



East African Crude Oil Pipeline

Social and Resettlement Services for the East African Crude Oil Pipeline, Tanzanian Section

Resettlement Policy Framework

Total East Africa Midstream BV


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EXECUTIVE SUMMARY

Overview

The East African Crude Oil Pipeline (EACOP) (the 'Project') involves the construction and operation of a buried, cross-border pipeline to transport crude oil from the Lake Albert area in Uganda to the eastern coast of Tanzania for export to international markets. The pipeline will run from Kabaale in Hoima District, Uganda, to a Marine Storage Terminal (MST) at Chongoleani, Tanga Region, in Tanzania, on the East African coast. The length of the pipeline is 1,450 kilometres (km), of which approximately 1,147 km will be in Tanzania. The pipeline will cross from Uganda to Tanzania at the border town of Mutukula. The pipeline will traverse eight regions and 25 districts in Tanzania.

Total E&P Uganda B.V. (TEPU), Tullow Uganda Operations Pty Ltd (TUOP) and CNOOC Uganda Limited (CUL) ('Upstream Partners') hold interests in petroleum resource licences near Lake Albert, Uganda. The Government of Uganda and the Government of Tanzania, combined with the Upstream Partners, wish to construct this transboundary export pipeline and related facilities and infrastructure.

Although the pipeline route has been designed to minimize environmental and social impacts, some physical displacement (loss of shelter or relocation of households) and economic displacement (loss of, or interruption of access to, land or other livelihood resources) for communities will be unavoidable and land access will be required for the various Project components.

The governments of Uganda and Tanzania signed an Inter-Governmental Agreement (IGA) for the EACOP Project on 26 May 2017. This sets out the land rights framework for the Project agreed by the governments, including compliance with international financing standards. As such land access and resettlement planning for the Project will be undertaken in terms of the Tanzanian legal framework and international good practice (IGP) standards, as represented in the International Finance Corporation (IFC) Performance Standard (PS) 5 on Land Acquisition and Involuntary Resettlement. In instances where a given project comprises sub-projects or multiple components that cannot be identified before project approval, or that may be implemented sequentially over an extended period, PS5 allows for the prior development of a Resettlement Policy Framework (RPF) outlining the general principles for the resettlement planning. The purpose of this RPF is to define the principles for land access, compensation and resettlement planning, and is the precursor to the individual RAPs and/or LRPs.

In 2015, the Tanzanian and Ugandan Governments approved a 50 km-wide route corridor, which was reduced to a 2 km-wide corridor in 2016 and 100 m-wide in early 2017. During 2017, the route was reduced to a 30 m width within which the construction and permanent corridor will be located.

Most land in the Project area is held under customary tenure, with registered or titled land being limited mainly to urban centers (avoided by the pipeline route planning). The

economy of the Project-affected regions is based on small-scale agriculture and livestock husbandry. Some small-scale mining is also present.

The Project will require access to over 4,000 hectares (ha) of land. Most of this (nearly 90%) comprises the construction corridor for the export pipeline. The current estimated land requirements of the Project are summarized in Table ES 1-1.

Table ES 1-1: Estimated Land Requirements

Project Component	Estimated Affected Area
Construction Facilities	
Coating Plant/Pipe Yard (1 in Tanzania)	40 ha
2 Main Construction Camps with Marshalling Yards	17.5 ha + 18.0 ha = 35.5 ha
10 Main Construction Camps/Pipe Yards	Between 17.5 ha and 18.4 ha, approximately 175 ha in total
Construction and Operation	
New Access Roads to construction facilities, pipeline corridor and above-ground installations (AGIs)	Estimate: 74 ha
Operational Facilities	
<i>Export Pipeline</i>	
30 m wide Construction Corridor	30 m corridor: 3,441 ha
Additional temporary Construction Workspace along Corridor (estimate)	163 ha
<i>Permanent AGI</i>	
Marine Storage Terminal/Tanks	72 ha
4 Pumping Stations (includes buffer, construction staging area, etc.) (15.0 ha each with 1.0 ha in pipeline corridor)	4 x 14 ha outside 30 m corridor = 56 ha
2 Pressure Reduction Stations (estimated 3.3 ha each additional to pipeline corridor)	2 x 3.3 ha outside 30 m corridor = 6.6 ha
Hydrotest Water Storage	<i>To be confirmed</i>
Main Line Valves Stations and Electrical Sub-stations	<i>Constructed within pipeline corridor, no additional land required</i>
Total Project Land Requirement (Construction and Operation)	4,063 ha

The first step in the process will be the establishment of construction facilities – construction camps and pipe yards, a coating plant, marshalling yards and construction access roads. In this document, “Priority Areas” is used as a collective term of these facilities, since these facilities need to be established before other construction activities can proceed. This is relevant from the perspective of resettlement, since land access to the Priority Areas will be required some months earlier than for the remainder of the Project footprint.

On pipeline projects of this magnitude, construction typically takes place concurrently at several locations along the pipeline route, with a construction team at each location moving progressively along the route. The area covered by each individual construction team is

referred to as a “spread.” The pipeline construction plan will determine the number of spreads required, based on the terrain along the final route. Once commenced the EACOP construction will take around 36 months.

Restrictions on entry to Project land during construction will be determined on the basis of health and safety considerations. Where certain restrictions are unavoidable, provisions will be made during construction for crossing of people, vehicles and livestock across the pipeline route. After construction and during the Project's operation phase, the following land use arrangements will apply:

- ***In areas categorized as Village Land prior to the Project:*** The entire 30 m corridor will be restored to grassland. No development of structures, planting of deep-rooted trees or agricultural activities (e.g. crop production) will be allowed. Livestock will, however, be allowed to cross and graze in the corridor;
- ***In areas previously categorized as Reserved Land*** and designated as a protected and/or designated area (e.g. Forest Reserves, Game Reserves, Wildlife Management Area, Game Controlled Area and Open Area): Land cover will be restored and land use managed to achieve equivalent biological capacity. No development of structures or agricultural activities (e.g. crop production) will be allowed in the corridor, and no deep-rooted trees will be planted on the 10 m strip above the pipeline. In some of these areas, livestock currently may not be permitted (e.g. in some of the Game Control Areas) and this restriction will continue after conversion. Where livestock is currently allowed in these Reserved Land areas, it will be able to cross and graze in the corridor;
- ***Crossing of the corridor:*** During operation, the Project will require access to the pipeline corridor at all times for inspection, maintenance and repair. The pipeline corridor will not generally be fenced and pedestrian and livestock crossing will be generally allowed. Vehicle crossing will be limited to the existing road and infrastructure crossing arrangements; and
- ***Above-Ground Installations and the MST:*** These will be fenced, and access to these facilities will be strictly controlled.

Legal, Policy and Institutional Framework

The Project is obliged to meet Tanzanian legislative requirements for land acquisition, compensation and resettlement as well as applicable international financing standards enshrined in the Equator Principles (EPs) III and the IFC PSs.

A gap analysis between national legislation and international standards and proposed approaches for the Project has been generated. The analysis provides an overview of the Tanzanian legislative requirements and IFC standards with regard to resettlement and compensation. Any material gaps between the two sets of requirements are, as far as possible, addressed in the Entitlement Framework provided.

The RFP confirms that, where a discrepancy exists between lender requirements (EPs and IFC PSs) and national legislation, the more stringent of the two will be used and/or applied.

Socio-economic and Land Use Context

The pipeline runs through eight of the country's 31 regions and 25 Districts, see Figure ES 1-1.

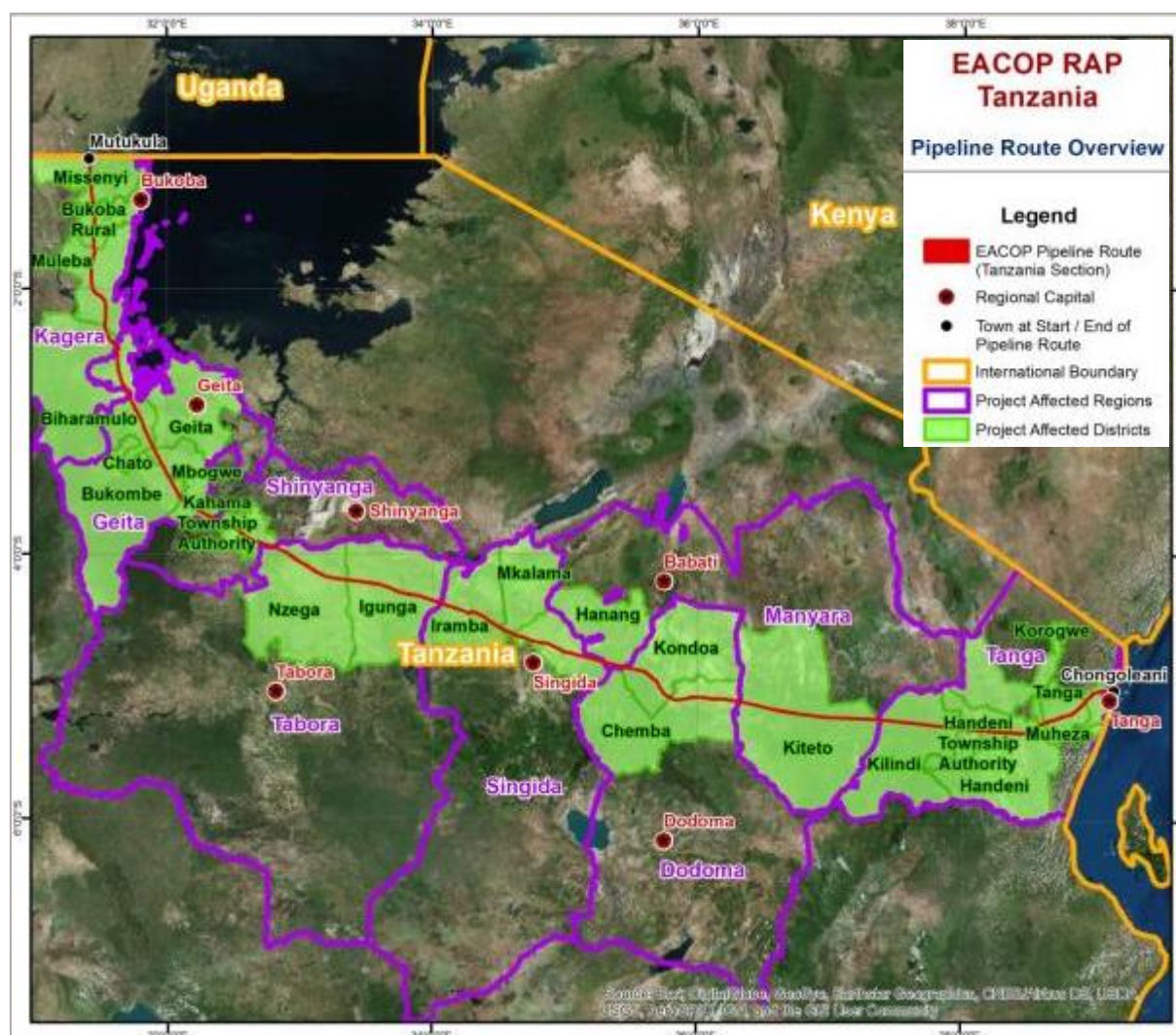


Figure ES 1-1: The Pipeline Route and Affected Regions and Districts

The Project footprint is primarily located on rural land. Analysis of available satellite imagery, differentiate between three categories of land in the project impacted area. These are:

- Category 1- Land used for cultivation (with no discernible dwellings);
- Category 2 -Land with dwellings interspersed with cultivation and/or grazing; and
- Category 3 -Vacant or grazing land with no dwellings and little or no cultivation.

The majority (about 55%) of land affected by the Project falls within the first category. Departures from this trend are evident in the two northernmost regions affected by the

Project footprint (i.e. Kagera and Geita, where approximately 50% of the land traversed by the pipeline corridor falls in the second category), as well as in Manyara Region (where most land falls in the third category).

Several cultural heritage sites are also found along the pipeline corridor, including ritual trees, caves, drumming stones and wells. During the pipeline route design process, care was taken to avoid graveyards and sites of cultural significance as far as these were known.

Displacement-related Impacts

The main displacement-related impacts that will be caused by the Project are as follows:

- **Physical displacement.** It is anticipated that it should, in many cases, be possible to construct replacement structures on an alternative location within the same plot of land. Where this is not possible, households will be relocated to suitable locations in the same village. Thus, it is likely that most of the impacts typically associated with long-distance relocation will be avoided.
- **Loss of business structures.** Small-scale business activities are common in most villages in Tanzania. These typically take the form of trading stalls or kiosks, grain milling, hair salons, sales of agricultural produce from homes or at village markets, etc. Displacement of structures or facilities used for such business activities would constitute a form of economic displacement, since it would entail a loss of income from those activities until alternative facilities can be established elsewhere.
- **Displacement of community facilities.** Most villages have community facilities such as a primary school, one or more churches and/or mosques, one or more water wells, a community hall, a market and a clinic or health facility. During the routing of the pipeline, care was taken to avoid community facilities where possible. However, there may be some limited displacement of communal facilities which could not be entirely avoided.
- **Loss of farmland.** The loss of farmland owned or used by households is expected to constitute by far the most common form of Project-induced economic displacement. Analysis of LiDAR imagery of the pipeline route indicates that large part of the Project footprint is occupied by cultivation of crops.
- **Loss of access to natural resources.** Communities in the vicinity of the Project area generally rely on a variety of natural resources: wood for fires, medicinal plants, food (bush meat, fishing), building materials etc. Land clearing for construction purposes will involve the loss of resources such as trees for firewood or timber, plants used for medicinal purposes, hunting areas, etc. The impact of Project-related land acquisition on the utilization of such resources will relate more to loss of access or impacts on access (e.g. diversions) for a short-term period during construction (e.g. by communities on one side of the corridor to resources on the other side) than to loss of the resources per se. Hunter-gatherer groups would be particularly vulnerable to such impacts. Any short-term restrictions in access could also impact pastoralists, especially if they have limited routing options to access water sources and designated grazing areas. These impacts are expected to be relatively limited during the Project's operational phase, however, as the areas

to be occupied by the Project are likely to constitute a small portion of the total land areas from which these resources are obtained.

- **Disruption of access routes.** The pipeline route will cross a number of tarmac and a significant number of *murram* roads. In instances where national or regional roads cross the pipeline corridor, there will be a temporary impact during construction; this may require temporary diversion of some roads. It is not foreseen that any permanent disruption of roads will occur. It is possible that the pipeline corridor may impact on local or “informal” access routes (to community facilities, small businesses, etc.) as well. Provision will be made during construction and operation to enable people, vehicles and livestock to cross the pipeline, thus minimising disruption of access routes. Moreover, since the pipeline corridor will not be fenced during the Project’s operational phase, it is not expected that significant restrictions on access to community facilities or natural resources (e.g. by communities on the opposite side of the pipeline) will occur.
- **Impacts on mining.** Current indications are that the corridor traverses mining prospecting rights, as well as formalized and unregulated artisanal and small-scale mining sites. These are concentrated in the Geita, Shinyanga and Tabora Regions.

Overall, the magnitude of displacement-related impacts on any one individual or household is – in most instances – expected to be relatively minor. Exceptions to this general trend include:

- Physically displaced households (who constitute a small fraction of the total number of displaced households); and
- Persons who will lose all or most of their farmland to the Project (also estimated to be a small percentage of the total number of displaced households).

Eligibility and Entitlements/Compensation Framework

The RPF considers the issue of eligibility for compensation and resettlement entitlements. Eligibility, for the purposes of this RPF, is defined as entitlement to compensation and assistance granted to persons, groups of persons, families, or institutions due to subjection to displacement resulting from land acquisition, the revocation of rights, and/or the compulsory acquisition of property as a direct result of the Project.

Only persons occupying or using an area prior to the cut-off date (the first date of valuation in a given area) are eligible for compensation for loss of land rights and assets established prior to this cut-off date. Only these assets will be recorded during the valuation process. Should affected persons not be present during the valuation process, such persons will be requested to provide proof of their presence in the Project area during the valuation period, and/or proof of ownership of assets in the Project area during that period, to be eligible for compensation.

Assets affected by the Project will be valued to determine the compensation due to their owners and/or users. The valuation methodology to be used is prescribed in various Acts and Regulations which explicitly provide guidance on valuation practices. Different valuation methods are proposed for the various eligibility categories identified, particularly in relation to land, structures, crops and trees and businesses. The selection of the specific

valuation method has been guided by the requirement of compliance to Tanzanian legislation. Further to the valuation methodologies, options and packages are proposed by the Project to ensure that IFC PS5 criteria are fully addressed particularly to “improve, or restore, the livelihoods and standards of living of displaced persons”. Critical elements in this regard include the following:

- A general principle is that the Project's preference is to offer like-for-like compensation for affected land, where Project impacts on land-based livelihoods necessitate it and people qualify, and assets in line with IFC PS5;
- Qualifying persons losing dwelling structures and the residential land on which these dwellings are located will be offered a choice between cash compensation and replacement dwellings. Replacement housing will be of an adequate standard of construction;
- If communal structures (e.g., schools, health clinics) will be displaced, the loss of these will be compensated with appropriate replacement structures;
- Qualifying persons with formal or customary rights to agricultural land significantly affected by the Project will be offered a choice between cash compensation or replacement land; and
- The Project will provide a program of initiatives for restoring and improving livelihoods of Project-affected persons (PAPs) and support to prepare any replacement land for agriculture or allied purpose.

Entitlements associated with impacts and those impacted is set out in the RPF in an ***entitlement matrix***.

Land Acquisition, Compensation and Resettlement Process

The planning and implementation of land acquisition, resettlement and compensation for the Project has been designed to provide secure land rights to the Project and ensure the related process meets Tanzanian legislation and international financing standards. Land is required both on a short-term basis – for construction activities and access routes during construction; and for the long term – for operation of the pipeline, the Above Ground Installations, permanent access routes and for the marine oil facilities at Chongoleani. All land for the Project in Tanzania will be acquired and consolidated on a permanent basis, even for the construction facilities, and then provided for use to the Project by the Government in accordance with the IGA principles.

The land acquisition process to secure Project land on a short and long-term basis is shown in Figure ES 1-2. All required land for the Project is being acquired on the basis that the Project is in the public interest and land required for the Project shall be deemed as in the public purpose, which shall be formalized by gazettelement following the relevant provisions of the Tanzanian legal framework. The Project Company will aim to reach a consensual agreement for compensation of affected land and assets with Project-Affected Persons (PAPs). Only where this cannot be reached with PAPs (or if they are absent) will PAPs be subject to implementation of further measures of compulsory acquisition.

Land acquisition processes are managed in two main phases which include several activities:

- Pre-Acquisition Activities Phase which comprises the detailed surveys and valuations, and then valuation report(s) (which, in turn, will comprise two parts – one part aimed at meeting Tanzanian legislative requirements, and a second part detailing additional entitlements to meeting IFC PS5 requirements); and
- Acquisition and Grant of Rights Phase which will result in the acquisition of land and granting of land rights to the Project. This will involve the subsequent implementation of the RAPs/LRPs, including agreements with PAPs, compensation payments, physical relocation, livelihood restoration assistance, final arrangements for land rights to be granted to the Government and a lease for this land provided to the Project Company.
- The Land Acquisition process will culminate in a suite of RAPs and/or LRPs (depending on whether physical and economic displacement occurs, or only economic displacement). The geographical area to be covered by each is determined partly by administrative boundaries, and partly by the timing of required land access for various Project components. The RAPs/LRPs proposed thus comprise the following:
 - One RAP/ LRP for Priority Areas, and
 - Eight RAPs/LRPs for the pipeline corridor and AGIs – divided in terms of regional administrative geographical areas.

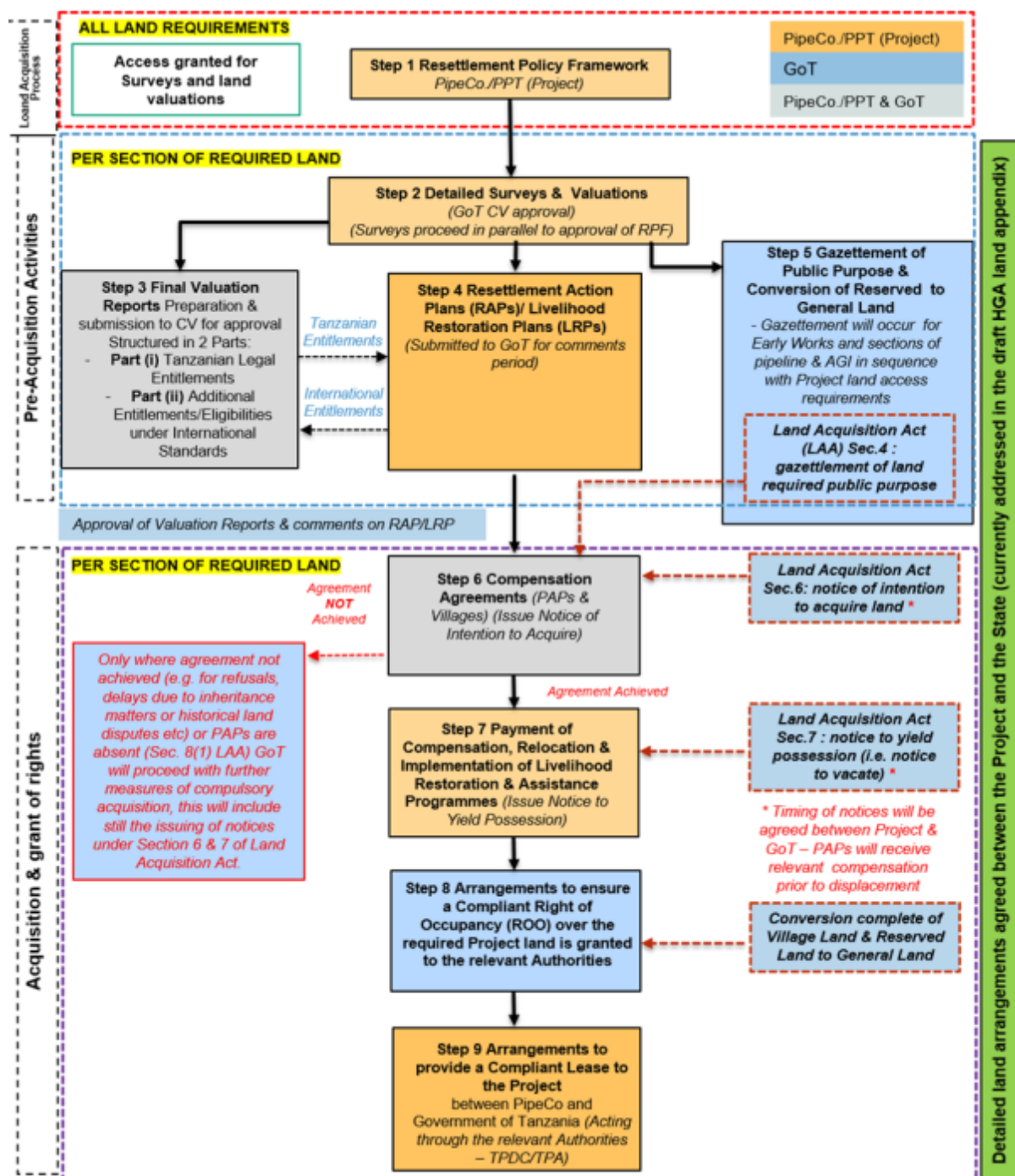


Figure ES 1-2: Land Acquisition Process

Stakeholder Engagement

The Project Company views long-term, transparent relationships with stakeholders across all levels as essential to their business. The Project Company is further committed to information sharing, consultation and dialogue prior to any key decisions being made.

Several consultative structures are foreseen. The form, composition and mandate of the proposed consultation structures are subject to discussions with, and approval by

Government and other key stakeholders. These will be finalised during the early stages of detailed resettlement planning but may be follows:

- A Land Acquisition and Resettlement Working Group (LARWG) has been established as the overall governing body and management committee through which the national government will collaborate with the Project on matters related to land acquisition, compensation and resettlement. This national-level body comprises representatives of the EACOP Project team, key government departments and resettlement consultants. Representatives of other government bodies participate on an as-and-when-required basis. The LARWG is led by the Government, but the Project Company facilitates the process.
- The Project Company and RAP team have and will continue to undertake engagement and consultation with the local government authorities at a Regional, District, Ward and Village level. This will include sensitization meetings prior to fieldwork and ongoing engagements during the resettlement planning and implementation phases. The EACOP Stakeholder Engagement team includes Community Liaison Officers who are in place across the eight regions affected by the Project. This team will be expanded as the Project develops.
- Grievance management is regarded as critical component to the RAP development process. There is an existing system of grievance management at district level, in which community members are able to lodge grievances with ward and/or district officials. A Project-wide EACOP grievance system has been established and administered by the EACOP stakeholder engagement team through its Community Liaison Officers (CLOs). A resettlement-specific grievance management system has been implemented that combines these existing systems.

Main Budget Components for Resettlement Implementation

Guidelines for the preparation of a RAP or LRP require that each RAP or LRP should include an estimate of the budget that will be involved in its implementation. The RPF includes a description of the procedures to be applied during the detailed resettlement planning to develop the budget estimates that will be included in the individual RAPs or LRPs.

Resettlement and livelihood restoration implementation budgets are strongly dependent on the magnitude of displacement impacts – numbers of physically and economically displaced households, etc. Although estimates of the magnitude of displacement impacts were given in the RPF, the quantification of impacts will be refined based on surveys and studies undertaken during resettlement planning. The refined estimates of displacement impacts will be used for the estimates of implementation budgets.

