PPP Regulations 2017.

The proposed \$14 million Tanzania Public-Private Partnership Project (TPPP) financed by the World Bank (WB) will support the PPP Department of the Ministry of Finance and Planning (MoFP), the government's implementing authority (IA) for each PPP, other government agencies and stakeholders engaged in PPPs.¹ The priority for TPPP is the finalization of project preparation through the funding of feasibility studies, safeguard assessments, and advisory support for PPP procurement. Complimentary institutional and capacity development support will also be provided. In Zanzibar, TPPP will be implemented by MoFP's PPP Department, which is responsible for coordinating Zanzibar's PPP program.

Most PPPs are expected to be for the design, financing, construction and operation of modern markets, bus and daladala terminals and student hostels. Some will be brownfield projects that re-develop and improve an existing public facility, while others will be greenfield projects that develop a new facility. The implementing agency for the PPPs (as defined under the PPP Act) is expected to be a local government authority (LGA) in most cases, with an investment of less than \$10 million per PPP. The PPPs to be supported by TPPP will be selected from thirteen candidate PPPs that are preparing feasibility studies under the World Bank (WB) financed \$55 million Zanzibar Urban Services Project (ZUSP) Additional Finance. PPP selection will be finalized once likely feasibility is established under ZUSP.

Objectives

The objectives of the Resettlement Policy Framework (RPF) are to:

- Establish the resettlement and compensation principles and implementation arrangements;
- Describe the legal and institutional framework underlying Zanzibar's approaches for resettlement, compensation and rehabilitation;
- Compare Zanzibar's laws and the WB Operational Policy for Resettlement (OP 4.12) and identify the gaps;
- Define the eligibility criteria for identification of project affected persons (PAPs) and entitlements, considering Zanzibar's laws and the WB OP 4.12;
- Describe the process for the preparation, implementation, monitoring and evaluation (M&E) of Resettlement Action Plans (RAPs) and Abbreviated Resettlement Action Plans (ARAP);

¹ The project forms part of the World Bank's Tanzania PPP Support Program (P149535) funded by a £20m grant from the United Kingdom's Department for International Development.

- Describe the consultation procedures and participatory approaches involving PAPs and other key stakeholders; and
- Provide procedures for filing grievances and resolving disputes.

In parallel to this RPF, an Environment and Social Management Framework (ESMF) has also been prepared for TPPP. The ESMF establishes a mechanism to conduct environmental and social screening and develop Environmental and Social Impact Assessments (ESIAs) and the Environmental and Social Management Plans (ESMPs) they contain.

Process

PPPs supported by TPPP will prepare either a RAP or ARAP. The PPPs will be screened in accordance with WB OP 4.12 to identify the potential for involuntary resettlement and/or restrictions of access to resources and livelihoods. The PPP's IA will prepare a RAP/ARAP to explain requirements to resettle and compensate the affected people before project implementation. An ARAP is a simplified RAP that may be prepared where the impacts of the PPP on the entire displaced population are minor, or fewer than 200 people are displaced.²

PPPs supported by TPPP will be located on land that the IA already owns. PPPs requiring land acquisition or having impacts on physical cultural resources will be excluded from TPPP support. TPPP screening will look at legacy land acquisition issues, as the IAs will need to document the process and timing involved in acquiring the land. TPPP activities will only take place in larger urban and peri-urban areas and will not operate in areas where vulnerable groups are present.

Some PPPs supported by TPPP will involve little if any involuntary resettlement and/or restrictions of access to resources and livelihoods. Other will involve significant economic displacement through temporary relocation from existing facilities while they are rebuilt (e.g. relocation of small scale vendors from an old market into a temporary facility then into a new market constructed under the PPP). In some cases, the PPP may affect persons that have leased or rented land held by the IA or squatters that have encroached on land held by the IA.

For PPPs that will relocate small traders, businesses or other economic activities, the RAP/ARAP will set out actions to be followed in the temporary relocation from one site to another. Most actions recommended by a RAP/ARAP will typically take place before construction. Activities likely to take place prior to construction include ensuring clear access to a site by relocating squatters that have encroached on an IA's land and the relocation of traders to a temporary site. Some actions likely to be recommended by a RAP/ARAP, such as bringing traders back to a site following reconstruction, can only take place after construction is complete.

The IA will be responsible for ensuring the RPF is applied to each PPP, including preparation and approval of a RAP/ARAP prior to the procurement of a private partner to a PPP. The RAP/ARAP and its proposed actions will be reviewed prior to finalization by the relevant PPP

² WB's Safeguards Policy OP 4.12 - Involuntary Resettlement states that "where impacts on the entire displaced population are minor, or fewer than 200 people are displaced, an abbreviated resettlement plan may be agreed with the borrower....Impacts are considered "minor" if the affected people are not physically displaced and less than 10 percent of their productive assets are lost."

unit and the WB to ensure compliance with the RPF, and only approved with concurrence of the relevant PPP unit and the WB.

RAP/ARAPs will be prepared prior to procurement of the private partner to a PPP. They will normally be prepared jointly with conduct of the feasibility study and the PPP's environmental and social assessments. The terms of reference (ToR) for the RAP/ARAP will be prepared drawing on the environmental and social screening of the PPP. The ToR for a RAP will follow the template ToR for a RAP provided in this RPF. The ToR for a RAP/ARAP will be a simplified version of this tailored to the impacts of the PPP. The feasibility study will often be preceded by a prefeasibility study that includes an environmental and social due diligence, in which case the ToR for the RAP/ARAP will draw from the findings of a prefeasibility study.

Prior to procurement of the private partner to PPP with TPPP assistance, the IA will be required to demonstrate to the PPP unit and WB a firm budget for any resettlement assistance or livelihood rehabilitation. TPPP assistance for procurement of the private partner will only be provided where this firm budget is demonstrated.

All PPPs supported by TPPP will prepare an ESIA. The IA will prepare the ToR for the ESIA concurrently with the ToR for the RAP/ARAP in accordance with the requirements of the ESMF, in order to ensure an integrated approach to environmental and social management of the PPP. Preparation and implementation of the ESIA will then follow the requirements of the ESMF.

PPP advisors and other consultants providing PPP-specific advice will only assist on PPPs eligible for TPPP support. They will for example not advise on PPPs rated Category A under WB Safeguard Policies. PPPs will be subject to the environmental and social screening process described in the ESMF in assessing their eligibility.

Grievance Redress Mechanism

The RPF sets out the establishment of a Grievance Redress Mechanism (GRM), an essential tool for facilitating stakeholders to voice their concerns about the resettlement and compensation process as they arise and, if necessary, for corrective action to be taken promptly. The GRM provides the procedure for handling and resolving all grievances about the environmental and social management of a PPP, including involuntary resettlement-related complaints. Such mechanism is fundamental to achieving transparency in the resettlement processes. The GRM is to contain specific procedures for gender-based violence (GBV) including confidential reporting with safe and ethical documenting of GBV cases.

The GRM to be employed in the TPPP will build on the existing legal grievance procedures and processes. It does not intend to replace existing legal processes but will be based on consensus, seek to resolve the issues quickly to expedite the receipt of compensation, without resorting to expensive and time-consuming legal actions. GRM contained in the RPF is the main process applicable to and informing the ESIA and RAP/ARAP. The mechanism provides a way to promote mutually constructive community relationships which serve to implement the laws relating to the involuntary loss of property rights of Zanzibar and requirements of WB Operational Policy 4.12 on Involuntary Resettlement.

The GRM identifies responsibility for: disclosure, registration, management and monitoring of complaints, providing feedback to local communities and persons with complaints, and

coordination of complaints analysis. The complaints and feedbacks will assist in the continuous improvement of TPPP processes related to the management of social and environmental risks.

Capacity Building

The RPF makes provision for MoFP's PPP Department, IAs and other relevant government agencies to develop their capacity on environmental and social matters. A training needs assessment (TNA) will be carried out in the IAs covered by TPPP. The TNA will be conducted prior to the initiation of an ESIA and the RAP/ARAP. The TNA for safeguards will form part of the broad capacity development plan to be put in place for an IA and its PPPs under TPPP.

Disclosure and Stakeholder Engagement

The ESMF the RPF and other subsequent safeguards instruments such as the individual project ESIA reports, ESMPs, RAPs and ARAPs will be cleared by the Revolutionary Government of Zanzibar and the WB and disclosed locally at public and easily accessible sites (e.g. the site of the PPP and the offices and websites of the IA) with a translation of summaries into the local language in a culturally appropriate manner. They will also be disclosed at the websites of the relevant PPP unit and the WB. For any changes to these instruments the same clearance and disclosure protocols will be followed.

Stakeholders were consulted to obtain their views and concerns regarding the ESMF and RPF. Stakeholders were consulted on a sample of PPPs being considered for support under TPPP. At each IA available documents (i.e. environmental / economic / social data and assessments, land use plans and other planning materials) were gathered and interviews/discussions conducted with relevant project implementers and persons in-charge of PPPs. The field work covered environmental and social conditions in the IAs, institutional arrangements, the capacity for environmental and social management, and PPP-specific environmental and social matters. The consultation also addressed the need for the PPP, its mode of operation, willingness to pay, physical design, location-specific issues, temporary relocation, and challenges that are facing existing facilities. Details of stakeholders consulted and views raised are in Annex A. Stakeholder views fed into preparation of the draft ESMF and RPF. Stakeholder workshops were held to review the ESMF and RPF in Zanzibar on December 5-6, 2018. Stakeholders were encouraged to share comments in open discussion with their peers, facilitated by MoFP staff responsible for safeguards, and to seek the views of safeguard managers within the relevant IA (e.g., their LGA). Stakeholder engagement will continue through the project cycle of the PPP supported by TPPP.

1. INTRODUCTION

1.1 Background

The Revolutionary Government of Zanzibar (RGoZ) is implementing public-private partnerships (PPPs) to deliver infrastructure and other public services. Implementation is guided by the PPP Act 2015 and the PPP Regulations 2017.

The proposed \$14 million Tanzania Public-Private Partnership Project (TPPP) financed by the World Bank (WB) will support the PPP Department of the Ministry of Finance and Planning (MoFP), the government's implementing authority (IA) for each PPP, other government agencies and stakeholders engaged in PPPs.³ The priority for TPPP is the finalization of project preparation through the funding of feasibility studies, safeguard assessments, and advisory support for PPP procurement. Complimentary institutional and capacity development support will also be provided.

In Zanzibar, TPPP will be implemented by MoFP's PPP Department. The department is responsible for coordinating Zanzibar's PPP program.

Most PPPs are expected to be for the design, financing, construction and operation of modern markets, bus and daladala terminals and student hostels. Some will be brownfield projects that re-develop and improve an existing public facility, while others will be greenfield projects that develop a new facility. The implementing agency for the PPPs (as defined under the PPP Act) is expected to be a local government authority (LGA) in most cases, with an investment of less than \$10 million per PPP. The PPPs to be supported by TPPP will be selected from thirteen candidate PPPs that are preparing feasibility studies under the Zanzibar Urban Services Project (ZUSP) Additional Finance financed by the World Bank (WB). PPP selection will be finalized once likely feasibility is established under ZUSP in mid-2020.

The PPP project cycle is at the figure below. The project cycle complies with the PPP Act and Regulations and good practices for PPPs. TPPP support ends at financial close and excludes the implementation stage.

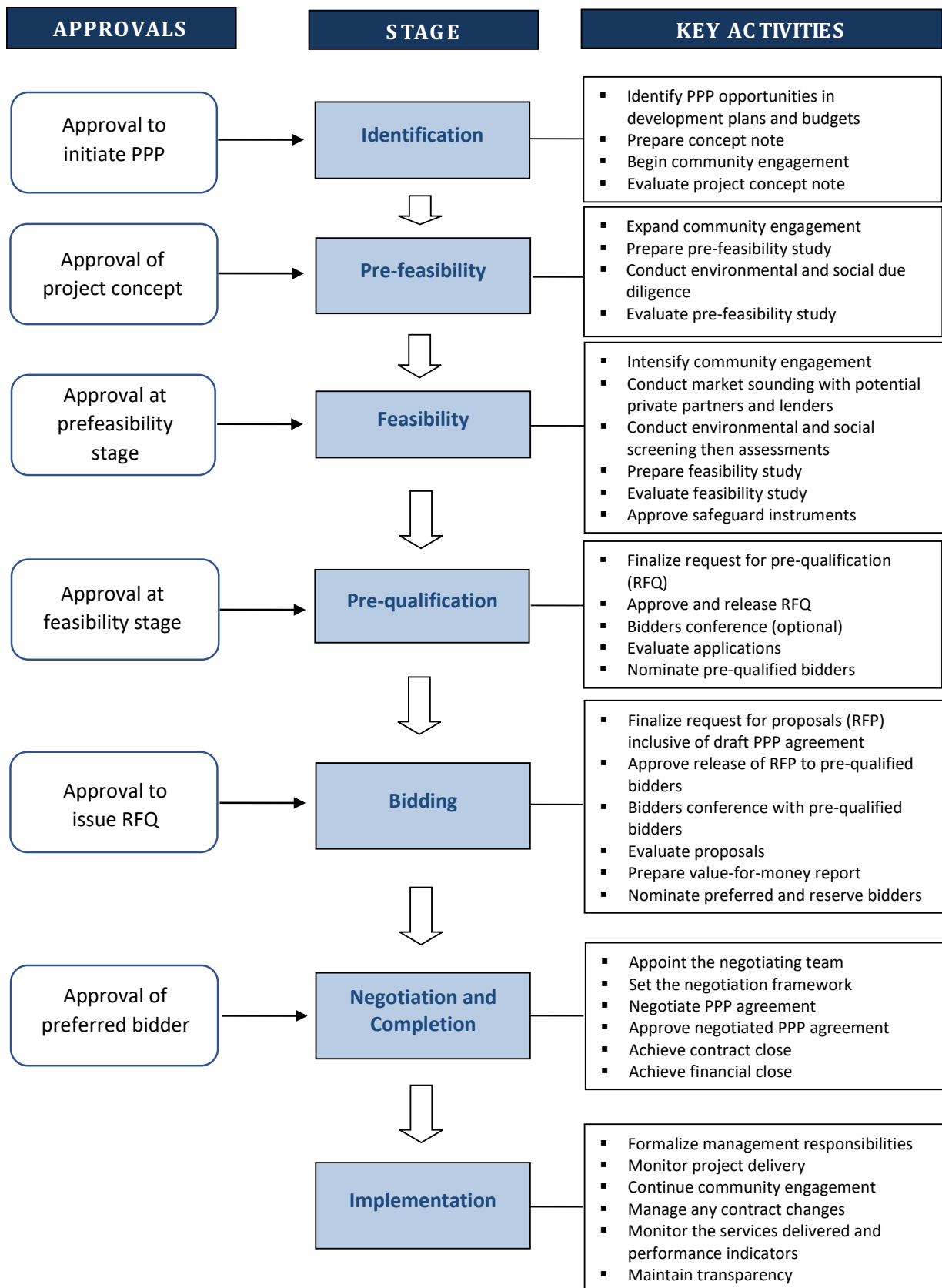
1.2 Objectives of the Resettlement Policy Framework

The objectives of the Resettlement Policy Framework (RPF) are to:

- Establish the resettlement and compensation principles and implementation arrangements;
- Describe the legal and institutional framework underlying Zanzibar's approaches for resettlement, compensation and rehabilitation;
- Compare Zanzibar's laws and the WB Operational Policy for Resettlement (OP 4.12) and identify the gaps;

³ The project forms part of the World Bank's Tanzania PPP Support Program (P149535) funded by a £20m grant from the United Kingdom's Department for International Development.

Figure 1.1 PPP Project Cycle



- Define the eligibility criteria for identification of project affected persons (PAPs) and entitlements, considering Zanzibar’s laws and the WB OP 4.12;

- Describe the process for the preparation, implementation, monitoring and evaluation (M&E) of Resettlement Action Plans (RAPs) and Abbreviated Resettlement Action Plans (ARAPs);
- Describe the consultation procedures and participatory approaches involving PAPs and other key stakeholders; and
- Provide procedures for filing grievances and resolving disputes.
- Identify gaps and provide gap filling measures to ensure compliance with both Zanzibar’s laws and WB Operational Policies;
- Identify potential impacts along with mitigation measures;
- Provide for identification of project impacts; and
- Provide the valuation methodology for compensating losses.

In parallel to this RPF, an Environment and Social Management Framework (ESMF) has also been prepared for TPPP. The ESMF establishes a mechanism to conduct environmental and social screening and develop of Environmental and Social Impact Assessments (ESIAs) and Environmental and Social Management Plans (ESMPs).⁴ The preparation of a RAP/ARAP is integrated with the environmental and social screening of a PPP set out in the ESMF.

1.3 Processes

1.3.1 Overview

PPPs supported by TPPP will prepare either a RAP or ARAP. The PPPs will be screened in accordance with WB OP 4.12 to identify the potential for involuntary resettlement and/or restrictions of access to resources and livelihoods. The PPP’s IA will prepare a RAP/ARAP to explain requirements to resettle and compensate the affected people before project implementation. An ARAP is a simplified RAP that may be prepared where the impacts of the PPP on the entire displaced population are minor, or fewer than 200 people are displaced.⁵

The processes set out in the RPF are to be followed throughout preparation, procurement and implementation of PPPs. These processes are to ensure that:

- Risks are minimized, by:
 - Avoiding resettlement (i.e., physical displacement) as much as possible by reassessing project design and considering potential impact;
 - Ensuring resettlement assistance or rehabilitation, as needed, to address impacts on PAPs livelihoods and their wellbeing;

⁴ The ESMP is to include, where potential impacts warrant extra attention, a waste management plan, traffic management plan, social management plan inclusive of actions to address gender based violence, a labor influx management plan and an occupational health and safety plan.

⁵ WB’s Safeguards Policy OP 4.12 - Involuntary Resettlement states that “where impacts on the entire displaced population are minor, or fewer than 200 people are displaced, an abbreviated resettlement plan may be agreed with the borrower....Impacts are considered "minor" if the affected people are not physically displaced and less than 10 percent of their productive assets are lost.”

- Addressing the needs of the vulnerable PAPs (especially particularly vulnerable individuals, namely women-headed households, widows, orphans, the elderly and handicapped people);
 - Compensating for losses incurred and displaced incomes and livelihoods;
 - Only considering PPPs that have a firm budget for implementing the RAP (e.g., providing resettlement assistance or rehabilitation); and
 - Excluding PPPs that require land acquisition or impacts on physical cultural resources.⁶
- Any adverse impacts of proposed project activities are addressed through appropriate mitigation measures;
 - The impacts of any potential resettlement will be included in M&E;
 - Any resettlement plans include detailed baselines, census of PAPs and public consultation and disclosure; and
 - Any resettlement plans follow the guidance provided in the WB Operational Policy on Involuntary Resettlement (OP4.12).

1.3.2 Context

PPPs supported by TPPP will be located on land that the IA already owns. PPPs requiring land acquisition or impacts on physical cultural resources will be excluded from TPPP support. TPPP screening will look at legacy land acquisition issues by exploring how and when the IA secured a site and any involuntary resettlement involved.

Some PPPs supported by TPPP will involve little if any involuntary resettlement and/or restrictions of access to resources and livelihoods. Others will involve significant economic displacement through temporary relocation from existing facilities while they are rebuilt (e.g. relocation of small-scale vendors from an old market into a temporary facility then into a new market constructed under the PPP). In some cases, the PPP may affect persons that have leased, or rented land held by the IA or squatters that have encroached on land held by the IA.

For PPPs that will relocate small traders, businesses or other economic activities, the RAP/ARAP will set out actions to be followed in the temporary relocation from one site to another. Most actions recommended by a RAP/ARAP will typically take place before construction. Activities likely to take place prior to construction include ensuring clear access to a site by relocating squatters that have encroached on an IA's land and the relocation of traders to a temporary site. Some actions likely to be recommended by a RAP/ARAP, such as bringing traders back to a site following reconstruction, can only take place after construction is complete.

1.3.3 Detailed Requirements

The IA will be responsible for ensuring the RPF is applied to each PPP, including preparation and approval of a RAP/ARAP prior to the procurement of a private partner to a PPP. The RAP/ARAP and its proposed actions will be reviewed prior to finalization by the relevant PPP

⁶ In relation to an individual or community, in this RPF the term "land ownership" can equate to "certificate of occupancy". Thus, TPPP will not support PPPs that require an IA to secure certificates of occupancy from individuals or communities.

unit and the WB to ensure compliance with WB OP 4.12 and the RPF, and only approved with concurrence of the relevant PPP unit and the WB. Other government approvals may also be required, depending on the impact of the PPP.

The process for preparing a PPP is described in the PPP Act 2015 and PPP Regulations 2017, which also set out the requirements for prefeasibility and feasibility studies. These studies are required to assess social and environmental feasibility, and to identify ways of enhancing the benefits of a PPP and avoiding or minimizing options that. Should these or other studies find that a proposed site is unsuitable, the IA will initiate the identification of alternative sites and ensure they are considered in the approval of the PPP. Should the prefeasibility and feasibility studies or other studies identify a better site, the IA will ensure that such a finding is to be considered in the approval of the PPP.

RAP/ARAPs will be prepared prior to procurement of the private partner to a PPP. They will normally be prepared jointly with conduct of the feasibility study and the PPP's ESIA. The terms of reference (ToR) for the RAP/ARAP will be prepared drawing on the environmental and social screening of the PPP as described in the ESMF (i.e. Step 2 in PPP preparation, approval and implementation). This involves completion of an Environmental and Social Screening Form provided in the ESMF (see Annex B of the ESMF). The ToR for a RAP will ensure it includes the required content of a RAP (Annex C has sample table of contents for an RPF). The ToR for an ARAP will be a simplified version of the ToR for a RAP that has been tailored to the impacts of the PPP. The feasibility study will often be preceded by a prefeasibility study that includes an environmental and social due diligence, in which case the ToR for the RAP/ARAP will draw from the findings of a prefeasibility study.

Prior to procurement of the private partner to PPP with TPPP assistance, the IA will be required to demonstrate to the PPP unit and WB a firm budget for any resettlement assistance or livelihood rehabilitation. TPPP assistance for procurement of the private partner will only be provided where this firm budget is demonstrated.

TPPP may support PPPs that have undertaken a RAP or ARAP separately.⁷ For PPPs that have done so, the WB will review the RAP or ARAP to assess if the proposed PPP necessitates any adjustments to meet the requirements of the RPF.

The IA will prepare the ToR for the ARAP/RAP concurrently with the ToR for the ESIA in accordance with the requirements of the ESMF, to ensure an integrated approach to environmental and social management of the PPP.

Should changes be made to the design of the PPP following approval of the RAP/ARAP that may involve involuntary resettlement and/or restrictions of access to resources and livelihoods, the mitigation action will be reviewed by the IA. The measures will either be updated, and/or their continued relevance confirmed, with the PPP agreement varied as necessary. The IA will be responsible for securing concurrence of the relevant PPP unit and the WB.

PPPs supported by TPPP that require a RAP/ARAP will utilize the committee structure established under ZUSP.

⁷ For example, TPPP may support preparation of operations and maintenance PPPs for solid waste management facilities developed under a separate World Bank operation.

1.4 Roles and Responsibilities

Roles in preparing and implementing a RAP/ARAP are summarized in the table below.

In accordance with the PPP Act 2015 and PPP Regulations 2017, the IA will establish a project management team (PMT) to prepare a PPP. The IA will secure the availability of all land required by the PPP, including preparation and implementation of a RAP/ARAP. The IA will retain overall responsibility for implementation of actions required by the RPF. The PPP Department holds an important support role and approval responsibilities.

The private partner may be involved in the implementation of any RAP/ARAP. To clearly delineate responsibilities between the IA and the private partner, detailed provisions that clearly set out responsibilities and target results will be included in the PPP agreement based on the actions identified in the RAP/ARAP. A draft PPP agreement will be provided to potential bidders to the PPP along with other procurement documents.

Table 1.1 Responsibilities for Key Activities

Activity	Who is Responsible?
Identify the site of a PPP and consider alternatives that avoid any resettlement	IA's PMT supported by the PPP unit
Conduct environmental and social due diligence jointly with preparation of a pre-feasibility study, screening out PPPs that are ineligible for WB support	IA's PMT supported by the PPP unit and PPP advisors
Begin the engagement and the consultation process with the PAPs to ensure they are fully aware of the PPP, design features, schedule, etc.	IA's PMT supported by the PPP unit and PPP advisors
Prepare any RAP/ARAP required jointly with preparation of the feasibility study and seek government and WB approval	IA's PMT supported by the PPP unit and PPP advisors
Complete preparations for implementation of any RAP/ARAP required (e.g., through a survey of the land and all improvements by a certified surveyor)	IA's PMT supported by the PPP unit
Any payment to PAPs made by government within 6 months of the survey, if delayed, the evaluation will be updated to ensure they are still appropriate, prior to payment	IA's PMT supported by the PPP unit
Incorporate any obligations of the private partner for implementation of the RAP/ARAP into the draft PPP agreement	IA's PMT supported by the PPP unit
Actioning any remaining commitments under the RAP/ARAP. Actions to be undertaken in accordance with those instruments and the PPP agreement	IA's PMT supported by the PPP unit with the private partner to the PPP
Update the mitigation measures of the RAP/ARAP for any changes in the design of the PPP	IA's PMT supported by the PPP unit with the private partner to the PPP

1.5 Scope of the Resettlement Policy Framework

The RPF applies to all PPPs in Zanzibar prepared with the support of TPPP.

1.6 Users of the Resettlement Policy Framework

The RPF provides guidance to a diverse range of users in how TPPP will achieve compliance with Zanzibar's policies, legislation, and WB policies relevant to involuntary resettlement. The target users include:

- The senior management of MoFP and IAs that are responsible for public investments such as PPPs;
- The PPP unit–MoFP’s Economic Management and PPP Department (the “PPP Department”);
- The project manager and project management team (PMT) formed in accordance with the PPP Act and Regulations to prepare and implement a PPP;
- Officials responsible for approving PPPs within LGAs and the Ministries, Departments, and Agencies;
- The private business sector, and specifically those considering a role as the private partner to a PPP;
- The banks considering lending to PPPs;
- Communities affected by PPPs, and their leaders, representatives and organizations;
- Consulting engineers, contractors and service providers involved in PPP planning, design, construction and installation works;⁸
- Environmental and social assessment consultants who provide services to IAs; and
- PPP advisors who provider services to IAs to prepare and procure PPPs.

1.7 Approach and Methodology

1.7.1 Approach

The approach to the development of the RPF was as follows:

- Identification of key issues for RPF development, legal and policy requirements;
- Collection of data and information from literature, consultations with key informants and observations at representative PPPs to determine:
 - Baseline conditions of important socio-economic receptors emphasizing prevalent trends and indicators;
 - Components of the PPPs likely to interact with this baseline;
 - Potential resulting resettlement impacts;
 - Best alternative approaches for management of resettlement; and
 - Individual and institutional capacity building needs for implementation of the RPF.
- Analysis of gaps of the country's involuntary resettlement laws and regulations vis-à-vis the World Bank OP/BP 4.12 and adopting gap-filling measures.

⁸ Design of a PPP extends beyond the physical design and encompasses other aspects such as the output specifications and performance measures for the services delivered and risk allocations.

1.7.2 Methodology

Review of relevant literature was undertaken during initial preparations and continued throughout the assessment phase and preparation of the framework document. Information sources include documents from Ministries, Departments, Agencies, LGAs, web-search, national and local data and information centers/sources including:

- Project documents for WB operations in Zanzibar, including their project appraisal document, ESMF and RPF, ESIA and RAP/ARAPs;
- The prefeasibility studies (PFSs) prepared for LGA PPPs on the mainland, which include initial environmental and social due diligence;
- The September 2018 back-to-office report of the WB's social safeguards team review of the 13 PPPs in preparation under ZUSP;
- Information collected during consultation with community and other stakeholders.
- Background literature of the environmental and social conditions;
- Current environmental and social management frameworks in use; and
- Zanzibar's legislation and the WB safeguard policies.

1.8 Disclosure and Stakeholder Engagement

The ESMF the RPF and other subsequent safeguards instruments such as the individual project ESIA reports, ESMPs, RAPs and ARAPs will be cleared by the Revolutionary Government of Zanzibar and the WB and disclosed locally at public and easily accessible sites (e.g. the site of the PPP and the offices and websites of the IA) with a translation of summaries into the local language in a culturally appropriate manner. They will also be disclosed at the websites of the relevant PPP unit and the WB. For any changes to these instruments the same clearance and disclosure protocols will be followed.

Stakeholders were consulted to obtain their views and concerns regarding the ESMF and RPF. Stakeholders were consulted on a sample of PPPs being considered for support under TPPP. At each IA available documents (i.e. environmental / economic / social data and assessments, land use plans and other planning materials) were gathered and interviews/discussions conducted with relevant project implementers and persons in-charge of PPPs. The field work covered environmental and social conditions in the IAs, institutional arrangements, the capacity for environmental and social management, and PPP-specific environmental and social matters. The consultation also addressed the need for the PPP, its mode of operation, willingness to pay, physical design, location-specific issues, temporary relocation, and challenges that are facing existing facilities. Details of stakeholders consulted and views raised are in Annex A. Stakeholder views fed into preparation of the draft ESMF and RPF. Stakeholder workshops were held to review the ESMF and RPF in Zanzibar on December 5-6, 2018. Stakeholders were encouraged to share comments in open discussion with their peers, facilitated by MoFP staff responsible for safeguards, and to seek the views of safeguard managers within the relevant IA (e.g., their LGA). Stakeholder engagement will continue through the project cycle of the PPP supported by TPPP.

2. TANZANIA PPP PROJECT (TPPP)

2.1 Objectives and Outcomes

The objective of TPPP is to improve the capacity of participating government agencies to prepare and procure value-for-money PPPs. An emphasis on service delivery will deliver concrete results for communities that lift their living standards. This will impact on the attitudes and behavior of decision makers and other stakeholders. PPPs supported by TPPP will provide an effective basis for building capacity of staff, agencies, and systems through learning-by-doing, thereby ensuring Tanzania has the capacity to prepare and procure value-for-money PPPs.

TPPP will be implemented in accordance with World Bank guidance on the application of safeguard policies to technical assistance.⁹

2.2 TPPP Components

Component 1- Preparation and Procurement of PPPs

The primary function of TPPP is to complete the preparation and procurement of PPPs. Component 1 of TPPP will fund and manage consultants (i.e. advisers) engaged to:

- Prepare feasibility studies that will assess in detail the value for money, affordability, economic, financial, technical, legal, social and environmental viability of PPPs. They will include market soundings and consultation with stakeholders aimed at ensuring a pro-poor PPP design and implementation arrangements and securing buy-in for the PPP. The feasibility studies will identify the key requirements of PPP agreements, provide preliminary physical designs and costings, and identify what contracting authorities need to do if they wish to proceed to procurement. Pre-feasibility studies may also be prepared to assess likely project viability;
- Support community engagement on PPPs. TPPP will fund implementation of a Community Engagement Framework for PPPs that both informs communities about PPPs and provides communities an active role in developing the PPP. Community engagement is aimed at awareness creation and consensus building for acceptance by all stakeholders of a PPP, its benefits, costs and risks;
- Undertake environmental and social studies. TPPP will fund the ESIA, ESMPs, RAPs and RAP/ARAPs needed to ensure compliance with government and WB requirements, as guided by the ESMF and RPF. The results of environmental and social assessments will feed into the final feasibility studies; and
- Support procurement of the private partner to PPPs. TPPP will fund the recruitment of high-quality transaction advisors including financial, legal, engineering, economic, procurement, commercial advisors that can work with contracting authorities. Advisors will assist the PPP units and CA guide projects through procurement to the achievement of financial close. Support will include the negotiation of PPP agreements and the inclusion of the private partner's obligations for community engagement and

⁹ World Bank. 2014. Interim Guidelines on the Application of Safeguard Policies to Technical Assistance (TA) Activities in Bank-Financed Projects and Trust Funds Administered by the Bank.

environmental and social management into PPP agreements. Procurement of the private partner will follow the relevant PPP Act and Regulations. Standardized procurement documents, that accord with the relevant PPP Act and Regulations and include provision for adequate environmental and social management and stakeholder engagement during the implementation of a PPP, will be used.

TPPP will only support a PPP up to the achievement of financial close. TPPP will not support the implementation phase of a PPP.

TPPP does not finance the investment required by a PPP. Financing for a PPP will be secured by the private partner to the PPP from other sources.

The initial PPPs expected to be supported are markets, bus and daladala terminals and student hostels. The scope of PPPs supported is expanding but will remain limited to PPPs that are broadly similar in scale and complexity.¹⁰ A mixture of brownfield projects that re-develop and improve an existing public facility, and greenfield projects that develop a new facility are expected.¹¹

Given tight budget constraints across local and other levels of government, TPPP is focused on PPPs that do not require government financial support for implementation of the PPP (e.g., for PPPs that do not require viability gap funding or other forms of government payment). That is, the emphasis is on user-pay PPPs rather than government-pay PPPs in most cases. Government-owned land is envisaged as the only government contribution. The emphasis is on projects with a strong demand from users for better quality public services that will underpin charges set at cost recovery level.

Under the typical PPPs supported, the private partner is expected to design, build, finance, construct, operate and maintain facilities. PPPs supported under TPPP will be limited to the larger urban and peri-urban areas of the mainland and Zanzibar, as they are more likely to support user-pays PPPs that are viable without government financial support. PPPs supported by TPPP will be located on government-owned land that the IA already has the title for, with the land providing a government contribution to the PPP.

TPPP will support solicited proposals only. Unsolicited proposals are not eligible for TPPP support.

Component 1 of TPPP will only support PPPs rated category B or C under WB Safeguard Policies. PPPs in locations that are ecologically sensitive such as unique habitats and Category A PPPs are not eligible for support. PPPs requiring land acquisition will also be excluded from TPPP support.

TPPP activities will only take place in larger urban and peri-urban areas and will not operate in areas where vulnerable groups are present.¹²

Other important considerations when selecting PPPs for support under TPPP are:

- A firm development rationale;

¹⁰ PPPs for slaughterhouses, abattoirs, airports and airstrips are not eligible for TPPP support.

¹¹ The terms brownfield and greenfield development do not refer to the status of the land or whether any involuntary resettlement is required.

¹²

- Clear government ownership and control of the project site including certificates of title;
- Viable alternative sites, for brownfield projects, to temporarily relocate operators while existing facilities are redeveloped; and
- Fiscally affordable levels of compensation for resettlement, when it is required.

The following types of PPPs cannot be financed under WB regulations:

- PPPs that involve the significant conversion or degradation of critical natural habitats;
- Growing or purchase of tobacco or drugs;
- Gambling, casinos and equivalent enterprises; and
- Investment in bars or establishments serving alcohol.

Component 2- Strengthening the foundations of PPPs

TPPP will also strengthen the foundations for PPPs: the PPP toolkit, capacity development, the legal and institutional framework, and advocacy and communication.

Activities supported under Component 2 may have indirect, diffuse or induced environmental and social impacts, often playing out over a longer term. To manage environmental and social risks, activities supported under Component 2 will integrate environmental and social objectives. The planning of activities under Component 2 (including the terms of reference of studies, PPP advisors and other consultants) will ensure adequate assessment of environmental and social implications and that the advice provided through TPPP for addressing those implications is consistent with WB Safeguard Policies and TPPP's ESMF and RPF. This is to include provision for adequate engagement with stakeholders and public disclosure during the conduct of activities under Component 2. Initiatives developed under Component 2 should provide for adequate environmental and social management during their future implementation.

Component 3-Monitoring and evaluation

Monitoring and evaluation (M&E) will be integral to implementation. Monitoring will consist of tracking inputs, activities, outputs, outcomes and other program aspects on an ongoing basis during the entire implementation period. Evaluation will assess implementation performance, results, and impacts at key stages of project implementation—at least at midterm and near completion—to review program development effects and sustainability. M&E will form an integral part of the management function.

2.3 Candidate PPPs

PPPs are already under preparation. Building on catalytical support from the Private Participation in Infrastructure Facility and ZUSP, support was provided to identify and select projects and initiated prefeasibility studies. The process emphasized the achievement of government ownership and learning-by-doing. ZUSP is preparing feasibility studies for 13 PPPs listed in the table below, which are all located in urban and peri-urban areas. The PPPs to be supported on Zanzibar will be drawn from these 13 being prepared under ZUSP. Exactly which PPPs will be supported is however not yet known.

Feasibility studies will assess in detail the value for money, affordability, economic, financial, technical, legal, social and environmental viability of projects. They will include initial market soundings and consultation with stakeholders aimed at securing buy-in for each project. The feasibility studies will identify the key requirements of PPPs contractual agreements, provide detailed project plans, and identify what contracting authorities need to do if they wish to proceed to procurement.

Component 1 of TPPP will fund the completion of project preparation of several of the 13 PPPs that are established as viable. This will include the conduct of ESIA's and ARAP/RAPs and providing support for the procurement of the private partner to the PPP. The PPPs to be supported will be selected when the feasibility studies are completed under ZUSP in mid-2020. Candidate PPPs will be subject to the environmental and social screening process described in the ESMF before deciding which will be supported by TPPP.¹³

2.4 Institutional Arrangements

TPPP will assist the IAs of PPPs and the responsible PPP unit, MoFP's PPP Department. The IAs are responsible for the preparation, procurement and implementation of the PPP and will enter a PPP agreement on behalf of the government. The IAs will form a PMT chaired by a Project Manager. The responsibilities of the IAs and their operational requirements are set out in the PPP Act 2015 (as amended) and the PPP Regulations 2017.

The role and responsibility of MoFP's PPP Department are established under the PPP Act 2015 and PPP Regulations 2017. The department is responsible for the identification of PPP opportunities, the preparation of guidance material on PPPs, the provision of advice to IAs preparing PPPs, the review of PPPs throughout the project cycle for their compliance with the PPP Act and Regulations, monitoring and evaluation of the PPP program and capacity building

¹³ Slaughterhouses and abattoirs are ineligible for TPPP support. For PPPs for the O&M of existing facilities, the facilities will be subject to an environmental and social due diligence and only those without significant outstanding issues will be eligible for support from TPPP.

and awareness raising for PPPs. MoFP's PPP Department also carries responsibility for managing the PPP Development Fund to be established within the ministry.

							(sqm)	(\$ m)
1	Mwanakwerekwe Market	Urban Municipal Council	Urban District, Urban West Region	Market	Brownfield	Users pay	3,276	0.3
2	Mombasa market	Urban Municipal Council	West "B" District, Urban West Region	Market	Brownfield	Users pay	8,370	n.a.
3	Mkokotoni market	District Council North A	North "A" District in the North Region	Market	Brownfield	Users pay	2,970	n.a.
4	Kijangwani daladala terminal	Urban Municipal Council	Kijangwani, Urban District	Daladala terminal	Brownfield	Users pay	20,185	1.5
5	Chiwini Municipal Market and Daladala Terminal	West A Municipal Council	West "A" Municipal Council in the Urban West Region	Market and Daladala Terminal	Greenfield	Users pay	27,000	1.9
6	SUZA student hostels	State University of Zanzibar	Tunguu Campus	Student hostels	Greenfield	Users pay	682,000	3.5
7	Zanzibar Convention Centre	Ministry of Trade and Industry	Urban – West Region, West District	Convention centre	Greenfield	Users pay	600,000	n.a.
8	Ng'ambo Tuitakayo residential housing	Zanzibar Housing Corporation	Kisima majongoo , Town Municipal Council	Residential housing	Brownfield	Users pay	140,000	n.a.
9	Machomane Market	Chakechake Town Council	Machomane, Chakechake District, Pemba	Market & shopping mall	Brownfield	Users pay	2,435.17	0.6
10	Changane daladala terminal (Pemba)	Chakechake Town Council	Changane, Chakechake District, Pemba	Daladala terminal	Greenfield	Users pay	7,356	nap
11	Solar water pumps ^b	ZURA	Unguja	Energy	Brownfield	Government pays	n.a.	5.0
12	Modern car park	Urban Municipal Council	Urban District, Urban West Region	Car park facility	Greenfield	Users pay	1,462	n.a.
13	Solid waste management O&M	North A District Council	North A District, Unguja	Solid waste management	Greenfield	Users pay	n.a.	n.a.

n.a. not available

^a The list is subject to change if PPPs are found to be non-viable.

^b These are for small facilities that may involve water storage tanks but will not involve any dams and/or a weir (water impoundment).

Final approval of a PPP rests with the PPP Technical Committee. Procurement of the private partner to a PPP is regulated by the PPP Act 2015 and PPP Regulations 2017. PPP agreements must be approved by the Attorney-General's Chamber. The management of the fiscal impact of PPPs is the responsibility of the MoFP.

MoFP's PPP Department is responsible for the recruitment and supervision of consultants engaged under TPPP. Consultants will be engaged to prepare studies for IAs and the department and to help ensure they can respond in an informed and timely manner as the PPPs are submitted for review and approval.

2.5 The Use of Consultants

Most TPPP funds will be spent on PPP advisors and other consultants, mainly under 'Component 1 PPP Preparation and Procurement'.

PPP advisors and other consultants providing PPP-specific advice under Component 1 will only assist on PPPs eligible for TPPP support. They will for example not advise on PPPs rated Category A under WB Safeguard Policies. PPP advisors and other consultants will exclude themselves from the provision of advice on PPPs ineligible for support under TPPP. The eligibility of a PPP for TPPP support will be assessed through the environmental and social screening process described in this ESMF.

The PPP units will be assisted by a PPP Advisory Team funded by TPPP. This team will assist PPP units, CAs, the MoFP and other government agencies involved in PPPs. PPPs are new to most of these agencies and PPP units are small and still learning how to manage PPPs. Gaps in skills and experience will be partly filled by advisors from the PPP Advisory Team, with advisor input scaled-back as government capacity builds. The PPP Advisory Team will include at least one environmental specialist and one social specialist, who will mainly assist on Component 1 but may assist on other components of TPPP.

The advice provided by PPP advisors and other consultants engaged under TPPP will always accord with the World Bank's safeguard policies and TPPP's ESMF and RPF.

3. LEGAL, REGULATORY AND INSTITUTIONAL FRAMEWORK

3.1 Background

Compensation policy is stipulated in Zanzibar's Acts and Regulations. In principle, a person affected by compulsory purchase of his/her land or damage to his/her property should be paid a fair compensation so that he/she is neither better off nor worse off because of land acquisition.

PPPs supported by TPPP will use land owned by the IA. There will be no land acquisition under TPPP. PPPs requiring land acquisition will not be eligible for support.

3.1.1 Relevant Legislation

The Land Tenure Act No 12, 1992

The Land Tenure Act of 1992 regulates the number of land parcels (both urban and agricultural) that can be granted to a citizen of Zanzibar. The Act also regulates how the land is granted, sold, leased and how right of occupancy and grants can be terminated.

In terms of right of way for any infrastructure in the national interest, Section 5(4) stipulates that compensation for the easement (right of way) shall be paid to the persons or communities involved correlating to the fair market price of the land and the improvements made to the parcels in question. Section 29(2) provides that if a person holds more parcels of land more than this Act and fails to lease the excess parcels, the Government shall provide compensation for any improvements on the land and not for the land itself.

The Government may terminate the right of occupancy if it is in the national interest according to Section 56, but only if fair compensation is paid for the land and any improvements made thereon (subsection b). If, however, termination is due to non-compliance to grant or lease agreements Section 63(1) of Part VII holds that no compensation for the land shall be payable. However, Section 63(2) holds that fair compensation based on a value determination at the time of the Order of Termination shall be made for all immovable improvements on the land. If there is a dispute regarding the value of compensation, it is to be resolved by the Lands Tribunal (Section 65).

The Land Tenure (Amendment) Act No. 15 of 2003

According to the Land Tenure (Amendment) Act of 2003, all land in Zanzibar is owned by the Revolutionary Government of Zanzibar. The Government has the right to allocate land grants and legal right of occupancy.

Section 11 of the Act amends the Land Tenure Act, No. 12, 1992 section 42A(2), stating that any person residing or using a three acre plot for cultivation has the right to continue cultivating on the said plot until the harvesting of his or her crops or until the expiry of the lease agreement between the lessee and the grantee or if compensation for the crops is given based on the agreement of an official evaluation.

The Land Tenure Act, No 12 of 1992 (Land Allocations Regulations 2008)

The Land Allocations Regulations 2008 states the means through which land is allocated and way in which land is certified. According to the Land Allocations Regulations 2008 (40.b), a

Right of Occupancy holder is, in the event of his land being declared as abandoned, eligible for fair compensation for the developments made on the land prior to the date of termination of rights to occupancy and the redistribution of the said portion.

Unlike the Land Tenure act of 1992, which limited compensation for land acquired for public purpose to the unexhausted improvement only, Act Vol CII No.3635 Of 1992, which become operational from the 20th November 1993. (Land Tenure Act) advocates for FULL, FAIR and PROMPT compensation based on market value of the Property. This position is given legal effect by the Land Tenure Act, 1992 under the proviso to section 56 (b) and 63 (2) of the act.