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ACRONYMS AND ABBREVIATIONS

Abbreviations or Acronyms	Meaning
AGI	Above Ground Installation
ASM	Artisanal and small-scale mining
BID	Background Information Document
B.V.	Besloten Vernootskap
CBO	Community Based Organisation
CLO	Community Liaison Officer
CUL	CNOOC Uganda Limited
CV	Chief Valuer
CY	Coating Yard
DC	District Commissioner
DEP	Detailed Execution Plan
DWC	Digby Wells Consortium
EACOP	East African Crude Oil Pipeline
E&P	Exploration and Production
EHSS	Environmental, Health, Safety and Security
EHT	Electrically Heat Traced
EPs	Equator Principles
ESIA	Environmental and Social Impact Assessment
EWURA	The Energy and Water Utilities Regulatory Authority
FAQ	Frequently Asked Question
FEED	Front-end Engineering Design
FID	Final Investment Decision
G&G	Geophysical and Geotechnical
GIS	Geographical Information System
GoT	Government of Tanzania
GoU	Government of Uganda
Ha	Hectare
HGA	Host Government Agreement
HIA	Heritage Impact Assessment
HSE	Health, Safety and Environment
ICP	Informed Consultation and Participation
IFC	International Finance Corporation
IFC PS	International Finance Corporation Performance Standard
IGA	Inter-Governmental Agreement
IGP	International Good Practice
Kbpd	thousand barrels per day
km	Kilometre
km ²	Square kilometre
kV	Kilovolt
LAA	Land Acquisition Act
LARF	Land Acquisition and Resettlement Framework

Abbreviations or Acronyms	Meaning
LARWG	Land Acquisition and Resettlement Working Group
LGA	Local Government Authority
LiDAR	Light Detection and Ranging
LOF	Load-out Facility
LRP	Livelihood Restoration Plan
m	meter
M&E	Monitoring and Evaluation
MAVA	Market and Asset Valuation Assessment
MCPY	Main Camp and Pipe Yards
ME	Ministry of Energy
MESTVT	Ministry of Education, Science, Technology and Vocational Training
MHA	Ministry of Home Affairs
MHCDGEC	Ministry of Health, Community Development, Gender, Elders and Children
MLHHSD	Ministry of Lands, Housing and Human Settlements Development
MLBV	Main Line Block Valve Station
MST	Marine Storage Terminal
MWI	Ministry of Water and Irrigation
MWTC	Ministry of Works, Transportation and Communication
NEMA	National Environment Management Act
NEMC	National Environment Management Council
NGO	Non-governmental Organisation
PAC	Project-affected community
PAH	Project-affected household
PAP	Project-affected person
PPT	Pipeline Project Team
PRS	Pressure Reduction Station
PRSP	Poverty Reduction Strategy Paper
PS	Pump Station
PURA	Petroleum Upstream Regulatory Authority
QA/QC	Quality Assurance/Quality Control
RAP	Resettlement Action Plan
RC	Regional Commissioner
RPF	Resettlement Policy Framework
RSEP	Resettlement Stakeholder Engagement Plan
SAPs	Structural Adjustment Programs
TAWA	Tanzania Wildlife Management Authority
TEAM BV	Total East Africa Midstream BV
TEPU	Total E&P Uganda BV
TFS	Tanzania Forest Service Agency
ToR	Terms of Reference
ToC	Table of Contents
TPA	Tanzanian Ports Authority

Abbreviations Acronyms	or	Meaning
TPDC		Tanzania Petroleum Development Corporation
TUOP		Tullow Uganda Operations Pty Ltd
UN		United Nations
UNESCO		United Nations Educational, Scientific and Cultural Organization
WDC		Ward Development Committee

GLOSSARY

Term	Definition
Acres per hectare	One acre is equivalent to 0.4 hectares (ha).
Asset survey	A survey undertaken to identify and assess all assets by owner and/or rights holder.
Census	A survey of all persons who will be displaced by the project that captures all appropriate socio-economic baseline data of affected persons and their households and records their assets to determine eligibility for compensation and other support.
Coating Plant	A demarcated area where pipeline sections are treated with an insulation coating.
Compensation	Payment in cash or in-kind for an asset such as land and improvements on land, or a resource that is acquired or affected by a project.
Compulsory acquisition/ Expropriation	The power of government to acquire land rights or right in land in the public interest without the willing consent of the owner or occupant.
Construction access road	An access road that links up with the existing road network to provide access to construction facilities and the construction corridor.
Construction Corridor	A corridor used as workspace within which to construct the pipeline.
Construction facilities	Facilities that will be required to facilitate construction of the Project, including construction and coating camps, lay-down areas, construction access roads and other facilities required for storage of equipment.
Contractor	Any or all Contractors that provide services or materials to execute the project pursuant to a contract established by and between Contractor and Developer.
Crude oil	Oil that is extracted from the ground before it is refined into usable products, such as gasoline.
Cut-off date	The date of the start of the census and assets inventory of persons affected by the project. Persons occupying the project area after the cut-off date are not eligible for compensation and/or resettlement assistance. Similarly, fixed assets (such as built structures, crops, fruit trees and woodlots) established after the cut-off date will not be compensated.
Describing flow direction in a pipeline	When describing the direction of travel of product in a pipeline, "downstream" (with the current) means "from the source to an outlet". Conversely, the direction of travel from the outlet to the source is against the current, or "upstream".
Displacement	The physical, economic, social and/or cultural uprooting of a person, household, social group or community as a result of the project.
District	The second-highest administrative division of Tanzania. Each region is subdivided into districts. As of 2012 there are 169 districts. These include rural districts (District Councils) and urban districts (Town Councils, Municipal Councils and City Councils).
Downstream Sector	The downstream (oil and gas) sector is responsible for the refining of crude oil, the processing and purifying of raw natural gas, as well as the marketing and distribution of products derived from crude oil and natural gas.
Economic Displacement	Loss of assets (including land), or loss of access to assets, that leads to loss of income or means of livelihood as a result of project-related land acquisition or restriction of access to natural resources. People or enterprises may be economically displaced with or without experiencing physical displacement.
Eligibility	Entitlement to compensation and assistance due to subjection to displacement resulting from land acquisition, the revocation of rights and/or the expropriation of property.
Encroachment	The unauthorised use of land in a project land footprint in violation of the terms by which the project land was established. Encroachers include any people settling and/or using land after a cut-off date has been instated.

Term	Definition
Entitlements	Compensation offered to persons, households, groups and/or communities physical and/or economically displaced by the project. This includes (but is not limited to): financial compensation; the right to participate in livelihood restoration programmes; housing, service provision, transport assistance, and other short-term assistance required to move from one site to another.
Entitlement Framework	Describes compensation for both physical and livelihood losses due to resettlement or displacement and identifies categories of people who will be eligible to receive compensation as a result of these losses.
Equator Principles	A risk management tool adopted by 92 financial institutions in 37 countries for identifying, assessing and managing environmental and social risks. The EPs are largely based on IFC's Performance Standards with some additional requirements.
Excavation	Any operation involving movement of earth, rock or other materials below surface level, to include digging, blasting, boring, tunnelling and backfilling.
Fallow Land	Land that is normally used for farming but that is not cultivated to let it recover its fertility.
Final Investment Decision	The project partners' final decision on whether or not the project is financially worthwhile as part of their long-term corporate finance decisions. In general, the FID is taken after the completion of certain studies and obtaining of permits as the project is readied for construction.
Focus Groups	A qualitative data collection methodology involving small groups of people to discuss selected points of interest.
GIS	A combination of computer hardware, software and data that is used to capture, maintain, analyse and display information related to the geographic location of features and facilities.
Grievance	A matter considered by a PAP/community member to be unjust or unfair as a result of project activities that causes distress.
Hamlet	In rural areas in Tanzania, a hamlet represents the smallest administrative division of a village.
Host Community	Communities that live in or around areas where physically displaced people will be resettled to or where replacement agricultural land is allocated, and who, in turn, may then be affected by the resettlement. Resettlement may in certain instances give rise to impacts on host communities - for instance, through increased pressure on land, water or other resources, or through changes in local socio-economic dynamics.
Household	A group of persons who may or may not be related, but who share a home or living space, who aggregate and share their incomes, and evidenced by the fact that they regularly take meals together.
Hydrostatic testing	A controlled process to confirm the threshold measurement for the safe operation of the pipeline. Sections of the pipeline are filled with water and pressurised for a certain time to allow for the identification of defects or leaks. It is usually performed following new pipeline construction before the actual product (i.e. crude oil) is introduced into the system.
IFC Performance Standards	The global benchmark for environmental and social risk management in the private sector.
IFC PS5	The IFC's performance standard for dealing with Land Acquisition and Involuntary Resettlement.
Indigenous people	Social groups with a social and cultural identity distinct from the dominant society that makes them vulnerable to being disadvantaged in the development process.
International Good Practice	Practices applied to the project to achieve the best possible results when managing social and environmental impacts.
Involuntary Resettlement	Resettlement is considered involuntary when affected individuals or communities do not have the right to refuse land acquisition that will result in displacement. This occurs in cases of lawful expropriation or restrictions on land use based on eminent domain; and in cases of negotiated settlements in which the buyer can resort to expropriation or impose legal restrictions on land use if negotiations with the seller fail.

Term	Definition
Land Acquisition	Land acquisition includes both outright purchases of property and purchases of access rights, such as rights-of-way.
Land Acquisition and Resettlement Working Group	The overall governing body and management committee through which the national government will collaborate and interact with the Project on matters related to land acquisition, compensation and resettlement. This national-level body comprises representatives of ME, TPDC, MLHSD, EACOP and the resettlement consultants.
LiDAR	A remote sensing method that uses light in the form of a pulsed laser to measure ranges (variable distances) to the Earth.
Line Markers	Above-ground installations, installed above the pipeline, to indicate the approximate pipeline route.
Livelihood	A livelihood comprises the capabilities, assets and activities required for a person to make a living such as: wages from employment; cash income earned through an enterprise or through sale of produce, goods, handicrafts or services; rental income from land or premises; income from a harvest or animal husbandry; share of a harvest (such as various sharecropping arrangements) or livestock production; self-produced goods or produce used for exchange or barter; self-consumed goods or produce, food, materials, fuel and goods for personal or household use or trade derived from natural or common resources; pensions; various types of government allowances (child allowances, special assistance for the very poor); and remittances from family or relatives.
Livelihood Restoration Plan	Analogous to a Resettlement Action Plan, except that it is appropriate for cases where displacement impacts are limited to economic displacement (i.e. does not include physical displacement).
Livelihood Restoration Programme	A programme intended to set out how to replace or restore livelihoods lost or reduced as a result of a project. The programme will aim to restore or if possible improve, the quality of life and standard of living of affected parties and ensure food security through the provision of economic opportunities and income generating activities of affected property owners and their households.
Load-out Facility	Located offshore, the LOF is used to transfer product from the MST onto marine tankers for shipment to end users.
Main Line Block Valve Stations	A mechanical device (valve) installed in a pipeline that can be closed to block the flow of product (crude oil) through the pipeline. MLBVs are located at major crossing points and are used to stop the flow of product through the pipeline and isolate a segment of the pipeline system or a component of the system.
Main Camp and Pipeyard	An area of approximately 17.5 ha consisting of temporary housing, offices, kitchen, dining hall and entertainment areas. Each camp will be able to house up to 1,000 people. The adjoining pipeyard is where coated pipeline sections are stored before being transported to the construction corridor.
Maintenance	The process of maintaining property or equipment, including pipelines, to preserve them and prevent them from failure and ensure that they will continue to perform their intended function.
Marine Storage Terminal	An area close to the coast consisting of a number of external floating roof tanks with discharge pumps and support systems where product will be stored before it is transported to the end user via the offshore load out facility (LOF).
Marshalling Yards	A support facility used for the delivery, storage and load out of pipe, plant and equipment.
Midstream Sector	The midstream (oil and gas) sector involving the transportation, e.g. by pipeline, storage and wholesale marketing, of crude or refined petroleum products.
Murram	A form of laterite (clayish material) used for road surfaces.
Non-Governmental Organisation	Any not-for-profit, non-governmental and voluntary citizens group organised on a local, national or international level. It can perform a variety of public service and humanitarian functions and is often guided by a specific mission.
Notice of intention to acquire	An official written notice issued to people who will be displaced by the project, informing them that their land will be acquired (and/or property expropriated) for purposes of the project.

Term	Definition
Notice to vacate/yield possession	A written notice issued to owners and occupants of land acquired by the project, informing them to leave the premises within a specified time frame.
Operator	An entity who owns or operates the project infrastructure to be established.
Orphaned Land	A term to describe land dissected by the pipeline corridor and other facilities leaving portions of the original field no longer viable to cultivate/use.
Physical Displacement	Loss of house/apartment, dwelling or shelter as a result of project-related land acquisition that requires the affected person(s) to move to another location.
Pipe Yard	An area where coated pipeline sections are stored before being transported to the construction corridor.
Pipeline	Includes all parts of those physical facilities through which oil moves in transportation. It includes but is not limited to: line pipe, valves and other appurtenances attached to the pipe, pumping/compressor units and associated fabricated units, metering, regulating and delivery stations, and holders and fabricated assemblies located therein, and breakout tanks.
Pipeline Component	Some feature or part of a pipeline, such as pipe, valves, fittings and flanges.
Pipeline Corridor	A linear area where a pipeline is placed.
Pressure Reduction Station	Used to regulate the pressure in the pipeline to allow for the continued flow of the crude oil, and to ensure that the maximum allowable operating pressure is not exceeded when oil transfers from the pipeline to storage tanks.
Pressure Relief Valve	A mechanical safety device that provides protection to a pressurised container, such as a pipeline, by reducing the internal pressure by releasing it outside the container.
Priority Areas	Collective term used in this document for construction camps, coating plant, pipe yards, marshalling yards and construction access roads. These facilities need to be established before other construction activities can proceed; hence land access to Priority Areas will be required some months earlier than for the remainder of the project footprint.
Project	Activities from design, engineering, procurement, construction, commissioning, operating, maintaining and closure.
Project-Affected Household	All members of a household, whether related or not, operating as a single economic unit, who are affected by a project.
Project-affected person	Any individual who, as a result of the land acquisition required by the project, loses the right to own, use, or otherwise benefit from a built structure, land (residential, agricultural, pasture or undeveloped/unused land), annual or perennial crops and trees, or any other fixed or moveable asset, either in full or in part, permanently or temporarily.
Project Developer	The party responsible for the funding, planning, implementation and operations and maintenance of a project.
Project Finance	The financing of long-term infrastructure, industrial projects and public services based upon a non- or limited recourse financial structure, in which project debt and equity used to finance the project are paid back from the cash flow generated by the project. Project financing is a loan structure that relies primarily on the project's cash flow for repayment, with the project's assets, rights and interests held as secondary security or collateral. Project finance is especially attractive to the private sector because companies can fund major projects off a balance sheet.
Project Financier	A person, company, organisation etc. that provides the money for a project.
Project Land Requirements	The area that has to be acquired for the purpose of establishing the on-shore project infrastructure, including construction facilities and the operational facilities, namely the export pipeline and permanent above-ground installations. The estimated project land requirement is for ha based on current planning parameters.
Protective Coating	A substance or material applied to the exterior of the pipe or a pipeline to prevent contact between the pipe and the outside environment. Protective coating is generally applied to prevent corrosion of the pipe. Many types of protective coatings are used on pipelines, including coal tar, tape wraps, and fusion bonded epoxy compounds.
Pumping Station	A facility that houses the pumping infrastructure used to push oil along through a pipeline from the source to the outlet.

Term	Definition
RAMSAR Convention	An Inter-governmental Treaty which provides for a framework for national action and international cooperation for the conservation and wise use of wetlands and their resources. The treaty was signed in 1971 in Ramsar, Iran.
Region	The highest administrative division of Tanzania. Tanzania is divided into thirty-one regions, each of which is further subdivided into districts.
Regulatory Framework	The system of regulations and the means to enforce them, usually established by a government to regulate a specific activity.
Resettlement	The displacement or relocation of an affected population from one location to another within the national territory, and the restructuring or creation of comparable living conditions.
Resettlement assistance	Support provided to people who are physically displaced by a project. Assistance may include transportation, food, shelter, and social services that are provided to affected people during their relocation. Assistance may also include cash allowances that compensate affected people for the inconvenience associated with resettlement.
Resettlement Plan	A plan that provides a comprehensive set of actions for addressing impacts related to physical and economic displacement. It describes the procedures and activities that will be taken to compensate for losses, mitigate adverse project impacts, and provide development benefits to those who will be resettled or displaced as a result of the project.
Resettlement Framework	A requirement for projects with subprojects or multiple components that cannot be identified before project approval. The framework clarifies resettlement principles, organisational arrangements, and design criteria to be applied to subprojects to be prepared during project implementation.
Responsible Party	Assigned individual(s) who has the authority or expertise to define and take corrective action to resolve a grievance.
Socio-economic Baseline	A baseline record of land use activities within the project footprint as well as the socio-economic characteristics of individuals and communities dependent on the land prior to the commencement of the land acquisition process, as well as host communities that will potentially be impacted by the project.
Spread	On pipeline projects of this magnitude, construction typically takes place concurrently at several locations along the pipeline route, with a construction team at each location moving progressively along the route. The area covered by each individual construction team is referred to as a "spread".
Stakeholder	Individual or groups of people who are directly or indirectly affected by a project, as well as those who may have interests in a project. They may have the ability to influence the outcome of the project, either positively or negatively.
Substation	Forms part of the electrical generation and distribution system by transforming voltage from high to low for use on the electrically heat traced (EHT) system.
Trench (to bury pipes in)	A long narrow ditch dug into the ground and embanked with its own soil and used for concealment and protection of the pipeline. Trenches are usually dug by a specialised digging machine.
Trestle	A frame that will support the crude oil transfer lines from the MST to the LOF.
Upstream Industry	The upstream (oil and gas) industry is sometimes known as the exploration and production (E&P) sector. It refers to the exploration for, and recovery and production of, products such as crude oil and natural gas.
Upstream Partners	Total E&P Uganda BV (TEPU), Tullow Uganda Operations Pty Ltd (TUOP) and CNOOC Uganda Limited (CUL) are referred to as Upstream Partners.
Valuation	The valuation of project affected assets according to set compensation rates and schedules.
Village	A group of people/households who interact with each other and share an environment within well-defined cultural and geographic margins. In rural areas in Tanzania, villages constitute the second-smallest administrative division (the smallest being hamlets).

Term	Definition
Vulnerable Persons	People who, by virtue of gender, ethnicity, age, physical or mental disability, economic disadvantage or social status in the context of the project, may be more adversely affected by displacement than others and who may be limited in their ability to re-establish themselves or take advantage of resettlement assistance and related development benefits. They may include people living below the poverty line, the landless, the elderly, women- and children-headed households, ethnic minorities, communities dependent on natural resources or other displaced persons who may not be protected through national land compensation or land titling legislation.
Ward	A lower-level administrative subdivision of Tanzania. In rural areas, each ward comprises several villages.

1 INTRODUCTION

The East African Crude Oil Pipeline (EACOP) (the ‘Project’) involves the construction and operation of a buried, cross-border pipeline to transport crude oil from the Lake Albert area in Uganda to the eastern coast of Tanzania for export to international markets. The pipeline will run from Kabaale in Hoima District, Uganda, to a Marine Storage Terminal (MST) at Chongoleani, Tanga Region, in Tanzania, on the East African coast.

Total Exploration & Production (Total E&P) Uganda (TEPU), Tullow Uganda Operations Pty Ltd (TUOP) and CNOOC Uganda Limited (CUL) (‘Upstream Partners’) hold interests in petroleum resource licences near Lake Albert, Uganda. The Government of Uganda and the Government of Tanzania, combined with the Upstream Partners, wish to construct this transboundary export pipeline and related facilities and infrastructure.

1.1 Purpose and Objectives

Although the pipeline route has been designed to minimise environmental and social impacts, some physical displacement (loss of shelter or relocation of households) and economic displacement (loss of, or interruption of access to, land or other livelihood resources) for communities will be unavoidable. In particular, land access will be required for the various Project components, including the construction and operation of the pipeline, as well as for the establishment of construction camps, pipe yards, various permanent above-ground facilities and access roads.

Land access and resettlement planning for the Project will be undertaken in terms of the Tanzanian legal framework and international good practice (IGP) standards, as represented in the International Finance Corporation (IFC) Performance Standard (PS) 5 on Land Acquisition and Involuntary Resettlement.¹ IFC PS5 requires the preparation of a Resettlement Action Plan (RAP) for any project which results in physical displacement (which may or may not be accompanied by economic displacement), and preparation of a Livelihood Restoration Plan (LRP) for projects that will only involve economic displacement.

In instances where a given project comprises sub-projects or multiple components that cannot be identified before project approval, or that may be implemented sequentially over an extended period, PS5 allows for the prior development of a Resettlement Policy Framework (RPF) outlining the general principles for the resettlement planning.²

The purpose of this RPF is to define the overarching principles for land access, compensation and resettlement planning, and is the precursor to the detailed RAPs and/or LRPs for individual project components. Its overall objective is thus to ensure consistency between the

¹ <http://www.ifc.org>.

² IFC Guidance Note 5: Land Acquisition and Involuntary Resettlement (January 1, 2012). <http://www.ifc.org>.

Project documents for the various components in terms of principles, approach and implementation arrangements.

Box 1-1 Resettlement Policy Framework

This RPF outlines:

- The overarching land access, compensation and resettlement principles and responsibilities, to ensure no-one affected by the Project's implementation is disadvantaged compared to current conditions;
- The potential displacement impacts associated with the Project;
- The legal framework and standards in accordance with which land access and resettlement planning is developed; namely, the Tanzanian legal framework and IGP standards, as represented in the IFC PS5 on Land Acquisition and Involuntary Resettlement.³ The RPF presents the agreed land acquisition process and the approach taken to address the gaps between the Tanzanian legal framework and the international standards;
- The asset valuation methodology, and compensation and entitlement framework for eligible Project-affected persons (PAPs); and
- The consultation and engagement approach with affected people, including a grievance mechanism through which people affected by land acquisition may raise their concerns.

More specifically the objectives of this RPF are to:

- Establish the resettlement and compensation goals and principles for the Project;
- Describe the applicable legal and administrative framework;
- Define the approach to be taken to resettlement and compensation;
- Identify categories of PAPs;
- Define criteria for determining the eligibility of various categories of PAPs to receive monetary compensation, relocation and other forms of resettlement assistance;
- Develop an entitlement framework that defines the type of resettlement assistance to which the various categories of PAPs would be entitled, based on the type of loss they would experience as a result of the Project;
- Describe requirements for consultation with PAPs and other stakeholders (such as local government); and
- Set out the relevant organisational arrangements and institutional responsibilities.

The EACOP Project will be developed in line with the Tanzanian legal framework and standards and, since it will seek finance from international financing institutions, the Project will be compliant with these, notably IFC PS5. Of particular importance, the governments of Uganda and Tanzania signed an Inter-Governmental Agreement (IGA) for the EACOP Project

³ <http://www.ifc.org>.

on 26 May 2017. This sets out the land rights framework for the Project agreed by the governments, including compliance with international financing standards.

The draft RPF was submitted to the Government of Tanzania (namely the Ministry of Energy (ME), Tanzania Petroleum Development Corporation (TPDC) and Ministry of Lands, Housing & Human Settlements Development (MLHSD) by the Project for a comment period prior to final disclosure. The Project Company/PPT subsequently received MLHSD comments on the draft RPF from ME.

The RPF is a key document for the operational implementation of the land acquisition process and for project financing.

1.2 Project Developer's Contact Details

The intention for the EACOP Project is to establish a Pipeline Company that will be the ultimate developer and operator of the Project, comprising various parties with an interest, including the Upstream Partners together with the governments of Uganda and Tanzania. The process to establish the Pipeline Company is underway.

During this initial Project planning stage, a Tanzanian company, Total East Africa Midstream B.V. (TEAM B.V.) has been established by Total SA to perform the functions of the Project Developer (also referred to as the Project Company/Pipeline Project Team (PPT)). Table 1-1 provides the contact details for the Project Developer for the RPF.

Table 1-1 Project Developer's Contact Details

Name of Developer	Address	Named Key Contact	Telephone
Total East Africa Midstream B.V.	Kiliwa House, 369 Touré Drive, Dar es Salaam, Tanzania	Jean Lennox, Social and Land Manager, EACOP Project	+ 255 699 000 331

1.3 Resettlement Planning Team

The RPF has been prepared on behalf of EACOP by the Digby Wells Consortium (DWC), which comprises:

- The international environmental and social consulting firm, Digby Wells Environmental;
- The Tanzanian firms PaulSam Geo-Engineering and Safety Training & Consulting Limited (STCL); and

- The Tanzanian registered valuation firm, Whiteknights Real Estates and Investment Analysts.⁴

1.4 Project Overview

1.4.1 Project Location and Context

The total length of the pipeline is about 1,443 kilometres (km), of which approximately 1,147 km will be in Tanzania. The pipeline will cross from Uganda to Tanzania at the border town of Mutukula, about 40 km to the west of Lake Victoria and 60 km north-west of Bukoba – the capital of the Tanzanian region of Kagera. The pipeline will traverse eight regions and 25 districts in Tanzania, as detailed in Table 1-2 and illustrated in Figure 1-1. The table also shows the average population density in each of the Project-affected regions along the pipeline corridor.