The Employment Act 2005

The Employment Act 2005, states minimum age for employment is 14 years. A child of fourteen years of age may only be employed to do light work, which is not likely to be harmful to the child's health and development. Employment of a child must not affect the child's attendance at school, participation in vocational orientation or training programmes approved by the competent authority or the child's capacity to benefit from the instruction received portion.

Land Acquisition Decree Cap 95

This is the principle legislation guiding land acquisition in Zanzibar enacted under the colonial British rule. Though not in use, the act has not been revoked or amended. Several of its provisions are found in the new land acts enacted from the late 1990s onwards. In general, the Land Acquisition Act does not cover all aspects of resettlement affecting people who are displaced from their old settlements, but certain sections in the act are still relevant to-date:

- The Act--sections 4 to 10--stipulates and emphasizes prior notification. The Act directs the District Commissioner to serve public notices and notices in the government gazette of land likely to be acquired for any public purpose or company, and the government or company to serve notice to occupiers of any property, building, garden, etc., prior to entry for purpose of survey, marking boundaries, etc. Section 2 demands payment for damages done to standing crops, trees, fences or buildings during survey, marking boundaries etc.
- Section 9 calls for compensation for acquired property by government or a company. Claims for compensation by all with interests in land should be made to the District Commissioner.

The Registered Land Act, 1989

This Act was designed to avoid disputes on boundaries through having a land register and a map (registry) of land in question. The Act calls for establishment of a Land Registry in each "Land Registration District" showing all land parcels and leases, whether public or private land; of the Occupant or Proprietor; and conditions and duties affecting his/her Right of Occupancy.

The Act confers to the registered Proprietor of land exclusive rights of occupancy of that land, together with all rights and privileges. The rights are coupled with duties requiring the Proprietors of land to maintain in good order any fences, hedges, stone pillars, walls or other

marks, which demarcate its boundaries. In Zanzibar and elsewhere in Tanzania, the boundaries of Rights of Way of roads, electricity transmission lines etc. are not clearly marked. Thus, failure to abide by this law has led to extensive encroachment into the Rights of Way, costly enforcement on the part the roads authorities and electricity companies, and constant disputes with the offenders. The Land adjacent to the sea (foreshore) is deemed public land and shall not be included in any parcel (public or private).

The Land Survey Act, No 9 of 1989

The Act makes provisions for regulating and making of land surveys and for the registration and conduct of the Surveyors. Section 14 of the Act demands that Surveyors give reasonable notice to the owners or occupiers of the land prior to survey activities. Section 15 directs payments of compensation to the owner of any crops or trees cut or damaged in the survey exercise.

Land Tenure Act, No.12 of 1992; Amendment, Act No. 15 of 2003

In this Act, Section 5 subsection (2) - gives the President of Zanzibar (or the Minister on behalf of the President) powers to impose right of use of land (easements) on any parcel of land and building/construction in respect of Right of Way, installation, support and clearance necessary for the establishment, maintenance and operation of roads, drainage, electric transmission lines classified in the public interest. In this case the authority is only used if the affected people along the project route reject the areas through which the road, drainage or transmission lines will pass.

Section 5(4) requires the Government to pay compensation for the persons or communities concerned that is equal to the fair market value of land and any improvements thereon. Zanzibar land acts do not have legal provisions for grant of public land to the person entitled to compensation but consider that land has value and should be taken into consideration affecting that interest. This means if one acquires land, one will have to compensate owners for bare land in addition to unexhausted improvements.

A section 6 demand that any land that is acquired, and there is a dispute or disagreement relating to boundaries, right of use of land, compensation etc. shall be referred to the Land Adjudication Act or the Land Tribunal. The Act under Section 6B considers it an offence (and imposes penalties) by any person to destroy or misuse land by erecting structures or buildings, dumping, digging holes or changing uses of the land, giving out all or part of the grant to other persons contrary to the Act. Under this Act, trees can be owned and held separately from a right of occupancy in land. The Amendment, Act 2008 recognizes the rights of persons holding '3 Acres' plots.

The Land Transfer Act, No. 8 of 1994; Amendment Act, No. 10 of 2007

Permanent transfer or long-term (3 years and over) lease of land takes place in Zanzibar only with approval of the Land Transfer Board. Special emphasis is put on the '3 Acres' plots. The Act is designed to prevent transactions that may result in depriving landowners of sufficient resources to support themselves, their dependents and future generations. The Act also aims at preventing improper change of uses of the land in question.

The Land Tribunal Act, No. 7, 1994; Amendment Act, No 1 of 2008

Land Tribunal Act establishes the Land Tribunal to deal with all matters of land disputes in Zanzibar. The Act demands that the Tribunal preside over any land that is acquired and there is a dispute or disagreement relating to any of the eighteen matters listed, (a) to (r), in the Act. Such matters relevant to the cable project include:

- Action involving claims to a right of occupancy and/or possession in respect of any Land
- Demarcation of Land which is connected to activities related to the subdivision of parcels and any matter for which demarcation or surveying must be carried out
- The use, development and capacity of land
- Land valuation and issues involving compensation of land
- Removal from possession or eviction from land
- All other matters relating to land

The Land Tribunal (Amendment) Act, No. 1 of 2008, allows for appeal on the decision of the Land Tribunal in that any party who is aggrieved by the decision of the tribunal has the right to appeal to the High Court.

Regional Administration Act of 2014

The Act specifies powers and function of the Regional, District, and Shehia Government administrators. It covers all matters related to the social, economic, and environmental governance in the lower administrative units such as in the Shehias. Section 22 (1) (d) of the Act states that Regional development committees established under this Act have been given a responsibility to mobilize people to participate, contribute, and if possible, assist in the use and management of natural resources, protection of environment for sustainable development and in all activities of national development. The project proponent should ensure full cooperation towards the Act, collaborate with the regional, district and Shehia governments in the implementation of social and environmental safeguards of the proposed project, and coordinate with the community in the implementation of the corporate social responsibility.

Local Government Authority Act of 2014

The Act specifies on establishment of the Local Government Authority structures with their jurisdictional areas, powers and functions. It covers all matters related to the social, economic, and environmental governance within the defined boundaries of the local government authorities. In the context of environment, the Act has emphasized on the local powers prevent and control public nuisance and ensure sustainable management of land and natural resources.

Section 26 (1) of the Act specifies general functions of the council which include maintenance of environmental sanitation, promotion of tourism and other investment opportunities available in their areas, keeping record of land and marine transport vehicles and vessels within their jurisdictional areas, control environmental pollution and prevent private nuisance. Others include supervising and ensuring measures to combat epidemic diseases; control extraction of

stone, sand, wood, and other forms of natural resources, undertake forestation and urban forestry initiatives, implement the land use plan, and deal with cross cutting issues of climate change, disaster management, and population issues. Section 63 provides powers to enter any premise and check if the development has been approved with a permit. Sections 83 and 84 of the Act specify offence under Nuisance and unauthorized land use, respectively. The project proponent should comply with all the requirements within the jurisdiction of the local government council in terms of land acquisition, necessary public works and permits, environmental clearance, prevention of public and private nuisance, and other activities that require certification and permits, etc.

PPP Act of 2015

The act provides for the institutional framework for the implementation of PPP agreements between the public sector and private sector entities, sets rules, guidelines and procedures governing PPP procurement, development and implementation of PPPs and to provide for other related matters. The Act requires studies take into consideration technical, financial, social environmental impact, economic or any other relevant issues required to establish the viability of a project. The Act is implemented through the PPP Regulations 2017. The Act and Regulations are silent on environmental management.¹⁴

Revolutionary Government of Zanzibar Constitution (1994)

The Constitution prohibits discrimination on the basis of gender among other things. The Bill of Rights and Duties, sets out the basic rights and duties of citizens which are broad enough to assert and protect rights holders against GBV. There is no specific laws for Gender, however laws such as Zanzibar Children's Act (2011); the Penal Act, No.6 (2018); the Criminal Procedure Act, No.7(2018) include descriptions of protection of women and children, as well The Women and Gender Development Policy and the associate Zanzibar Gender Policy and Action Plan (2016) describe specific actions to empower women and avoid GBV.

3.2 WB Operational Policies

OP/BP 4.12 Involuntary Resettlement

WB's Operational Policy on Involuntary Resettlement (OP/BP 4.12) is triggered in situations involving involuntary taking of land (includes anything growing on or permanently affixed to land, such as buildings and crops), impacts on or loss of assets, loss of income sources or means of livelihood (whether or not the affected person must relocate), and involuntary restrictions of access to legally designated parks and PAs. The policy covers direct economic and social impacts that are caused by the involuntary taking of land resulting in relocation, loss of shelter, loss of assets or access to assets; or loss of income sources or means of livelihood.

The policy aims to avoid involuntary resettlement to the extent feasible, or to minimize and mitigate its adverse social and economic impacts. Where involuntary resettlement and acquisition of land or other assets is unavoidable, it promotes participation of PAPs in resettlement planning and implementation, and its key economic objective is to assist PAPs in

¹⁴ The mainland's PPP Act 2010 (as amended) in contrast specifies that where the project requires an environmental impact assessment under the Environmental Management Act, the contracting authority is required ensure that the environmental impact assessment certificate is obtained by the private party before undertaking the project.

their efforts to improve or at least restore their incomes and standards of living after displacement.

WB OP 4.12 prescribes compensation and other resettlement measures to achieve its objectives and requires that borrowers prepare adequate resettlement planning instruments. An RPF is prepared where the project impacts are unknown at the time of project preparation. The RPF guides preparation of Resettlement Action Plan or other appropriate instruments when project locations are known and WB OP 4.12 is triggered. Where impacts on the entire displaced population are minor, or fewer than 200 people are displaced, an ARAP may be prepared.¹⁵

OP/BP 4.10 Indigenous Peoples

There are social groups with identities that are often distinct from dominant groups in the national societies in parts of Tanzania. TPPP activities will only take place in larger urban and peri-urban areas and will not operate in areas where these vulnerable groups are present.

The environmental and social screening form of the ESMF provides for the screening of all candidate PPPs to identify the presence of these vulnerable groups, using the following characteristics:

1. Self-identification as members of a distinct indigenous cultural group and recognition of this identity by others;
2. Collective attachment to geographically distinct habitats or ancestral territories in the project area and to the natural resources in these habitats and territories
3. Customary cultural, economic, social, or political institutions that are separate from those of the dominant society and culture; and
4. An indigenous language, often different from the official language of the country or region

3.3 Gap Analysis

A gap analysis has been undertaken to measure the difference between Zanzibar laws and the WB requirements, with special attention to legal rights to land, improvements made on it and other property and/or title and access to other basic resources; eligibility criteria and compensation packages etc. The table below presents a gap analysis in a matrix format between the requirements under Zanzibar law and WB OP/BP 4.12.

The gap analysis has considered that PPPs supported by TPPP will be located on land that the IA already owns; and PPPs requiring land acquisition or result in impacts on physical cultural resources will be excluded from TPPP support.

The results indicate that some aspects of Zanzibar laws and the WB Operation Policy are not in full accord. Notably, there are some differences particularly in the understanding of how the various PAPs are handled. For example, the WB Operational Policy 4.12 (Paragraphs. 15 and

¹⁵ Section 25 of WB's Safeguards Policy OP 4.12 - Involuntary Resettlement states that "where impacts on the entire displaced population are minor, or fewer than 200 people are displaced, an abbreviated resettlement plan may be agreed with the borrower....Impacts are considered "minor" if the affected people are not physically displaced and less than 10 percent of their productive assets are lost."

16) recognizes that while non-landowners may have no right to compensation for the loss of the land that they are occupying (since they do not “own” the land), they should be provided with certain resettlement measures, if they occupy the project area prior to a cut-off date.

Thus any resettlement action must be consistent with Zanzibar laws and WB OP4.12. In case of conflict between the laws of Zanzibar and WB Operational Policy OP 4.12, the more stringent will prevail. The World Bank will be consulted in determining which is the more stringent with Operational Policy OP 4.12 to apply when there is doubt.

3.4 Institutional Framework

Zanzibar is a separate state within the United Republic of Tanzania, governed by a Revolutionary Council and House of Representatives whose members are elected or appointed. The administration comprises:

- Government Ministries, Department and Agencies; and
- Local Government Authorities.

3.4.1 Ministries, Department and Agencies

Ministry of Finance and Planning (MoFP)¹⁶

MoFP is responsible for the overall management of TPPP activities, providing overall coordination and technical support to Participating institutions: Zanzibar Municipal Council and Pemba Town Councils, Stone Town Conservation Development Authority and Department of Urban and Rural Planning (DoURP). MoFP has established within the Directorate of Policy, Planning and Research a dedicated PPP unit within the Economic Management and PPP Department.

¹⁶ <http://www.mofzanzibar.go.tz/en/>

1	Occupancy rights holders	Cash compensation based on market value, disturbance & transport allowance, loss of profits or accommodation, cost of acquiring land, other costs incurred to develop the land. Compensation to be paid promptly; if not paid in time, interest will be charged	<p>Displaced persons are classified into three groups:</p> <p>(i) Those who have formal legal rights including customary and traditional rights; (ii) Those who do not have formal legal rights to the land but have a claim to such land or assets provided that such claims are recognized under the law of the country; and (iii) Those who have no recognized legal rights or claim to the land they are occupying.</p> <p>Landowners under cat. (i) & (ii) are among the PAP entitled to full, fair, and prompt compensation as well as other relocation assistance.</p> <p>All compensation will be at replacement cost.</p> <p>Socioeconomic impacts to PAPs are taken into consideration during RAP/ARAP preparation.</p> <p>The full compensation must be paid prior to displacing the PAP.</p>	<p>The TPPP will <u>not</u> support any PPPs that require Land Acquisition. The right of occupancy must already be held by the IA, prior to the identification phase of the PPP. The TPPP may assess resettlement actions that the IA undertook before the Identification Phase of PPP, for example if through due diligence efforts and initial consultation with community members, there are indications that legacy issues have the potential to negatively affect the development of the PPP. Information on prior resettlement actions will be considered in the Environmental and Social Screening Form of the ESMF.</p>
2	Land Tenants	Entitled to compensation based upon the amount of rights they hold upon land	<p>Renters, tenants and squatters of residential properties are eligible for relocation assistance. Renters of businesses are also eligible for relocation and other assistance. In addition, compensation for the loss of income during transition</p>	<p>The TPPP will use the OP/BP 4.12 description, which is broader than Zanzibar's law, and will therefore recognize renters, tenants of residential properties and renters of businesses and squatters as impacted. The PPP will complete socio-economic assessments as part of RAP/ARAP development.</p>
3	Encroachers/ Squatters	Encroachers are not entitled to compensation or any form of resettlement assistance.	<p>Resettlement activities based on OP 4.12 is to restore standard of living and preferably improve livelihoods. At the least to pay for the investment they have made on the land and loss of livelihood related to that, including structures they have built</p>	<p>TPPP will includes those who have no recognized legal rights or claim to the land they are occupying as per OP/BP 4.12.</p>
4	Encroaching after cut-off date	Silent	<p>Persons who encroach on the area after the cut-off date are not entitled to compensation or any form of resettlement assistance (Para 16)</p>	<p>Persons who encroach on the area after the cut-off date are not entitled to compensation or any form of resettlement assistance. The cut-off date will be widely disseminated to PAPs and stakeholders in a timely manner and documented in the RAP/ARAP.</p>
5	Livelihood restoration	<p>Under Zanzibar law, payment is made for disturbance, loss of accommodation, loss of profit and transport allowances.</p> <p>Compensation is on monetary basis only</p>	<p>OP/BP 4.12 requires that the resettlement plan or policy include measures to ensure that the displaced persons are (i) offered support after displacement for a transitional period, based on a reasonable estimate of the time likely to be needed to restore their livelihood and standard of living and (ii) are provided with development assistance in addition to compensation</p>	<p>TPPP will follow OP/BP 4.12 requirements for livelihood restoration and assistance. This will include offering support during transitional period for displaced persons where businesses are temporarily relocated while new facilities are built and then re-establishing the businesses in the new facility. A RAP/ARAP will be developed to guide the movement of businesses from one site to the other. TPPP will</p>

		provisions that require the government to pay special attention to vulnerable individuals.		
6	Resettlement options and alternatives	PAPs are to be informed about their rights, consulted on, provided FULL, FAIR and PROMPT compensation based on market value of the Property for lost assets attributable directly to the project. PAPs have chance to dispute the amount to the Land Tribunal through the District Commissioner.	PAPs are to be informed about their options and rights, consulted on, offered choices, provided with technically, economically feasible resettlement alternatives, provided prompt, and effective compensation at full replacement cost for lost assets attributable directly to the project.	TPPP will consult with and inform displaced people of their options and rights as per OP/BP 4.12 requirements.
7	Forms of payment	Prompt and fair compensation is paid on monetary basis only to replace the lost land within a distance not more than 20km from the project place.	Preference should be given to land-based resettlement for PAPs whose livelihood is land-based.	TPPP follow OP/BP 4.12 requirements, providing in-kind or cash compensation. TPPP will provide resettlement support and monitor resettlement to ensure PAPs are resettled to a level that is at least as good as their pre-resettlement status.
8	Replacement of lost assets	Construction work can start after all PAPs receive their money and given time to vacate the compensated land and assets.	Resettlement activities required for the project implementation should be completed before the affected land, asset or resources is taken for project use. Provide prompt and effective compensation at full replacement cost for lost assets attributable directly to the project	TPPP will use the OP/BP 4.12 requirements and will ensure that economic and physical displacement does not take place before necessary measures for resettlement are in place.
9	Owners of non-permanent buildings Owners of permanent buildings (Other than homes/dwellings)	Zanzibar law makes no differentiation between owners of permanent and no permanent buildings. If ownership can be proved, compensation is payable. Determination of compensation is based on the market value of the property. In practice though, the depreciated replacement cost approach is used, meaning that PAP do not get the full	Under OP/BP 4.12, permanent and non-permanent buildings need to be compensated for. Where, however, the displaced persons have no recognizable legal rights to land, they are to be provided with resettlement and other assistance in lieu of compensation for the land they occupy plus compensation for assets. Cash compensation levels should be sufficient to replace lost land and other assets at full replacement cost in local markets.	TPPP will calculate compensation based on full replacement costs, for both permanent and non-permanent buildings.

the interest of the unknown owner and the payments will be retained by district executive director while effort is taken to find the owner

11	Timing of compensation payments	Zanzibar requires that compensation be full, fair, and prompt. Compensation for appropriated land must be paid before taking possession, but in current practice, it is often paid before existing occupiers are displaced.	OP/BP 4.12 displaced persons are provided prompt and effective compensation at full replacement cost for losses of assets directly attributable to the project. Taking of land and related assets may take place only after compensation has been paid and, where applicable, resettlement sites and moving allowances have been provided to the displaced person(s).	TPPP will ensure all compensation and resettlement arrangements of PAPs and/or DPs will be approved prior to the procurement of the private partner to the PPP. Compensation will be paid, and mitigation measures will be undertaken prior to the start of any works in cases where the PAP does not agree with the compensation amount, the IA will utilize the GRM to decide on compensation.
12	Consultation and disclosure	There are scanty provisions related to consultation and disclosure in Zanzibar law. Land acquisition, Cap 95, -sections 4 to 10--stipulates and emphasizes prior notification. The Act directs the District Commissioner to serve public notices and notices in the government gazette of land likely to be acquired for any public purpose or company, and the government or company to serve notice to occupiers of any property, building, garden, etc.	OP 4.12 requires consultation of PAPs, the host communities and local NGOs, as appropriate. Provide them opportunities to participate in the planning, implementation, and monitoring of the resettlement program, especially in the process of developing and implementing the procedures for determining eligibility for compensation benefits and development assistance (as documented in a resettlement plan), and for establishing appropriate and accessible grievance mechanisms	TPPP will consult with stakeholders during the development of individual RAP/ARAPs to collect and incorporate their input. TPPP will consult with and inform displaced people of their options and rights as per OP/BP 4.12 requirements. The ESMF the RPF and other subsequent safeguards instruments such as the individual project ESIA reports, ESMPs, RAPs and ARAPs will be cleared by the Revolutionary Government of Zanzibar and the WB and disclosed locally at public and easily accessible sites (e.g. the site of the PPP and the offices and websites of the IA) with a translation of summaries into the local language in a culturally appropriate manner. They will also be disclosed at the websites of the relevant PPP unit and the WB. For any changes to these instruments the same clearance and disclosure protocols will be followed.
13	Vulnerable Individuals	No specific law	Particular attention should be paid to the needs of vulnerable individuals among those displaced such as those below the poverty line, landless, elderly; women and children	TPPP will ensure that ARAP and RAP have provisions to ensure vulnerable individuals and persons are given special consideration.
15	Grievance Redress Mechanism	Under s. 13 of the Land Acquisition Act, where there is a dispute or	World Bank safeguard policies require that displaced persons and their communities have access to an appropriate and accessible	The RAP/ARAP will have a specific GRM process.

through public meetings
of the affected persons

Ministry of Lands, Water, Energy and Environment¹⁷

The Ministry of Lands, Water, Energy and Environment (LWEE; known by its Swahili acronym AMNM for Ardhi, Maji, Nishati na Mazingira) is a huge Ministry, composed of four Departments or Directorates, three Authorities, one Corporate Entity, one Commission and one Land Tribunal which are responsible for delivery of its various components of the Ministry's Vision and Mission.

The seven Departments are Planning, Policy and Research, Department of Administration, Department of Energy and Minerals and Department of Environment. The Authorities are the Zanzibar Water Authority (ZAWA), Zanzibar Utility Regulatory Authority (ZURA) and Zanzibar Environmental Management Authority (ZEMA). The Corporate Entity is the Zanzibar Electricity Corporation (ZECO).

The Commission for Lands comprise of three departments (which are the departments of Land, Survey and Mapping and Rural and Urban Planning) together with the Land Registrar Office.

The Authorities and the corporate entity are governed by their respective Boards of Directors, whereas the Directorates fall under the direct authority and hierarchy in the ministerial set-up, except for directorates under the Commission for Lands they report to the Ministerial set-up through the Executive Secretary of the Commission. In addition, there is an officer in charge of Pemba (at Directorate level) who 'oversees' the day-to-day operations of Pemba, which also has a similar framework replicated for the Directorates, Authorities and Corporate entity.

Department of Urban and Rural Planning (DoURP)

The Department of Urban and Rural Planning under the Ministry of Energy, Land, Construction and Water is responsible for planning and overseeing implementation of prioritized and approved urban upgrading infrastructure.

Zanzibar Environment Management Authority (ZEMA)¹⁸

The Zanzibar Environmental Management Authority (ZEMA) is under the second Vice Presidents Office. The environment is governed by Environmental Management Act of 2015. The act makes ample reference to long term conservation, protection, enforcement and management of Environment of Zanzibar. Under the Environmental Management Act, ZEMA has been entrusted with several functions to help safeguard the environment. ZEMA can: issue of environmental certificates, permits and approvals, undertake environmental monitoring, promote environmental awareness and enforce regulations and standards (see further Section 22(1) of EMA). If the requirement of the Environmental Management Act and the supporting environmental regulations are violated, ZEMA has the power to act. For example, ZEMA can suspend ongoing projects, revoke permits and penalize offenders (see further Section 23(1) of EMA).

The vision and mission of ZEMA is taken from the Zanzibar Environmental Policy, which reads:

Vision: Sound environment management for sustainable economic and social benefit for present and future generations.

¹⁷ <http://www.zanzibar.go.tz/>

¹⁸ <http://www.minifuss.com/wp/>

Mission: To promote sound and sustainable environmental management practices through provision of policy guidance, institutional strengthening and cooperation.

Ministry Construction, Industries, Communication and Transport¹⁹

The Ministry of Construction, Communication and Transportation was established in April 2016 after the general election and replaced the Ministry of Infrastructure and Telecommunications. The Ministry of Construction, Communication and Transport is composed of six departments, the Pemba Central Office, six independent institutions and one Board of Directors. These departments include the Department of Policy, Planning, and Research, Administration and Service, Information and Communication, Road Transport and Licensing, road construction and maintenance by the Department of Real Estate. The independent institution is the Zanzibar Harbor Corporation, the Homes Agency, the Old City Authority, the Zanzibar Shipping Agency, the Sea Transport Authority and the Zanzibar Air Force. The Board of Directors is the Road Transport Board.

Ministry of Regional Administration and Special Departments²⁰

The Ministry of Regional Administration and Special Departments is responsible for coordination and administration of the connection between different tiers of the government: Regional administration, District administration, and Local government: Municipal Council, Town Council and Village Council. The existing local government structure in Zanzibar based on decentralization and Local Government (District and Urban) authorities Act 1986 (several amendments) and the Regional Administration Authority Act (1998 No. 10) that re-establishes the Regional and District Commissioners. Unguja is divided into three regions with are divided in six districts; Pemba is divided into two regions which are further divided into four districts (as shown in the table below).

Table 3.2 Administrative districts in Zanzibar

Island	Region	District
Unguja	North Unguja	North A
		North B
	South Unguja	South
		Central
	Urban/West	Urban
		West A
Pemba	North Pemba	Wete
		Micheweni
	South Pemba	Chake

Regional Administration

Each Region has a Regional Commissioner (RC) who is assisted by a Regional Administrative Officer (RAO) and Regional Development Committee (RDC). The RDC coordinate all development activities in their respective areas and are involved in supervising the implementation of government policy and formulating plans for the area as well as mobilizing

¹⁹ <http://www.moic.go.tz/>

²⁰ <http://www.zanzibar.go.tz/>

the local communities. The Regional Agriculture Development Officer (RADO) deals with natural resources issues.

District Administration

Each District has a District Commissioner (DC) who is assisted by a District Administrative Officer (DAO) and District Development Committee (DDC). The DDC coordinate all development activities in their respective areas. The main entities include:

- District Agriculture Development Officer;
- District subject matter specialists for the environment; and
- District level Standing Committee for Protection of the Environment and Social Welfare (established under the District and Town Council Act).

District Councils in Zanzibar have the following functions:

- To formulate, coordinate and supervise the implementation of plans for economic, commercial, industrial, and social development;
- To ensure the collection and proper utilization of the revenues of the Council;
- To make by-laws applicable throughout its area of jurisdiction; and
- To consider, regulate, and coordinate the development plans, projects, and programs of villages and township councils within its area of jurisdiction.

3.4.2 Local Government Authorities

Urban Council (Municipal Council, Town Council)

The urban councils, Municipal or Town Council, are an urban LGA subdivided into Wards which are further subdivided into Shehia. Both the Municipal and Town Councils operate a Committee system. The Municipal Council has five Committees and five associated Departments. These are: (i) Finance and Economic Development; (ii) Town Planning; (iii) Law and Order; (iv) Labor, Construction and Environment; and (v) Social Services Affairs.

Each Council is subdivided into wards and each ward elects one council member. Three Councilors are nominated for Zanzibar Municipal Council and two for the Town Councils by the Minister. In the case of Zanzibar Municipal Council, the Director is appointed by the President, while in District Authorities the Town Clerk/Secretary are appointed by the Minister.

Zanzibar Municipal Council has the following responsibilities:

- Controlling all public roads and streets within the municipality;
- Naming of streets and numbering of buildings;
- Establishing and maintaining recreation grounds;
- Implementing public health initiatives as required by the Minister (responsible for local government administration);

- Construction, equipment and operation of drainage and sewerage works;
- The administration of public markets; and
- Street lighting.

Town Councils have the following functions:

- Cleaning of main roads;
- Regulation and conduct of public hire vehicles;
- Street lighting;
- Naming of streets and numbering of buildings;
- Formulating, coordinating and supervising the implementation of plans for economic, commercial, industrial and social development;
- Passing of by-laws;
- ensuring that revenues are collected; and
- Considering, regulating and coordinating the development plans, projects and programs of villages and townships within its jurisdiction.

Village Council

A Village Council is a rural Local Government Authority (RLGA) subdivided into Wards which are further subdivided into (rural) Shehia.

Shehia

A Shehia is a demarcated administrative and political unit in urban or rural areas under the responsibility of a “Shehia.” Shehia is the Chief Government Officer in the Shehia appointed by District Commissioner. The Shehia is responsible for all matters including law enforcement in his area and reports directly to the District Commissioner. Each Shehia has an advisory committee of not less than 12 members, a third of whom are required to be 60 years or above; and Committees on different issues

All LGAs implementing PPPs will have to establish customized GRM; some LGAs will leverage existing experience of developing GRMs through best practices such as the Zanzibar Urban Services Project. Their composition and responsibilities are provided in the table below. Equivalent arrangements would be put in place for other IAs.

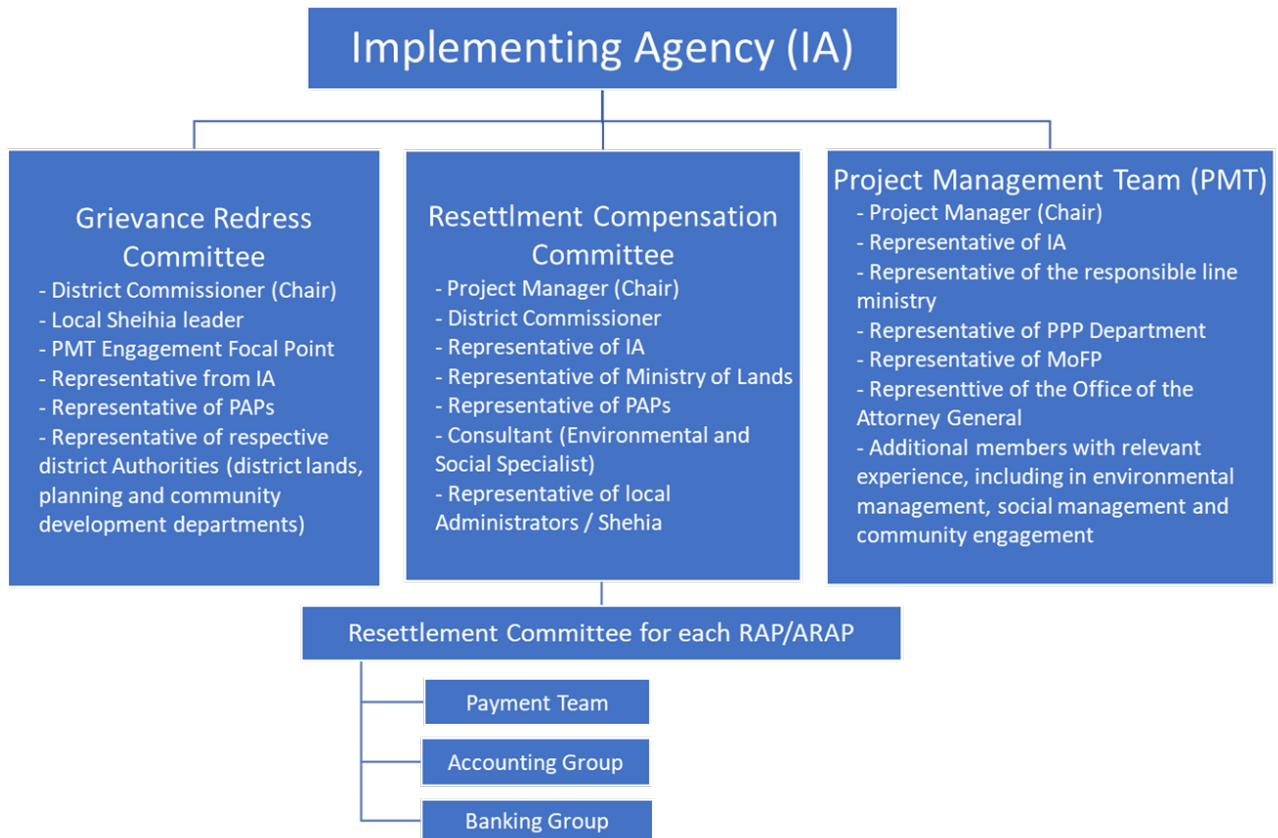
As implementing agencies, the LGA shall appoint a safeguard specialist/qualified personnel who will work closely with the Project Team to ensure effective resettlement implementation and monitoring through facilitation of liaison with compensation commission and relevant local government units associated with implementation of RAPs/ARAPs. The specialist shall ensure adequate implementation of the resettlement and will provide all the information to WB as and when required. It is the responsibility of the PMT to ensure that implementation team are trained prior to implementation of resettlement activities.

An organogram of key committees and teams is provided in the figure below.

Table 3.3 Existing Committees at LGAs involved in Resettlement and Compensation

Responsibilities	Members
Resettlement and Compensation Committee (RCC)	
<ul style="list-style-type: none"> - Oversight management and coordination of RAP/ARAP implementation activities, overall responsibility rest with PPP’s Project Manager - Coordination with municipalities, districts, government agencies and other stakeholders - Review of periodic progress monitoring reports on RAP/ARAP implementation in accordance with RPF guidelines - Coordinate management of compensation process including providing compensation payments, awareness/training on managing compensation - Ensure compensation is consistent with RPF guidelines - Overseeing establishment and preparation of resettlement sites/homes and other relocation assistance agreed - Maintaining records of PAPs, compensation payments, and monitoring reports - implements measures to prevent land speculation or influx of ineligible persons 	<ul style="list-style-type: none"> - Project Manager (Chair) - District Commissioner - Representative of IA - Representative of Ministry of Lands - Consultant (Environmental and Social Specialist) - Representative of a local Administrators / Shehia - Representative of PAPs
Grievances Redress Committee (GRC)	
<ul style="list-style-type: none"> - Receive grievance’s from PAP, through Shehia’s, and review issue(s) - Address resettlement issues and other disputes and concerns among PAPs and other stakeholders. - Advice PAPs and other stakeholders on redress mechanisms which cannot be resolved - Refer unresolved disputes to Regional Committee - Liaise with other authorities and Resettlement Committee 	<ul style="list-style-type: none"> - District Commissioner (Chair) - Local Sheihia leader - PMT Engagement Focal Point - Representative of respective district Authorities: district lands, planning and community development departments - Representative from IA - Representative of PAPs (nominated by residents to represent the community/village)

Figure 3. Organogram of Key Committees and Teams



4. PRINCIPLES AND GUIDELINES FOR PREPARING RAPS/ARAPS

4.1 Introduction

This chapter provides the main principles and concepts governing resettlement/compensation i.e. a description of eligibility for compensation and entitlements under relevant laws and WB policy principles for valuation and compensation.

4.2 Resettlement Avoidance and Planning

PPPs supported by TPPP will only take place on land owned by a IA. They will avoid physical and economic displacement where feasible, however, the PPPs are likely to involve:

- the rehabilitation of existing facilities on IA land, which would result in temporary economic and/or physical displacement during the development of updated facilities, which may take one or two years, and
- the development of new facilities on land owned by the IA, but on which structures may be located or renters maybe be living/farming, squatters may be living or working, or the community may be using for other purposes.

PPPs are to be designed and implemented in a manner that improves the livelihood of all stakeholders, or at least imposes no loss of livelihood. TPPP aims at avoiding adverse impacts, or if not possible to avoid, to provide adequate options based on informed consultation and participation in order to achieve consent of affected people and ensure they have the opportunity to maintain or improve their quality and life and livelihoods. Such an inclusive design approach is essential to the environmental and social sustainability of the PPPs, and to ensuring economic, legal, financial, commercial viability and affordability. Achieving a sustainable, viable and affordable PPPs is both good practice for PPPs and a requirement of the PPP Act 2015 and the PPP Regulations 2017.

The WB has requested that, during TPPP implementation, the PPP units and IAs follow World Bank Policies with regards to resettlement. WB will provide technical assistance, and the PPP unit and all IAs will receive WB review, comment and approval prior to implementing any resettlement activities throughout TPPP implementation

4.3 Public Consultation and Engagement

Where it is not feasible to avoid resettlement, resettlement activities will be conceived and executed as sustainable development programs, providing sufficient investment resources to enable the persons displaced by the project to share in project benefits. Displaced persons and the host communities they relocate to will be meaningfully consulted and have opportunities to participate in planning and implementing resettlement programs. Displaced persons will be assisted in their efforts to improve their livelihoods and standards of living or at least to restore them, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of PPP implementation, whichever is higher.

Public consultations in relation to the RAP/ARAP will occur at all stages, starting with inception and planning when the potential lands and alternative sites are being considered. A participatory approach is adopted as an on-going strategy throughout the entire project cycle.

Public participation and consultations may take place through individual, group, or community meetings. Additionally, radio programs and other media forms may be used to further disseminate information. PAPs are consulted in the survey process; public notices where explanations of the PPP are made; RAP/ARAP implementation of activities; and during the monitoring and evaluation process. Selection of ways to consult, and expand participation by PAPs and other stakeholders, will take into consideration literacy levels prevalent in affected communities; ethnicity and cultural aspects; and practical conditions (like distance). Consultation is to extend to relevant civil society organizations, such as may represent the traders, customers or neighbors of a facility (e.g., for a daladala/bust terminal, consultation should include local daladala associations).

The role of traditional political and cultural leaders, including the community elders, in the participation strategy will be important. The resettlement team should ensure that these leaders and local representatives of PAPs are fully involved in designing the public consultation procedures.

The objectives of the consultations will be to introduce the activity/intervention and solicit feedback from the stakeholders. Specifically for people affected by project, it is essential that the affected persons are made aware of, and understand the following points, during the preparation of the resettlement action plan:

- Their options and rights pertaining to resettlement/relocation and compensation;
- Specific technically and economically feasible options and alternatives for resettlement/relocation sites;
- The process of and proposed dates for resettlement/relocation and compensation;
- The effective compensation rates at full replacement cost for loss of assets and services;
- The proposed measures and costs to maintain or improve their living standards;
- The Grievance and Redress Mechanism

The results of the consultation process will be summarized in a table, including the responses to the PAP concerns, presented in the ESIA and used to inform preparation of RAP/ARAPs. RAPs/ARAPs will be prepared in consultation with affected people. The RAP/ARAPs will include this summary table and reflect the information under “Consultations held towards the preparation of the RAP/ARAP” in the main body of the RAP/ARAP. There will be a summary of the consultations held along with total number of stakeholders consulted by type of stakeholder (gender disaggregated numbers) along with issues discussed, responses provided and how these have been incorporated in the RAP/ARAP. Details with evidences can be in the annex of the RAP/ARAP (lists of names, photographs etc.).

The consultations will examine among other things:

- Acceptable alternatives;
- Conditions under which the impacts will be socially adequate;

- Measures required to guarantee that the affected people will enhance or at least restore their livelihoods and living standards;
- Preferences regarding forms of compensation assistance;
- Measures to mitigate impacts and arrangements for addressing conflicts that might occur; and
- Institutional and organizational arrangements by which displaced people can communicate their concerns to project authorities, express grievances and participate throughout planning, implementation and monitoring of the RAP/ARAP.

Further guidance on public consultation and engagement is in the WB's Involuntary Resettlement Sourcebook.

4.4 Guiding Principles

The following principles should be considered whenever communities living in the areas surrounding the PPP and communities covered in TPPP may be impacted:

1. Displacement of people, property and livelihoods is to be minimized as much as possible, by employing alternative technologies of project infrastructure in such a manner to minimize disturbance and disruption.
2. All possible means will be used to ensure that no people are harmed in any way by construction activities and project outcomes.
3. Resettlement/relocation and compensation planning and implementation activities, and the compensation of PAPs and other relevant stakeholders, will be undertaken with continuous consultation throughout the process.
4. PAPs will be informed about their rights and options pertaining to displacement, compensation and resettlement/relocation, and about grievance mechanisms available to them.
5. PAPs will be entitled to compensation for lost assets and to resettlement and rehabilitation measures when they will be physically or economically displaced, even if they do not own the land where their homes, assets or livelihood are located
6. The amount of compensation and resettlement/relocation and rehabilitation support that the PAPs are entitled to shall meet the standards of Zanzibar legislation and the requirements of the WB policy on involuntary resettlement.
7. Specific and additional assistance will be provided for particularly vulnerable individuals, namely women-headed households, widows, orphans, the elderly, handicapped/ physically and mentally disabled people, etc.
8. Pre-construction and construction work on each affected site, will not commence until any compensation and relocation of PAPs has been completed.
9. All consultations will be informed, inclusive of all groups in the project area (PAPs- male and female, vulnerable individuals, youth, institutional stakeholders, NGOs, etc.) and it should be a two way dialogue, with providing information and receiving feedback that will be used to improve the project design, and mitigation.
10. All compensation will be at replacement cost.

4.5 Project Affected Persons (PAPs)

Project affected person or household (PAPs), refers to people directly affected, socially and/or economically, temporarily or permanently by a project, because of:

- the appropriation of land and other assets causing (relocation or loss of shelter);
- loss of assets or access to assets (e.g. housing, rented trading spaces, etc.); and
- loss of income sources or means of livelihood, whether of the affected person; and persons must move to another location).

OP4.12 has been triggered for the overall TPPP, and the following categories will be used in identifying groups of PAPs for determining impacts.

PAPs are individuals whose assets may be lost, including rented land, property, other assets, and/or access to natural and/or economic resources because of activities related to a PPP(s). The individual PAP could be:

- **Affected Property Owners** – are owners of neighboring structures for business, residential or other purpose;
- **Affected Traders, Operators, Service Providers or other Tenants:** these are people who do not own property but rent house, premises or land for the respective purposes; This category of PAPs is classified in different sub-categories including residential tenants, business tenants, or farm tenants. Petty traders will also be included in this category;
- **Affected Encroachers**– are persons who do not own land that they occupy or use, and non-bone fide occupants and intruders of lands reserved for public or other uses. Encroachers in urban area may occupy land for residential / commercial purposes; and
- **Affected Squatters** - include persons or groups who have settled in place with and without official title to their land.

Project affected households are groups of PAPs in one household and where one or more of its members are directly affected by the PPP. These include the head of household, the spouse, children dependent relatives stay in helpers, other people in the house that share common meals and contribute part of their incomes to defray common household expenses.

4.6 Vulnerable Individuals

Vulnerable individuals are considered to be ones 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 individuals may have different land needs from most households or needs unrelated to the amount of land available to them. This provides for:

- **Women headed households**– may depend on husbands, sons, brothers, or others for support. However, in other cases too, women are the main breadwinners in their household even where the men have remained with the family. Women therefore need relatively easy access to health service facilities, as mothers and wives. For example, where a site required by a PPP is used by a woman with no formal rights to it or a woman who is dependent on a man other than her husband for her primary income. These women should not be resettled in a way that separates them from their households

as the very survival of their households may depend on them. Their compensation must consider all these factors.

- Elderly – elderly people farm or work if they are able. Their economic viability may depend on how much land they farm or how much they produce because, by producing even small amounts of food to “exchange” with others, they can subsist on cooked food and generous return gifts of cereal from people such as their kith and kin and neighbors.
- Chronically ill persons – e.g. HIV/AIDS, tuberculosis etc. Relatively high percentages of the poor and total population are living with HIV or are terminally ill with AIDS. Many are beneficiaries of numerous health programs from government (central and local), international organizations and the NGO community.
- Orphans – due to the impacts of the AIDS crisis that plagues Tanzania today, there are a considerable number of orphaned children, whose parents have died from AIDS. These children today fall into three categories of care; (i) those being looked after by an uncle, aunt, grandparents or other close relative, (ii) those being looked after by the government, local authorities or NGOs and (iii) those living alone and providing for themselves and other siblings. These children are more vulnerable since they are often “voiceless” because they have no parents to defend or stand up for them and because they are considered too young to be heard. Orphaned children engage in any form of economic activity to provide for themselves and their siblings, by engaging in activities such as paraffin selling, artisanal mining, water selling, exploitative employment etc.
- Mentally and physically handicapped/disabled people are people in poor physical health; infants, children, women and men without assistance.
- Groups that due to socio-economic or cultural reasons are unable to benefit equally from the Project (such as vulnerable individuals).

Women and children are especially exposed to the risks arising from construction, the impact of the influx of labor, and to being disadvantaged during the reassignment of trading spaces during rehabilitation of facilities. Even though women constitute a large proportion of traders at markets, measures to address risks associated with safety and security and on gender-based violence and harassment are typically weak. Differently abled people, old and infirm, women and children often face barriers to ensuring effective access to facilities. The RAP/ARAPs should include a system for assigning space in both the temporary and rebuilt markets, based on consultation with traders, that reflects the needs of women vis-à-vis unique needs such as security of sanitation requirements. The trading space assignment process should also consider the accessibility issues for differently abled traders (such as stalls close to wheelchair ramps).

The ESMP will include a social management plan where potential impacts warrant extra attention. A social management plan should, as relevant, address gender-based violence (GBV) actions, codes of conduct, public consultation, employment creation opportunities, minimizing social disturbance, GRM, HIV/AIDs and GBV training and awareness.