Table 1-2: Project-affected Regions and Districts in Tanzania

Regions (8)	Regional Capital	Average Population Density (Persons per Square Kilometre) ⁵	Districts (25)
Kagera	Bukoba	97	Missenyi
			Bukoba Rural
			Muleba
			Biharamulo
Geita	Geita	87	Chato
			Geita
			Mbogwe
			Bukombe
Shinyanga	Shinyanga	81	Kahama Township Authority
Tabora	Tabora	30	Nzega District
			Nzega Town Council
			Igunga
Singida	Singida	28	Iramba
			Mkalama
			Singida Rural
Manyara	Babati	32	Hanang
			Kiteto
Dodoma	Dodoma	48	Kondoa
			Chemba

⁴ It is a legal requirement in Tanzania that the valuation of assets for the purposes of compensation and land acquisition be undertaken by a registered valuer.

⁵ National Bureau of Statistics Tanzania (2012). National Population and Housing Census.

Regions (8)	Regional Capital	Average Population Density (Persons per Square Kilometre) ⁵	Districts (25)
Tanga	Tanga	77	Kilindi
			Handeni Township Authority
			Handeni Rural
			Korogwe
			Muheza
			Tanga City

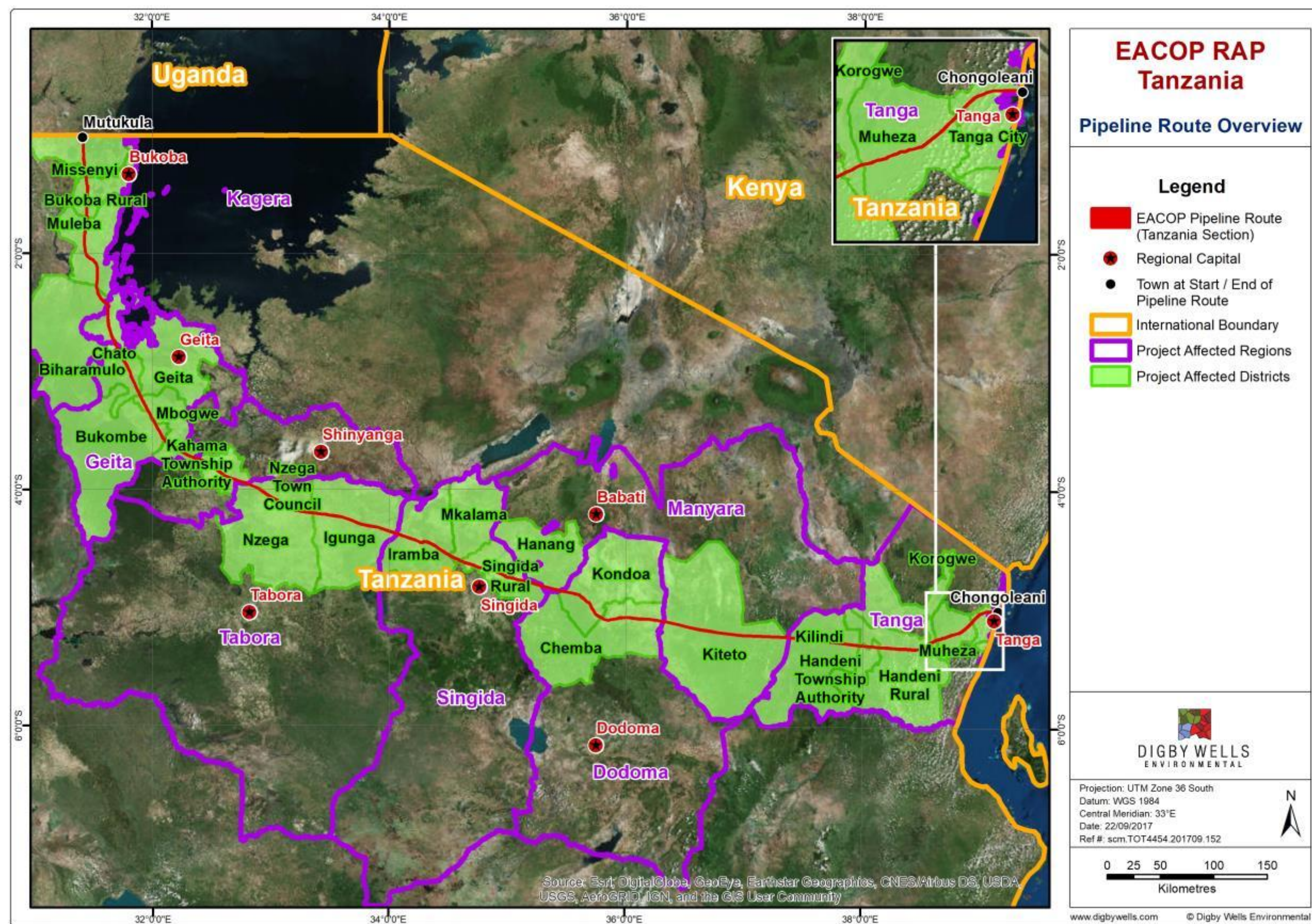


Figure 1-1: The EACOP Pipeline Route – Tanzanian Section

Most land in the Project area is held under customary tenure, with registered or titled land being limited to urban centres (purposefully avoided by the pipeline route planning). The economy of the Project-affected regions is primarily based on small-scale agriculture (common crops being maize, legumes, sunflowers and cassava) and livestock husbandry, with some beekeeping (particularly in Singida) and small-scale mining (particularly in Tabora, Shinyanga, Geita and Kagera Regions). Housing mostly comprises traditional structures (wooden frames with mud filling, with thatched roofs), although improved housing (built from burnt bricks with corrugated iron sheet roofs) is becoming more common. The Project's land and socio-economic context is discussed in more detail in Chapter 4.

1.4.2 Project Description

The pipeline, laid underground, will be 24 inches in diameter, and the waxy crude oil it will transport will be heated to about 50 degrees Centigrade to make it fluid enough to flow through. The pipeline will be thermally insulated to maintain the oil at this temperature, and will contain trace heating to provide heating during reduced flow rates or shutdowns, or when maintenance is required.

During construction, pipe segments will be imported via Dar es Salaam Port and transported to a coating facility, to be coated for thermal insulation and corrosion protection. In addition to the coating facility, other facilities required during construction will include twelve main construction camps to house construction teams; these camps will also be used as marshalling/pipe yards. Access roads will be established to these facilities and to construction areas.

The MST at the eastern end of the pipeline (at Chongoleani) will be used to store the crude oil before it is discharged through pipelines to offshore load-out facilities (LOFs), where it will be loaded onto marine tankers for shipment to end users. In addition to the MST and LOFs, other permanent above-ground installations (AGIs) required for the operation of the pipeline include:

- Pump stations (to boost the pipeline's internal pressure and flow of the crude oil);
- Pressure let-down/reduction stations (to regulate the pressure in the pipeline);
- Main line valves stations (for maintenance, and to isolate sections of the pipeline to safeguard the environment in the event of a rupture);
- Electrical sub-stations/heat tracing relay sub-stations (to support the trace heating system);
- Water storage facilities (for hydrotesting, during which a section of pipeline is filled with water and pressurised to identify any defects; hydrotesting is required primarily during construction, but may also be undertaken during maintenance); and
- Permanent access roads for access to AGIs and to the pipeline for maintenance purposes.

A more detailed description of the Project is given in Chapter 2 of this RPF.

1.5 Summary of Project Land Requirements

The Project will require access to over 4,000 hectares (ha) of land. Most of this (nearly 90%) comprises the construction corridor for the export pipeline. For most of its length, the corridor required for construction purposes will be 30 meters (m) wide; in some areas additional workspace will be required during construction (such as at river crossings). Technically, a 10 m-wide corridor is required for operation of the pipeline and this will be located within this 30 m-wide corridor.

The current estimated land requirements of the Project are summarised in Table 1-3.

Table 1-3: Summary of Project Land Requirements

Project Component	Estimated Affected Area
Construction Facilities	
Coating Plant/Pipe Yard (1 in Tanzania)	40 ha
2 Main Construction Camps with Marshalling Yards	17.5 ha + 18.0 ha = 35.5 ha
10 Main Construction Camps/Pipe Yards	Between 17.5 ha and 18.4 ha, approximately 175 ha in total
Construction and Operation	
New Access Roads to construction facilities, pipeline corridor and above-ground installations (AGIs)	Estimate: 74 ha
Operational Facilities	
<i>Export Pipeline</i>	
30 m wide Construction Corridor	30 m corridor: 3,441 ha
Additional temporary Construction Workspace along Corridor (estimate)	163 ha
<i>Permanent AGI</i>	
Marine Storage Terminal/Tanks	72 ha
4 Pumping Stations (includes buffer, construction staging area, etc.) (15.0 ha each with 1.0 ha in pipeline corridor)	4 x 14 ha outside 30 m corridor = 56 ha
2 Pressure Reduction Stations (estimated 3.3 ha each additional to pipeline corridor)	2 x 3.3 ha outside 30 m corridor = 6.6 ha
Hydrotest Water Storage	<i>To be confirmed</i>
Main Line Valves Stations and Electrical Sub-stations/Heat Tracing Relay Sub-stations	<i>Constructed within pipeline corridor, no additional land required</i>
Total Project Land Requirement⁶ (Construction and Operation)	4,063 ha

⁶ This excludes "orphaned land" where the pipeline corridor dissects a field, leaving small portions which are no longer viable to cultivate/use and classed as "uneconomic"

1.6 Structure and Content of This Report

The remaining chapters of this RPF are structured as follows:

- **Chapter 2** provides a description of the Project, the main Project components, the pipeline route selection and refinement process, and the planned construction process;
- **Chapter 3** sets out the legal, policy and institutional framework for the Project. This includes the Tanzanian regulatory framework relating to land acquisition, compensation and resettlement; company standards of the Upstream Partners; applicable international guidelines and standards; and an analysis of the gaps between Tanzanian and international standards;
- **Chapter 4** outlines the Project's socio-economic and land-use context;
- **Chapter 5** provides an initial estimate of Project-induced displacement-related impacts, including construction and permanent physical and economic displacement, to be refined in the detailed RAPs and LRPs once the Project footprint has been finalised and the requisite studies and stakeholder consultation undertaken;
- **Chapter 6** sets out a proposed entitlement and compensation framework for the Project, including eligibility criteria and categories, a methodology for valuation of assets, compensation options and packages, and additional entitlements to be offered to PAPs to meet international standards. The chapter culminates in an entitlement matrix, which sets out compensation and livelihood reinstatement measures and options per category of asset and impact;
- **Chapter 7** defines the process to be followed during land acquisition, resettlement and compensation, beginning with the steps to be implemented during development of RAPs and LRPs, and continuing to the steps involved in their subsequent implementation. Roles and responsibilities of various parties in respect of these steps are also discussed;
- **Chapter 8** focuses on stakeholder engagement during the various phases of resettlement planning and implementation. It defines the general stakeholder engagement principles adopted for the EACOP Project, provides a summary of Project land acquisition and resettlement engagement undertaken to date, and describes the consultation and engagement structures to be established during detailed resettlement planning; and
- **Chapter 9** outlines the estimated timetable for RAP and LRP implementation, and identifies the main components of the resettlement implementation budget.

2 PROJECT DESCRIPTION

2.1 Summary of the Project

The East African Crude Oil Pipeline (EACOP) (“the Project”) entails the construction and operation of a 24-inch in diameter underground pipeline to transport crude oil from the inlet flange at Kabaale Pumping Station in the Hoima District of Uganda (in the area of the Lake Albert Development) to an export facility at a Marine Storage Terminal (MST) in the Tanga Region of Tanzania. The proposed pipeline route alignment through Tanzania is reflected in Figure 2-1 below and also indicates the proposed locations of supporting infrastructure.

The pipeline will be buried at an average depth of between 1.8 and 2 meters (m) and will cover a total distance of approximately 1,443 kilometres (km), of which approximately 1,147 km is in Tanzania.

The design flow rate of the pipeline will make it capable of transporting 216,000 barrels of crude oil per day (Kbpd). A key element of the design is temperature management to maintain the crude oil above pour point and as much as possible above wax appearance temperature (WAT). The project components responsible for this task are:

- electrical heat tracing (EHT)
- pumping station bulk heaters (later in project life)
- MST bulk heaters.

The oil will be heated to about 50°C to make it fluid enough to flow through the pipeline. The pipeline will be buried, thermally insulated with polyurethane foam (PUF) and electrical heat tracing (EHT) will be installed for the entire length of the pipeline. EHT is a surface heating system used to raise and/or maintain the temperature of the pipe by an electrical heating element that runs in physical contact along the length of the pipeline.

The EHT will provide heating during reduced flow rates, shutdowns or when maintenance is required. This EHT system will require electrical power, which will be in the form of an underground 22/33 Kilovolt (kV)-powerline that will be installed parallel to the pipeline trench. The power required for the EHT will be acquired from generators at the pumping stations and converted to the required voltage via step-down substations located at 40-60 km intervals along the pipeline route. The main components of the Project are summarised in Section 2.2.

Total Exploration & Production (Total E&P) Uganda (TEPU), Tullow Uganda Operations Pty Ltd (TUOP) and CNOOC Uganda Limited (CUL) (‘Upstream Partners’) hold interests in the Lake Albert oil reserves and are partners in the EACOP Project together with the governments of Tanzania and Uganda.

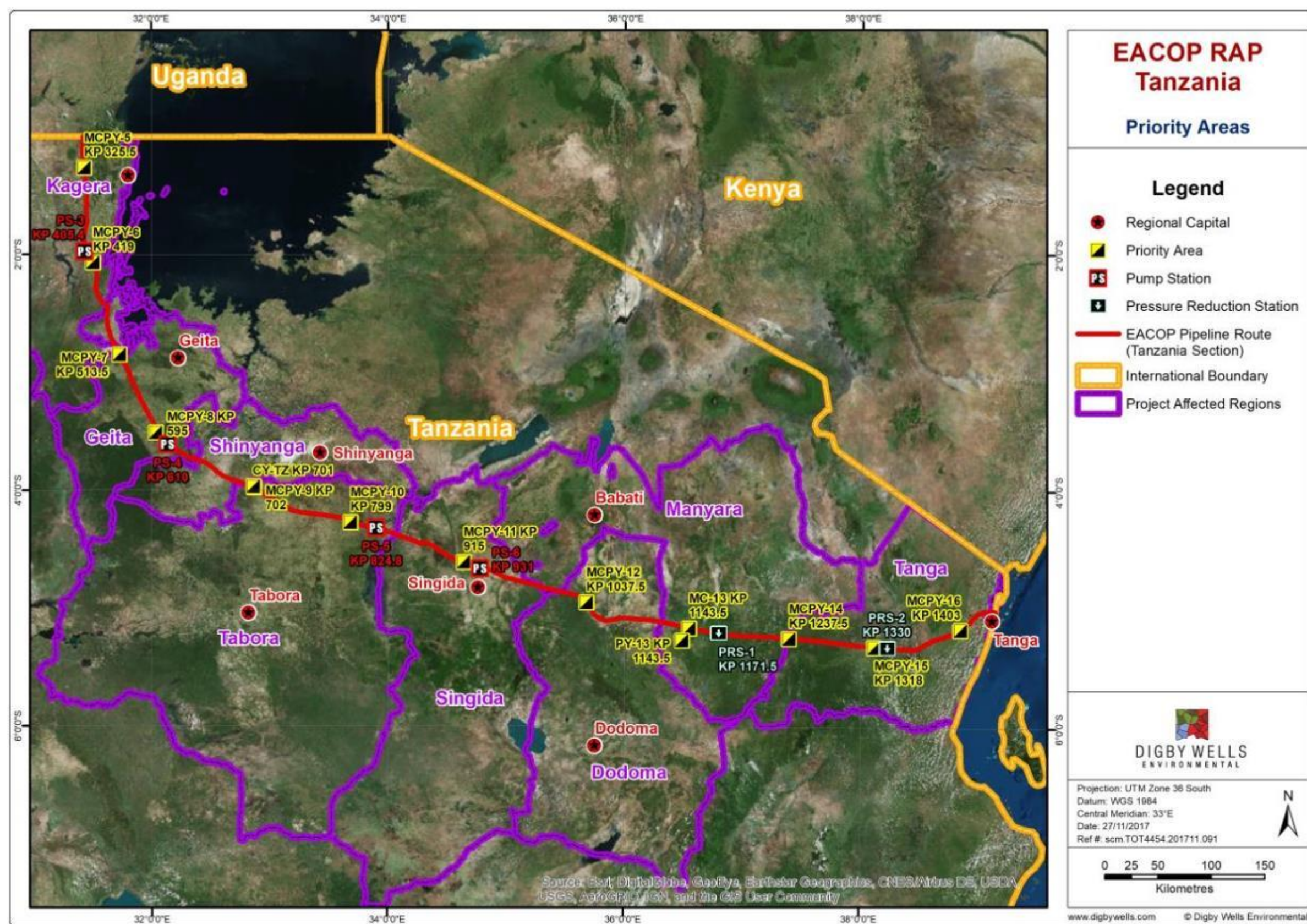






Figure 2-1: Proposed Pipeline Route through Tanzania



2.2 EACOP Project Components

The main project components located within Tanzania are presented in Table 2-1 below.



Table 2-1: Main Project Components



Project Components in Tanzania	Summary Description	Example
<i>Construction Facilities:</i>		
Coating Plant and Pipe Storage Yard	<p>The pipe will be imported with fusion-bonded epoxy (FBE) coating applied. A coating plant facility has been included in the project to insulate the pipe. Pipeline sections will be brought in via Dar es Salaam Port and transported to the pipe storage yard and to a coating plant. Coating plants include the following components:</p> <ul style="list-style-type: none"> • coating process area • raw materials storage area • uncoated pipe storage area • coated pipe storage area • workshops • camp administration • parking • power generation (estimated 6.25 MW) • waste area • fuel yard • sewage treatment area • communication tower • access road. 	 <p>Example of pipe coating</p>  <p>Example of a pipe storage yard</p>



Project Components in Tanzania	Summary Description	Example
Main Construction Camps & Pipe Yards (MCPYs) (x12)	<p>A construction camp consists of temporary housing, offices, a kitchen, a dining hall and entertainment areas. Construction camps are self-sustained and do not rely on local services. Each camp will be able to accommodate up to 1,000 people and will be located at reasonable intervals along the pipeline construction corridor.</p> <p>Each camp will also house a pipe storage yard, a sewerage treatment facility and waste management yard, access roads and, in some cases, a helipad. These camps will each have a footprint of between 17.5 hectares (ha) and 18.4 ha.</p> <p>Two of these camps will be used as marshalling yards for pipes.</p>	 <p>Example of a construction camp containing accommodation, offices and a communal area</p>  <p>Example of a marshalling yard</p>



Project Components in Tanzania	Summary Description	Example
Construction Access Roads	<p>Murram roads will be established and maintained by the Project to provide access to construction facilities and the construction corridor. Construction access roads will link up to the existing road network. Arrangements for the use of these roads after construction are still being discussed with the relevant government authorities.</p>	
Construction Corridor	<p>The construction and installation of the pipeline will require a 30 m wide construction corridor that is used as the workspace to construct the pipeline. However, this corridor might be wider in certain areas as additional working space may be required, for road and river crossings for example, and depending on the local environment.</p> <p>The corridor will be restored⁷ once construction is complete.</p>	


⁷ See Section 2.6: In areas categorised as Village Land prior to the Project the 30 m corridor will be restored to grassland. In areas previously categorised as Reserved Land and designated as a protected and/or designated area (e.g. Forest Reserve, Game Reserve, Wildlife Management Area, Game Controlled Area and Open Area) land cover will be restored and land use managed to achieve equivalent biological capacity.

Project Components in Tanzania	Summary Description	Example
<i>Operational Facilities:</i>		
Export Pipeline	<p>The pipeline will be buried at an average depth of between 1.8 m and 2 m.</p> <p>Once construction is completed, technically a 10 m corridor is required for the safe operation and maintenance of the pipeline set within the 30 m corridor. Following engagements with the Government and review of the Tanzanian land tenure and legal framework, the 30 m construction corridor will be acquired permanently and converted to General Land. The right of occupancy for the pipeline corridor will be granted to the Tanzania Petroleum Development Corporation (TPDC) and a lease for the full 30 m corridor provided to the Project Company.</p> <p>Once the pipeline is buried pipeline markers (at regular intervals) will be visible along the corridor.</p> <p>The permanent route corridor must be kept clear of any permanent structures or deep rooted vegetation to ensure easy access to the pipeline for maintenance purposes.</p>	 <p>Example of a pipeline marker</p>
Pumping Stations (x4)	<p>Pumping stations contain one or more electrically driven pumping units that are strategically placed to boost the pipeline's internal pressure and flow to ensure safe operating limits. These pumping stations are also used to monitor the flow in the pipeline and can be used to increase the throughput of the pipeline.</p>	

Project Components in Tanzania	Summary Description	Example
Pressure Reduction Stations (x2)	<p>These stations are required to regulate the pressure in the pipeline to allow the continued flow of the crude oil and to ensure that the maximum allowable operating pressure is not exceeded where the crude oil enters the storage tanks.</p> <p>There will also be a Pressure Reduction System within the MST.</p>	
Various Electric Sub-stations	<p>The entire pipeline will be thermally insulated with polyurethane foam and EHT.</p> <p>This EHT system will require electrical power, in the form of an underground 22/33kV-powerline that will be installed parallel to the pipeline trench. The power required for the EHT will be acquired from generators at the pumping stations and MST and converted to the required voltage via step-down sub-stations located at 50-60 km intervals along the pipeline route.</p> <p>There will be three types of electric sub-stations all within the footprint of other Project components: 3 x stand-alone electric sub-stations located in the pipeline corridor; 11 x electric sub-stations combined with the main line block valve stations located in the pipeline corridor; and 7 electric sub-stations combined with AGIs and MST.</p>	 <p>Example of a step-down sub-station</p>

Project Components in Tanzania	Summary Description	Example
Main Line Block Valves (MLBVs)	<p>MLBVs are required primarily to isolate a section of the pipeline in the event of a rupture (which is very unlikely). In addition to the MLBV, the pipeline design includes a leak detection system (fibre optic cable) for the entire pipeline. MLBVs will be located at major crossing points, active seismic areas and at each of the pumping stations and pressure reduction sections.</p> <p>60 MLBV will be located within the permanent ROW. 11 MLBV will be combined with electric substations.</p>	
Hydrotest Water Storage Facilities	<p>Hydrostatic testing is a controlled process to confirm the threshold measurement for the safe operation of the pipeline. A hydrostatic test is usually performed following new pipeline construction before the actual product (i.e. crude oil) is introduced into the system. All sections of the pipeline will undergo a hydrostatic test, which entails that each section of the pipeline is filled with water and pressurised for a certain time to allow for the identification of defects or leaks. The water is then released back to the hydrotest water storage facilities. If required, hydrostatic testing can be repeated when the pipeline is in operation to confirm pipeline integrity and shipping capacity.</p>	

Project Components in Tanzania	Summary Description	Example
Marine Storage Terminal (MST) (x1)	<p>Crude oil will be stored at the MST before it is transported to the end user via the offshore load-out facility (LOF). The MST will occupy approximately 72 ha and will consist of external floating roof tanks with associated discharge pumps and support systems, and a trestle with transfer lines to connect the MST to the LOF.</p> <p>The exact layout of the MST will be optimised during further studies to reduce environmental risks and increase the safe operation of the facility thereby ensuring optimal operational conditions with minimum potential for incidents.</p> <p>The crude oil transported by the pipeline will be stored in the terminal located at Chongoleani in Tanga Region, before being shipped and sold in other countries.</p>	
Load-out facilities (LOFs) (Offshore) (x1)	<p>From the MST, crude oil is discharged through pipelines to offshore LOFs where it is loaded onto marine tankers for shipment to end users.</p> <p>LOFs will be constructed, including a jetty to transfer crude oil to vessels (i.e. ships) at a sheltered site offshore.</p>	

Project Components in Tanzania	Summary Description	Example
Jetty	A jetty of approximately 2 km will connect the MST with the LOF.	

2.3 Project Schedule and Phases

Figure 2-2 indicates the main project phases and the key project schedule.

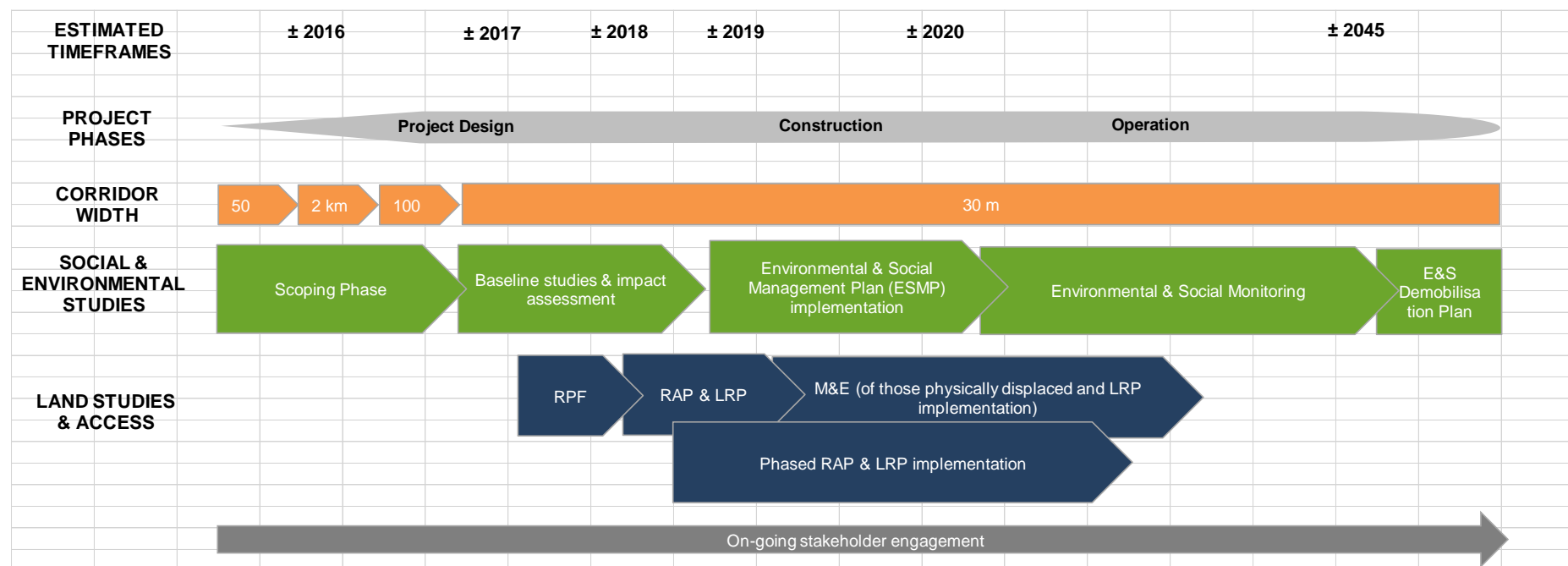


Figure 2-2: Main Project Phases and Key Project Schedule

2.4 Route Selection, Alignment and Reduction

The EACOP Project considered alternative routes from the Kabaale area to potential ports on the East African coast. Multiple port locations were identified and potential 50 km-wide pipeline corridors evaluated. Secondary information, including remote sensing, was used to assess potential corridors from Uganda using Geographic Information Systems (GIS).