To protect vulnerable individuals, the following considerations will be made when the project sites are identified and PAPs listed:

- Special consideration should be paid to these groups by identifying their needs from the socio-economic and baseline studies undertaken as part of the RAP/ARAP process;

- The groups should be individually consulted and given opportunities to participate in the resettlement decision-making process, as well as project activities;
- Consultation with these groups should ensure that resulting resettlement and compensation improves their pre-project livelihood;
- The RAP/ARAPs should be designed to ensure special attention is paid to the monitoring of the resettlement process to ensure that pre-project livelihoods are indeed improved upon;
- RAP/ARAPs should be given sufficient technical and financial assistance to make use of the grievance mechanisms of the project where required; and
- Decisions concerning them should be made in a timely fashion taking their needs, concerns, inputs and choices into consideration.

4.7 Types of Losses Due to PPP Project Development

Likely categories of impacts/loss that may occur include the following.

4.7.1 Loss of assets or access to assets

PPPs may cause loss of rights to pieces of land, and/or un-exhausted improvements on the land i.e. built structures and crops.

Loss of Access to land: Urban agriculture and livestock keeping are widely practiced, including on public land. The land could either be grown with crops or built with structures or public land used for recreation or not developed/used.

Loss of house structures: the built structures could be residential houses /dwelling, residential and commercial houses, house annexed structures (e.g. kitchens, boundary wall / live fences, pit latrines, house foundations, stores, cottage industries, livestock pens/sheds etc.) or commercial structures (shop, stall); or house supply structures: water source/supply (well, pump, water line), electricity supply (underground, overhead etc.). Loss of buildings and structures will affect (owner; tenant; informal user of the structure) individual, institution or community.

Loss of structures and land improvements only (not land): encroachers and squatters may suffer loss of fixed structures or improvements (wells, irrigation systems, etc.) but not the lands on which they are built since they do not own them.

Relocation of movable assets and property: these include privately own machinery and mobile structures.

Loss of agricultural assets: farm properties mainly constitute standing crops, permanent crops, trees, seasonal crops and vegetable gardens.

4.7.2 Loss of income sources or means of livelihood of persons using the land or assets

The person affected could be tenant/lease holder; squatter/informal dweller.

Loss of income sources: through loss of business premise or cash crops.

Loss of means of livelihood: either temporarily during relocation of facilities, or permanent through loss of trading income.

Loss of rental accommodation or loss of business premises: residential or business tenants will incur loss of rental accommodation or loss of business premises as in many places people rent premises for business or residential purposes.

4.7.3 Involuntary restrictions of access to resources, property or asset

In other areas, restrictions that prevent / limit access to resources, property or asset will also result in adverse impacts on livelihoods and wellbeing of affected persons.

Restrictions imposed on businesses that need to be relocated for the development of PPPs can also be affected. The relocation of a business can result in lost sales or products both during the actual transition process and permanently as the new site, if it is not managed properly. Income levels can also be affected if customers are not aware of the business's new location or choose not to purchase in the new location. The business relocation management needs to be carefully coordinated.

4.8 Eligibility

Eligible individual(s) are those whose land or other assets have been impacted which results in:

- Relocation or loss of shelter by the persons residing in the project area;
- Loss of assets or involuntary restriction of access to assets. For impacts which result in involuntary access, a Process Framework would be required; or
- Loss of income sources or means of livelihood because of the project, whether the affected persons are required to move.

It is also important to note that the eligibility may be claimed collectively e.g. as a Village or religious group and does not necessarily have to be individuals or families. Villages (on communal lands) that permanently lose access to assets and or resources under statutory or customary rights will be eligible for compensation. Example of Village compensation could be for markets, schools and health center. The rationale for this is to ensure that the pre-project socio-economic status of communities where adversely impacted, is also restored

In line with the WB OP 4.12, displaced persons with the following characteristics are entitled to compensation for loss of other assets taken for the project purposes:

Persons with formal legal rights

Those that have formal legal rights to assets recognized under the laws of the country. This category will generally include people who are physically residing at the project site and those who will be displaced or may lose access or suffer a loss in their livelihood because of the project activities;

Persons without formal legal rights

Those who may not have formal legal rights to assets at the time of the census but can prove that they have a claim such as identified assets that would be recognized under the customary

laws of the country. This category may also include those people who may not be physically residing at the project site or persons who may not have any assets or direct sources of livelihood derived from the project site, but who have spiritual and/or ancestral ties with the land. This category may also include sharecroppers or tenant farmers, or seasonal migrants, depending on the country's customary land use rights.

Persons with no recognizable legal right or claim to the land

A third group of displaced persons are those who have no recognizable legal right or claim to the land they are occupying in the project area and who do not fall in any of the two categories described above. This category of displaced persons will be entitled to resettlement assistance in lieu of compensation for land to improve their former living standards (compensation for loss of livelihood activities, common property resources, structures and crops, etc.), provided they occupied the project area prior to a cut-off date established by the borrower and acceptable to the Bank. The cut-off date will be widely disseminated to PAPs and stakeholders in a timely manner and documented in the RAP/ARAP.

At the minimum, under the WB's policy (with no contradiction to the borrower's legislation), land, housing, and infrastructure should be provided to the adversely affected population, including indigenous groups, ethnic, linguistic and religious minorities, and pastoralists who may have usufruct rights to the land or other resources taken for the project. The cut-off date must clearly be communicated to the project affected population. Persons who encroach on the project area after the cut-off date are not entitled to any form of resettlement assistance. The cut-off date will be widely disseminated to PAPs and stakeholders in a timely manner and documented in the RAP/ARAP.

Identification of those meeting the eligibility criteria is to be confirmed, through relevant socio-economic surveys and asset and legal verification surveys. Information on special groups of individuals, such as those that are vulnerable, will also be identified through the surveys, and confirmed through the consultation process. The assessment of eligibility will involve review of tenure documents owned by occupants, interviews with households and groups in the affected area as well as input from community leaders. Municipal Administration, or their equivalent for other LGAs, and other agencies concerned with land ownership and management will also be consulted to ensure that appropriate recourse is provided for PAPs.

PAPs will be assisted to ensure that they are:

- Informed about their options and rights pertaining to resettlement;
- Consulted on, or offered choices among, and provided with technically and economically feasible resettlement; and
- Provided prompt and effective compensation at full replacement cost for losses of assets attributable directly to the project.

Persons who encroach on the area after the socio-economic study (census and valuation) are not eligible for compensation or any form of resettlement assistance.

PAPs who loss income or products due to poor business relocation management would be eligible for compensation.

4.9 Beneficiaries of Compensations and Assistance

The potential resettlement may affect a range of households, business operators, institutions and individual community members. The impacts, manifest at individual and group level requiring a definition of a unit of entitlement. The unit of entitlement is thus varied depending on the category of the affected. Examples of units of entitlement include:

- For privately held assets and resources – the unit of entitlement is the owner/ household head. Safeguards have been put in place to ensure equitable distribution of compensation among household members (see section 4.5);
- For the loss of contract of rent – the unit of entitlement is the individual who rented farmland or rented housing;
- For loss of income or products associated with poor business relocation management – the unit of entitlement is the owner of the business, and
- For loss of employment – the unit of entitlement is the individual directly affected; and
- For Livelihood Restoration – the unit of entitlement is the household. Where household subsistence and survival strategies may be disrupted through the loss of land or the relocation of business enterprises, rehabilitation measures may be extended to an adult household member or members earning income, including women, to support the restoration and diversification of household livelihoods.

The entitlements require a process of public consultation and disclosure. The WB OP 4.12 emphasizes that displaced people must be informed of their rights and consulted on options. It specifically states to “Consult project-affected persons, host communities and local nongovernmental organizations, as appropriate. Provide them opportunities to participate in the planning, implementation, and monitoring of the resettlement program, especially in the process of developing and implementing the procedures for determining eligibility for compensation benefits and development assistance (as documented in a resettlement plan).

4.10 Cut-off Date

It is necessary to determine, and publicly declare a cut-off date, to define eligibility and thus entitlements.

The cut-off date is the date on and beyond which any person affected by a public investment project will not be eligible for compensation. It will be set at the date of commencement of the census for the RAP/ARAP of PAPs or DPs. Anyone who moves into the project footprint or build structures or makes economic investment beyond the cut-off date would not be eligible for compensation. No new cases of affected people will be considered beyond the cut-off date. Unfinished structures would be identified and secured, and unused materials will be piled at the site so that the cut –off survey can estimate investment, which should be compensated for in lieu of expenses (including labor) incurred up to the cut–off date.

The date to start the census is to be chosen in close consultation with the LGA (including Shehias) and Department of Lands and should be as soon as possible after the affected land is identified. This process must be in full compliance with the conflict resolution mechanisms in this RPF and this date must be communicated effectively to the potential PAP’s and surrounding Shehias (local communities).

Property inventories, socio-economic surveys, proper consultation and an announcement are instrumental to avoiding unnecessary and sometimes fraudulent claims for compensation. The local community will play a crucial role in identifying users of land.

A cut-off date can avoid induced occupation by illegal PAPs. The establishment of a cut-off date is required to prevent opportunistic invasions /rush migration into the PPP site that may pose a major risk to the project. Because the time period between the cut-off date and the time actual productive investments (civil works, etc.) would start bearing also in mind that only after PAPs have been compensated and any replacement structures built according to the requirements of this RPF, is likely to be anytime period from six months on, special attention needs to be taken to secure the sites from rush and opportunistic invasion. These measures should include close consultation with the recognized PAP's, signs that inform public of intended use of site, security patrols to identify opportunistic invaders etc.

The cut-off date will be widely disseminated to PAPs and stakeholders in a timely manner and documented in the RAP/ARAP.

4.11 Type of Compensation

Individual and household will be informed about their rights pertaining to resettlement. The PPPs will consult with and offered choices to PAPs regarding technically and economically feasible resettlement options. The compensation will be provided promptly and effectively, based on full replacement cost for loss of assets attributed directly to the PPP Project. The type of compensation will be an individual choice of the PAP.

- Cash payments: Compensation will be calculated in Tanzania shillings. Rates will be adjusted for inflation. Compensation may include items such as land, houses, among others;
- In-kind: Compensation can include buildings, building materials, seedlings, agricultural inputs, and financial credits for equipment. It can also include land, which is especially preferable for individuals with land based livelihoods; and
- Assistance: Assistance may include disturbance allowance, transportation, and/or labor.

Compensation for physical relocation will include measures to ensure the displaced persons are (i) provided assistance (such as moving allowances) during relocation; and (ii) provided with residential housing, or housing sites, or, as required, agricultural sites for which a combination of productive potential, locational advantages, and other factors is at least equivalent to the advantages of the old site.

As described in the entitlement matrix, where necessary, the PAPs will be offered support after displacement, for a transition period, based on a reasonable estimate of the time likely to be needed to restore their livelihood and standards of living; and (ii) provided with development assistance in addition to compensation measures described above; (iii) such as land preparation, credit facilities, training, or job opportunities.

Compensation payments should consider the issues of inflation, security, and timing. One reason for providing in-kind compensation is to reduce inflationary pressures on the costs of goods and services. Local inflation may still occur; thus, market prices will be monitored during the compensation period to allow for adjustments in compensation values. The question of security, especially for people who will be receiving cash compensation payments, needs to be addressed by the local administration. Local banks and microfinance institutions should work closely with the local administration at this level to encourage the use of their facilities, which will positively affect the growth of the local economies. Each recipient in consultation with the IA and the district, local, and traditional administrations, will decide upon the time and place for in-kind compensation payments.

4.12 Replacement Cost

The rate of compensation for lost assets must be calculated at full replacement cost, which is defined as the market cost of the materials to build a replacement structure with an area and quality similar to or better than those of the affected structure, or to repair a partially affected structure, plus the cost of transporting building materials to the construction site, plus the cost of any labour and contractors' fees, plus the cost of any registration and transfer taxes. Market value of the assets plus transaction costs. Market valuation is hindered by some challenges such as record keeping in many cities. As well the listed sale value of sale may have been adjusted to reduce transaction taxes. Certified Valuers will be used to assess market value, and

if they are uncertain about the accuracy of the records of official transactions, they can utilize a replacement cost method, to estimate what it would cost to replace the asset at current prices, but no depreciation of the value of the asset would be included.

Regarding land, structures, and businesses, the replacement costs are:

- Rural/Agricultural land: The market value of land of equal productive use or potential located near the affected land, plus the cost of preparation to levels like 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 near the affected land, plus the cost of any registration and transfer taxes; and
- Household and public structures: The cost of purchasing or building a new structure, with an area and quality like or better than those of the affected structure, or of repairing a partially affected structure, including labor 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 considered, nor is the value of benefits to be derived from the project deducted from the valuation of an affected asset.

4.13 Entitlement Matrix

The entitlement matrix below provides guidance for eligibility and entitlement according to this RPF. The RAP/ARAP shall provide a matrix that detail the type of compensation that each identified PAP will be entitled to and a rationale as part of the matrix explaining the reasoning behind the entitlement as proposed in the matrix. Entitlement matrix is based on national laws and WB policy serves as a guide for mitigation measures. For PPPs that involve temporary relocation of businesses while the PPP is being built, the RAP/ARAP for individual PPPs will be developed during the Feasibility Phase, and businesses will be temporarily relocated prior to the commencement of construction. Once the PPP is built and entering operations, the relocation of economic activities into the PPP site will be implemented by the IA, typically with the assistance of the private partner to the PPP.

Land	income or profit	Squatter / Encroacher / Informal Occupant	Notice to harvest standing seasonal crops and compensation.
		Tenant/ lease holder	Cash compensation equivalent to average mature and harvested crop, or market period of tenancy/lease agreement, whichever is greater.
		Agricultural worker	Cash compensation equivalent to local relocation assistance (transportation allowance for travel within 10 km of original work location) and assistance in getting alternative employment if original type of work not available. Assistance for up to 3 months to allow for retraining if needed.
		Farmers without land title	Market rate compensation for lost crops. If the farmer without land title are classified as a vulnerable person, then additional assistance should be described in individual RAP/ARAPA, and may include additional training on farming techniques, additional legal guidance on how to acquire title to land, and identification of financing options for acquiring land. TPPP will not support any PPP that requires land acquisition from recognized traditional land rights holders (even without official title).
Residential and any other Land	Loss of assets, income or profit	Informal Settler	2-month advance notice prior to loss of access to residential land Assistance to help find alternative rental arrangements.
		Rental/ Lease holder	Refund of any lease/ rental fees paid for time/ use after date of removal Cash compensation equivalent to 3 months of lease/ rental fee Relocation assistance (costs of shifting + allowance)
Structures	Displacement: Premise used for residence partially or severely affected, in the latter case the remaining area insufficient for continued use or becomes smaller than minimally accepted under zoning law/s	Owner	If partially affected, cash compensation for affected building and other fixed assets are full restoration if chosen by the owner. In addition, cost of accommodation for the duration of restoration.
		Rental/lease holder	Disturbance compensation equivalent to Cash compensation for affected assets owned or built by the tenant – e.g. a fence, sheds, water wells,) Relocation assistance (costs of shifting and rental costs equivalent to 3 month) Assistance to help find alternative rental Livelihood Restoration if required
		Squatter/ Informal dwellers and encroachers)	Cash compensation for affected structure Right to salvage materials without deduction Relocation assistance (costs of shifting accommodation preferably in the community with the assistance of the project Community Based Organization (CBO). Alternatively, assistance to find accommodation for squatter settlement
		Street vendor (informal without title or lease to the stall or shop)	Opportunity cost compensation equivalent to income lost till an alternative site is found (an estimate of income based on similar vending activities) or the relocation allowance, (costs of shifting). Assistance to obtain alternative site to relocate
Business owners	Loss of Profit	Business owners/or business tenants (the person who is	TPPP will not support any PPPs that require land acquisition or acquisition of certificate of occupancy from business owners Loss of income or product, due to poor management of the business relocation process , would be calculated based where possible on the sale value of products or income identified from tax records. Alternatives could include: (i) or the opportunity cost equivalent to tax

			<p>options can be laid out in the RAP with specifics detailed in individual RAPs based on project design and consultation with affected people.</p> <p>Assistance for relocation, both to the temporary location and/or into the new upgraded facility, would include: (i) transport costs for goods and equipment between locations, (ii) construction/provision of temporary facilities with similar services as the original facilities (e.g. water well, electricity, etc.). (iii) income support for any 'lost days' of work due to the relocation needed, and (iv) the provision of waivers for any additional costs incurred at temporary locations.</p>
		Workers	<p>Indemnity for lost wages equal to 3 months of minimum subsistence income and job trainings</p> <p>If workers are classified as vulnerable people, then the RAP/ARAP should include additional specific support for them, which may include transportation support, training and capacity building programs; advice on workers' rights, and access to programs that provide support (e.g. childcare for single mothers) to workers</p>
Standing Crops	Crops planted to IA land by farmers leasing or squatting on the land	PAP (whether tenant or squatter)	<p>Every effort will be made to minimize impact on crop. For example, farmers should be allowed to harvest their (seasonal) crop and given enough time to plan their farming activities, including harvest, accordingly.</p> <p>Cash compensation for annual crops equivalent to average mature and harvested crop. This calculated based on the value of stable crops to be taken as the highest market price (over 3 years).</p>
Seasonal Land Users	Loss of use of land for seasonal activities	Land users	<p>Assistance to help find alternative land for seasonal use</p> <p>Relocation assistance (transport, accommodation)</p>
Trees	Trees lost	Owner	<p>Following are measures to be taken if trees are affected:</p> <ol style="list-style-type: none"> i. Replace subsistence Economic Trees/ Fruit (e.g. Coconuts, Cloves and mango). ii. Provide subsistence farmers with trees to extend the number of months of the year during which the fruit are produced and can be harvested as a supplemental source of food for their families during dry season iii. Provide cash payments to farmers to replace pre-project income derived from the sale of excess fruit production until replacement trees produce the equivalent (or more) in projected cash income. Compensation will be at a market value for loss of crops/fruits calculated as number of years needed to bear fruit.
Other assets: such fences, and livestock (primarily small animals like chicken and goats)	Loss of assets		<p>Cost of investment and the value of the assets lost. The PAPs have the right of salvage without reduction of the compensation amount.</p> <p>For domestic animals' cost of moving and loss of profit during the transition. If it is not possible to keep animals in the new place then the value of the animals in cash plus the value of the product from those animals at the highest market price (over 3 years), as it is the case of the crops. The owner is entitled to keep and sell the animals even after compensation.</p>
Temporary Acquisition	Temporary acquisition	PAP (whether owner, tenant, or squatter)	The TPPP will not support any PPP Project that requires temporary acquisition of land that a resident, farmer or business has the certificate of occupancy to
Vulnerable individual	Loss of assets and livelihood	Living with their families	Additional cash and other assistance i.e., assisting with moving, to accommodate them during the most difficult period while the families are building their new settlements to ensure

4.13.1 Annual and/ or Seasonal Crops

Compensation for annual/ seasonal crops shall be calculated based on the average yield recorded in the impacted area for the last five years and the current local market prices for different crops grown on the farmers' land. The owners of the crops should be allowed to harvest their produce before the implementation of the project within the time limit granted. The compensation will start and end as per the project plan.

4.13.2 Perennial Crops and Trees

Trees have recognized local market values, depending upon the species and age. Compensation for trees is calculated based on the growth stage of the tree, using the local current price per m³. Subsistence trees (predominantly mango) are to be compensated on a combined replacement market/subsistence value. Trees grown for timber, would be compensated based on market value for the wood. Trees are classified into three categories: small (saplings), medium (mature trees), and large (for poles).

For trees that have already started giving yields, compensation is to be calculated considering the annual production of each tree, multiplied by the current local market price and the total number of plants, as well as including the costs for the development of the perennial trees.

If households are resettled, they will be compensated for the commercial/food value of the trees they leave behind.

4.13.3 Transportation of Removable Property

Compensation for removable property will be based on the current market price of labor, material and transportation costs required to remove, transfer and replant the property.

4.13.4 Businesses or Employment

During the actual relocation process there could be a small amount of disruption to businesses required to relocate over very short distances. Such disruption can be minimized or eliminated if the businesses can build the replacement structure before abandoning the old structures. In case of businesses and commercial structures that may suffer temporary loss of income in the relocation process, they will be compensated through payment of disturbance allowance for the period required for re-establishing their businesses.

In highly unlikely cases where, PAPs suffer permanent loss of income they become eligible for cash compensation equal to 36 months of average affected income from the establishment and skill enhancement and income restoration program. IAs will support the PAPs who will be affected by the project. With assistance from the resettlement specialists, the IA will take a responsibility of supporting affected people in developing their skills in entrepreneurship and managing compensation money.

4.13.5 Damage Caused During Construction Work

Reconstruction activities may also cause temporary or permanent damage to land and assets that cannot be identified or quantified during RAP/ARAP preparation. An example might be construction workers trampling crops or vegetables while accessing construction sites. Thus, wherever possible, the construction team/contractor will repair the damage to the satisfaction of the affected person. Affected persons with a claim should be required to complete a

compensation claim form and submit it to the construction team/contractor. The construction team/contractor will then negotiate the required compensation measures, which may include repairing the damage or payment of compensation in cash or kind. Payment of compensation should be affected within one month of submission of the claim form. It will be the responsibility of the IA that contractor caters for any damage and have necessary policies to demonstrate this. The cost of damage caused by the contractor will be borne by the contractor not the IA.

4.13.6 Community Facilities

Relocating community facilities such as wells, dispensaries, water pump and sanitary facilities will be avoided where possible. If relocation is required, the IA will engage with the affected facilities to ensure their involvement in the relocation process. The IA will establish a Resettlement and Compensation Committee for each PPP Project which will include the PPP's Project Manager

, 2 members from the IA and members from the community that are recognized leaders for the facility. The committee will be tasked with overseeing resettlement activities for each PPP. This will include selection of site location, engagement with the community for design, review of proposals for completing the work and selectin of acceptable contractors, as well as developing a budget and schedule for the relocation.

As PAPs will be relocated at short distances from the project sites, they may continue to have access to social and public services and facilities that they currently use, which exist in the project area. This applies to water supplies, schools, health services, shops, transport services and other community services, such as religious groups. PAPs should continue to use the available social services in the project area, the IA will ensure comparable community facilities will be available.