Using the GIS and statistical analysis, potential routes were identified for the feeder pipeline and for the EACOP System, namely a Kenya northern route to Lamu, a Kenya southern route to Mombasa and a Tanzania route to Tanga. Using higher-resolution satellite imagery, the identified routes were refined by integrating evaluation of social and environmental constraints, geohazards, constructability and constraints associated with terrain, e.g., river crossings and slopes. Further to consideration of the detailed studies of the three identified routes, the Uganda–Tanzania route was selected.

In 2015, the Tanzanian and Ugandan Governments approved a 50 km wide route corridor, which was reduced to a 2 km wide corridor in 2016 and 100 m wide in early 2017. The route was reduced again to a 30 m width during 2018 within which the construction and permanent corridor will be located, as illustrated in Figure 2-3.

Because international good practice (IGP) requires that involuntary resettlement be avoided or minimised wherever feasible through the assessment of alternative project and engineering designs, the preferred route alignment was determined through stringent routing criteria that considered the following aspects as detailed in Table 2-2 to Table 2-4.

Table 2-2: Example of Selected⁸ Constructability Criteria Considered during Route Refinement

Routing Criteria	Mitigation Hierarchy					Comments
	Avoided	Minimised	No identification yet	n/a	Impacted	
Route length		X				Reduced by 14 m
Steep lateral slope				X		
Number of cold bend and tie-ins					X	Added 1
Road/track of rail crossing				X		No change in the number of roads
Flooding hazard				X		Potential flood area in wetland and low areas

⁸ This table and the tables on environment and socio-economic and cultural criteria below are only meant to reflect a sample of the evaluation measures that were used as an example of the process followed to refine the route alignment.

Table 2-3: Example of Selected Environmental Criteria Considered during Route Refinement

Routing Criteria	Mitigation Hierarchy					Comments
	Avoided	Minimised	No identification yet	n/a	Impacted	
Internationally protected areas (RAMSAR sites/UNESCO world heritage sites)				X		'No-go' areas
Critical habitats			X			
Natural habitats (e.g. undesignated forest/woodland areas, wetlands)			X			Potential habitat in wetland areas. Needs further investigation
Other notable biodiversity areas	X					Avoids Kasana – Kasambya Forest Reserve

Table 2-4: Example of Selected Socio-Economic and Cultural Criteria Considered during Route Refinement

Routing Criteria	Mitigation Hierarchy					Comments
	Avoided	Minimised	No identification yet	n/a	Impacted	
Industrial areas				X		'No-go' areas
Structures within 50 m of corridor centreline		X				Total structures within 20 m of corridor centreline = 4
Crop/cultivated land				X		Few small areas of cultivation of unknown crops
Tourism facilities/sites				X		No evidence of tourism in this area

The pipeline route corridor has been progressively reduced from a 50 km to a 30 m corridor based on concept study works and Front-end Engineering Design (FEED) activities. This is a continuous and iterative process based on the criteria highlighted in the tables above. Route alignment will continue to evolve as more data is collected or becomes known.

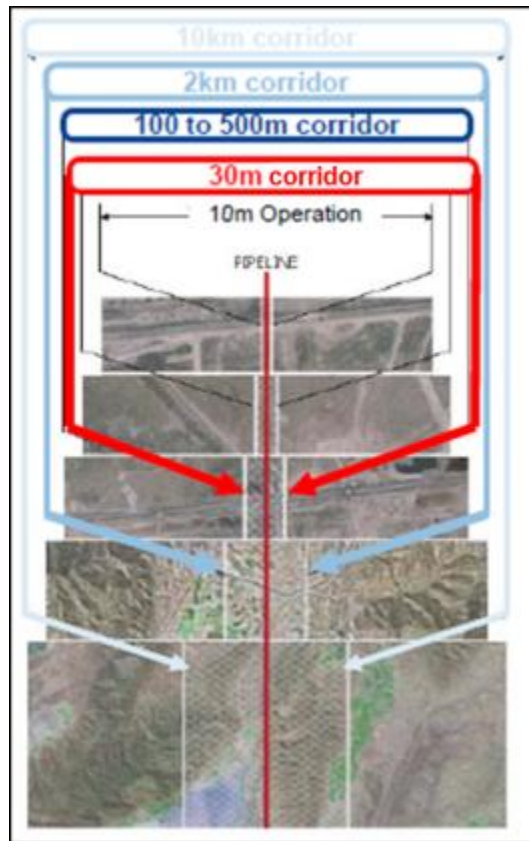


Figure 2-3: The Iterative Process of Route Refinement

During each phase of the route refinement process, the criteria outlined above were applied to minimise impacts. An example of how socio-economic and cultural heritage criteria were applied to re-align the route corridor is shown in Figure 2-4 below.

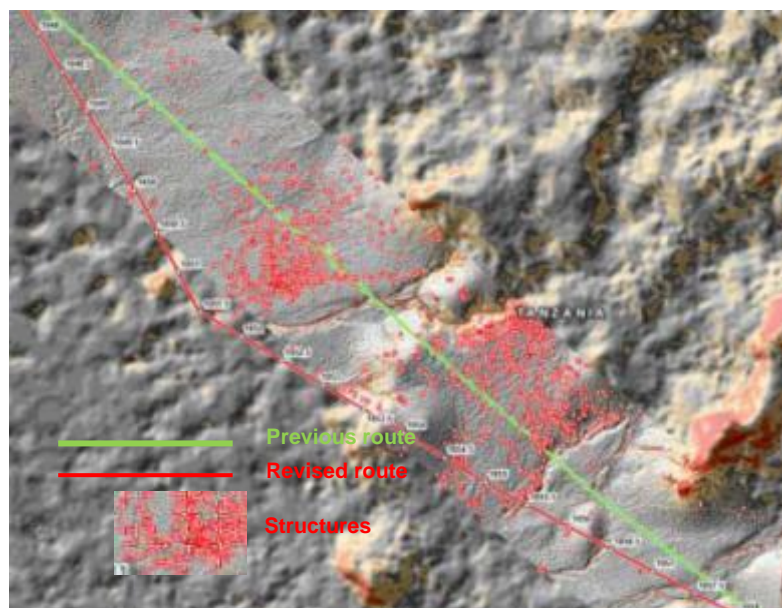


Figure 2-4: Applying Socio-economic and Cultural Heritage Criteria in Realigning the Route Corridor

The EACOP Project development team continues to assess feasible ways to avoid or minimise involuntary resettlement through engineering design.

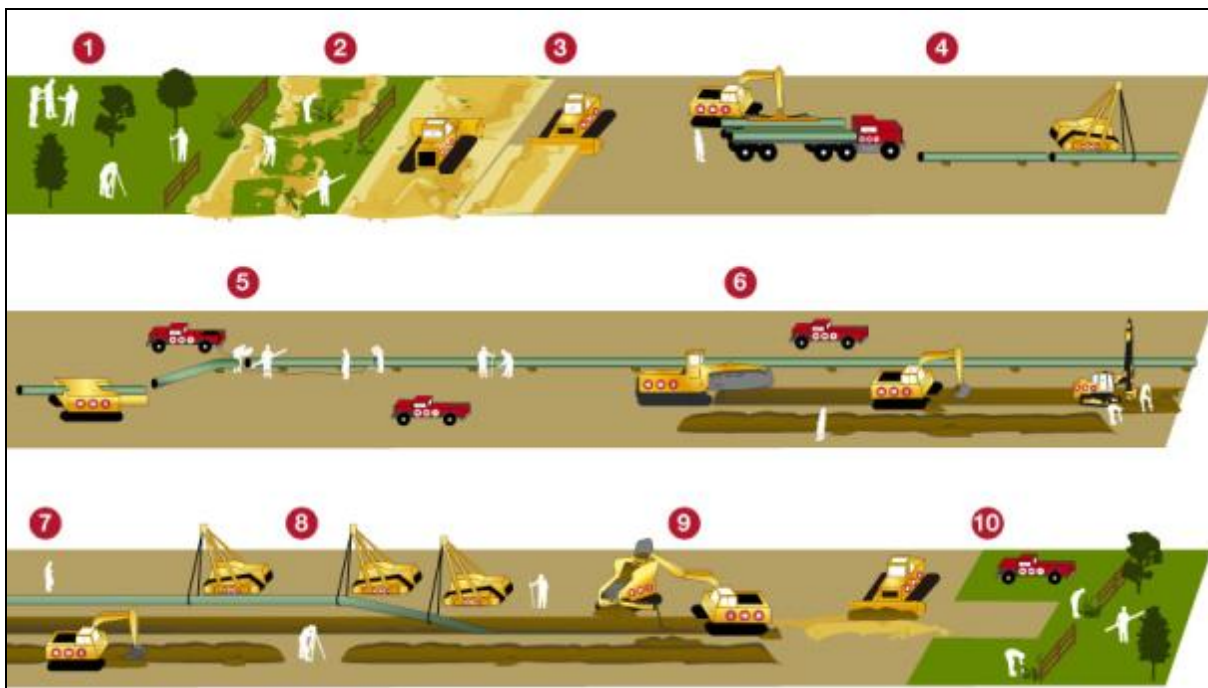
2.5 Overview of the Pipeline Construction Process

The first step in the construction process will be the establishment of construction facilities – construction camps, a coating plant, pipe yards, marshalling yards and construction access roads. In this document, the “Priority Areas” is used as a collective term for these facilities, which need to be established before other construction activities can proceed. This is relevant from the perspective of resettlement, since land access to the Priority Areas will be required some months earlier than for the remainder of the Project footprint.

On pipeline projects of this magnitude, construction typically takes place concurrently at several locations along the pipeline route, with a construction team at each location moving progressively along the route. The area covered by each individual construction team is referred to as a “spread.”

The EACOP construction will last about 36 months. The pipeline construction plan will determine the number of spreads required, based on the terrain along the final route.

The construction of the pipeline will be undertaken as indicated in the diagram⁹ below.



⁹ www.gdi.com.mx/pipeline.html.

Diagram Number	Description
1	Pre-construction survey: <ul style="list-style-type: none"> Environmental features (e.g. utility lines and natural drainage lines) along the route corridor are surveyed and marked to prevent accidental damage during construction The pipeline's centre line and outer most boundaries of the construction corridor (i.e. construction workspace) are pegged
2	Clearing: <ul style="list-style-type: none"> The construction corridor is cleared of all vegetation (any other infrastructure would have already been relocated as part of the resettlement process)
3	Grading and topsoil stripping: <ul style="list-style-type: none"> Temporary erosion control measures are put in place prior to trenching Topsoil is removed from the construction corridor and stockpiled for later use
4	Trenching: <ul style="list-style-type: none"> Backhoes and trenching machines are used to excavate the trench Excavated soil is temporarily stockpiled in the construction corridor (to be used later for backfilling)
5	Pipe stringing and bending: <ul style="list-style-type: none"> A pipe bending machine bends individual joints of the pipe to the desired angle to accommodate changes in the natural contours or where the pipeline route changes direction
6	Line-up: <ul style="list-style-type: none"> Coated pipe sections are placed along the excavated trench
7	Welding, coating and testing: <ul style="list-style-type: none"> Pipe sections are aligned and welded together and coated at the welded joints All welds are x-rayed and welds repaired, if necessary
8	Lowering pipe: <ul style="list-style-type: none"> The assembled pipeline is lowered into the trench using side boom tractors
9	Backfilling: <ul style="list-style-type: none"> The trench is backfilled using the soil that was excavated during the trenching process
10	Restoration: <ul style="list-style-type: none"> Disturbed areas are restored

2.6 Land-Use Restrictions

Restrictions on entry to Project land during construction will be determined on the basis of health and safety considerations. Where certain restrictions are unavoidable, provisions will be made during construction for crossing of people, vehicles and livestock across the pipeline route.

After construction and during the Project's operation phase, the following land use arrangements will apply:

- ***In areas categorised as Village Land prior to the Project:*** The entire 30 m corridor will be restored to grassland. No development of structures, planting of deep-rooted trees or agricultural activities (e.g. crop production) will be allowed. Livestock will, however, be allowed to cross and graze in the corridor;
- ***In areas previously categorised as Reserved Land*** and designated as a protected and/or designated area (e.g. Forest Reserve, Game Reserve, Wildlife Management Area, Game Controlled Area and Open Area): Land cover will be restored and land use managed to achieve equivalent biological capacity. No development of structures or agricultural activities (e.g. crop production) will be allowed in the corridor, and no deep-rooted trees will be planted on the 10 m strip above the pipeline. Livestock will, however, be allowed to cross and graze in the corridor;
- ***Crossing of the corridor:*** During operation, the Project will require access to the pipeline corridor at all times for inspection, maintenance and repair. The pipeline corridor will not generally be fenced, and pedestrian and livestock crossing will be generally allowed. Vehicle crossing will be limited to the existing road and infrastructure crossing arrangements; and
- ***Ground Installations and the MST:*** These will be fenced, and access to these facilities will be strictly controlled.

The process by which land rights will be acquired and the Project Company provide access to the required land is described in Chapter 7.

3 LEGAL, POLICY AND INSTITUTIONAL FRAMEWORK

The Project is obliged to meet Tanzanian legislative requirements for land acquisition, compensation and resettlement as well as applicable international financing standards enshrined in the Equator Principles III and the International Finance Corporation (IFC) Performance Standards (PSs). As such, this Chapter sets out the legal, policy and institutional framework for the Project's approach to land acquisition, compensation and resettlement. It also compares Tanzanian regulatory requirements to international financing standards, and proposes a way forward when gaps are identified.

The following Chapter thus sets out summaries of:

- Relevant Tanzanian legislation, regulations and policy pertaining to land, land acquisition and compensation (Section 3.1);
- Corporate standards of the JV partners – TEP U, CUL and TUOP (Section 3.2);
- The key agreements of direct relevance to the EACOP Project, including the Inter-Governmental Agreement (Section 3.3);
- The relevant Tanzanian institutional framework for land acquisition and resettlement (Section 3.4);
- The applicable international standards the Project is adopting – specifically IFC requirements contained within PS1 (Assessment and Management of Environmental and Social Risks and Impacts), PS5 (Land Acquisition and Involuntary Resettlement) and the Equator Principles III (Eps) (Section 3.3); and
- A gap analysis between national legislation and international standards and proposed approaches for the Project to address these gaps (Section 3.6).

3.1 Tanzanian Regulatory Framework

A range of laws and policies exist in Tanzania relevant to land acquisition, compensation and resettlement related to types of legally defined land. There is no specific “Resettlement Policy” in Tanzania. Tanzanian law land falls under the following three categories:

- **Reserved Land:** land set aside for wildlife, forests, marine parks and similar. Specific legal regimes govern these lands under the laws used to establish various forms of reserved land;
- **Village Land:** includes all land inside the boundaries of registered villages, where the Village Councils and Village Assemblies are given power to manage land. The Village Land Act provides details of how this is to be achieved;
- **General Land:** land that is neither reserved land nor village land and is therefore managed by the Commissioner for Lands.

Legal aspects for the sector and land acquisition and compensation are listed below and described more fully in Appendix A:

- Overarching Laws and Guidance:
 - Constitution of the United Republic of Tanzania, 1977;
 - The National Land Policy, 1997 (as amended); and
 - Petroleum Act No. 8, 2015.
- Land Acts:
 - The Land Act, 1999 (as amended);
 - The Land Acquisition Act, Cap 118 R.E., 2010;
 - The Land (Assessment of the Value of Land Compensation) Regulations, 2001;
 - The Land (Compensation Claims) Regulations, 2001;
 - The Village Land Act No. 5, Cap 114 R.E., 1999;
 - The Village Land Act, Cap 114 R.E., 2002 (as amended from time to time);
 - The Village Land Regulations, 2001;
 - The Graves (Removal) Act, Cap 72 R.E., 2010;
 - The Antiquities Act, 1964, and Antiquities (Amendment) Act, 1979;
 - The Antiquities Act, 1964, and Antiquities (Amendment) Act, 1979;
 - The Land Disputes Courts Act, 2010;
 - The Valuation And Valuers Registration Act, 2016;
 - The Valuation And Valuers (General) Regulations, 2018;
 - Forestry Act, 2002;
 - The Village Land Act, Cap. 114, 1999;
 - The Land Act, 1999;
 - The National Parks Act, Cap. 282, 2002; and
 - The Marine Parks and Reserves Act, 1994.
- Other relevant Policies:
 - The National Human Settlements Development Policy, 2000;
 - Forest Policy, 1998;
 - Water Policy, 2002;
 - Agricultural and Livestock Policy, 1997; and
 - Tanzania Women and Gender Policy, 2000.

3.2 Corporate Environmental and Social Commitments

The Upstream Partners each have corporate policies pertaining to their social responsibilities. These are referred to differently by each Partner and include Environment, Health and Safety policies, Ethics Charters, commitments to the protection of biodiversity and strategies for

operating in sensitive environments. Social commitments, including stakeholder engagement, are summarized for each Partner in the table below.

In the absence of EACOP Project specific standards, and in advance of the Pipeline Company developing its standards, EACOP is applying some of TOTAL SA standards to the Project including:

- Code of Conduct;
- Health, Safety and Environment (HSE) Charter;
- Security Charter;
- Charter of Principles and Guidelines on Indigenous and Tribal Peoples;
- Business Integrity Guide;
- Human Rights Guide; and
- GS EP ENV 501 – GIS deliverables for HSE.

Summaries for the three partners' commitments to social responsibility are summarized below.

Table 3-1: Upstream Partners' Commitments to Social Responsibility

Company	Policies
TEPU	<p>TEP U commits, among others, to:</p> <ul style="list-style-type: none"> • Developing transparent, constructive relationships with all of its stakeholders; • Reducing negative socio-economic impacts related to its operations; • Participating in the economic diversification of host communities and countries by supporting local initiatives; • Contributing to human development by emphasizing education and the strengthening of local skills and capacities; and • Enhancing the value of the historical, natural and cultural heritage of local communities. <p>In their HSE Charter, Company commits itself to comply with applicable Tanzanian laws and regulations, international standards, as well as TOTAL Group policies in the fields of HSE. In matters of safety, health, environment and quality, Company further adopts a constructive attitude based on open dialogue with stakeholders and outside parties. Through its social commitment, it focuses on developing its activities in harmony with the neighboring communities. In its Ethics Charter, Company commits to contributing to the social and economic development of the countries in which it operates, in compliance with local legislation and regulation. It is committed to protecting the environment and respecting local cultures.</p>
CUL	<p>CUL, in its social policies, is committed to contributing to the economic development of the country and ensure that the communities where CUL operates benefit from their operations. CUL will operate in compliance with Tanzanian laws and regulations and pursue high standards of business ethics and corporate governance, and implement advanced standards and industry best practice. It is committed to pursuing a win-win relationship with stakeholders, and to respect the rights and interests of stakeholders, by supporting local communities in the development of education, and contributing to poverty alleviation, among others.</p>
TUOP	<p>In its Environment and Social Performance Standard, TUOP states that it will comply with the requirements of all applicable host country laws and regulations, and apply their Standard where their requirements are more stringent than host country laws. The Standard requires that a robust stakeholder engagement process is followed, which is well-planned and coordinated, including the identification of potential stakeholders and the participation of project impacted people to discuss and contribute to project design, scope, impacts and mitigation measures prior to the start of project activities.</p> <p>In its policy statement on human rights, TUOP commits to a human rights due diligence</p>

Company	Policies
	from the start of a potential project and to actively engage employees and contractors with appropriate cultural awareness training. TUOP will undertake all its operations in conformity with the Voluntary Principles on Security and Human Rights.

3.3 Host Government Agreement and Inter-Governmental Agreement

The Inter-Governmental Agreement (IGA) was signed by the Governments of Uganda and Tanzania on 26 May 2017. Within the IGA, Article 3 established the land rights framework. This framework addresses:

- Fair, transparent, legally enforceable and clear terms in favor of the Project;
- Availability of land rights and integrity of the Pipeline System;
- Clearly identifiable, registrable title;
- Free from third party encumbrances, rights or claims;
- Strongest available title (or for temporary land, an appropriate title/right);
- Duration for the entirety of the Project (or for temporary land, as long as needed by the project);
- Allow uninhibited implementation of the Project;
- Enable full ownership of all Project facilities;
- Lenders must be able to take legal, valid and enforceable first priority security; and
- Compliance with Environmental Health, Safety and Security (EHSS) and Human Rights Standards at a national and international level.

In comments received from the Government of Tanzania on this RPF they noted '*the Government has confirmed to the investors that land taking will be based on the perspective of local and International Standards (Reference is made to Article 3 of the Inter-Governmental Agreement)*'.

The Host Government Agreements (HGAs) between the Upstream Partners and the Governments for the Project will follow on from the IGA, and will cover in its remit agreement over land rights. It is currently under development and discussion between the Upstream Partners and the Government of Tanzania, and is yet to be signed. The proposed approach and principles set out in this RPF will be reviewed once the HGA is agreed, and any required refinements will be made to the resettlement planning if required at that stage. These will be reflected in the subsequent comprehensive RAPs/LRPs.

3.4 Institutional Roles

Land matters in Tanzania are the responsibility of the Ministry of Lands, Housing and Human Settlements Development (MLHHSD) in collaboration with the local authorities, as described below.

The MLHHSD is the principal ministry responsible for land use planning, surveying and demarcating land and the provision of land ownership and tenancy rights. The Ministry of Energy (ME) is the lead ministry managing the development and delivery of the Project.

The Project requires cooperation from a wide range of Government organizations at national, regional, district and village levels. The respective roles of the Government organizations that are typically involved in land acquisition, compensation and resettlement are outlined below. With regard to the particular roles of these organizations on this Project, the following sub-sections provide a high-level overview only. A more detailed description of specific functions and tasks to be undertaken by these organizations during various steps in the resettlement planning and implementation process for EACOP specifically is provided in Chapter 7.

3.4.1 Ministry of Energy

The Ministry will provide the oversight role in instigating, coordinating and managing Government responses to the Project and, in cooperation with the TPDC¹⁰ within the Ministry, provide guidance on corridor routing, supporting associated development, Project-related economic development, as well as land acquisition, resettlement and compensation matters.

3.4.2 Ministry of Lands, Housing and Human Settlements Development

MLHHSD is responsible for policy, regulation and coordination of matters relating to land in Tanzania. The Ministry also administers the various Land Acts, including the Land Acquisition Act, the Land Act and the Village Land Act (refer to Section 3.3 above). Land use planning, management and land delivery activities are usually conducted by the Ministry.

Within this Ministry, the Commissioner for Lands administers most issues dealing with land allocation, acquisition, and registration and land management. All instances of acquisition of land for public purposes and the need for resettlement and/or compensation must be referred to the Commissioner.

As such, MLHHSD will also have an oversight and approval role for:

- Review and verification of the valuation rates, process and Valuation Reports, including the compensation schedules, through the Office of the Chief Valuer;
- Regulation and oversight of the land acquisition process, including ensuring compensation is paid or resettlement undertaken as agreed in the approved Valuation Reports; and
- Ensuring that the amount of compensation paid to Project-affected persons (PAPs) is equivalent to the value of affected properties, and signing off valuation reports prepared by registered valuers to verify that the entitlements comply with Tanzanian laws governing land acquisition, resettlement and compensation.

¹⁰ TPDC is the National Oil Company of Tanzania through which the ME implements its petroleum exploration and development policies.

3.4.3 Regional Secretariats

The Regional Secretariats of Project-affected regions provide coordination and guidance to land acquisition processes and ensure that it is done in accordance with Tanzanian law. In this regard the Regional Commissioner's Office will have certain roles:

- In collaboration with District Councils and Village Assemblies, playing an oversight role in valuation surveys;
- Coordinating with District Councils to ensure their attendance at sensitization meetings and valuation surveys to enable community sensitization, PAP identification and valuation surveys to occur efficiently and effectively;
- Assisting with resolution of grievances wherever practicable; and
- Providing direct assistance to adjoining regions impacted by the Project if no regional land officers and or/valuers exist.