4.13.7 Relocation Allowances

Transport allowance

This will be provided to eligible PAPs who will need to relocate (even if only over a very short distance) their movable properties and assets – furniture, equipment, and business goods to a new location. The transport allowance could be paid in cash – only to PAPs, who are to physically move, is the equivalent of the prevailing cost of hauling 12 tons of goods by rail or road over 20 kilometers from the point of displacement. Transport allowances shall be actual cost of transporting 12tons of luggage rail or road (whichever is cheaper) within 20 kilometers from the point of displacement (i.e. 12tons x Actual Cost/ton/km x 20km). In addition, the transport allowance package will include additional allowance covers for PAPs transporting to and from their banks to collect compensation money. The allowance will be calculated as part of transport allowance. Additional transportation allowance would be provided for vulnerable individuals (e.g. women with young children, the elderly, the disabled)

4.14 Calculation of Compensation Rate

Calculation of compensation in the following sections is based on Replacement cost as defined in Section 4.12.

4.14.1 Calculation of Crops Compensation Rate

The current prices for cash crops would have to be determined. This rate incorporates the value of crops and the value of the labor invested in preparing a new land. The value of the labor invested in preparing agricultural land will be compensated at the average wage in the community for the same period. The rate used for land compensation is to be updated to reflect values at the time compensation is paid.

Crop values will be determined based on average yield recorded in the impacted area for the last five years and the current local market prices for different crops grown on the farm land.

Although most farmers grow staple crops mainly for home consumption, they always have the option of selling these crops to take advantage of the market.

Farmers most often purchase cereals when they have run out, during the “hungry season” when prices are high. Compensating at a lower value might put the individual or household at risk.

Averaging the highest price of staple foods yields a high per ha value that reimburses for the vegetables and other foods that are commonly inter-cropped with staples but are almost impossible to measure for compensation.

4.14.2 Compensation for Buildings and Structures

Compensation will be paid by replacing structures such as huts, houses, farm outbuildings, latrines and fences. Any homes lost will be rebuilt on replacement land, however cash compensation would be available as a preferred option for structures (i.e. extra buildings) lost, that are not the main house or house in which someone is living. The market prices for construction materials will be determined. Alternatively, compensation will be paid in-kind for the replacement cost without depreciation of the structure.

Compensation will be made for the types of indicative structures that are listed in the table below.

- Abandoned because of relocation or resettlement of an individual or household
- Directly damaged by construction activities.

Replacement cost will be based on:

- i. Drawings of individual’s house and all its related structures and support services;
- ii. Average replacement costs of different types of household buildings and structures based on collection of information on the numbers and types of materials used to construct different types of structures (e.g. bricks, rafters, bundles of straw, doors etc.);
- iii. Prices of these items collected in different local markets;
- iv. Costs for transportation and delivery of these items to replacement land or building site; and
- v. Estimates of construction of new buildings including labor required.

Buildings and structures will be replaced by an equivalent structure or, on an exception basis, cash and/or credits will be paid based on replacement costs.

Table 4.2 Compensation for buildings and structures

House	Raw or Baked brick, Straw or tin roof, Varying sizes (small, medium large)
Kitchen	Open, closed
Stables/sheds/pens	Cattle, goat, donkey, sheep, other
Coops	Chicken, duck, other
Fence	Straw/poles (per unit poles & mat), raw and/or baked brick/cement blocks (per 1-m length)
Latrine	Replacement latrines will be like those currently operational and financed by the WB or other donor agencies at health centers, schools
Open well	Internally lined with concrete rings and provided with a hand
Storage building	Cement/sand block walls with thatched roof on z-profiled metal sheets.
Sunscreen open huts/shades	Like those replaced, on thatched roof on wood poles.

4.14.3 Compensation for Vegetable Gardens

Gardens are planted with vegetable and ingredients for daily use. Until a replacement garden starts to bear, the family displaced (economically or physically) because of the project land needs will have to purchase these items in the market. The replacement costs, therefore, will be calculated based on the average amount that an average town dweller spends on buying these items for one year per adult from the local market.

4.14.4 Compensation for Horticultural, Floricultural and Economic/ Fruit trees

Zanzibar's has a highly conducive weather for growing of economic and fruit trees like Coconuts, Mangoes, Cloves among other coastal fruit trees which are almost found in every farm. Where they exist on affected land the following example, on Mango trees for instance will serve as a guide on how to value fruit trees and other trees of nutritional, medicinal and other significant economic value.

They are primarily important as a source of:

- i. Subsistence food for families;
- ii. Cash produce that contribute to the local and export economy;
- iii. Petty market income in some areas;
- iv. Shade (in the case of mango and some guava trees); and
- v. Traditional medicinal value.

Given their significance to the local subsistence economy, which this project intends to positively impact, fruit trees will be compensated on a combined replacement/market value. Fruit trees used for commercial purposes will be compensated at market value based on historical production records. If households chose to resettle, they will be compensated for the labor invested in the trees they leave behind, because they will continue to own the trees left behind under customary rights. It is not uncommon for individuals to own trees in other villages in which they formally lived and, in some cases, to continue to harvest fruit from those trees for subsistence purposes and/or sale to traders. If a household/individual chooses to transfer ownership of the trees, transfer costs will be paid in addition to labor costs. The compensation rate will be based on information obtained from the socio-economic information. Based on the information, a compensation schedule for trees can be developed incorporating the following goals:

1. Replace subsistence Economic Trees/ Fruit (e.g. Coconuts, Cloves and mango) production yields as quickly as possible;
2. Provide subsistence farmers with trees to extend the number of months of the year during which the fruit are produced and can be harvested as a supplemental source of food for their families during their “hungry season”;
3. Provide farmers with the opportunity to derive additional production income from trees bearing more valuable fruits at off-season periods; and
4. Provide cash payments to farmers to replace pre-project income derived from the sale of excess fruit production until replacement trees produce the equivalent (or more) in projected cash income.

4.14.5 Other domestic fruit and shade trees

These trees have recognized local market values, depending upon the species and age. Individual compensation for wild trees “owned” by individuals, who are in lands as defined in this policy, will be paid. Note that wild, productive trees belong to the community when they occur in the true bush as opposed to a fallow land. These trees will be compensated for under the umbrella of the village or community compensation. No compensation will be paid for minor pruning of trees.

4.15 Implementation

Each RAP/ARAP will develop an implementation schedule covering all resettlement activities from preparation through implementation, including target dates for the achievement of expected resettlement activities with PAPs including payment of benefits through to completion of the various forms of assistance. The schedule should indicate how the resettlement activities are linked to the implementation of the overall project Implementation schedule. An example of a RAP implementation schedule is presented in the figure below.

The timing of implementation will ensure that no individual or affected household will be displaced due to civil works activity before compensation is paid and resettlement sites with adequate facilities are prepared and provided for to the individual or household affected. Once the resettlement and compensation plan are approved by the CA and other relevant agencies, the resettlement and compensation plan, will be sent to the World Bank for final review and approval.

Each RAP/ARAP will develop an organizational framework for implementing resettlement, including identification of agencies responsible for delivery of resettlement measures and provision of services; arrangements to ensure appropriate coordination between agencies and jurisdictions involved in implementation; and any measures (including technical assistance) needed to strengthen the implementing agencies’ capacity to design and carry out resettlement activities; provisions for the transfer to temporary relocation facilities and back to redeveloped PPP facilities, responsibility for managing temporary facilities and services provided under the project and for transferring other such responsibilities from the resettlement implementing agencies to the PPP when appropriate.

Figure 4.1 Example of a RAP implementation schedule

No	Action	Time frame
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		1	2	3	4	5	6	7	8	9	10	11	12
1	RAP Implementation												
1.1	Awareness raising meeting												
1.2	Mobilization												
1.3	Preparation of plots for resettlement												
1.4	Confirmation of PAPs and affected properties												
1.5	Compensation payments												
1.6	Addressing Grievances and Dispute Resolution												
1.7	Monitoring of RAP implementation												
1.8	Evaluation of RAP implementation												
2	Procurement of Private Partner												
2.1	Tender award												
2.2	Mobilization of private partner												
3	Construction Works												

4.16 Grievances Redress Mechanism

4.16.1 Overview

A Grievance Redress Mechanism (GRM) is an essential tool for facilitating PAPs to voice their concerns about the resettlement and compensation process as they arise and, if necessary, for corrective action to be taken promptly. Such mechanisms are fundamental to achieving transparency in the resettlement processes. It is to contain specific procedures for gender-based violence (GBV) including confidential reporting with safe and ethical documenting of GBV cases.

GRM contained in the ESMF is the main process applicable to and informing the RPF and RAP/ARAP. The mechanism provides a way for effective avenue to promote mutually constructive community relationships which serve to implement the laws relating to the involuntary loss of property rights of Zanzibar and requirements of WB Operational Policy 4.12 on Involuntary Resettlement.

In practice, grievances and disputes that are most likely during the implementation of a resettlement program are the following:

- Misidentification of assets or mistakes in valuing them;
- Disputes over plot limits, either between the affected person and the PPP, or between two neighbors;
- Dispute over the ownership of a given asset (two individuals claim to be the owner of this asset);
- Disagreement over the valuation of a plot or other asset;
- Successions, divorces, and other family issues, resulting in disputes between heirs and other family members, over ownership or ownership shares for a given asset;

- Disagreement over resettlement measures, for instance on the location of the resettlement site, on the type or standing of the proposed housing, or over the characteristics of the resettlement plot; and
- Disputed ownership of a business (for instance where the owner and the operator are different persons), which gives rise to conflicts over the compensation sharing arrangements.

The GRM is based upon the premise that it imposes no cost to those raising the grievances (i.e., Complainants); that concerns arising from project implementation are adequately addressed in a timely manner; and that participation in the grievance process does not preclude pursuit of legal remedies under national law.

The GRM is designed with the objective of solving disputes at the earliest possible time which will be in the interest of all parties concerned and therefore implicitly discourages referring such matters to the Tribunal /law courts for resolution which would otherwise take a considerably longer time. Also, in the local communities it takes people time to decide that they are aggrieved and want to complain. Therefore, the grievance procedures will give people up one two months after surrendering their assets to set forth their case.

At the time that the RAP/ARAPs are approved, the affected individuals, households or business would have been informed of the process for expressing dissatisfaction and to seek redress. The grievance procedure will be simple, administered as far as possible at the local levels to facilitate access.

TPPP will use the existing ZUSP grievance procedures which involves the use of existing conflicts resolution mechanisms through local government system. A description of the ZUSP GRM process and roles is included in Appendix B. All PAPs will be informed of the existing proposed GRM through their Shehias, during the awareness and consultation meetings as RAP/ARAPs are developed. The PAPs will be informed about the means of accessing GRM and how they can log their grievances i.e. they can log their complaints by either reporting the matter directly to the Shehia who will record the complaints in the complaint log book, or by reporting directly to the Grievance Redress Committee (GRC) which is chaired by the District Commissioner. Other means of reporting grievances are PMTs, Shehias and District Officer through telephone, mail, in person and complaint boxes. Public and PAPs will be informed on all available means and places of logging their grievance.

Shehias will be aided understand issues of technical grievances. The capacity building of Shehias is pertinent to ensure grievance redress procedures are properly adhered to. This will require organisation of training sessions on WB safeguard basic procedures, basic understanding of contents of resettlement programs particularly on GRM.

4.16.2 GRM for Complaints of GBV

The PPP will provide information to employees and the community on how to report cases of GBV or breaches of workers Code of Conduct to the GRM.

The PPP will have specific procedures for GBV reporting to GRM, including confidential reporting with safe and ethical documenting of GBV cases. The GRM needs to be in place prior to contractors mobilizing.

The GRM therefore needs to have two channels through which complaints can be registered in a safe and confidential manner, the primary one will be through the Shehia's, and a second option (possible through local health providers) will be developed as part of the project GBV Plan as described in ESMF. All the GRM operators are to be trained on how to collect GBV cases confidentially and empathetically (with no judgement). The GRM will assist GBV survivors by referring them to GBV Services Provider (such as local health care worker, local police or local social workers) for support immediately after receiving a complaint directly from a survivor, by having a list of service providers available before construction commences. The GRM will establish a process to immediately notify both the IA and the World Bank of any GBV complaints with the consent of the survivor.

4.16.3 GRM Participation for all Stakeholders

Participation in the GRM is voluntarily and non-excluding. Any person will have easy access to it and will be encouraged to use this confidential complaint system. Any participant in the procedure is also free to use the judiciary system when he/she considers it pertinent. The procedure does not replace the judicial mechanisms of complaint and conflict resolution but attempts to minimize use of them.

4.16.4 Responsibility for Establishing and implementing a Grievance Procedure

The LGA Community Development and Welfare Department or the Public Relations Unit will be responsible for establishing and implementing the procedure for LGA PPPs. Being responsible for the implementation of the GRM includes disclosure, reception, management and monitoring of complaints, feedback to local communities and persons with complaints, and coordination of complaints analysis. All these steps will assist when developing recommendations for continued improvement of TPPP processes related to community relations. For national PPPs, the IA will establish an equivalent PPP-specific GRM with the assistance of the PPP Centre in MoFP.

4.16.5 Process

The description of the GRM is listed below and summarized in the figure below. A two-tier approach to managing grievances is suggested. There should be an initial response process internal to the IA, and if the resolution is not acceptable to the complainant, then a second broader community response process would be utilized.

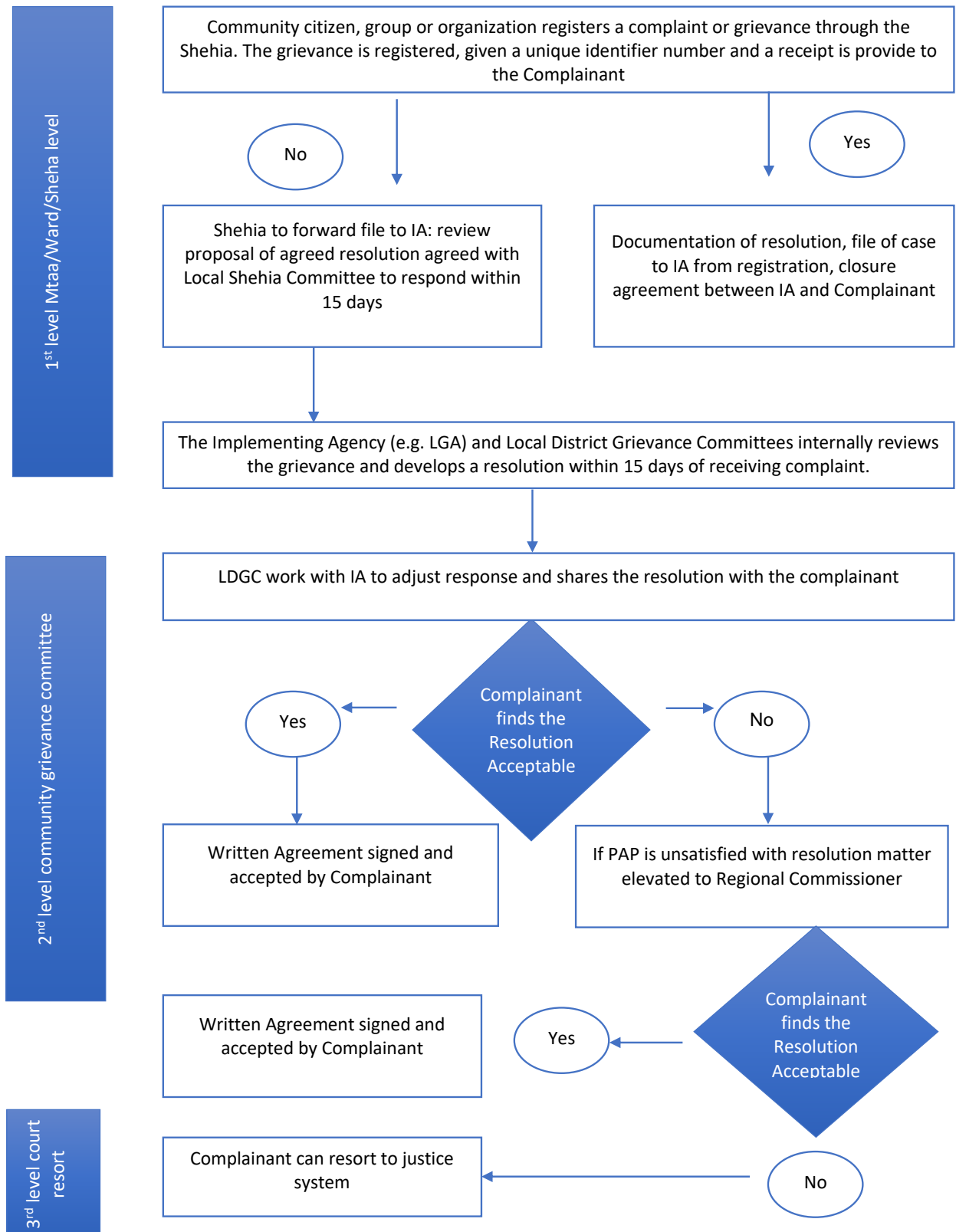
The specific objectives of a GRM are to:

- Establish a mechanism for responding to complaints in an understanding, transparent and culturally appropriate way;
- Develop an easy-access, no-cost and efficient complaint procedure for the local population involved and/or impacted by the PPP;
- Implement effective dialogue and open lines of communication with the public; and
- Help to prevent unrealistic expectations and/or negative perceptions from the local population towards the PPP.

Participation in the GRM is voluntarily and non-excluding. Any person with the right to participate in the procedure will have easy access to it and will be encouraged to use this

confidential complaint system. Any participant in the procedure is also free to use the judiciary system when he/she considers it pertinent. The procedure does not replace the judicial mechanisms of complaint and conflict resolution but attempts to minimize use of them.

Figure 4.2 Outline of GRM Process



Process

The overall process is as follows:

1. The process of grievance redress will start with registration of the grievances. A copy of all grievances written on the Grievance Form will be given to the person/group who made the grievance. The copy given to person/group should include a unique identification number for the specific grievance. The screening and registry system provide the Complainant instant acknowledgement of receipt of complaint through the form of a carbon copy. The grievance focal person will register and screen the form. Valid complaints will be referred to Shehia and GRC for resolution. RAP related and miscellaneous complaints will be referred to the Grievance Redress Committee and environmental issues will be referred to the PMT.
2. IA PMT will keep a copy of the grievance and record information about the grievance. The Shehia, with support from PMT will check to see if the grievance is a new grievance or if it is one that has been raised already, and for which a response has already been developed.
3. The grievance will be assessed to determine if it is specific to the project or is directed at government or other entities. All project-related grievances will be assessed by GRC, to determine the Project department responsible for responding to the grievance. Once the GRC has developed a response and the Shehia will share the response with the PAP that filed the complaint.
4. If the PAP does not consider the resolution satisfactory, the Local Grievance Redress Committee will draft a request to the District Grievance Committee for deliberation. The District Committee can work with the Project representatives to adjust the response, if needed, to try and develop an acceptable outcome for the PAP who filed the grievance. The goal will be to reply to the grievance within 30 days
5. If the PAP is unsatisfied with the resolution at District Level the matter can be elevated to the Regional Commissioner. If the grievance is not resolved, the Regional Commissioner will work with the relevant section of the IA to resolve the matter before resorting to the court of law.

The District Grievance Committee shall carry out the following as regard to redressing grievances:

- Hear the grievances of the PAPs, and the GRC response, and provide recommendations to support an early solution to those they able to
- Work with the GRC to inform the PAP about the progress of their grievances and the resolution(s) being developed.

The GRC will try as much as possible to arrive at an acceptable solution for the complaints raised. The GRC may use additional processes, such as conciliations, mediations and negotiations exercise to facilitate a successful solution. At least 30 percent of members of committees that consider matters under TPPP will be women.

Complaint/Issue Log

The Complaint/Issue Log records will include the following information:

- Unique identification number
- How the complaint was received;
- Date the complaint was received and recorded;
- Location/village/clan;
- Contact information;
- Description of the complaint;
- Follow-up corrective action steps;
- Corrective action taken by whom and date; and
- Response and means of response (written or verbal).

A Complaint/Issue Log number and unique identifier for the incident will be given. Complaint information will be organized geographically and in a chronological order beginning with the events leading up to the incident (if any exists), followed with the details of the incident itself and will include post-incident events (if any exist).

The Complaint Log will include correction-action steps that will be developed through the process depending on the complexity of the complaint and its resolution.

To ensure analysis and development of corrective and improved actions the complaint and/or issue will be given to the appropriate department for resolution.

4.17 Monitoring and Evaluation

The monitoring of the process should confirm the RAP/ARAP objectives are being met for each PPP Project within an acceptable timeline. The person responsible for the monitoring will be the Community Development and Welfare Officer of each PMT. Monitoring should be a continuous process, with reporting at a minimum each quarter. The reports should describe the activities during the period and key challenges or issues the PPP addressed. The report should measure success based on indicators which the CA should develop in consultation with the PPPs during the engagement process.

The process for M&E will be to:

- Review the Census and socio-economic baseline reports completed by the consultants;
- Review GRM and follow up with a select number of complainants to get their input on resolution of their grievance;
- Engage with the community in general on effectiveness of RAP/ARAP process;

- Conduct focused interviews with some PAPs review the specifics of their involvement in RAP/ARAP process;
- Conduct interviews with RAP/ARAP implementation team on process and delivery of RAP/ARAP;
- Develop a quarterly report with the findings from the tasks listed above. The report should also include any corrective actions to improve the effectiveness of the RAP/ARAP process;
- The Quarterly report should be delivered to PPP Department and the relevant PMT. If corrective actions are suggested, a meeting between the two entities should be held to come up with a process for incorporating the recommendations; and
- Preparation of a completion report by the PMT.

The indicators to monitor should be developed in consultation with the PAPs, but could include the following or additional ideas in Annex E:

- Completion of census of PAPs;
- Number of people consulted about RAP/ARAP;
- Number of temporary market stalls constructed each month;
- Number of people/businesses resettled into temporary locations;
- If possible, income levels of resettled businesses or individuals in temporary location;
- Number of Grievances filed about the RAP/ARAP process or compensation;
- Number of RAP/ARAP grievances resolved;
- Accuracy of schedule for transition to temporary locations and back to rebuilt PPP facility; and
- Income or revenues in the rebuilt PPP facility.

PAPs representatives will participate in the various community meetings at the end of project implementation and during project mid-term monitoring and evaluation. To the extent possible, the monitoring should include tools to assess the quality of livelihood restoration implementation. PAPs will be able to suggest corrective measures, as needed, to improve implementation in the PPP(s).

The respective committee should ensure that anyone filing a grievance is consulted during the project implementation support missions to determine if their grievance has been adequately resolved. The committee will keep a listing of grievances registered and description of how they were dealt with and resolved. This includes a listing of compensation due and the date of completed payment.

Safeguard documents, such as RAP/ARAP and ESMP, will be approved by Revolutionary Government of Zanzibar and the WB, and the Environmental Management Officer and Community Development Officer will be responsible for implementing and auditing them.

Every 2 years the PPP Department should undertake an evaluation of the effectiveness of the RPF, to determine the effectiveness of the document in helping the LGAs meet the objectives of the RPF. This bi-annual review should also sample a number of resettlement plans that have been completed by the PPPs to determine their compliance with the RPF and adjust if problems are identified.

The effectiveness of RAP/ARAPs will be monitored and evaluated. This will build on the baseline information collected prior to the development of the PPP and will compare conditions before and after the resettlement process, to ensure PAPs are at least as well of and preferably better off after the project is developed.

The PPP Department will also conduct a RAP/ARAP implementation completion report, once the PAPs have been given adequate opportunity and assistance to re-establish and restore their livelihoods. This will be based on quantitative and qualitative data that allows PPP Department to determine a) if the RAP/ARAP was implemented as planned and b) if the conditions are at least at pre-resettlement levels. If gaps are identified, an action plan should be developed and implemented.

During the project implementation, the committee's monitoring information will be part of the quarterly report required to be submitted in each PPP. The monitoring will mainly focus on any updates on but not limited to the following information:

1. Number of new grievances;
2. Number of unresolved grievances;
3. Number of new PAPs;
4. Any pending compensation;
5. Trends in grievances/feedback over time;
6. Remedial action warranted; and
7. Any changes to grievance management or the PPP, when necessary.

The respective committee should recommend and ensure grievances/feedback information are made public periodically, through selected communication mechanism by relevant CA.

4.18 Stakeholder Identification

The identification of stakeholders will be completed on a project by project basis, but the following groups, organizations and citizens should be considered as a starting point.

1. Community Leaders
2. Local Residents and PPP End Users
3. Faith Based and Cultural Groups
4. Women's Groups
5. Local community and Voluntary Groups
6. Local Trade Unions and Business Development Groups
7. Social Service Providers

8. Local Governments
9. Regulatory authorities
10. Community-based Groups and Civil Society Organizations
11. Media
12. Development Partners
13. Private Lenders and Financer

Stakeholders can have an impact, interest and influence on the RAP/ARAP. Determining the level of impact, interest and influence should consider the following:

Direct interests. Citizens that will use the service as well as individual households or local businesses that live adjacent or proximate to a project area, those that may be affected by traffic, noise, odors etc.

Direct Economic Interest. Interest in business and employment opportunities for local people and indigenous groups. Interest in improving wages and conditions for staff and contractors, In-migration from other regions in search of employment and economic opportunities generated by the project.

Revenue Raising Interest: Local politicians interested in additional local tax revenues.

Political Positioning Interest: Interest in demonstrating their ability to control material benefit flows from the project at the village or district level for political status at the local, regency or provincial level.

Business Interest: Interest in securing material and labour supply contracts and other sub-contracting opportunities. The primary contracts for PPPs may be awarded to the private sector outside the local community, but there are indirect contracting opportunities that would be of interest to community citizens with small businesses.

Influence on ARAP/RAP can include:

Direct Responsibility. Those in the community who are directly responsible for the decisions related to the Project and specifically the RAP/ARAP, for example regulators, financiers, politicians or administrators.

Influence Holders. Those in the community that are looked to for guidance or advice such as religious leaders, educators, elders etc.

Objectors. Those in the community that can sway public opinion or obstruct a decision if not involved.

Experienced Community Citizens. Those in the community that have previous experience with resettlement activities or that have been involved in similar community developments in the past.

4.19 Stakeholder Engagement

PAPs are consulted in the survey process; public notices where explanations of the PPP are made; RAP/ARAP implementation of activities; and during the monitoring and evaluation process. Selection of ways to consult, and expand participation by PAPs and other stakeholders,

will take into consideration literacy levels prevalent in affected communities; ethnicity and cultural aspects; and practical conditions (like distance).

The role of traditional political and cultural leaders, including the community elders, in the participation strategy will be important. The resettlement team should ensure that these leaders and local representatives of PAPs are fully involved in designing the public consultation procedures.

The RAP/ARAPs will detail consultations held towards the preparation of the RAP/ARAP in the main body of the RAP/ARAP. There will also be a summary of the consultations held, total number of stakeholders consulted (gender disaggregated numbers), issues discussed, responses provided and how these have been incorporated in the RAP/ARAP.

4.19.1 Data Collecting Phase

Consultations during preparation the collection of background information, and the social survey or social assessment, are critical for successful data collection. The levels of consultation will vary from households to community groups, based on the context of the PPP(s) and the level of interest and influence. The Resettlement team will design the questionnaires, but it will be the households, organizations, and institutions that will validate their effectiveness through feedback. Focus group meetings with women, associations for local businesses, individuals who own shops, stalls, etc., as well as primary and/or secondary schools, health centers are good sources for establishing the community baseline situation.

4.19.2 Implementation Phase

During the earliest phases of the project, PAPs will be informed about their rights and options. The grievance mechanism will continue to operate, and all grievances will be recorded. The participation of local leaders and PAPs in disseminating information and resolving disputes will be important once Livelihood Restoration implementation starts. A dynamic participatory approach involves PAPs in decision making about livelihood and community development programs.

Each RAP/ARAP will develop an organizational framework for implementing resettlement, including identification of agencies responsible for delivery of resettlement measures and provision of services; arrangements to ensure appropriate coordination between agencies and jurisdictions involved in implementation; and any measures (including technical assistance) needed to strengthen the implementing agencies' capacity to design and carry out resettlement activities; provisions for the transfer to temporary relocation facilities and back to redeveloped PPP facilities, responsibility for managing temporary facilities and services provided under the project and for transferring other such responsibilities from the resettlement implementing agencies to the PPP when appropriate.

Meeting minutes for each consultation meeting should be recorded to enable the preparation of a consultation report (a template is provided in Annex D).

4.19.3 Monitoring and Evaluation Phase

PAPs representatives will participate in the PPP workshops at mid-term and at the end of RAP/ARAP implementation. To the extent possible, the RAP/ARAP should include social accountability tools like citizen report cards to assess the quality of RAP/ARAP

implementation, and in some cases, assist the RAP/ARAP team in tracking expenditures. The latter would be significant in helping PAPs with money management and restoring their livelihoods. PAPs will be able to suggest corrective measures, as needed, to improve RAP/ARAP implementation in the PPP(s). Prior to closing the RAP/ARAP, PAPs will participate in a feedback survey as part of the RAP/ARAP's independent impact evaluation exercise.

4.19.4 Documenting Consultation and Participation

Meeting minutes for each consultation meeting should be recorded to enable the preparation of a consultation report (a template is provided in Annex D).

5. CAPACITY BUILDING

5.1 Introduction

IAs and PPP units will receive capacity development in relation to the tools, procedures and content of the RFP and ESMF. This will be integrated across safeguard requirements and linked to the overall capacity building program for TPPP.

Capacity building will include specific training and general workshops and by well qualified specialists. This will cover Zanzibar's requirements, WB Safeguard Policies and guidelines and special topics such as GRM. The PPP units and IAs will also receive general capacity building support from the WB through TPPP. This will focus on support during site visits, assistance developing stakeholder engagement reports, requirements in meeting regulatory requirements such as ZEMA filings, and generally being available on a daily basis to answer questions as needed.

The capacity building will build on training needs assessments (TNAs) to determine readiness to implement the RPF and ESMF. Initial capacity assessment indicates that some experience and capacity for environmental and social management supervision exist at MoFP and among IAs augmented by the links the ministry has established with national environmental and land management authorities. Among some of the key technical staff at LGA level (Environmental Management Officers, Land Officers) there is higher level of knowledge as these individuals implement many of the policy and legal requirements for project, however, there are only few such qualified staff per LGA. Some staff, members of municipal, ward and local management committees and contractors operating locally are not well conversant with the principles and practices of sound and responsible social and environmental management and are lacking the necessary capacity for compliance with requirements of the policies and acts. Particularly, some may have little experience and knowhow in carrying out ESIA's and RAP/ARAPs and handling of environmental compliance, monitoring and auditing of infrastructure projects i.e. good site practices, health, safety and security measures.

A capacity development plan for safeguard activities will be designed within the Capacity Development Strategy prepared for the Tanzania PPP Support Program.²¹ The strategy explains how to deliver the skills and experience needed by the wide range of Zanzibar's stakeholders engaged in PPPs. It offers a wholistic, integrated approach to PPP capacity development that combines classroom-based training with learning-by-doing through a partnering of government staff with experienced PPP advisors. The strategy presents a six-step process for approaching capacity development, which will be followed in developing capacity for safeguards—

1. Identify who the stakeholders are and their interests and involvement;
2. Define what capacity is needed (e.g. skills, knowledge), by the various stakeholders. An assessment is needed of why, who, when, where, and to what level;
3. Analyze the state of the capacity, considering the current and projected demand;
4. Identify strategies that can close gaps between the current capacity and needs, considering time and budget constraints;
5. Monitoring and evaluation of the outputs and impact of capacity building initiatives; and

²¹ TPPP is the recipient executed trust fund of the World Bank's Tanzania PPP Support Program, which is funded by the United Kingdom's Department for International Development.

6. Acting to safeguard service delivery while capacity is being built.

Members of the PPP units and IAs participated in two sets of safeguards training provided by the WB; an event in April 2018 in Dar es Salaam and a second event in Morogoro in October 2018. This training, and the ongoing support to be provided by TPPP, supplement initiatives under other WB Group operations that are addressing institutional and capacity weakness in safeguards management. The main operations building capacity are the ZUSP and proposed new WB operations in Zanzibar.

The practices and experience of these activities and of TPPP will inform continuous assessments of the institutional arrangements and the capacity of the PPP Department and participating IAs to implement the RPF and ESMF. The focus will be on:

- Coordination and linkages—between and across sectors, with other infrastructure development initiatives; and up and down management levels;
- Compliance with requirements of policies, regulations, administrative procedures and local By-laws;
- The number and qualifications of staff (e.g., Heads of Department, Councillors' Committees, Local Management Committees and external Contractors) responsible for environmental and social management under the ESMP responsibilities; and
- The presence or otherwise of a dedicated section (not one person) managing environmental and social issues.

Capacity development will be undertaken to close identified gaps. Consultant inputs will be drawn on to ensure that PPP units and IAs have the resources required to ensure service delivery standards are met as capacity is built. As well as advisors for individual PPPs, a PPP Advisory Team will be formed that include one environmental and one social specialist safeguard expert.

5.2 Training

Objectives

The objective of the training for social safeguards is to:

- support staff of the various IA sector departments and sections relevant to PPPs supported under TPPP to priorities their needs, and to identify, prepare, implement and manage the environmental and social aspects of their PPPs;
- ensure that EMOs and CDOs of LGAs and their equivalent in national agencies have the capacity to assist sector departments in preparing their PPPs, and to appraise, approve and supervise the implementation of PPPs; and
- strengthen local service providers to provide technical support (including basic ESMPs and RAP/ARAPs) to IA project management teams in preparing their PPPs.
- Ensure local leaders and decision-makers responsible for coordination and linking various levels have the tools for conflict resolution and good governance for environmental and social management.

As almost all PPPs to be supported by TPPP are expected to be LGA PPPs, training will emphasis LGAs. National government agencies will also receive training support as needs arise.

Training Needs Assessment (TNA)

A training needs assessment (TNA) will be carried out for the IAs covered by TPPP. The TNA will be conducted prior to the initiation of a RAP/ARAP and ESIA so that the findings can feed into the TNA. The TNA for safeguards will form part of the broad capacity development plan to be put in place for an IA and its PPPs under TPPP.

The TNA for environmental and social safeguards will consider all participants in the safeguards process, including Regional Coordinators, LGA staff, the staff of national agencies, representatives and community leaders, management committees and groups and service providers who will have responsibilities for implementing the ESMP. The TNA will align with the six-step process for approaching capacity development outlined in the capacity development strategy of the Tanzania PPP Support Program.

The TNA is expected to distinguish among different skills and training needs in terms of:

- Detailed technical training for IA project management teams who will need to analyse potentially adverse environmental and social impacts, to prescribe mitigation approaches and measures, and to prepare and supervise the implementation of RAP/ARAPs. It will have a broad range that includes community participation methods; analysis, reporting, and supervision and monitoring;
- Awareness-raising for influential, representatives and community leaders who need to appreciate the significance or relevance of environmental and social issues; and
- Sensitization to the issues for participants who need to be familiar enough with the issues that they can make informed and specific requests for technical assistance; and

Experienced national private or public environmental and social practitioners will carry out the TNA.

Training Plan

Safeguards training will:

- Distinguish among the various participants (e.g. government officials, community leaders and representatives), and between their needs for general awareness building and more specific training;
- Address initial training needs, follow-on analyses of training effectiveness and further or “refresher” training. Include mechanisms for periodically bringing trainees together to examine the need for and design of additional training;
- Follow an outline, detailed agenda and specification of resource needs including venue, trainers, materials, etc. for each type of training activity; and
- Provide for a training-of-trainers (TOT) in training events as appropriate.

Potential training activities are outlined in the table below.

Table 5.1 Overview of Safeguards Training Course

Description of Training	Participants	Form of Training	Duration	When	Cost USD (estimation)
Stakeholder Consultation for Environmental and Resettlement Management	LGA, other IAs, PPP Department	Workshop	2 Working days	Feasibility Study Phase	10,000
Grievance Redress Mechanism	LGA, other IAs, PPP Department	Workshop	2 Working days	Feasibility Study Phase	10,000
Environmental and Resettlement and Management for Policy Makers	LGA, other IAs, PPP Department	Workshop	3 Working days	Feasibility Study Phase	10,000
Environmental and Resettlement and Management for Practitioners	LGA, other IAs, PPP Department	Training and Training of Trainers	5 Working days	Feasibility Study Phase	20,000
Vulnerable individuals and Gender Issues in Resettlement and Environmental Management	LGA, other IAs, PPP Department	Workshop	5 Working days	Feasibility Study Phase	10,000
TOTAL					60,000

Detailed technical training

This is primarily intended for staff engaged in social safeguards management (e.g., management of a RAP/ARAP and ESMP). They will predominately be staff in LGA departments (i.e. sector specialists) and other IAs that are responsible for preparation of PPPs proposals and staff designated as CDOs and Land Officers. Training topics would include an overview of environmental and social issues, introduction to ESIA processes, methods for impact identification, analysis and mitigation (management and action plans inclusive of ESMP and RAP/ARAP), ESIA review and the role of the public and stakeholders, GRM, practical ESIA experience in Tanzania and Zanzibar, and case studies.

Some positions, notably the EMOs and CDOs of LGAs and IAs, will receive social safeguards training in the form of Training of Trainers (TOT) that will enable them to train others in the appraisal and management of PPPs, including supervision and monitoring. This will develop the capacity of these key staff as a key resource for training others within their organizations and enhancing the environmental and social sustainability of PPPs.

An illustrative program for detailed technical training is in the table below. Training could take the form of a one-week (5/6 working days) workshop and be provided by more experienced private or public safeguard practitioners operating at national / international levels.

Table 5.2 Illustrative Program for Environmental and Social Management for Practitioners

Topic/Subject	Duration
Introductory brief	
<ul style="list-style-type: none"> • Definitions (environment, components of the environment, environmental management) • What Environment Management Tools are available for use 	

Topic/Subject	Duration
<ul style="list-style-type: none"> Setting Environmental and Social Assessment Management system, procedures, process 	
Environmental and social assessment process	3 days
<ul style="list-style-type: none"> Screening process: how to identify projects/ components and activities likely to cause impacts (screening list, and the kind of criteria for use in this regard). Preparation of scope (terms of reference) for carrying out ESIA and RAP/ARAP Project categorization as per the WB policies and guidelines Defining valued environmental and social receptors (indicators) in the existing environmental and social conditions Identification and evaluation of impacts: direct, indirect/secondary, cumulative and methods to use and significance criteria etc. Design of appropriate mitigation and monitoring measures for ESMPs and RAP/ARAPs How to review/approve an ESIA report, ESMPs and RAP/ARAPs: conformity list, and the kind of criteria for use in this regard How to incorporate ESMP and ARPA in project designs and in the PPP agreement How to review and approve safeguard elements of tender proposals The importance of public consultations in the ESIA and RAP/ARAP process How to monitor and report project implementation Case studies How to undertake inclusive informed consultations Gender issues in the project area GBV/SEA as issues and the GRM How to make the GRM responsive to all PAPs including women 	
Environmental and social requirements (policies, legislation, procedures and sectoral guidelines) & institutional frameworks	2 days
<ul style="list-style-type: none"> Review and discussion of Zanzibar's environmental and social requirements Review and discussion of the WB safeguards policies and WBG EHS Guidelines requirements Review and discussion of specific sectoral guidelines relevant for infrastructure development How to collaboration with institutions at the local, regional and national levels. e.g. ZEMA, Ministry of Lands 	
Selected topics on environmental components and conservation and social issues	1 day
<ul style="list-style-type: none"> How to make environmental and social profiles of a specific urban area Environmental degradation e.g. land degradation (soil erosion), depletion of natural resources Environmental pollution e.g. air quality, water quality, soil quality Management of waste including handling of hazardous materials. Flood protection/control Ground and surface water management Land and property valuation and compensation Environmental, health and safety 	

Awareness and Sensitization

The objective is to enhance the appreciation by participants of the significance and relevance of environmental and social issues. This is primarily intended for leaders and decision-makers responsible for review and approving PPPs and the management of safeguards under these PPPs, such as:

- Higher level participants: Regional Coordinators / Influentials (RC/RAS/MPs), Council Executive Directors, Council Coordinators / Influentials (DC / Councillors of respective wards), Council Committees (on environment, health, resettlement) and affected public roads and utility authorities;
- Lower level participants: Ward and Sub-Ward Executive Officers, WDC, and Local Management Committees.

Subjects covered could include:

- Main social problems and challenges and issues within the sectors (e.g., in infrastructure construction and operation);
- Social assessment and management context, including relevant policies, regulations and procedures;
- Review of social screening and assessment process; and
- How to screen the safeguard aspects of PPPs, inclusive of how to appraise and approve ESMPs and RAP/ARAPs and to supervise their implementation.

5.3 Learning-by doing

Practical-based learning-by-doing will be provided in combination with the classroom-based training. This will be linked to actual PPPs to ensure stakeholder have both the skills and experience required to deliver a sustainable PPP program. Project needs and how they are met will provide a continuous update on the state of capacity and the gaps to be filled. The progress of individuals and agencies in progressively taking on more responsibility and more complex tasks will provide a measure of progress.

External advisors have a critical role to play. They need to provide the missing skills and experience so that projects can be successfully completed. At the same time, advisors must transfer their skills to stakeholders, such as working side-by-side with and mentoring the staff of IAs and PPP units.

LGAs and other IAs without the requisite capacity and knowledge for implementing RAP/ARAPs will require additional technical assistance to fill gaps while capacity is built. Under learning-by-doing, the skilled and experienced environmental practitioners (e.g., from RAP/ARAP consultants) that fill gaps and prepare project studies carry an important mentoring responsibility for officials and stakeholders.

Learning-by-doing needs to be managed actively. Advisors often feel more comfortable preparing reports and studies. This is the typical responsibility of an advisor and provides clarity to work plans and performance. Adding in a responsibility to build capacity by working side-by-side with clients can take advisors into new, loosely defined ways of working and challenges that are beyond their control and often are poorly understood. Active management can include assigning capacity development responsibilities to only some advisors, with others left to work in the usual way.

6. BUDGETING

6.1 Overview

Because costs of any resettlement compensation or livelihoods protection are determined at the feasibility stage, it is not possible to produce a detailed budget for implementation of the RFP. Once a budget is finalized for each PPP, it will be subject to approval by the WB. An example of a RAP/ARAP budget outline is in the table below. Other line items that may be needed include costs for the GRM, monitoring (staff time and logistics), and communications campaigns. Compensation will be calculated in Tanzania shillings. Rates will be adjusted for inflation.

The estimated cost of engaging a consultant to prepare a RAP report is around USD20,000 per PPP. In collaboration with respective IAs a learning-by-doing is being supported through capacity building that will enable IAs to develop RAPs for submission and review. This will lower the cost for some PPPs. ARAPs are will cost much less to prepare.

Each IA is responsible for paying any compensation required and implementing RAP/ARAPs in accordance with the RPF. Resettlement activities under TPPP will be financed through the government budget or own resources of the IA. The IA will determine the source of funding will come from, but no projects will proceed to Procurement Phase unless resettlement costs have been fully paid. For PPPs that involve relocating small traders, businesses or other economic activities, the relocation plan will be developed prior to the Procurement Phase. Temporary relocation will be undertaken and funded by the IA.

The preparation and implementation of RAP/ARAPs will be financed through the administrative and financial management rules and manuals issued by the Revolutionary Government of Zanzibar. Such sources could include annual budgets approved through parliament or councils; own source revenue; local taxes and levies collected in the LGA; or loans from commercial banks

TPPP will only support PPPs that have a firm budget for resettlement assistance or rehabilitation. Prior to procurement of the private partner to PPPs with TPPP assistance, the IA will be required to demonstrate to the PPP unit and WB they have a firm budget for any resettlement assistance or livelihood rehabilitation. TPPP assistance for procurement of the private partner will only be provided where this firm budget is demonstrated.

Table 6.1 Indicative Cost of RAP/ARAP Implementation

ASSET//Activity	AMOUNT OR NUMBER	ESTIMATED COST (TZS)
Structure	50	1,000,000,000
Crops (seasonal or permanent)	300	60,000,000
Community infrastructure	-	50,000,000
Training	2	200,000,000
Grievance Redress Mechanism	-	20,000,000
Monitoring	4	200,000,000
Contingency	-	30,000,000
Allowances (transport, accommodation, disturbance)		200,000,000
Livelihood restoration		40,000,000
Total		1,800,000,000

6.2 Budgeting Templates

At this stage, it is not possible to estimate the exact number of people who may be affected since the technical designs/details have not yet been developed and land needs have not yet been decided upon. When these locations are known, and after the conclusion of the site-specific socioeconomic study, information on specific impacts, individual and household incomes and numbers of affected people and other demographic data would be available, thus facilitating the preparation of a detailed and accurate budget for resettlement and compensation.

MoFP and the CA will estimate a budget for preparing the RAP/ARAP and fund this through the administrative and financial management arrangement applying to any other activity eligible for payment under the TPP. A sample template for costing resettlement is shown in the table below.

Each RAP/ARAP will include a detailed budget, using the outline of a RAP/ARAP budget show in the table below. This table shows the features that the budget must contain.