3.4.4 District Authorities

The relevant ***District Councils, District Commissioner's Office and District Executive Director's Office*** have a direct role in the land acquisition process with regard to:

- Notifying the affected Ward and Village Council of the proposed Project;
- Advising the Village Council on the management of village land;
- Participating in the land and asset valuation process in an oversight role and verification of the Compensation Schedule produced by the valuers;
- Supporting on issues regarding land acquisition and transfer and preparation of title documents for relocation sites (if required); and
- Where District Land and Housing Tribunal exist, attending to all grievances of a civil nature regarding land whose pecuniary value is less than TZS. 50 million.

The roles of ***wards*** (which are part of the District Councils) comprise the following:

- The Ward Officer is to participate in community sensitization, and the land and asset valuation process in an oversight role and verification of the Compensation Schedule produced by the valuers;
- Advisory services to Village Councils; and
- Attending to all grievances of a civil nature regarding land whose pecuniary value is less than TZS. 3 million.

3.4.5 Village Governance

The key roles at village level comprise the following:

- Village Council: Relevant Village Assemblies/Councils, who are the supreme authority in village matters, can encourage villagers to participate in the process to ensure sustained collaboration between the Project and PAPs/ project-affected households. Their role is to:
 - Participate in project sensitization and disclosure meetings;

- Mobilize affected households and provide feedback/notification to PAPs on Project-related issues;
 - Participate in identification of affected households and witness the property valuation exercise;
 - Participate and witness the land survey and mapping of the Project area;
 - Support PAPs during the preparation and submission of their compensation claims;
 - Witness the compensation payment process; and
 - Supporting in the land acquisition process and during registration of any relocation sites (if required).
- Village Assembly:
 - Participate in Project sensitization and disclosure meetings;
 - Approve relevant aspects of the land acquisition programme (e.g. with regard to the transfer of village land); and
 - Resolve property ownership disputes within households prior to land acquisition, or escalate them to the Village Council for guidance.
 - Village Executive Officer
 - Participate in community sensitization, and the land and asset valuation process in an oversight role and verification of the Compensation Schedule produced by the valuers.

3.4.6 Other Government Organizations

The Project – as it pertains to the resettlement process – will also work closely with other government organizations including:

- The ***Vice-President's Office***, which coordinates government service delivery, accountability and environmental management issues including climate change.
- The ***National Environment Management Council (NEMC)***, which oversees environmental management issues, with the mandate to undertake enforcement, compliance, review and monitoring of environmental impacts assessments, research, facilitation of public participation in environmental decision-making, raising environmental awareness, and collecting and disseminating environmental information. NEMC will be provided with the RPF and RAPs/LRPs (*when available*) as part of the ESIA process.
- ***Tanzania Forest Services Agency (TFS)***, is a semi-autonomous government Executive Agency mandated to sustainably undertake conservation, development and utilization of national forest and bee resources so that they contribute to the social, economic, ecological and cultural needs, currently and in the future. They will have a role in land acquisition matters in forestry areas including in reserved lands.
- ***Tanzania Wildlife Management Authority (TAWA)***, under the Ministry of Natural Resources and Tourism, which is an autonomous public institution responsible for

undertaking the administration and sustainable management of wildlife resource and biodiversity conservation (outside National Parks and Ngorongoro Conservation Area), comprising Game Reserves, Game Controlled Areas and open areas. Similar to the above they will have a role in land acquisition through specific reserved lands.

- The **Ministry of Regional Administration and Local Government**, which coordinates and supervises regional development, management and administration. The Ministry coordinates rural and urban development management policy and strategies; and coordinates Regional Secretariats' activities, building their capacity in institutional development strategies, for integrated socio-economic development and financial development of Local Government Authorities;
- The **Ministry of Agriculture, Livestock and Fisheries**, which regulates the livestock and fisheries sector to ensure continued livelihoods, employment, national income and food security;
- The **Ministry of Education, Science, Technology and Vocational Training**, which is responsible for the national education system to empower locals with knowledge and skills that add value to national development;
- The **Ministry of Health, Community Development, Gender, Elders and Children**, is responsible for health and concerned with the improved social well-being of communities and community development programs;
- The **Ministry of Home Affairs**, which is responsible for the registration of all Tanzanian nationals and the issuing of identity documents;
- The **Ministry of Water and Irrigation**, which is responsible for the sustainable management and development of water resources; and
- **Ministry of Works, Transportation and Communication**, which oversees the development and maintenance of roads, bridges and government property.

3.5 International Guidance and Standards

3.5.1 Equator Principles

The EPs is a risk management tool adopted by numerous financial institutions in 37 countries for identifying, assessing and managing environmental and social risks. The EPs are largely based on the IFC's Performance Standards with some additional requirements for lenders who have adopted the EPs. As the Project may be seeking funding from EP financial institutions, the process for land acquisition, compensation and resettlement must recognize the applicable international standard with the EPs.

3.5.2 International Finance Corporation Performance Standards

The IFC, a member of the World Bank Group, has adopted a suite of performance standards on social and environmental sustainability. The IFC applies these performance standards to manage project-related social and environmental risks and impacts, as well as to enhance development opportunities in its private sector financing.

The Project will require the involuntary resettlement of all households and assets located within the Project footprint. Thus, the IFC's PS5 : *Land Acquisition and Involuntary Resettlement* will apply. The main objectives of IFC PS5 are to:

- Avoid, and when avoidance is not possible, minimize displacement by exploring alternative project designs;
- Avoid forced eviction;
- Anticipate and avoid, or where avoidance is not possible, minimize adverse social and economic impacts from land acquisition and/or restrictions on land use by (i) providing compensation for loss of assets at replacement cost and (ii) ensuring that all resettlement activities are implemented with appropriate disclosure of information, consultation, and the informed participation of those affected;
- Improve, or restore, the livelihoods and standards of living of displaced persons; and
- Improve living conditions among physically displaced persons through the provision of adequate housing with security of tenure at resettlement sites.

According to IFC PS5, displaced persons may be classified as persons:

- Who have formal legal rights to the land or assets they occupy or use;
- Who do not have formal legal rights to land or assets, but have a claim to land that is recognized or recognizable under national law; or
- Who have no recognizable legal right or claim to the land or assets they use/occupy.

The Standard also includes the following requirements:

- Provide opportunities to displaced people to derive appropriate development benefits from the project; and
- Where land is collectively owned, land based compensation should be offered, where possible.

Involuntary resettlement refers both to physical displacement (resettlement or loss of shelter) and economic displacement (loss of assets, or access to assets, that leads to loss of income sources and/or other means of livelihood), as a result of project-related land acquisition and/or restrictions on land use. Resettlement is considered involuntary when affected persons or communities do not have the right to refuse land acquisition and restrictions on land use that result in physical or economic displacement. This occurs in cases of lawful expropriation, or restrictions on land use, or in negotiated settlements in which the buyer/developer can resort to expropriation or impose legal restrictions on land use if negotiations with the seller fail.¹¹

IFC PS5 applies to all physical and/or economic displacement resulting from the following types of land-related transactions:

¹¹ PS5 does not apply to resettlement resulting from voluntary land transactions (i.e., market transactions in which the seller is not obliged to sell and the buyer cannot resort to expropriation or other compulsory procedures sanctioned by the legal system of the host country if negotiations fail).

- Land rights, or land use rights, acquired through expropriation or other compulsory procedures in accordance with the legal system of the host country;
- Land rights, or land use rights, acquired through negotiated settlements with property owners or those with legal rights to the land if failure to reach a negotiated settlement would have resulted in expropriation or other compulsory procedures;
- Project situations where involuntary restrictions on land use and existing access to natural resources cause a community, or groups within a community, to lose access to resource usage where they have traditional or recognizable usage rights;
- Certain project situations requiring evictions of people occupying land without formal, traditional, or recognizable usage rights; and
- Restriction on access to land, or use of other resources including communal property and natural resources.

When displacement cannot be avoided, the project sponsor will offer displaced persons and communities' compensation for the loss of all assets at full replacement cost, as well as other assistance as provided in PS5, to help them improve or restore their standards of living and livelihoods. Compensation standards shall be transparent and applied consistently to all the communities and persons affected by the displacement.

Replacement cost is defined as the market value of affected assets plus transaction costs. In applying this method of valuation, depreciation of structures and assets should not be taken into account. Market value is defined as the value that is required to enable affected persons and communities to replace lost assets with new assets of similar value. Security of tenure must be provided at the resettlement site, meaning that resettled individuals or communities are resettled to a site that they can legally occupy without the risk of eviction.

According to IFC PS5, preference should be given to land-based resettlement strategies for displaced persons whose livelihoods are land-based. Strategies may include resettlement on public land with the agreement of government, or on private land acquired or purchased for resettlement. Whenever replacement land is offered, it should provide for land that is at least equivalent to that of the old site.

Where physical displacement occurs, PS5 further requires that a RAP shall be developed and implemented. The RAP must provide a comprehensive action plan for addressing resettlement impacts. It should describe the procedures and activities that will be taken to mitigate adverse project impacts, compensate for all losses, and provide development benefits to those who will be resettled or displaced as a result of the project. The project sponsor shall be fully responsible for the resettlement process.

In order to comply with the above requirements, the project sponsor will carry out a census with appropriate socio-economic baseline data to identify all persons who will be displaced by the project, and to determine who will be eligible for compensation and/or resettlement assistance, as well as to discourage inflow of people who are ineligible for these. A cut-off date for eligibility under the proposed project should also be established. Information on the cut-off date shall be well documented and disseminated throughout the project area.

PS5 requires that the RAP is disclosed to the relevant authorities and affected parties prior to implementing resettlement. Provision of compensation and restoration of livelihoods of those affected by the project shall be ensured prior to any actual resettlement. Possession of land for project activities should take place only after compensation has been paid, or alternatively, if suitable guarantees of compensation have been made to the affected parties' satisfaction. Resettlement housing and related public infrastructure and services and moving allowances must be provided to affected persons in accordance with the RAP provisions.

PS5 further requires that particular attention be given to the needs of vulnerable persons and groups. These are defined as those below a defined poverty line, the landless, the elderly, women and children, indigenous groups and ethnic minorities, the disabled, orphans, and otherwise disadvantaged persons. In particular, the RAP must provide:

- Additional targeted assistance (for example credit facilities, training and employment) and opportunities to restore, and preferably improve, their income-earning capacity, production levels and standards of living to displaced persons whose livelihoods or income levels are adversely affected; and
- Transitional support to economically displaced persons where necessary, based on a reasonable estimate of time required to restore income-earning capacity, production levels, and standards of living.

3.5.3 Human Rights Considerations

As set out the IGA framework, the Project has agreed to address Human Rights Standards at a national and international level. The United Nations (UN) norms acknowledge the universality, indivisibility, interdependence and interrelatedness of human rights, including the right to development, which entitles every person to participate in, contribute to and enjoy in the economic, social, cultural and political development in which human rights and fundamental freedoms can be realized.

The protection of basic human rights is primarily the responsibility of the state. However, in terms of international good practice, private companies are increasingly required to uphold and promote basic human rights. The UN Global Compact initiative (of which TOTAL SA is a signatory) challenges business to embrace and enact basic principles with respect to human rights. The UN 'Protect, Respect and Remedy Framework for Business and Human Rights' (2010) underlines the corporate responsibility to protect human rights, address adverse impacts and provide greater access by victims ('effective remedy').

The IFC PSs provide further insight into how initiatives like Global Compact can improve the human rights performance of project sponsors. The IFC Good Practice Note on the Design of Grievance Mechanisms (Guidance Note 7 of 2009), establishes that credible and effective grievance mechanisms are part of a broader framework for companies to address human rights issues in their business operations. The IFC PSs furthermore require that the dignity, human rights and welfare of communities affected by development projects are protected.

3.6 Gap Analysis between Tanzanian and International Standards

Table 3-2 provides an overview of the Tanzanian legislative requirements and IFC PS with regard to resettlement and compensation. Any significant gaps between the two sets of requirements are, as far as possible, addressed in the Entitlement Framework (refer to Chapter 7).

The RFP confirms that, where a discrepancy exists between lender requirements (EPs and IFC PS) and national legislation, the more stringent of the two will be used and/or applied.

Table 3-2: Comparison of Relevant Tanzanian Legislation and IFC PS5

Aspect	Tanzanian Land Acquisition and Compensation Legislation	IFC PS5 Land Acquisition and Involuntary Displacement	Way Forward
Valuation of Land and Assets	Market rates for land. replacement cost for structures. Rates for crops and trees based on extensive research and published by the Chief Valuer (valid for up to five years). Crops in abandoned field to receive 50% of designated market value.	Replacement cost not taking depreciation into account. All affected land eligible for compensation. Rates to be current. Transaction costs to be made over as compensation.	<p>Valuation Report shall have an introduction and two parts:</p> <ul style="list-style-type: none"> – Part (i) Tanzanian Entitlements; and – Part (ii) Additional Project-Specific Entitlements and Compensation Options to meet international standards; <ul style="list-style-type: none"> • Chief Valuer requested to only approve Part (i); • Compensation schedules will distinguish between Tanzanian entitlements and additional entitlements; and • Engagement with the affected persons will communicate additional entitlements offered by the Private Sector Parties to meet international financing standards. <p>Valuation Methodology:</p> <ul style="list-style-type: none"> • Rates agreed with Chief Valuer; • Full replacement cost without taking depreciation into account; • Valuation Reports will distinguish the cost of the Project and any other differences with entitlements; and • Differences will be presented as a Part (ii): Project-specific entitlements.
Socio-Economic Surveys	Not required.	Requires socio-economic survey.	<ul style="list-style-type: none"> • Project will undertake socio-economic surveys of Project-affected households; and • Data will be used to inform the RAP and international entitlements (Part (ii)) for livelihoods restoration and in-kind compensation options.
Cut-off Date for Eligibility	Cut-off date set as commencement of valuation.	Cut-off date considered date of asset registration and socio-economic survey.	<ul style="list-style-type: none"> • Cut-off date triggered by valuation, in line with Tanzanian law.

Aspect	Tanzanian Land Acquisition and Compensation Legislation	IFC PS5 Land Acquisition and Involuntary Displacement	Way Forward
Eligibility of PAP – without formal rights or claims to land/ informal occupiers	Only people with recognised land use/owner rights (including customary) qualify for compensation. Informal occupiers do not qualify for compensation.	Informal occupiers compensated for improvements on land (i.e. for loss of assets other than land) and choice of options to relocate them with security of tenure without the risk of facing forced eviction and resettlement assistance to restore livelihoods.	<ul style="list-style-type: none"> Recognise and compensate appropriately PAPs with formal and informal land rights and those with no recognisable right or claim; Not required to compensate those who encroach on the Project area after the cut-off date for eligibility; and Compensation schedules for PAPs not considered eligible under the Tanzanian legal requirements would be included within Part (ii) of the Valuation Report.
In-kind Compensation Options and Resettlement Assistance	Provision of replacement land generally not offered. Regulations allow provision of comparable plot of land or building(s); practice generally is cash. ¹² Range of support allowances including disturbance, transport and accommodation allowances and loss of profits.	<ul style="list-style-type: none"> Cash compensation for land-based livelihoods is considered appropriate where the land taken is a small fraction of the affected asset and the residual land is economically viable; Otherwise, requires choice of replacement land/ housing or cash or combination; and Relocation support allowances such as for: disturbance, vulnerability, transportation and temporary accommodation. 	<ul style="list-style-type: none"> Eligibility for in-kind compensation options will be related to significance of impacts on livelihoods: <ul style="list-style-type: none"> Persons losing only a small fraction of their land (with the remainder being economically viable) receive cash compensation for that land; In cases of significant impact, offer eligible PAPs a choice between cash or replacement land/housing (i.e. in-kind compensation) or a combination of cash and in-kind compensation; and resettlement assistance; Valuation Reports will distinguish between the standard Tanzanian entitlements of cash and the additional options offered for international standards; and In-kind compensation options and additional resettlement assistance would be contained within Part (ii) of the Valuation Reports.
Vulnerable Individuals and Groups	No special support required for vulnerable groups.	Additional attention and support measures to vulnerable groups.	<ul style="list-style-type: none"> Identify vulnerable groups and provide special attention and support measures.

¹² The Land (Compensation Claims) Regulation 2010 allows provision of 'A plot of land of comparable quality, extent and productive potential to land lost; A building or buildings of comparable quality, extent and use to the building or buildings lost. The provision of replacement land and/or housing is not generally provided in practice via this Regulation; rather, Tanzanian RAPs reviewed offer this through application of international standards.

Aspect	Tanzanian Land Acquisition and Compensation Legislation	IFC PS5 Land Acquisition and Involuntary Displacement	Way Forward
Timing of Compensation Payments	Valuation valid for a 2-year period but payment within 6 months of approval of Valuation Report by Chief Valuer, and if payment delayed it is subject to interest.	Payment prior to possession of land.	<ul style="list-style-type: none"> • Project responsible for payment of cash compensation and delivery of in-kind compensation entitlements and resettlement assistance; • Compensation paid in line with Tanzanian law; • Project would only seek land access after: <ul style="list-style-type: none"> – Period of reasonable notice to vacate/yield possession has occurred; (suggest 3 months minimum); – All cash compensation has been paid and relevant in-kind compensation provided and resettlement assistance (including any specific transitional temporary assistance); and – Required land transfer, Project lease and other arrangements are in place with relevant GoT agency.
Livelihoods Restoration	Does not generally require livelihood restoration support. Regulations allow that compensation can include: plants and seedlings; regular supplies of grain and other basic foodstuffs for a specified period. ¹³	Requires livelihood restoration support.	<ul style="list-style-type: none"> • Livelihood restoration entitlements presented under Part (ii) of the Valuation Reports as additional Project-specific entitlements to meet international financing requirements; and • Given the predominant land use affected by the Project is agricultural land, the key focus of the livelihoods restoration measures likely to be focused on ensuring food security – considered in the interest of all parties and in line with certain Regulations.
Resettlement Documentation Plan	Valuation Reports required. RAPs not required, apart from certain licences where the condition for a relocation plan is stipulated (e.g. Mining Licences). NEMC request as part of EIA submissions.	RAPs where there is physical displacement; LRPs where there is only economic displacement. Required prior to taking possession of land.	<ul style="list-style-type: none"> • Valuation Reports (structured in two parts as noted above) will be submitted for verification and approval of Chief Valuer; and • Project RAPs will be prepared by the Project and submitted for information to the relevant agencies in Tanzania (i.e. ME; MLHSD, NEMC (and relevant ministry) and other agencies as requested).

¹³ Compensation for Loss of Profits is provided for in The Land (Compensation Claims) Regulations 2001 and The Land (Assessment of the Value of Land Compensation) Regulations 2001. Such compensation is viewed as a form of livelihood restoration support. Further, Section 10 Land (Compensation Claims) Regulations 2010 provide that compensation shall take the form of monetary compensation, but may also include the following: plants and seedlings; and regular supplies of grain and other basic foodstuffs for a specified period. Again, such compensation is viewed as a form of livelihood restoration support.

Aspect	Tanzanian Land Acquisition and Compensation Legislation	IFC PS5 Land Acquisition and Involuntary Displacement	Way Forward
Disclosure, Consultation and Informed Participation	Some disclosure is required, including on rates. (PAPs are given the opportunity to inspect compensation schedules following valuation.) No negotiation of compensation options.	Disclosure of rates, entitlements and options. Engagement and participation during resettlement phases. Negotiation on: content of compensation package (cash vs. in-kind or combination); available resettlement support options and livelihood restoration options.	<ul style="list-style-type: none"> • Disclosure of relevant information (including on rates and entitlements); • Entitlement Briefings in which compensation options are explained and PAPs given the opportunity to select preferred options; • Engagement and participation of affected persons, households and affected communities during resettlement phases; and • Allow negotiation about selection of compensation options, resettlement allowance and livelihood restoration options (in terms of cash and in-kind combinations).
Grievance Mechanisms	No dedicated dispute resolution mechanism at various Government levels with a final recourse to Court.	Establishment of dedicated, easily accessible, and no-cost grievance management mechanism.	<ul style="list-style-type: none"> • Establish a dedicated grievance management mechanism, at no-cost to affected people. Complainants will still be able to seek legal remedies in accordance with the laws and regulations of Tanzania.
Monitoring and Evaluation	No monitoring and evaluation requirement.	Require monitoring and evaluation of resettlement process and outcomes.	<ul style="list-style-type: none"> • Conduct process and outcome monitoring during and upon completion of implementation.

4 LAND AND SOCIO-ECONOMIC CONTEXT OF THE PROJECT AREA

This chapter describes the land and socio-economic context within which the proposed Project will be implemented. It commences with an overview of governance structures responsible for regional and district administration. This is followed by descriptions of land use activities coinciding with the Project footprint and broad socio-economic characteristics of potentially-affected households and communities.

4.1 Governance and Administration

Tanzania is a democratic unitary republic with a central government (consisting of ministries, national authorities and agencies), which is supported by regional secretariats and local government authorities (LGAs). Eight of the country's 31 regions will be affected by the Project. Each region comprises several urban and/or rural LGAs. Urban LGAs are subdivided into cities, municipalities, towns, wards, and sub-wards, whereas rural LGAs are divided into districts, wards, villages and hamlets.¹⁴

Town or city councils govern the urban LGAs. Councillors elect the chairpersons of the town councils and mayors of municipal and city councils and their deputies. The urban councils all have standing committees that cover land, health, finance, planning, education, and environment.

Rural LGAs, on the other hand, are governed by District Council administrations. Councillors elect the chairpersons of the District Councils and their deputies. The District Councils also have standing committees that cover land, planning, and environment. Rural Village Councils, which consist of villages comprised of hamlets, provide the lowest level administration. Village councils also have a standing committee, which administers land, planning, social services, and security. Ward development committees (WDC) are a feature of both urban and rural LGAs and act as an intermediary between the local population and the LGAs. Development proposals are sent to the WDC and they are tasked with coordinating development plans and the provision of social welfare services.

4.2 Land Use

The Project footprint is primarily located on rural land. Land uses within the footprint tend to follow historical settlement patterns that were based on access to land with sufficient resources to sustain land-based livelihood activities (e.g. surface water sources, arable land, grazing land, etc.). Figure 4-1 below provides a broad classification of land within the Project footprint, while Figure 4-2 shows the percentage of the Project footprint occupied by each land use type per

¹⁴ TEAM BV. (2017). EACOP: Environmental impact statement scoping report and Draft Terms of Reference (application number 6725).

region. These figures, which summarise the findings of an analysis of available satellite imagery, differentiate between three categories of land:

- Land used for cultivation (with no discernible dwellings);
- Land in which dwellings are interspersed with cultivation and/or grazing; and
- Vacant or grazing land with no dwellings and little or no cultivation.

The majority (about 55%) of land that will be affected by the Project falls within the first category (cultivation with no discernible dwellings), while about 22% falls in the second category (dwellings interspersed with cultivation). Departures from the aforementioned trend are evident in the two northernmost regions affected by the Project footprint (i.e. Kagera and Geita, where approximately 50% of the land traversed by the pipeline corridor falls in the second category), as well as in Manyara Region (where most land falls in the third category).