Table 6.2 Resettlement Costing Template

#	Item	Cost	Assumption
1	Compensation for loss of Land	No. hectare	For land acquisition purposes, based on cost realized in projects involving similar issues in Tanzania.
2	Compensation for loss of Crops	hectare of farm lost	Includes costs of labor invested and average of highest price of staple food crops as per methods described in Section G of this RPF.
4	Compensation for Buildings and Structures		This compensation would be in-kind. These new buildings would be built and then given to those affected. Cost based on basic housing needs for a family of ten, including house with four bedrooms, ventilated pit latrines, outside kitchen and storage.
5	Compensation for loss of business or profit	/Business owners or tenants	Calculated based on the opportunity cost equivalent to tax records for previous year (or tax estimates where such records do not exist). Opportunity cost compensation equivalent tax records for previous year (or tax records estimates), or the relocation allowance, Relocation assistance (costs of shifting). Assistance in rental/lease of alternative months) to re-establish the business.
6	Compensation for Trees	/year/tree	Based on methods described in this RPF for compensation for trees.
7	Cost of Relocation	/household	This cost is to facilitate transportation, etc.
8	Cost of Restoration of Individual Income		Assumed to be higher than the GDP/capita
9	Cost of Restoration of Household Income		Through employment in Program Activities
10	Cost of assisting vulnerable individuals		As described
11	Cost of Training Farmers, and other PAPs		This is a mitigation measure, which seeks to involve those affected by the project activities. This figure represents a cost of around TZS/person

Table 6.3 RAP/ARAP Budget Template

Asset acquisition	Amount or number	Estimated cost (TZS m)	Agency responsible
Land			
Structure			
Crops and economic tress			
Community infrastructure			
Land Acquisition and Preparation			
Land			
Structures			
Crops areas and others			
Community infrastructure			
Relocations			
Transfer of possessions			
Installation costs			
Economic Rehabilitation			
Training			
Capital Investments			
Technical Assistance			
Monitoring			
Contingency			
#	Item	Costs	Assumptions
1	Compensation for loss of Land	/hectare	For land acquisition purposes, based on average market cost, or from similar projects
2	Compensation for loss of Crops	/hectare of farm lost	Includes costs of labor invested and average of highest price of staple food crops and Zanzibar's market prices
5	Compensation for Buildings and Structures	If applicable	This compensation may be in-kind or cash. Costs for basic housing needs should include ventilated pit latrines, outside kitchen, and storage
6	Compensation for loss of businesses		See above budget table
7	Compensation for Trees	/year/tree	Includes costs of labor invested and average of highest price of trees (and tree products) and market prices
8	Cost of Relocation Assistance/Expenses	/household	This cost reflects the moving and transportation allowance
9	Cost of Restoration of Individual Income		Assumed to be higher than the GDP/capita
10	Cost of Restoration of Household Income		These costs reflect the livelihood restoration program of the RAP
11	Cost of Training PAPs		This is a mitigation measure involving capacity building and involves PAPs and affected communities

Annex A: Stakeholder's Consulted

Stakeholders were consulted to obtain their views and concerns regarding the ESMF and RPF. This was undertaken in two steps. The first step was to consult on a sample of PPPs being considered for support under TPPP, being PPPs in preparation under ZUSP. At each IA available documents (i.e. environmental / economic / social data and assessments, land use plans and other planning materials) were gathered and interviews/discussions conducted with relevant project implementers and persons in-charge of PPPs. The consultation covered environmental and social conditions in the IAs, institutional arrangements, the capacity for environmental and social management, and PPP-specific environmental and social matters. The consultation also addressed the need for the PPP, its mode of operation, willingness to pay, physical design, location-specific issues, temporary relocation, and challenges that are facing existing facilities. Stakeholder views fed into preparation of the draft ESMF.

The second step was to seek views from stakeholders on the draft ESMF and RPF. The draft ESMF and RPF were circulated to stakeholders for comment and review in a clinic held in Zanzibar December 5-6, 2018. The workshop discussed the design and use of the ESMF and RPF. Stakeholders were encouraged to share comments in open discussion with their peers, facilitated by MoFP staff responsible for safeguards, and to seek the views of safeguard managers within the relevant IA (e.g., their LGA). Stakeholder engagement will continue through the project cycle of the PPP supported by TPPP.

A summary of persons consulted is provided in the tables below. Comments raised on the ESMF and RPF are summarised below.

Table A.1 Persons Consulted on the 13 Candidate PPPs 15-16 October 2018

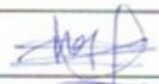

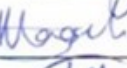
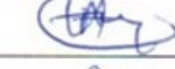



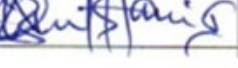
SUZA . ATTENDANCE LIST – ZANZIBAR 16 OCTOBER 2018

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Table A.3 Outline of Comments on the RPF and ESMF

Comment	Response
Further information is required on the 3 environmental impact categorizations under WP 4.01 and their impact on WB support to a PPP	Additional material has been included in the ESMF to address this point
Further information was sought on brownfield rehabilitation projects, noting ZEMA does not have any guidelines on environmental and social impact for brownfield projects. ZEMA does however have an audit system for brownfield projects and does not require an ESMP.	Brownfield PPPs will be treated the same as greenfield PPPs under the ESMF and RPF, as all candidate projects involve new construction whether they are brownfield or greenfield. The only difference is the brownfield project must manage the replacement or upgrade of an existing facility.
It was emphasized that efforts should be made to closely link the WB processes with the ZEMA processes.	Additional material has been included in the ESMF to address this point
Additional technical assistance and capacity development was called for is much needed on social and environmental safeguards. WB short trainings, seminars and monthly sessions on safeguard issues were proposed.	Additional material has been included in the ESMF and RPF to explain the technical assistance and capacity development that will be provided by TPPP, including the budget.
Key challenges will be faced on social impacts, resettlement, as Zanzibar does not have a clear resettlement policy. Further the resettlement approach currently utilized in Zanzibar does not provide for compensation of land (as constitutionally, all land in Zanzibar where occupied or vacant is publicly owned). The laws of Zanzibar generally provide for compensation of fixed value of crops and structures. It was noted that due to World Bank approach of ensuring that the PAPs are left better off, the ZUSP project has used market value for compensation.	The challenges are noted. The RPF makes clear that both Zanzibar legislation and WB safeguard policies must be met. The adjustments that Zanzibar has already made work under other World Bank operations will continue under TPPP. TPPP will not support PPPs requiring land acquisition.
Compensation by cash is problematic in Zanzibar as it has encouraged purchase of land on the black market. Alternatives should be considered, such as including PAPs in government housing schemes. In Zanzibar the principal land law is considered land as public asset. Since independence citizens can access land in two ways, unofficial and official where the government can only recognize the land use rights in any case and not land ownership. Therefore, if we still consider to pay PAPs on their structures and/or crops on cash compensation erected on the land which is not theirs it is very possible to encroach in another piece of land and construct houses or planting crops unplanned which is very risk in the future. Therefore, since, the issue of land use planning and enforcement is not well implemented, it is suggested that WB projects can comply with the long term housing development agenda on constructing planned housing schemes such as Michenzani and Mombasa kwa Mchina which can easily be used for resettlement for those affected PAPs who need to be reallocated instead of giving them cash and can encroach into the marginal areas looking for cheap housing development and can end up	The observations are noted. Entitlements for resettlement or the disruption to livelihoods under TPPP will be as summarised in the RPF's Entitlement Matrix.

Comment	Response
with accelerating flooding and disease. If there is physical resettlement, and it is farmed land, farmers may be offered alternative land plots where they can continue farming under the same conditions as previously.	
It was suggested that further efforts should be made to create synergies on projects and other development efforts from either other development partners, private and public in order to avoid misuse and duplication of resources. This WB projects can be coordinated through ZUSP and can use the well-established safeguards unit under ZUSP project.	Maximum use will be made by TPPP of implementation arrangements established under other WB operations in Zanzibar, including ZUSP. Notably, TPPP has generally adopted the procedures for environmental and social management of ZUSP.
An approach taken on all safeguard issues should be one of a community-centered approach.	This approach is agreed as an underpinning of TPPP. It is highlighted by the effort made to ensure good stakeholder engagement in all phases of the project cycle.
A member from ZECO noted that his main concern relates to inclusion of land in the compensation amount. He felt that this would substantially increase the government contribution in a proposed PPP, potentially to the point of making many projects unaffordable. Of which, the clarification was once again offered that only privately-owned land is compensated.	TPPP will not support PPPs requiring land acquisition. As TPPP will support relatively small and simple PPPs, and the main impact is likely to be the temporary relocation of users of an existing facility while it is reconstructed, compensation costs should not be a major barrier.
Government valuers should ensure that they expressly categorize their valuations – land value, transport allocation, disturbance allowances, structure and crops	The RPF recognises the important role of government valuers and provides guidance on the conduct of their valuations.
The potential value of a change to laws & policies in relation to compensation in Zanzibar was discussed. It was noted the current law provides very little compensation for crops/vegetation/trees on project lands. An example was given on Palm tree which is valued at 500/= Tanzania Shillings only per tree according to Zanzibar laws.	The point is noted. The treatment of compensation explained in the RPF and summarised in the Entitlement Matrix is to be followed by the TPPP.
Participants enquired about what would happen to reallocation when someone is not satisfied with compensation.	TPPP will establish a grievances redress mechanism following that already in place in Zanzibar WB operations such as ZUSP. This involves Shehia (Ward Chairman) all the way up to District Commissioner.
To have full support from the community during project implementation it is a must to have detailed studies done before implementation of the projects. This will highly reduce conflicts.	This point is endorsed. The RPF and ESMF are important elements of TPPP's approach to ensuring full community support or ending PPPs that do not secure such support.

Annex B: Stakeholder Committees

PPPs supported by TPPP that require a RAP/ARAP will utilise the committee structure established under ZUSP. The committee members and roles that will be used by each RAP/ARAP are outlined below.

Resettlement Committee

The Resettlement Committee Role:

- Provides oversight, management and coordination of RAP/ARAP implementation activities and teams;
- Serves as a liaison with municipalities, districts, government agencies and other stakeholders;
- Reviews periodic progress report in accordance with RAP/ARAP guidelines; and
- Resolves any problems related to coordination of the other committees.

The committee will include the following members:

- Senior representative of the PMT(Chair);
- Representative of MoFP;
- Representative of District Commissioner;
- Representative of Ministry of Lands;
- Consultant to the RAP/ARAP;
- Representative of a local Administrators / Shehia; and
- Representative of PAPs.

Compensation Committee

A Compensation Committee will be established by the Ministry of Finance for each RAP/ARAP to:

- Coordinate management of compensation process;
- Ensure compensation is consistent with RAP/ARAP guidelines;
- To keep records of monies paid (accounting group); and
- To issue compensation payments and bank them (banking group)

The Compensation Committee will include the following members:

- Representative of the PMT (Chair);

- Representative of Principal secretary of MoFP ;
- Representative of District Commissioner;
- Representative of ZMC;
- Representative of Ministry of Lands;
- Consultant to the RAP/ARAP;
- Valuer; and
- Representative of PAPs.

The following Teams were utilized by ZUSP for Resettlement, and the same process will be used by TPPP. A **Compensation Payment Team** will be established with oversight of the Compensation Committee. The main objective of the compensation payment team is to directly carry out the compensation payments to the PAPs. This team will have three main functions: (1) to keep records of monies paid (accounting group); (2) to issue compensation payments and bank them (banking group) and (3) to resolve any disputes (with the grievance committee).

An accounting group will ensure that all payments are made and that all legal documents are signed and witnessed. The accounting group will brief PAPs on the payment process and following the briefing go through the documentation. In the presence of the zonal leader (Shehia) the accounting group must confirm that the PAP is satisfied with the payment to be made. If the owner is dissatisfied with the payment the accounting group will need to refer them to the grievance redress group. All these processes will be documented.

A banking group will issue compensation payments and bank them. Other projects in Zanzibar have recruited representatives from Tanzanian banks to carry out banking transaction on sites where PAPs can receive immediate cash advances from their deposited cheques. Given that the project area is quite centrally located and that there are a large number of banks in the vicinity this is recommended. To have an easy and tractable follow of funds to the PAPs the following steps will be followed:

- An escrow account to handle compensation funds will be established by the Ministry of Finance
- All PAPs will open bank accounts and a certified list of names will be sent to the ZUSP PMT
- PAPs will be informed by the PMT when funds have been deposited.
- Vulnerable PAPs, especially those with low education and disability will be assisted by the independent NGO hired by the PMT and the Shehia during this process.

Given the small nature of the resettlement impact of the project combined with the fact that some of the structures can be affected during the construction of the drainage due to their poor construction methods (e.g. lack of foundations). As a result, if a structure is damaged and suffer an indirect impact during the construction, they will be compensated through the contractor with support from the compensation and the community liaison and grievance redress team of

the GRC. It is important to note that the above payment options refer to cash compensations. For *in kind* compensations, the contractor be responsible for the re-construction of a better structure than the one damaged. This should be done immediately after the drainage channels in the affected location are finished. It will be the compensation payment team's responsibility to ensure this *in kind* compensation occurs in a timely fashion and that the new structure is better than the previous.

Shehia's office. In Zanzibar, the sub-district (sub-municipality and sub-town council) local administration is exercised through the Shehia. According to the Regional Administration Authority Act number 1 of 1998 (Section 17), the Shehia within their Shehia is responsible for the following:

- The implementation of all the Government laws, orders, policies and directives, for maintenance of law and order;
- Reconciliation and settlement of all social and family disputes arising in that area in accordance with the cultural and customary values of that area and wisdom;
- Keeping records of all documents relating to the registration of marriage, divorce, births and deaths, ngoma permits, transportation of crops, livestock, charcoal permits and so forth as directed from time to time by the institutions concerned; The control of immigration in his Shehia and keeping records thereof; Receiving notification for convening all public meetings; To do all other things which are legal and have been assigned to him by the District Commissioner A "Shehia Advisory Council" is established to advise the Shehia. The Council is supposed to be composed of a minimum of 12 members – all appointed by the Shehia himself in consultation with the District Commissioner. A third of the members shall be "elderly person" (60 years or above and "respectable in his Shehia").

TPPP will appoint a **Community Liaison and Grievance Redress Officer** within MoFP. The key objective of this officer is to ensure good project relations with both the PAPs and local residents of the affected areas. The officer will be responsible for informing the PAPs and local residents about the resettlement and compensation process.

The Community Liaison and Grievance Redress Officer's specific tasks will be to:

- Prepare and distribute notices of meetings at least one week prior to the meetings to local leaders and media such as radio, TV and newspapers. Notices should be distributed in Kiswahili;
- Organize meetings with local government leaders at the village level and distribute notices for general meetings to local government leaders, NGOs and villagers;
- Distribute notices, press releases at various points (such as at local government offices, markets, schools, churches and mosques);
- Meeting with the Shehias to explain the resettlement process and to answer questions about the process;
- Select appropriate locations for use as payment centres for compensation payments;

- Explain the compensation payment process including the benefits of using a bank and the role of the bank.
- Explain methodology used to calculate compensation values;
- Present a summary of the RAP/ARAPs to PAPs, local residents and other project stakeholders, its role and process;
- Explain the process for resolving disputes that may arise during the compensation payment process;
- This will include the explanation of residents' legal rights and how to file a dispute in the legal system should they wish to lodge a legal complaint;
- Discuss any socio-economic issues regarding the RAP/ARAP that are raised by the community; and
- Responsible for verifying the identity of the PAPs listed in the resettlement action plan. This officer will work closely with the community liaison team and the local ten-cell leader. With regards to the grievance redress mechanism, it is important that this officer is present at the time of payment at the payment centres and addresses any disputes that may arise. The proposed RAP/ARAP includes a mechanism to ensure that entitlements are effectively transferred to the PAPs and there is proper disclosure of information and consultations with the affected community. However, there is an additional need for an effective and efficient grievance redress mechanism, which will respond to people's queries and problems and address key issues, concerns and complaints.

Annex C: Sample Table of Contents for RAP

EXECUTIVE SUMMARY

1. SCOPE OF THE RESETTLEMENT ACTION PLAN – INTRODUCTION
 - 1.1 SCOPE AND CONTENTS OF THIS REPORT
 - 1.2 KEY DEFINITIONS

2. PROJECT DESCRIPTION AND PROJECT POTENTIAL IMPACTS
 - 2.1 PROJECT OBJECTIVES
 - 2.2 THE PROJECT FOOTPRINT AND ITS POTENTIAL LAND IMPACTS
 - 2.3 MINIMIZATION AND AVOIDANCE OF PROJECT DISPLACEMENT IMPACTS

3. LEGAL FRAMEWORK
 - 3.1 TANZANIAN LAW
 - 3.2 TANZANIA PPP PROGRAM REQUIREMENTS

4. PRINCIPLES, OBJECTIVES, AND PROCESSES
 - 4.1 PRINCIPLES AND OBJECTIVES
 - Applicable Regulatory Framework
 - Minimization of Displacement
 - Cut-Off Date and Eligibility
 - Livelihood Restoration
 - Compensation
 - Consultation – Grievance mechanisms
 - 4.2 PROCESS OVERVIEW
 - With Expropriation (formalized ownership)
 - Without Expropriation (informal occupation)

5. BASELINE OF AFFECTED ASSETS AND AFFECTED PEOPLE
 - 5.1 SOCIO-ECONOMIC BASELINE CENSUS
 - 5.2.1 Methodology
 - 5.2.2 Implementation
 - 5.2.3 Results
 - 5.3 SURVEY OF AFFECTED LAND
 - 5.3.1 Estimates of Surfaces Potentially Required
 - 5.3.2 Categorization of Land Needs (Permanent, Temporary)
 - 5.3.3 Land Tenure Regimes
 - 5.4 AFFECTED STRUCTURES
 - 5.4.1 Estimates of Numbers of Affected Structures
 - 5.4.2 Categorization of Structures
 - 5.4.3 Structure Ownership Regime
 - 5.5 SURVEY OF AFFECTED BUSINESSES
 - 5.5.1 Estimates of Numbers of Affected Businesses
 - 5.5.2 Categorization of Businesses
 - 5.5.3 Business Ownership Regime

6. RESETTLEMENT AND COMPENSATION STRATEGY
 - 6.1 ENTITLEMENTS
 - 6.1.1 Eligibility to Compensation
 - 6.1.2 Entitlement Matrix
 - 6.2 VALUATION OF AFFECTED ASSETS
 - 6.2.1 Land
 - 6.2.2 Structures
 - 6.2.3 Crops and Trees
 - 6.2.4 Businesses

- 6.3 RESETTLEMENT
 - 6.3.1 Reconstruction
 - 6.3.4 Livelihood Restoration
- 6.4 COMPENSATION
 - 6.4.1 Rates
 - 6.4.2 Payment
- 7 CONSULTATION AND DISCLOSURE
 - 7.1 MAIN RESULTS OF CONSULTATION
 - 7.2 ENGAGEMENT PLAN FOR FURTHER STAGES
 - 7.3 DISCLOSURE
- 8 GRIEVANCE MANAGEMENT MECHANISMS
 - 8.1 REGISTRATION OF GRIEVANCES
 - 8.2 FIRST TIER OF ACCEPTABLE SETTLEMENT
 - 8.3 SECOND TIER OF ACCEPTABLE SETTLEMENT
 - 8.4 APPEAL TO COURT
- 9 VULNERABLE INDIVIDUALS
 - 9.1 IDENTIFICATION OF VULNERABLE INDIVIDUALS
 - 9.2 POTENTIAL ACTIVITIES IN ASSISTANCE TO VULNERABLE INDIVIDUALS
- 10 MONITORING AND EVALUATION
 - 10.1 GENERAL OBJECTIVES OF MONITORING & EVALUATION
 - 10.2 AUDITING AND MONITORING DURING IMPLEMENTATION
 - 10.2.1 Scope and Content
 - 10.2.2 Reporting
 - 10.3 EVALUATION
- 11 IMPLEMENTATION RESPONSIBILITIES AND FUNDING
 - 11.1 IMPLEMENTATION RESPONSIBILITIES
 - 11.2 BUDGET AND ARRANGEMENTS FOR FUNDING
 - 11.3 TIME SCHEDULE

Annex D: Sample Outline of Consultation Reports

1.0 Introduction.

1.1 Project Description

1.2 Applicable Laws, Regulations, and Policies to Public Engagement

1.3 Project Partners

2.0 Stakeholder Analysis

2.1 Areas of Influence/Stakeholders

2.2 Description of Stakeholders

3.0 Stakeholder Engagement

3.1 Previous Consultation Activities

3.2 Implemented Stakeholder Engagement Activities

3.3 Project Sponsor's Stakeholder Engagement Plan

4.0 Summary of Key Issues

5.0 Future Consultation Events

6.0 Disclosure Plan

Annex E: Sample Monitoring Indicators

S/N	Component	Socio-Economic Impact	Indicators	
			Quantitative	Qualitative
Development of RAP/ARAP				
	Stakeholders participation	Consultation and participation with stakeholders, especially vulnerable individuals	Number of meetings carried out in the project area Participants according to gender	
	Writing of RAP/ARAP	Delays between initiating the ARAP/RAP document and finishing can create uncertainty and business risks for PAPs	Number of months needed to develop the RAP/ARAP	
Disclosure of RAP/ARAP				
	Stakeholder participation	Broad disclosure of RAP/ARAP is important in ensuring its successful implementation	Number of people attending meetings where RAP/ARAP is disclosed	
Implementation of RAP/ARAP				
1	Compensation	Timely and adequate compensation of the affected properties	All the affected people are compensated adequately	Less grievances/complaints
2	Grievances	Effectiveness of the grievance mechanisms	Less grievances reported to the project office Reported grievances resolved Less court cases reported	Satisfaction of the PAPs
4	Assistance to vulnerable individuals	Specific opportunities for vulnerable individuals	Of the identified vulnerable individuals in the project area, percentage of those who received any form of assistance Number of complaints from the affected vulnerable individuals	
5	Impoverishment of the PAPs	Loss of income sources or productive assets (whether or not the affected person move to another location).	Decreased/ Increased levels of poverty in the area Number of income sources/productive assets moved or affected Number of people who lost productive assets and managed to establish and/or replace new ones New economic ventures establish in the villages	

S/N	Component	Socio-Economic Impact	Indicators	
			Quantitative	Qualitative
8	Food	Food security	Agricultural productivity Food shortage in the community Reported number of months with shortage of food.	Food intake (number of meals taken per day per household)
9	Housing	Types of housing	Percentage of houses replaced Quality of houses replaced based on Zanzibar National Standards	Housing situation improved or the same