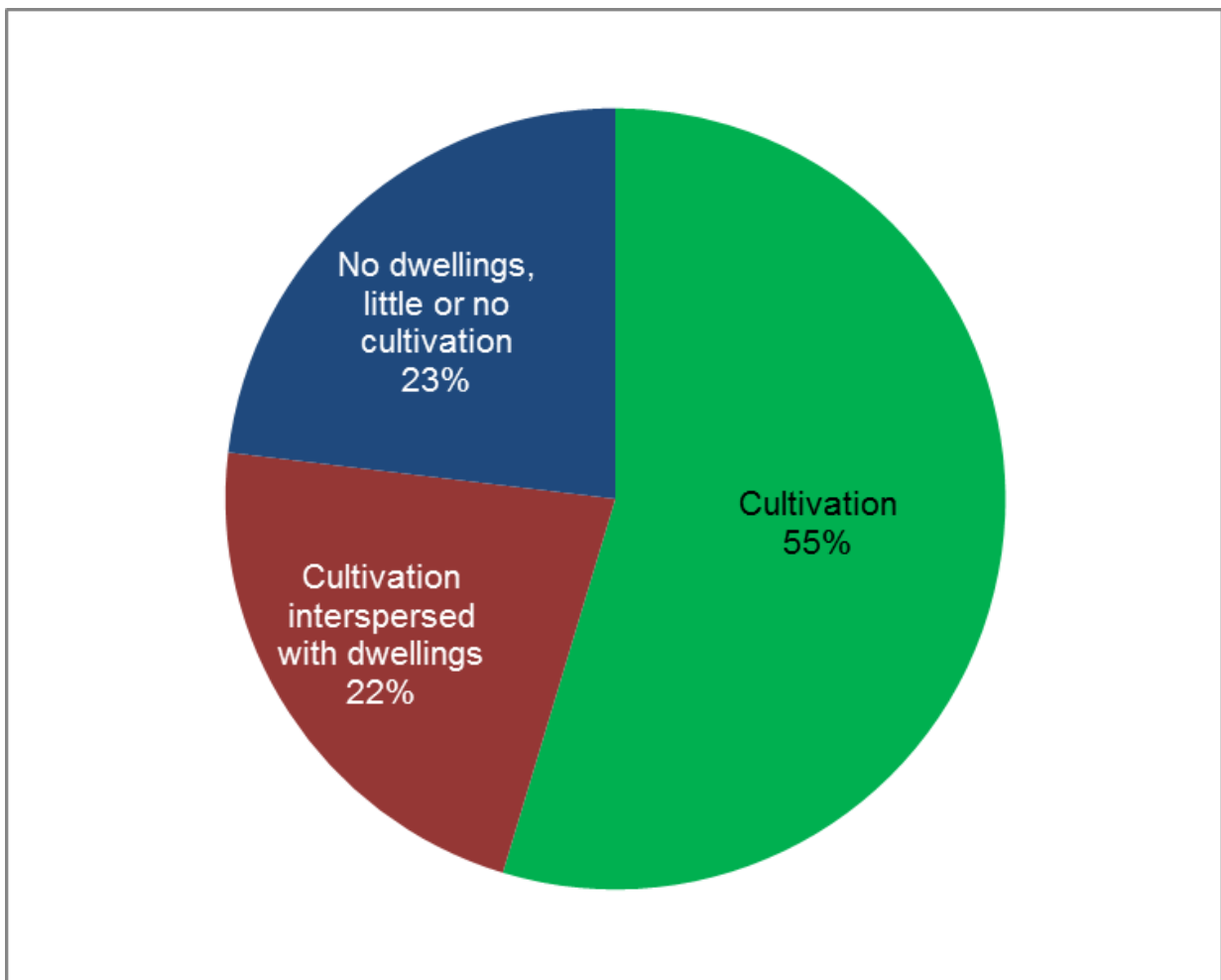


Figure 4-1: Classification of Affected Land Uses along the Pipeline Corridor

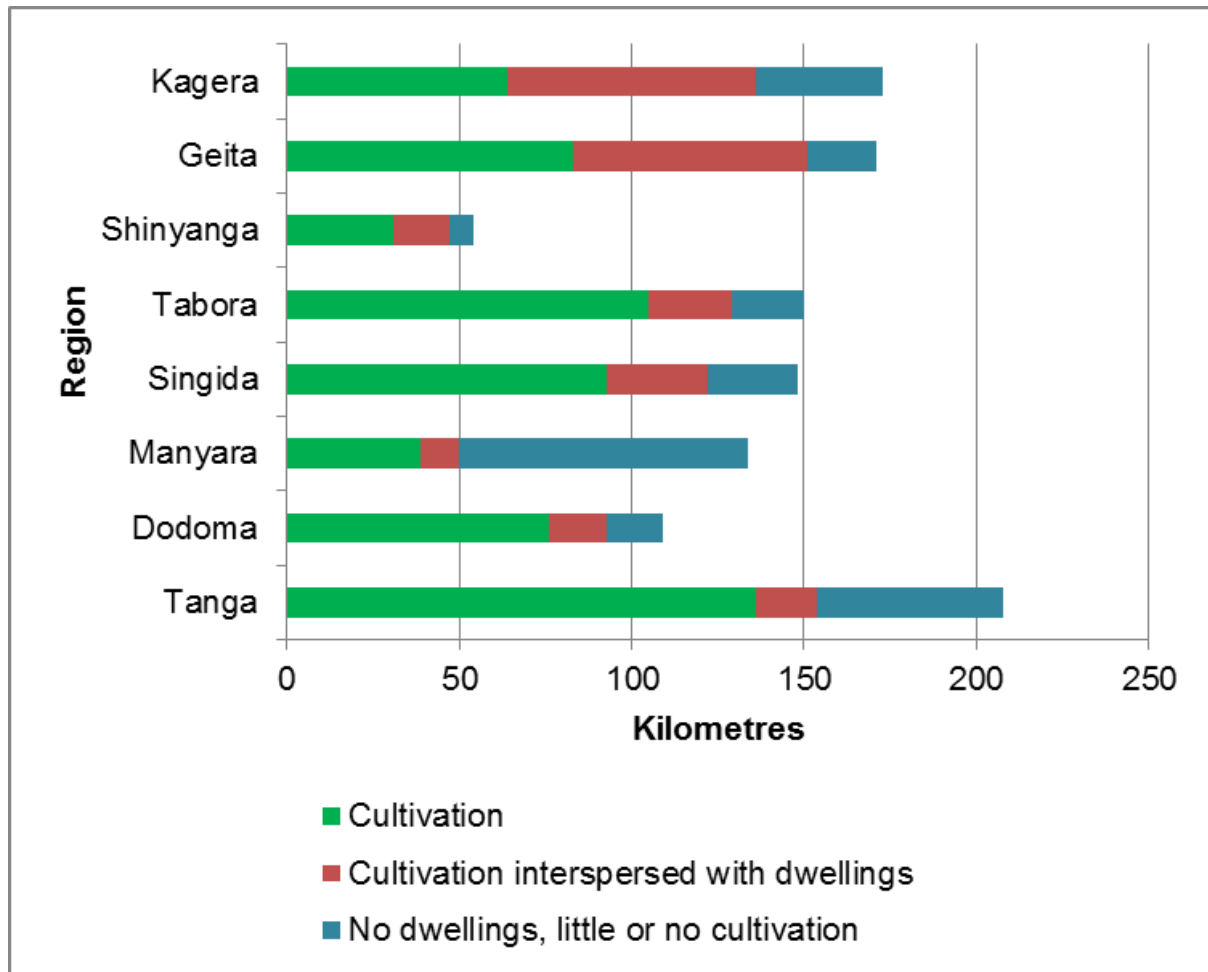


Figure 4-2: Classification of Affected Land Uses per Region

The distribution of these three land use types along the pipeline route is shown in Figure 4-3 below. A detailed plan for each Project-affected region is presented in Appendices B – I, with each plan indicating Project-affected districts, location of reserved land and Priority Areas, regional and district capitals, etc.

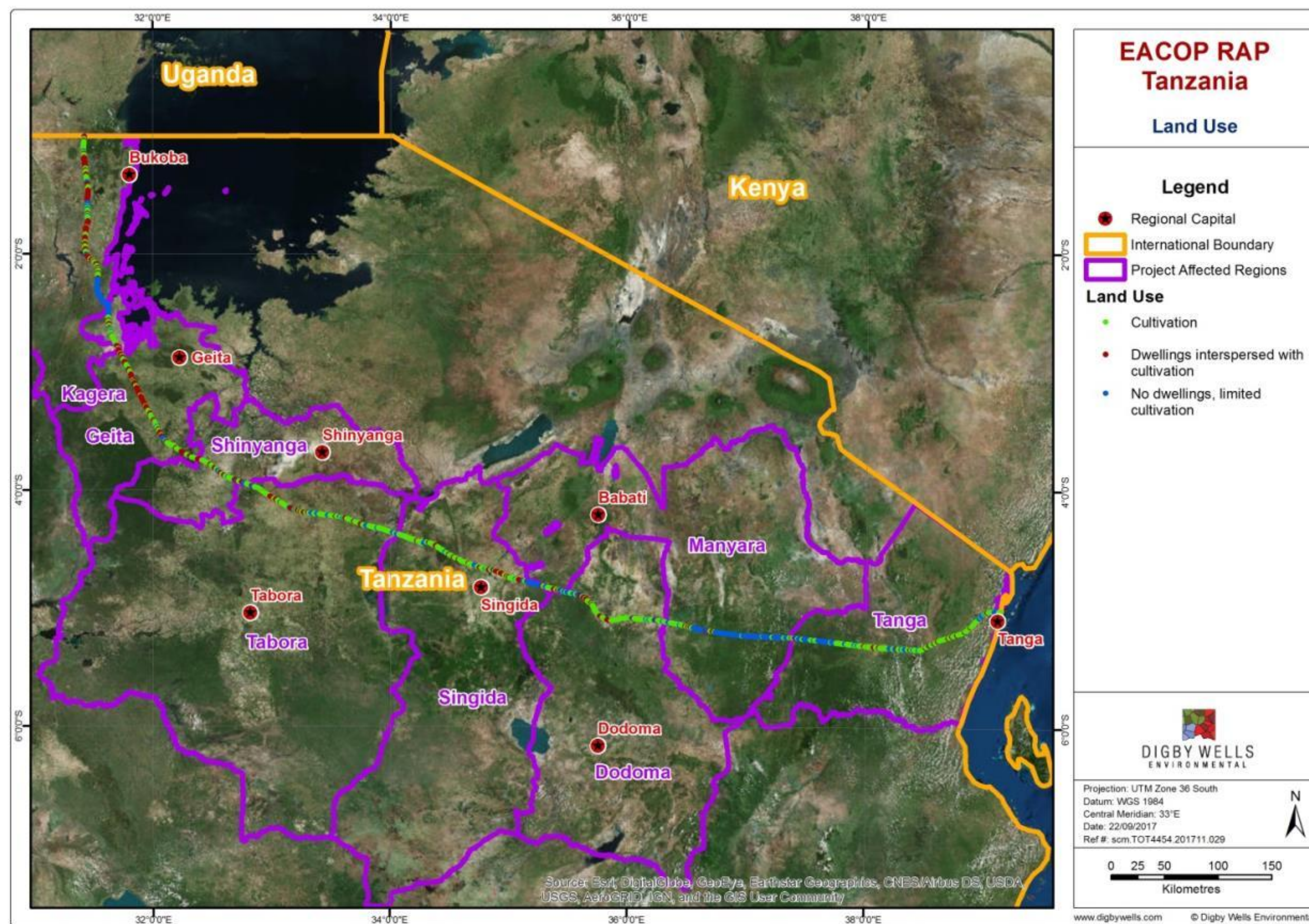


Figure 4-3: Land Use Distribution along the Pipeline Route

4.2.1 Land Used for Cultivation

Areas used for cultivation (with no discernible dwellings) are common across all eight Project-affected regions. The longest section of high-density agriculture comprises a 20 km strip of dry-land agriculture found in the south of Tabora Region, within Igunga District. Generally farms within these areas are held under customary tenure by individual households, who reside within small settlements situated within 5 km from cultivated areas. A small proportion of cultivated areas that coincide with the pipeline corridor are used for commercial farming of sisal, cotton and sesame; these areas are mainly located in the south of Tanga, central Tabora and near Kahama in Shinyanga Region.

A more fine-grained analysis of areas used for cultivation shows that there are three main patterns of cultivation: seasonal cultivation in floodplains, seasonal cultivation in dry-land areas, and permanent or long-term cultivation of crops and trees.

4.2.1.1 ***Seasonal Cultivation in Floodplains***

The Project footprint transects approximately 50 wide, shallow valleys which contain clay-rich soils and are intensively cultivated during the wet season (which varies geographically, with a single October-May rainy season along the north-western parts of the pipeline route, a double season with “short” October-December rains and “long” March-May rains in the central areas, and a single December-April season towards the coast) by smallholders growing paddy rice for local and national markets. The frequency with which the pipeline corridor crosses such areas is considerably higher in the Regions of Geita, Shinyanga and Tabora, with significantly fewer floodplain areas intersecting with the corridor from Singida to Tanga. Generally, the distance between homesteads and agricultural fields is determined by the extent of the floodplain, with households generally settling as close as practically possible to floodplain boundaries.

Land parcels within these floodplains are densely concentrated and fairly homogenous in size, with land parcels typically comprising less than 0.04 ha in size (see Figure 4-4 and Figure 4-5). The relatively small size of land parcels is attributed to the fact that land parcels should be small enough to retain water for a prolonged period to ensure that the water level within each land parcel is sufficient for paddy cultivation. Consequently, households tend to divide farms into several adjoining paddies, with the number of paddies depending on the optimum size for water retention within a specific area. In areas with abundant water these land parcels tend to be larger, whereas areas with less water or lower rainfall will likely have smaller land parcels.

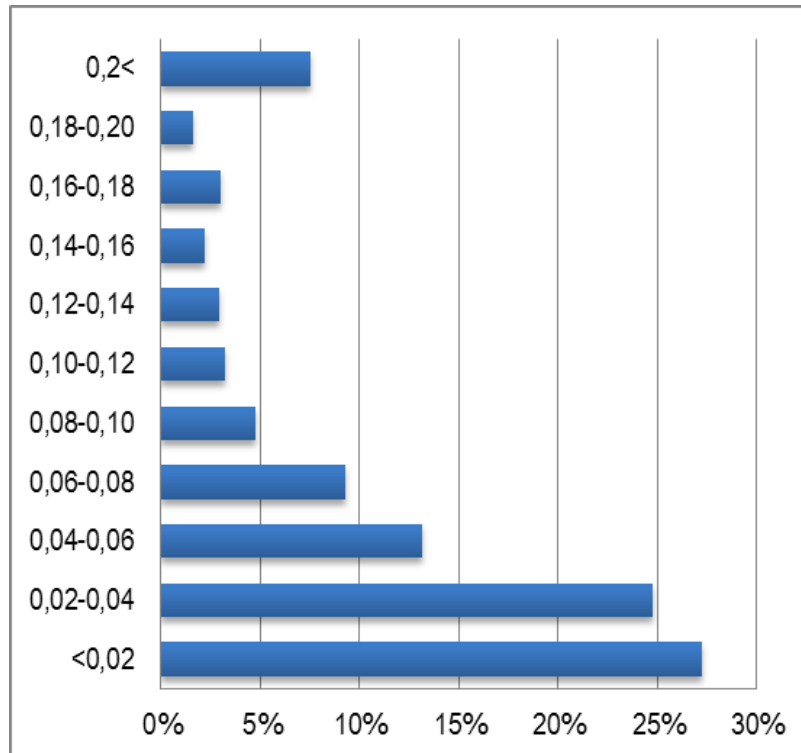


Figure 4-4: Sample Distribution of Land Parcel Sizes within Floodplain Areas (ha)

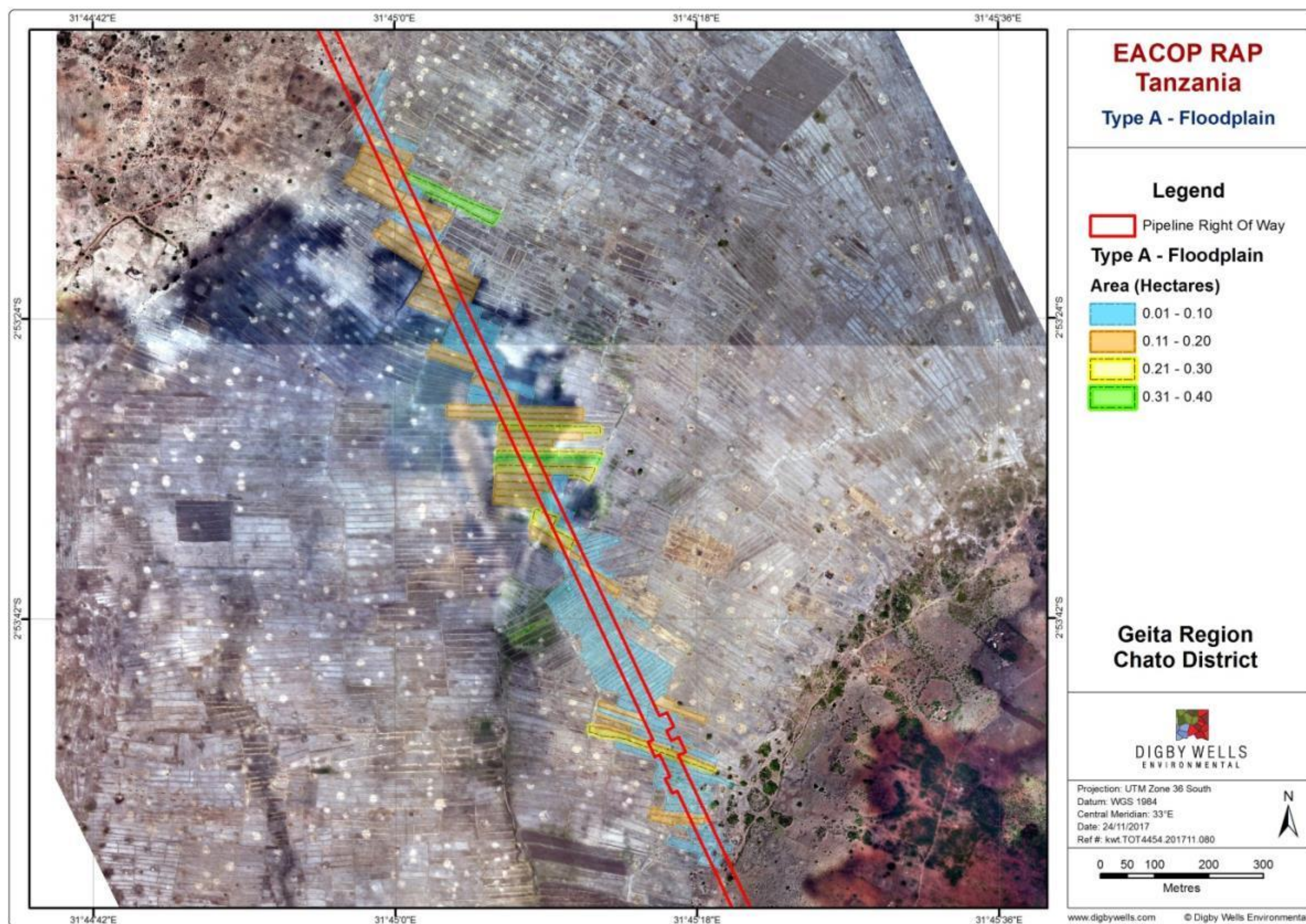


Figure 4-5: Illustration of Land Parcels within Floodplain in Geita

4.2.1.2 *Seasonal Cultivation in Dry-Land Areas*

This land use is distributed relatively uniformly along the pipeline corridor, with the only exception being Manyara where very little dry-land cultivation is present. An analysis of LiDAR imagery indicates that land parcels within these areas tend to vary considerably in size, ranging between 0.03 and 1.17 ha (see Figure 4-6 and Figure 4-7). This variation is likely due to a variation in regional cropping patterns as well as population density. Generally, farms located in peri-urban areas tend to be much smaller in size compared to those agricultural plots which are found in the areas with low population density, such as Dodoma and Manyara.

Farms are generally used to cultivate a mixture of crops, either through intercropping several crops simultaneously or rotating crops during different seasons. Table 4-1 below indicates the type of crops which are common in each region¹⁵. The majority of land parcels are used to cultivate maize and/or cassava which, together with paddy rice, form the staple food sources in rural Tanzania. Although it is uncommon for these fields to serve as designated grazing areas, they are used during the dry season, not only by the land owner, to supplement grazing for smaller numbers of livestock (e.g. cattle, goats and sheep, etc.).

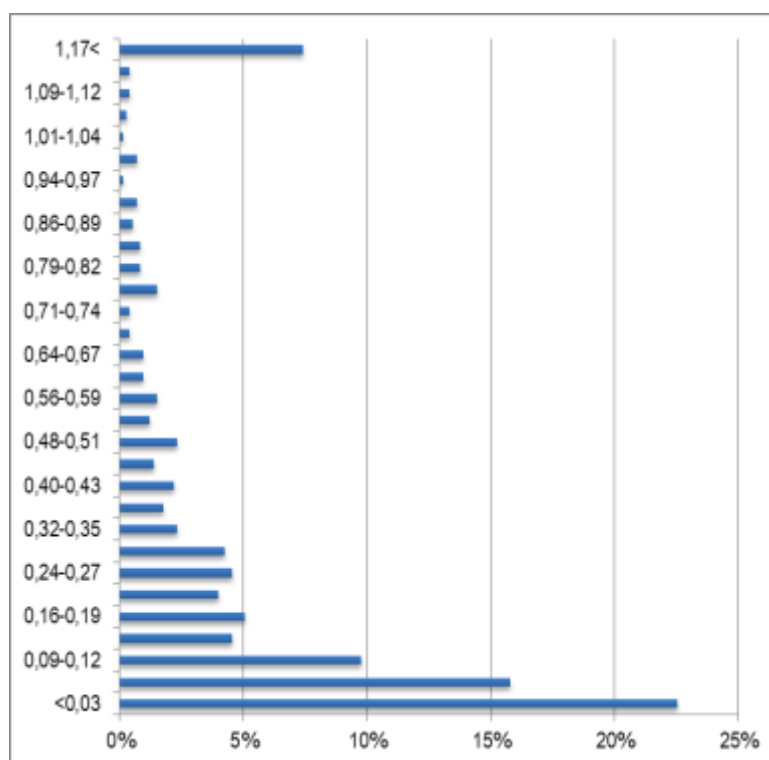


Figure 4-6: Sample Distribution of Land Parcel Sizes within Dry-land Cultivation Areas (ha)

Table 4-1: Regional Distribution of Dry-land Cultivation and Associated Crop Varieties

¹⁵ Republic of Tanzania. (2016). Regional Demographic and Socio-economic Profiles.

Region	Common Crops
Kagera	Maize, cassava legumes, sunflower, bananas, coffee
Geita	Maize, cassava, legumes, bananas
Shinyanga	Maize, legumes, groundnuts, cotton, sesame, bananas
Tabora	Maize, rice, cassava, sesame, cotton, sweet potatoes, sunflower, groundnuts
Singida	Maize, lentils, cassava, sunflower, millet/sorghum, bananas, sesame, onions
Dodoma	Maize, cassava, sunflower
Manyara	Maize, cassava, sunflower, legumes, sorghum/millet, <i>uwele</i>
Tanga	Maize, legumes, sunflower, bananas, sisal, sesame, sugar cane

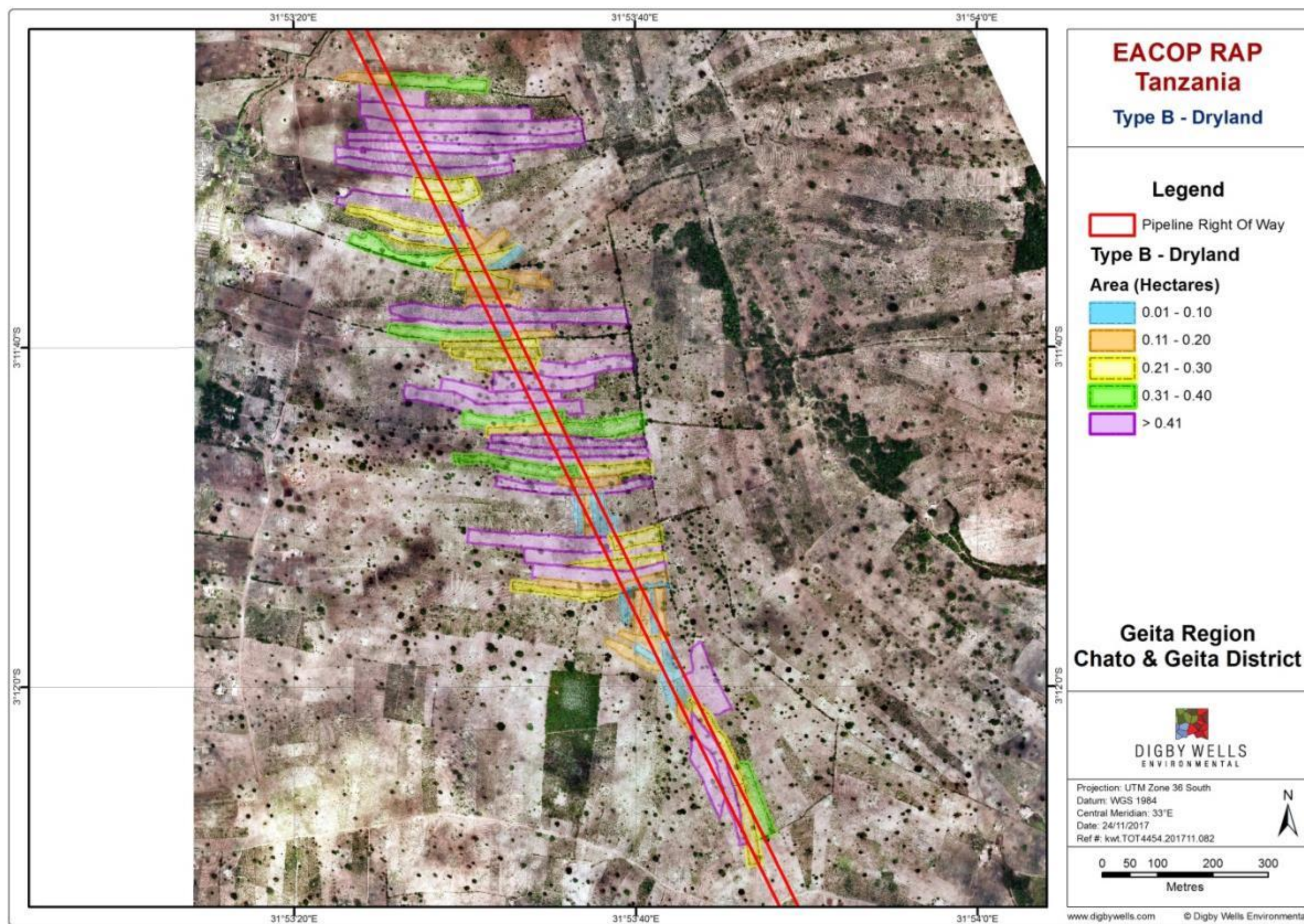


Figure 4-7: Illustration of Land Parcels used for Dry-land Cultivation in Geita

4.2.1.3 Permanent or Long-term Cultivation of Crops and Trees

This land use is relatively rare within the Project-affected area, and concentrated in Tanga Region – more specifically, in Muheza and Tanga Districts, where the pipeline corridor transects a large number of land parcels with sisal, coconut and cashew plantations. These farms tend to be substantially larger than those used for seasonal cultivation (see Figure 4-8). Although most of the land within these areas is held under customary tenure, it is quite common to find farms that are held under individual title.

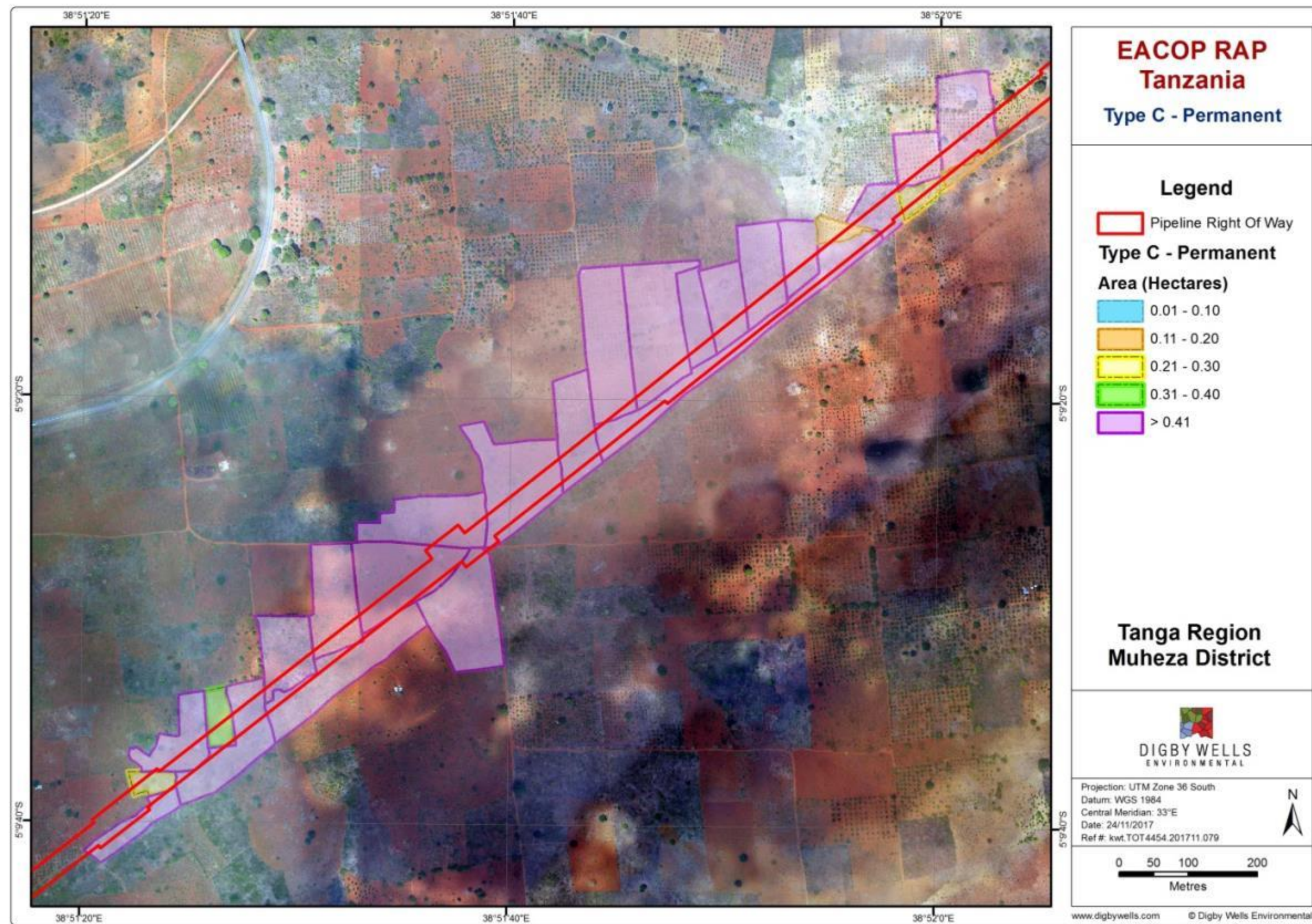


Figure 4-8: Long-term Cultivation in Muheza

4.2.2 Land in which Dwellings are Interspersed with Cultivation or Grazing

The corridor coincides with large sections of rural land that are used for both residential and agricultural purposes. These areas tend to have varying degrees of tree coverage, usually individual or small clusters of trees located near the homestead.

This land use is relatively common throughout all eight regions. Land parcels within these areas tend to be larger than those in areas used exclusively for cultivation, generally because the land is often used for multiple purposes, i.e. residential, grazing, and cultivation, purposes. It should be noted that the proximity of these areas to larger towns or settlements usually determines whether dwellings found on farms are occupied on a permanent or temporary basis. Where farms are close to a town or large settlement, structures on farms tend to be occupied on a temporary/ seasonal basis – e.g. during planting or harvesting. More remote dwellings, by contrast, tend to be occupied on a permanent basis. A more detailed description of the distribution and characteristics of structures is provided in Section 4.2.3.

4.2.3 Structures

The pipeline corridor was designed to avoid densely populated areas¹⁶; consequently most of the corridor passes through rural and peri-urban areas¹⁷, which are typically used for cultivation and/or grazing purposes. Table 4-2 indicates the total number of structures in the 30 m pipeline corridor, as well as the proportion of affected structures per region. As can be seen from this table, the largest proportion of affected structures (27%) is located in Kagera, while Manyara (in which most of the pipeline route passes through vacant land) has the lowest proportion.

Structures were divided into three categories, which can be distinguished based on physical characteristics visible on LiDAR imagery: residential dwellings, non-residential structures and livestock kraals. Almost half of all Project-affected structures are classified as non-residential structures (e.g. latrines, storage sheds, wells, granaries, graves, etc.). A significant proportion (34%) of the structures affected by the Project are likely to be residential dwellings, which either constitute single-dwelling homesteads or dwellings forming part of a homestead compound. Within the central regions, livestock kraals comprise almost a quarter of all Project-affected structures, which is significantly more than in the coastal and northern regions (Table 4-2).

¹⁶ TEAM BV. (2017). EACOP: Environmental impact statement scoping report and Draft Terms of Reference (application number 6725).

¹⁷ "Peri-urban: transitional area where urban and rural activities are juxtaposed, and landscape features are subject to rapid modifications, induced by anthropogenic activity.

Table 4-2: Regional Distribution of Estimated Structures in the 30 m Pipeline Corridor¹⁸

Region	Pipeline km per Region	Total Structures (Estimated)	Proportion of Total Number	Proportion of Structures		
				Dwellings	Livestock Kraal	Other Non-residential
Kagera	173	244	27%	58%	2%	41%
Geita	171	166	19%	28%	7%	64%
Shinyanga	54	29	3%	28%	0%	72%
Tabora	150	91	10%	22%	14%	64%
Singida	148	89	10%	22%	11%	66%
Dodoma	108	71	8%	24%	21%	55%
Manyara	136	30	3%	17%	33%	50%
Tanga	209	171	19%	26%	1%	73%
Total	1,147	891	100%	34%	7%	59%

Source: DWC Analysis of LiDAR, 2017

The pipeline route was carefully designed to avoid dwellings and structures wherever possible. Consequently, even a relatively small change in route alignment is likely to cause a significant increase in the number of affected structures. This is confirmed by the analysis of LiDAR imagery that was used to produce the table above: the analysis also included a count of all structures within a 10 m buffer to either side of the 30 m pipeline corridor. It was found that this 10 m buffer contains an estimated total of 1,333 structures – which is significantly larger than the 891 estimated structures in the 30 m corridor.

Table 4-3 indicates the total number of homesteads that are estimated to be potentially affected by the Project, with a homestead being defined as any location where there is one or more residential dwelling within a 30 m radius of one another. This definition is based on visual inspection of aerial imagery, which indicates that it is very unlikely for two homestead units to be within 30 m of each other in rural and peri-urban areas, whereas residential dwellings within 30 m of each other generally form part of the same homestead.

¹⁸ Source: DWC Analysis of LiDAR, 2017

Table 4-3: Estimated Number of Homesteads in the 30 m Pipeline Corridor¹⁹

Region	Number of Homesteads	Average No. of Affected Dwellings per Homestead	Maximum Affected Dwellings per Homestead
Kagera	86	1.8	7
Geita	22	2.4	9
Shinyanga	9	2.2	5
Tabora	19	1.9	4
Singida	11	2.2	7
Dodoma	12	2.1	7
Manyara	6	1.2	2
Tanga	30	1.7	6
Total	195	1.9	n/a

Table 4-4 shows the most common construction materials of dwellings in each of the Project-affected regions.²⁰ Housing in Project-affected districts mostly comprise of two main categories: traditional structures (wooden frames with mud filling, with roofing comprising corrugated iron sheets, thatch or leaves), and improved housing (built from burnt bricks with corrugated iron sheet roofing). A further distinction can be made between simple and complex homestead layouts, with the latter involving several structures grouped together in a compound and being more common in the central regions, whereas simple layouts are more common in the northern and coastal regions. This, together with the data presented above (i.e. an average of two affected dwellings per affected homestead) indicates that a large proportion of homesteads will be partially displaced in that they will lose some but not all residential dwellings.

Housing typology is usually indicative of a household's dynamics and structure. Simple layouts, such as those found in peri-urban areas, as well as in Kagera, southern Tanga and Geita, generally comprise one core household, with 3-5 household members on average. In areas where complex household layouts are found, by contrast, a household can comprise several smaller households residing in separate dwellings within one compound. It is not uncommon for such compounds to house up to a hundred members. This dynamic stems from polygamous practices, especially among households with pastoralist roots. Although these households are often very patriarchal, they tend to use land for the common purpose of all families within the compound, consequently resulting in disputes when boundaries are demarcated.

¹⁹ Source: DWC Analysis of LiDAR, 2017

²⁰ Republic of Tanzania. (2016). Regional Demographic and Socio-economic Profiles.

Table 4-4: Indicative Features of Rural Homesteads

Region	Most Common Construction Materials		Housing Type	Typical structure profile	% of potentially affected structures (30 m)
	Roof	Walls			
Kagera	Corrugated iron sheets	Poles and mud	Simple	Single residential structure, outdoor kitchen and latrine. See Figure 4-9	44%
Geita	Corrugated iron sheets	Bricks	Simple	Main residential structure, additional sleeping rooms, outdoor kitchen and latrine. See Figure 4-10	11%
Tanga	Corrugated iron sheets	Poles and mud	Simple	Livestock kraal, main residential structure, additional sleeping rooms, outdoor kitchen and latrine. See Figure 4-11	15%
Shinyanga	Corrugated iron sheets	Burnt and unburnt clay bricks	Complex, with simple structures near urban areas	Fenced compound with multiple families, livestock kraal, main residential structure, additional sleeping rooms, outdoor kitchens and latrines. See Figure 4-12	5%
Tabora	Grass/leaves	Burnt and unburnt clay bricks	Complex		10%
Singida	Mud and leaves	Burnt and unburnt clay bricks	Complex	Fenced compound (buildings form part of fence). Livestock kraal, main residential structure, additional sleeping rooms, outdoor kitchen and latrine. See Figure 4-13	6%
Dodoma	Corrugated iron sheets	Burnt and unburnt clay bricks	Complex	Very few structures coinciding with the corridor.	6%
Manyara	Corrugated iron sheets	Poles and mud	Complex	Main residential structure, additional sleeping rooms, outdoor kitchen and latrine. See Figure 4-10	3%
Source: Republic of Tanzania. (2016). Regional Demographic and Socio-economic Profiles					



Figure 4-9: Typical Homestead Layout: Kagera



Figure 4-10: Typical Homestead Layout: Geita

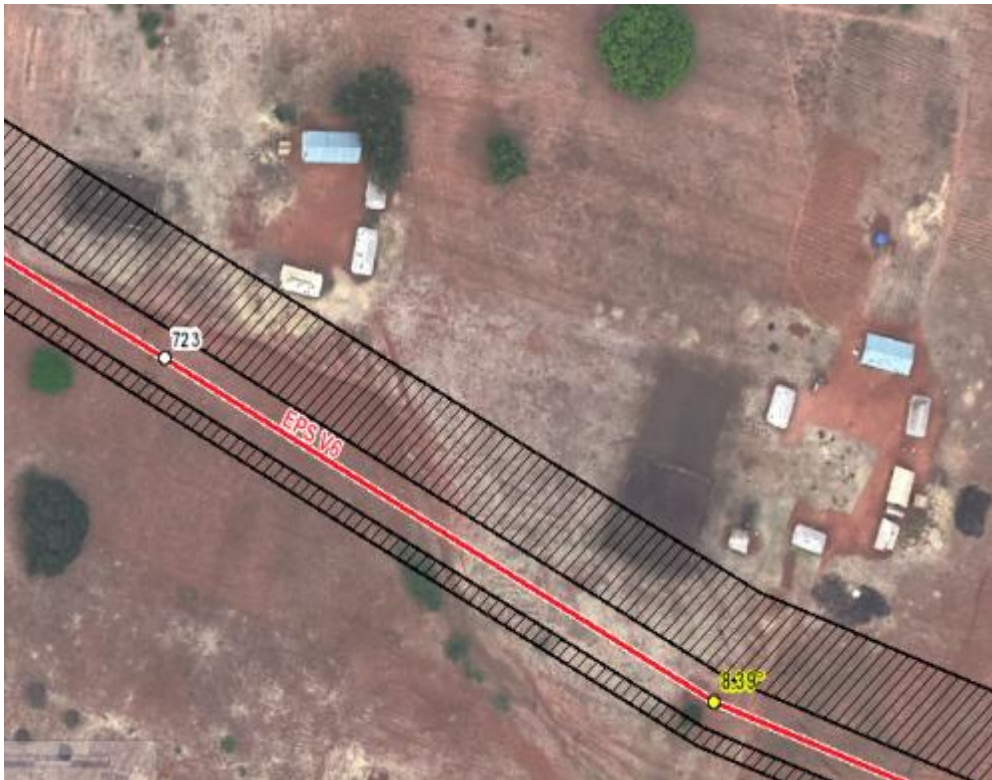


Figure 4-11: Typical Homestead Layout: Tabora and Shinyanga



Figure 4-12: Compound with Multiple Families: Singida

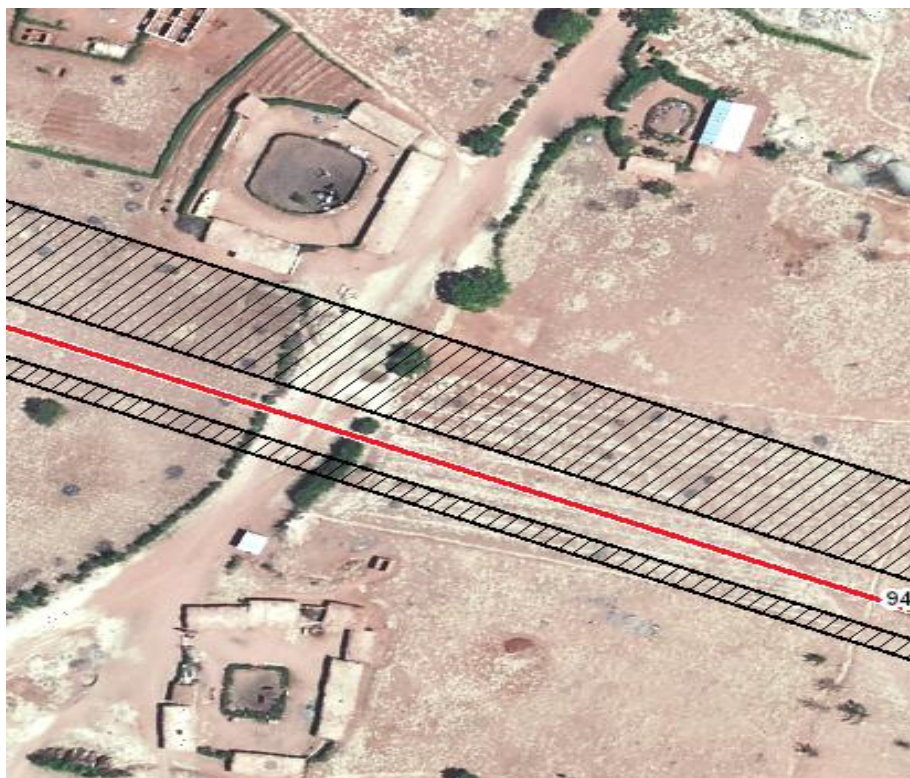


Figure 4-13: Typical Homestead Layout: Dodoma



Figure 4-14: Typical Homestead Layout: Singida

4.2.4 Land with no Dwellings and Little or no Cultivation

The project traverses approximately 400 km where little to no cultivation or residential use is visible; much of this area is within Reserved Land in Kagera, Manyara and Tanga. The longest stretch of land traversed by the pipeline route that contains no discernible dwellings and little or no cultivation is a continuous section of woodland reaching from Kiteto District in Manyara to Kondoa District in Tanga (113 km). A large portion of this land forms part of the Talamai Open Area. Talamai acts as supporting habitat for the Makame Wildlife Management Area located further north, some distance from the pipeline corridor. Habitats within Talamai comprise open woodlands, shrubland and grassland. Permitted land uses include cultivation, pastoralism and hunting under permit.

It should be noted that, although these areas do not show visible signs of cultivation or habitation, many of them are likely used for grazing, harvesting of firewood, hunting and gathering forest food products. Areas with limited use of any kind tend to be situated within forest and games reserves, as well as small clusters of land unsuitable for occupation or any land-based livelihood activities (e.g. mangroves and swampy areas in Kagera, rocky outcrops in Tabora).

4.2.5 Protected Areas and Reserved Land

The corridor will traverse various categories of Reserved Land, including forest and game reserves, land allocated for the development of public infrastructure (e.g. roads, power lines, etc.) and land allocated for residential expansion.

Table 4-5 and Figure 4-15 show the location of forest and game reserves that are traversed by the pipeline corridor. Visual inspection of LiDAR imagery provided evidence of encroachment in most of these Reserved Land areas; this was confirmed through a reconnaissance site visit undertaken in December 2017, which included visits to several of these reserves. Instances of encroachment include:

- Dwellings and crop cultivation in the Ngogwa Busangi Forest Reserve (see Figure 4-16);
- Cultivation of crops and harvesting of timber and firewood in the Biharamulo Forest and Game Reserve; and
- Agro-pastoral and some residential land use in the Ruiga River Forest Reserve.

Such land uses are generally unpermitted, and exception being Biharamulo Forest Reserve, where households were evicted from the reserve, but allowed to continue farming for one season, where after cultivation would be prohibited (i.e. 2018).²¹

²¹ Digby Wells Consortium, *Reconnaissance Site Visit Report*, January 2018.

Table 4-5: Reserved Land Traversed by the Pipeline Corridor

Name	Region	District	Length within reserve (km)
Minziro Forest Reserve	Kagera	Missenyi	11
Biharamulo Game Reserve	Kagera-Geita	Muleba - Chato	48
Ruiga River Forest Reserve	Kagera	Muleba	49
Uyovu Forest Reserve	Geita	Chato	7
Biharamulo Forest Reserve	Kagera	Bukombe	13
Ngogwa Busangi Forest Reserve	Geita	Mbogwe	22
North Makere Forest Reserve	Tabora	Nzega	3
Swagaswaga Game Reserve	Dodoma	Kondoa	2,2
Talamai Open Area (supporting habitat for the Makame Wildlife Management Area located further north)	Manyara	Kiteto	81
Kitwai Game Controlled Area	Manyara	Kiteto	14
Handeni Game Controlled Area	Tanga	Kilindi	40
Mangrove Forest Reserve	Tanga	Tanga	5
Totals			295

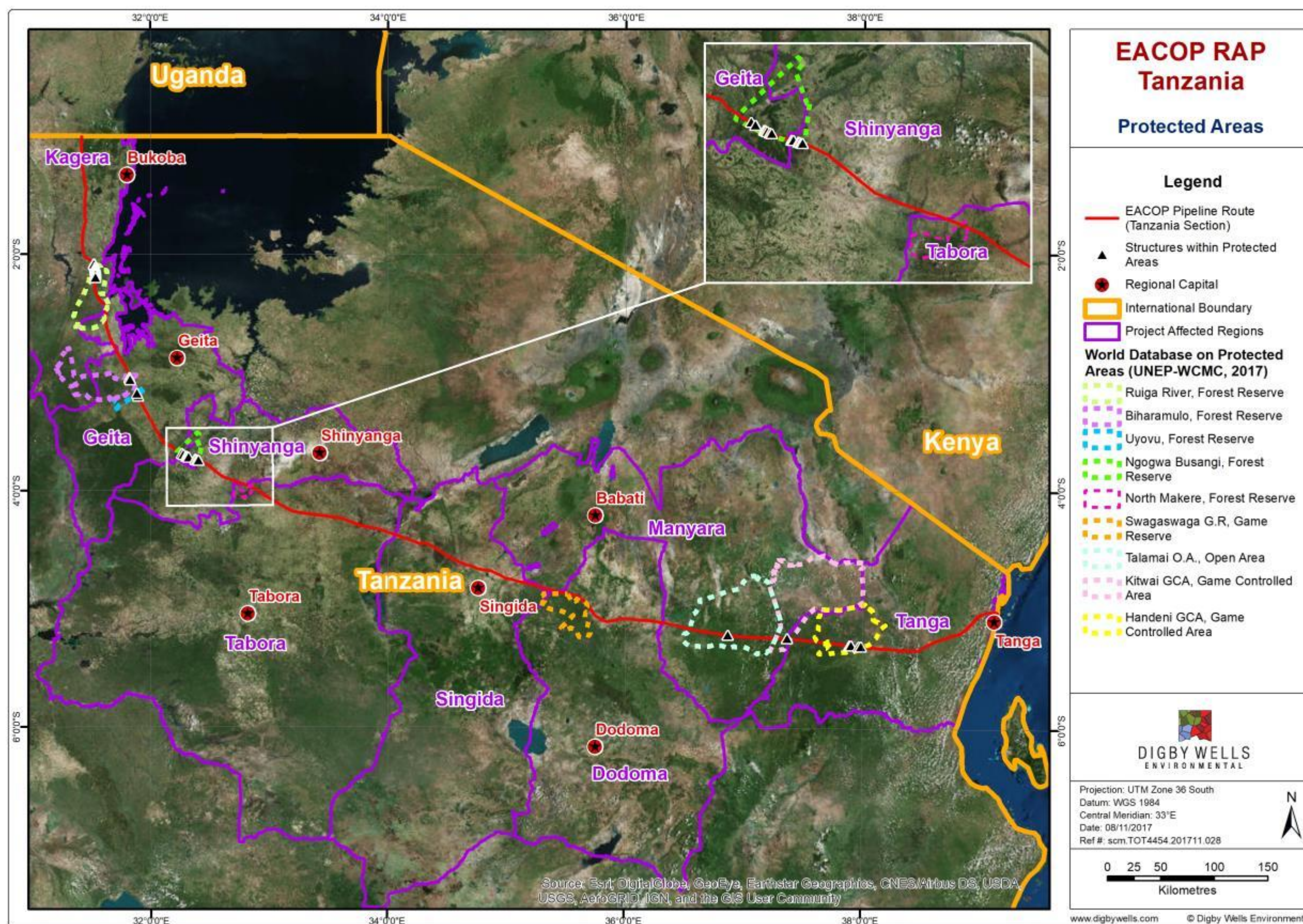


Figure 4-15: Locations of Forests and Game Reserves

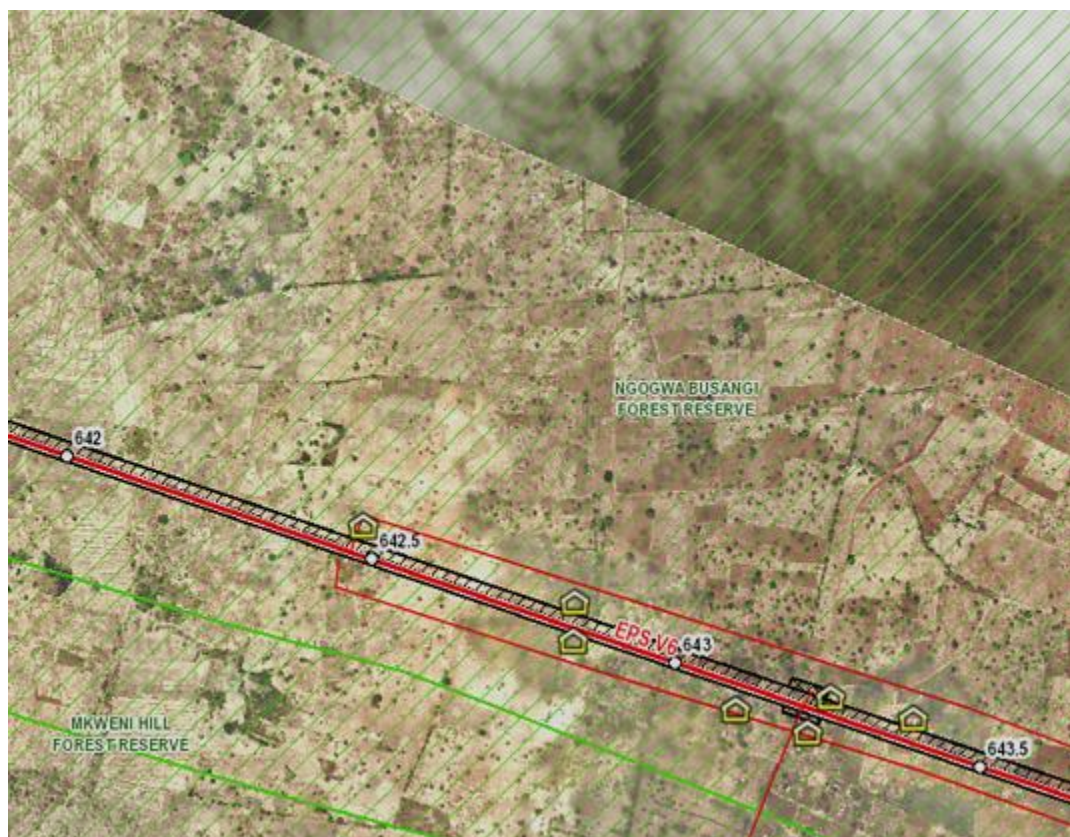


Figure 4-16: Residential and Agricultural Uses within Ngogwa Busangi Forest Reserve

4.2.6 Mining Areas

Current indications are that the Project will affect both areas earmarked for future mining developments as well as land that is currently being used (or has previously been used) for mining. Existing and planned mining operations that intersect the Project footprint are concentrated in the Geita, Shinyanga and Tabora Regions, and include small-scale mining operations as well as prospective commercial mines. The following types of mining areas are potentially affected by the Project:

- **Prospecting licences:** Confers exclusive prospecting rights for minerals in defined areas. A prospecting licence can be granted for metallic minerals, energy minerals and gemstones, kimberlitic diamonds, industrial minerals and building materials. A prospecting licence is issued for a period of up to four years, with a first renewal of up to three years and a second renewal of up to two years. The construction corridor coincides potentially with **51 prospecting areas**, which are primarily concentrated within Geita and Shinyanga Regions of these, two are being actively explored.
- **Primary mining licences (PMLs):** primary mining licences can only be granted to Tanzanian Nationals and confers the right to both *prospect for*, and *mine* minerals, the right is valid for a period of seven years and may be renewed. Approximately **41 primary mining licences** coincide with the construction corridor; these areas are generally relatively small, individually owned, concentrated in Geita and Shinyanga and used for extraction of gold, diamonds, etc. Prior to the revisions of the Mining Act recently, the initial capital investment threshold for a primary mining licences was a maximum of USD 100,000; this has now been increased to USD 5 million. Existing and prospective mining

activities within these areas mostly involve artisanal and small-scale mining (ASM). Operations range from semi-mechanized and mechanized mining to the extraction of minerals using simple technologies with little or no economic capital and no mechanization. Primary mining licence owners are often not engaged in actual mining activities, and instead lease out the mineral access to pit holders who organise the mining activities. Formal contractual obligations between the primary mining licence owners, pit holders and workers are rare.

- **Mining licences:** Confers the right to prospecting licence holders to mine minerals; the right is valid for a period of ten years and may be renewed. Unlike primary mining licences, a mining licence application is usually for a much larger operation, which requires a capital investment of more than USD 5 million and therefore requires an EIA, employment and training programmes, mining programme, etc. The pipeline route transects potentially **five areas** for which mining licences were granted.
- **Unpermitted ASM areas:** Permitting of artisanal and small-scale mining activities is undertaken by Zonal and Resident Mines Offices. However, many artisanal and small-scale miners are unable to obtain PMLs, partly because of the financial investment as well as because much of the mining activity in Tanzania takes place in mineral-rich land areas where large mineral exploration and mining companies have been active in registering for licences as well, providing stiff competition for artisanal and small-scale miners. Consequently, a large number of unlicensed ASM areas are found in Tanzania. Current indications are that the project corridor will traverse a number of areas where unpermitted ASM activities take place.
- **Demarcated ASM areas:** In an attempt to minimize exploitative and unpermitted mining, especially on areas allocated to large-scale miners, the GoT have allocated large portions of land for ASM activities. These areas are especially important for marginalized artisanal miners, for instance those evicted from other mining/prospective mining areas, those who are unable to obtain/access appropriate permits, etc. The Corridor traverses **three** of these areas in Shinyanga.

The current status of the prospecting licences, PMLs and mining licences is shown in Table 4-6.

Table 4-6: Current status of Prospecting Licences, PMLs and Mining Licences

Type of Licence	Active	Active - In Default	Pending Renewal	Pending Surrender	Total
Prospecting Licence	65%	8%	8%	19%	100%
Primary Mining Licence	69%	3%	28%	0%	100%
Mining Licence	100%				100%
Source: LiDAR, 2017, Tanzanian Mining Cadastre, 2017					

The reconnaissance site visit undertaken in December 2017 yielded the following pertinent findings in respect of mining activities:

- Land previously held under a prospecting licence of Buzwagi Mine (in Kahama District, Shinyanga Region) was subsequently surrendered and subdivided into 80 PMLs, which were issued in 2014 and will only expire in 2021; and

- The corridor traverses a large artisanal and small-scale mining centre (also in Kahama District, Shinyanga Region) that was handed over by the GoT to approximately 5,000 miners in 2016. The area is expanding significantly, and is currently estimated to comprise between 8,000 and 10,000 individuals. Figure 4-17 compares the area used for mining in early 2017 with the observations made during the December 2017 reconnaissance site visit.



Figure 4-17: Expansion of Mining Activities, Small-scale Mining Centre

4.2.7 Graves and Heritage sites

Burial sites likely to be affected by the Project include the following:

- **Communal cemeteries.** These are common in all of the Project-affected regions, and are generally found in isolated forested areas in relative proximity to medium to large

settlements. It is uncommon for graves within these areas to have any surface dressing, as people are generally buried without headstones;

- **Graves incorporated into homestead structures.** It is common for households within the northern and coastal regions to bury the remains of family members into the walls and floors of homestead structures;
- **Graves within the perimeter of the homestead.** This practice is common among the pastoralist tribes found in the central Regions (Manyara, Singida and Dodoma). Generally, the deceased are buried naked, seated, facing east with a mound built up over the grave. Thereafter, the site of the burial becomes sacred, carries the deceased's name and is maintained by the clan in perpetuity.

Several cultural heritage sites are also found along the pipeline corridor, including ritual trees, caves, drumming stones and wells.²² Such sites are considered important because they are often the focus for social and spiritual practices and are valued by local communities.

4.3 Socio-economic Profile

The Project will mainly affect land located in rural areas. This section describes the socio-economic characteristics of rural households that depend on the land use activities described in the preceding sections.

4.3.1 Household Demographics

Key socio-demographic characteristics of rural (as opposed to urban) households in the Project-affected regions are summarised in Table 4-7 below. As can be seen from the table, households residing in rural areas present a relatively homogenous profile, with approximately one-third of all households headed by females. The sizes of female-headed households tend to be significantly larger than male-headed households – almost double the number of household members in areas such as Geita, Shinyanga, Tabora and Singida. The level of literacy among adult household members tends to vary considerably, with the northern and southern regions having higher literacy rates than the central regions. Literacy rates are also higher among males than females.

²² TEAM BV. (2017). EACOP: Environmental impact statement scoping report and Draft Terms of Reference (application number 6725).

Table 4-7: Characteristics of Rural Households in Project-affected Regions

Region	Population Density (persons per km ²)	Annual Population Growth Rate (%)	% Female-headed Households	Average Persons per Household	Adult Literacy >15 years ²³	
					Males	Females
Kagera	97	3.7	31%	5	80%	70%
Geita	87	3.0	28%	6	73%	57%
Shinyanga	81	2.3	30%	6	71%	56%
Tabora	30	3.4	28%	6	61%	47%
Singida	28	2.6	32%	5	78%	65%
Manyara	32	3.7	32%	5	69%	57%
Dodoma	48	2.3	34%	5	74%	65%
Tanga	77	2.5	33%	4	83%	70%
Source: Republic of Tanzania. (2016). Regional Demographic and Socio-economic Profiles						

4.3.2 Ethnicity

The main ethnic groups found in regions traversed by the pipeline corridor are²⁴:

- The Sukuma people (the most numerous ethnic group in Tanzania), in the southern parts of Kagera, Geita, Shinyanga and Tabora;
- The Nyamwezi, found mainly in Tabora Region;
- The Haya, in Kagera Region;
- The Nyaturu and Nyiramba, in Singida;
- The Barabaig, Akie and Maasai, in Manyara;
- The Gogo, Hadzabe and Rangi, in Dodoma; and
- The Sambaa, Zigua and Bondei, in Tanga Region.

Many of the ethnic groups residing near the central section of the corridor, such as the Maasai, Hadzabe, Akie and Barabaig follow a nomadic lifestyle. The Maasai are semi-nomadic pastoralists. The Akie have interacted with the Maasai for many generations, adopting their language and customs. Some groups of Akie are settled and practice subsistence agriculture. The Barabaig are the largest sub-population of the Dagota people found in Manyara Region, they are traditionally semi-nomadic and herd cattle. In recent years, many have become agro-

²³ Literacy is the ability to read and write with an understanding a short simple sentence. It excludes the ability to only write or sign one's own name or write memorized phrases.

²⁴ TEAM BV. (2017). EACOP: Environmental impact statement scoping report and Draft Terms of Reference (application number 6725).

pastoralists and they farm maize, beans and millet. The Hadzabe are traditionally hunter-gatherers and have the greatest presence within the Dodoma Region.

Several of these groups have kept to their traditional ways (they are highly patrilineal), rarely seeking outside employment or engaging in intergroup marriage. They have clear community-based social (governance) structures for male elders, women, and for youth. The wealth of such groups is normally measured by the number of livestock; cattle, goats, sheep and chickens they possess.

Tanzania has been highly affected by mixed migratory flows such as labour, refugees and illegal pastoralists from the neighbouring countries such as Rwanda, Burundi, Congo, DRC, Somalia, Ethiopia, and Sudan. Pastoralists from neighbouring Kenya and Uganda have encroached onto grazing land around Lake Victoria, and the immigrants – estimated by the government to number at least 100,000 – have moved into grazing land in Kagera and Geita.

4.3.3 Livelihoods

The proportions of persons in rural area over ten years of age engaged in various economic activities (according to the 2016 Regional Demographic and Socio-economic Profiles) are shown in Figure 4-18. As can be seen from the figure, the majority of economically-active people in the Project-affected area have farming as their primary occupation, with livestock keeping and fishing generally practiced as secondary or supplementary livelihood activities.

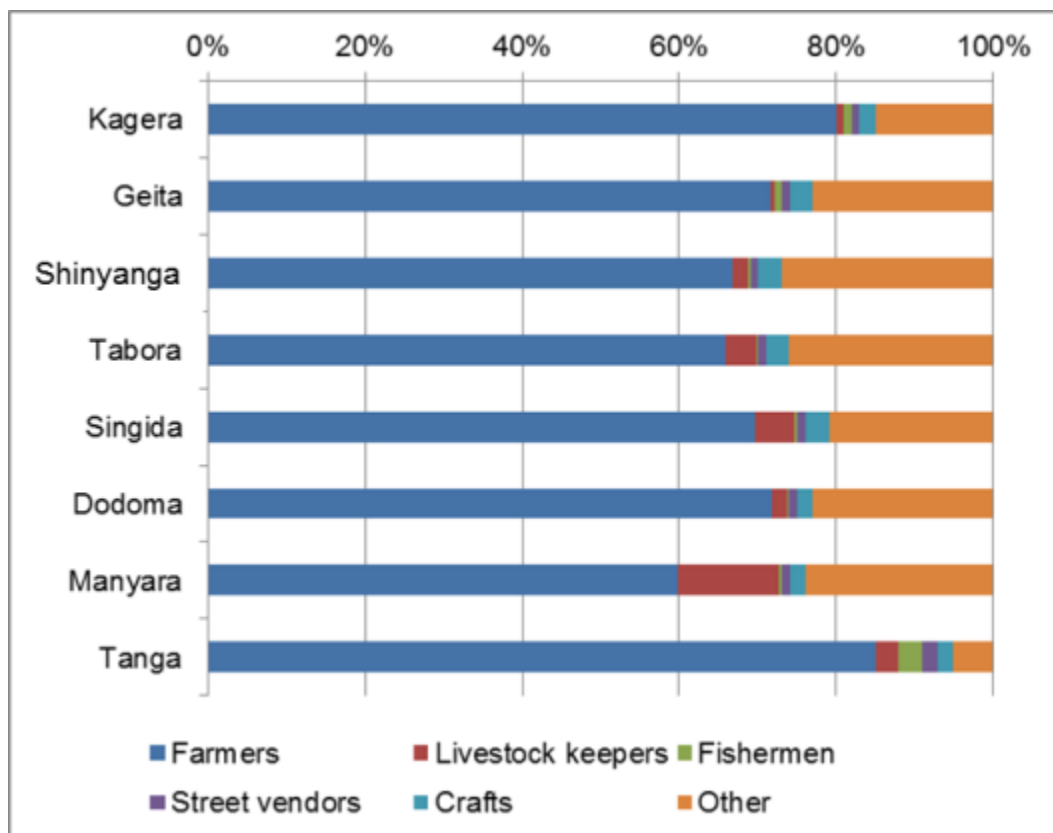


Figure 4-18: Livelihoods within Rural Areas

A smaller proportion of households are involved in livestock husbandry – see Table 4-8. Apart from poultry (the most common form of livestock), the second-most common types of livestock are goats in the northern regions and cattle within the central regions.

Table 4-8: Households Engaged in Livestock Husbandry²⁵

Region	% of rural HHs	Most Common		2 nd Most Common		3 rd Most Common	
		Type	%	Type	%	Type	%
Kagera	50%	Poultry	77%	Goats	63%	Cattle	19%
Geita	50%	Poultry	88%	Goats	55%	Cattle	39%
Shinyanga	63%	Poultry	91%	Cattle	48%	Goats	44%
Tabora	55%	Poultry	92%	Cattle	52%	Goats	48%
Singida	67%	Poultry	89%	Cattle	61%	Goats	53%
Dodoma	48%	Poultry	41%	Goats	24%	Cattle	21%
Manyara	61%	Poultry	82%	Cattle	74%	Goats	70%
Tanga	60%	Poultry	87%	Goats	40%	Cattle	34%
Source: Republic of Tanzania. (2016). Regional Demographic and Socio-economic Profiles							

4.3.4 Vulnerable Groups

The Government of Tanzania has established a Vulnerable Groups Planning Framework²⁶, which defines women-headed households, children, elderly, and disadvantaged communities as vulnerable people or groups.

4.3.4.1 Women-headed Households

Approximately 25% of Tanzanian women aged 25–50 are unmarried, divorced, separated or widowed. In 2012, women headed approximately one-third of all households in the Project-affected regions. Women heads of households experience a greater work- and time-burden and responsibility, often making them more vulnerable than families with both parents present.

In terms of women's rights, the Land Policy and land laws of 1999 contain generally strong safeguards for women's land rights. In addition, the Law of Marriage Act provides that married women have the right to acquire, hold and dispose of property, movable or immovable, during the course of the marriage, and the right to distribution of property earned jointly when the relationship is dissolved. Property and other matrimonial assets that a woman has acquired

²⁵ A household can have more than one type of livestock; hence percentages in rows add up to more than 100%.

²⁶ Tanzanian Social Action Fund (TASAF). (2015). Tasaf III Vulnerable Groups Planning Framework. Retrieved from <http://www.tasaf.go.tz/index.php/media1/blog/95-tasaf-iii-vulnerable-groups-planning-framework>.

individually belong to her. When there are two or more wives in a household, they have equal rights and liabilities as spouses²⁷.

4.3.4.2 The Elderly

Persons older than 60 years account for 10% of the population of Tanzania, and 14% of the female population. Elderly persons who are primary caregivers for young children are more vulnerable to poverty and lack of food security. Elderly women may also be vulnerable to accusations of witchcraft. Incidents of physical violence against or murder of such accused elderly women have occurred in areas such as Geita and Kagera.

4.3.4.3 Children

Extremely poor households that are larger and have more children and youth are more vulnerable to irregularities affecting their income. Larger households are likely to be headed by females, increasing the likelihood for vulnerability. Furthermore, child labour in rural areas is higher than in urban areas. For children aged 5 –17 years, 36% of boys and 28% of girls provide child labour. This phenomenon is especially prevalent in ASM and agricultural areas.

4.3.4.4 Disadvantaged and Marginalised Communities

Disadvantaged communities include hunter-gatherer communities, agro-pastoralist groups and those communities with limited access to social services due to geographic and infrastructure-related constraints. As mentioned, several of these groups are found in areas traversed by the pipeline corridor – e.g. the Hadzabe and other tribes found in Singida, Dodoma and Manyara Regions.

²⁷ Landesa. (2014). Women's Land Rights Guide for Tanzania. Retrieved from <https://www.landesa.org/wp-content/uploads/LandWise-Guide-Women%E2%80%99s-land-rights-guide-for-Tanzania.pdf>.

5 ESTIMATED DISPLACEMENT-RELATED IMPACTS

This Chapter provides a high-level description of potential impacts associated with displacement as a result of the Project's activities. The impacts presented are based on pre-survey estimates, and are therefore subject to change once the resettlement planning surveys have been undertaken.

5.1 Physical Displacement

Physical displacement refers to the loss of dwellings or shelter as a result of Project-related land acquisition. As discussed in Chapter 4, an analysis was undertaken of LiDAR imagery to determine the number of structures and homesteads within the 30 m construction corridor. The number of affected homesteads may be used as an estimate of the total number of physically displaced households. The findings of this analysis indicate that there are an estimated 891 structures within the 30 m pipeline corridor.

An additional estimated 1,333 structures are located within 10 m to either side of the corridor, and it is possible that a very small proportion of these may also need to be relocated because of very close proximity to the edge of the corridor.

As discussed in Chapter 4, it is not uncommon for households in Tanzania to have more than one residential structure, with the prevalence of this practice varying between regions (see examples in Figure 5-1 to Figure 5-3). In order to estimate the number of displaced homesteads (as opposed to structures), structures were identified that clustered together within a radius of 30 m of one another. The findings of this analysis are also reported in Chapter 4: there are an estimated 195 homesteads in the 30 m corridor.



Figure 5-1: Example of a One-dwelling Homestead



Figure 5-2: Multi-dwelling Homestead in Geita Region



Figure 5-3: Two-dwelling Homestead in Nzega Rural District

The socio-economic impact of physical displacement is, to a large extent, dependent on the distance over which people are relocated. If people's new dwellings are a considerable distance from their previous homes (e.g. more than 10 km, depending on road conditions and the like), this could cause social disarticulation (by severing social ties and disrupting existing support networks), significantly increase travelling times to schools, clinics and other social facilities, and impede access to natural resources and landholdings previously used for cultivation.

It is anticipated that it should, in most cases, be possible to construct replacement structures on an alternative location within the same plot of land. Where this is not possible, households will be relocated to suitable locations in the same village. Thus, it is likely that most of the impacts typically associated with long-distance relocation will be avoided.

However, physical displacement over short distances could still have negative socio-economic impacts. For instance:

- If displaced dwellings are compensated in cash rather than in kind, persons receiving the compensation monies may spend these on addressing other needs instead of purchasing or constructing replacement housing. In such situations, economically inactive members of the household are especially vulnerable – particularly if the recipient of compensation (typically the male household head) absconds with the payment and leaves the other household members to fend for themselves.
- If replacement housing is provided by the Project, but the type of housing is not culturally appropriate in terms of the local cultural milieu, this could impact negatively on social cohesion, livelihood and personal well-being. As reported in Chapter 4, there is a wide diversity of dwelling patterns along the pipeline route, generally determined by family structure and livelihood activities. For instance, the homesteads of monogamous households usually comprise a multifunctional residential structure, outside kitchen and

a latrine, while polygamous households often have three or more residential dwellings per homestead. The dwelling patterns of polygamous households also vary depending on whether their livelihood is significantly dependant on livestock farming. Household involvement in livestock farming manifest in layouts where multiple dwellings are enclosed together with a livestock kraal and secondary buildings into a single compound. Cooking is usually done outside, and is a communal activity that allows for social interaction among neighbours. Fetching water from a communal well also serves a social function. In designing replacement housing, care will be necessary to allow for these geographical variations and, as far as possible, to replicate the social spaces found in traditional dwellings.

- If replacement houses are designed to cater only for dependent family members, while people's original dwellings included additional structures or rooms used to accommodate tenants, relocated households could lose the income previously derived from rent.

Measures to mitigate impacts associated with physical displacement are discussed in more detail in Chapter 6.

5.2 Displacement of Structures Other than Dwellings

5.2.1 Businesses

Small-scale business activities are common in most villages in Tanzania. These typically take the form of trading stalls or kiosks, grain milling, hair salons, sales of agricultural produce from homes or at village markets, etc. (see Figure 5-4). Displacement of structures or facilities used for such business activities would constitute a form of economic displacement, since it would entail a loss of income from those activities until alternative facilities can be established elsewhere.

Measures to mitigate impacts associated with the displacement of businesses are discussed in more detail in Chapter 6. These would need to take into account the fact that many affected businesses would be informal, and would thus not be able to provide audited accounts from which lost earnings could be estimated. In such instances, resettlement entitlements would comprise replacement of structures and assistance with transportation to a new location.



Figure 5-4: Examples of Business Structures and Activities**5.2.2 Community Facilities and Infrastructure**

There are an estimated 225 villages along the pipeline corridor. Most villages have a primary school, one or more churches and/or mosques, one or more water wells (see Figure 5-5), a community hall, a market (Figure 5-6) and a clinic or health facility. Other community infrastructure, such as secondary schools, hospitals, banking facilities, etc., tends to be limited to larger villages or towns.

**Figure 5-5: Example of a Communal Water Pump**



Figure 5-6: Market Stalls in Chemba District

During the design of the pipeline route, care was taken to avoid community facilities where possible. However, there may be some displacement of communal facilities. Facilities within the corridor that were observed during site visit to inform the RPF (i.e. DWC reconnaissance site visit) include communal grazing areas, small artificial dams used to water livestock and collect water for domestic purposes, a partially-constructed health care centre, a church and a number of communal boreholes. The exact number of displaced community facilities will be confirmed once detailed land and assets surveys of the route have been completed.

Where such community facilities are displaced or access restricted due to construction activities, this may impact on Project-affected communities through permanent and/or temporary loss of access to those facilities or increased travel distances to reach similar facilities in different locations.

5.3 Loss of Farmland

5.3.1 Small-scale Cultivation

The loss of farmland owned or used by households is expected to constitute by far the most common form of Project-induced economic displacement. As indicated in Chapter 4, analysis of LiDAR imagery of the pipeline route indicates that about 75% of the Project footprint is occupied by cultivation of crops. Most of this is expected to be Village Land (one of the three main categories of land recognised in Tanzania) held by individuals through customary tenure.

Of the cultivated land in the Project footprint, most is occupied by small-scale farming. Seasonal crops grown in the area include maize (Figure 5-7), beans, cassava, lentils, groundnuts, sunflowers (Figure 5-8), white millet, barley, pigeon peas, sorghum (Figure 5-9), rice (Figure 5-10), vegetables, finger millet (Figure 5-11), potatoes, tomatoes, *uwele*, sweet potatoes,

watermelon, tobacco, sesame, onions, and sugarcane. Multiyear crops include bananas (Figure 5-12), mangoes, oranges, coffee, vanilla, jackfruit, tangerine, guavas, timber, sisal and cashew nuts.²⁸



Figure 5-7: Farm Planted with Maize



Figure 5-8: Farm Planted with Sunflowers

²⁸ Market Asset Value Assessment, Volume 2: Main Report. Majengo Estate Developers Ltd. (2017).



Figure 5-9: Farm Planted with Sorghum



Figure 5-10: Rice Paddy



Figure 5-11: Farm Planted with Finger Millet



Figure 5-12: Banana Trees

As reported in Chapter 4, the analysis of LiDAR imagery also involved estimating the number of agricultural landholdings intersected by the construction corridor. This was done by selecting a representative sample of the pipeline route and then digitising all agricultural landholdings visible on the imagery. This analysis places the estimated total number of affected landholdings at between 9,500 and 14,500 farms.

As mentioned in Chapter 2, the pipeline construction corridor and land earmarked for construction and permanent above-ground facilities will be cleared of vegetation. This will involve the loss of all crops and economic trees on this land. After construction and during operation, no development of structures, planting of deep-rooted trees or agricultural activities (e.g. crop production) will be allowed in the Project footprint, with the exception that livestock

will be allowed to graze on and cross over the pipeline corridor. Displacement of farmland in these areas will therefore be permanent.

The significance of this impact depends on a number of factors:

- The degree to which affected landowners and users are ***dependent on the land*** for the income or livelihood. As discussed in Chapter 4, in most of the Project area of influence this is considerable: for 82-92% of households and one-third of all individuals, cultivation of cash and food crops is their main source of income, while crops grown for household consumption bolsters food security. If a household were to lose all its agricultural land to the Project, this could therefore lead to a loss of income from the sale of agricultural produce, or necessitate purchasing of food that a household would otherwise have produced for its own use. The impact associated with the loss of arable land often extends beyond the landowner, as land is often cultivated by others through sharecropping or rental arrangements;
- The ***percentage of land*** belonging to any particular household that will be acquired by the Project. This, in turn, depends on:
 - The percentage of land belonging to that household that is located *inside* the Project footprint. This will be influenced by patterns of land use (e.g. sizes of landholdings and numbers of adjoining land parcels belonging to the same household), as well as the Project component. For Priority Areas – particularly in areas where the average landholding per household is small – it is likely that the landholdings of some households may be situated completely within the Project footprint. For the pipeline, on the other hand, this impact is expected to be much more diverse. Analysis of LiDAR imagery of the pipeline route indicates that, on average only about one-third of the average affected land parcel (i.e. field) is situated within the construction corridor. Considering that many households own several such land parcels (some of which might be completely outside the corridor), the percentage of land that the average affected household will lose to the corridor is expected to be even smaller;
 - Economic viability of those sections of land left over *outside* of the Project footprint. Normally, where a land parcel partially overlaps with the Project footprint, only that part of it that is inside the footprint will be acquired. However, in cases where size, accessibility or other factors render a piece of land outside the footprint economically unviable (i.e. “orphaned land”), that part of the landholding will be acquired as well. During detailed resettlement planning, the economic viability of portions of land outside the Project footprint will be determined, and will be used as basis for deciding whether such portions will be acquired by the Project, taking into account applicable Tanzanian legislation;
- ***Mitigating factors*** such as access to alternative means of livelihood (e.g. non-land-based livelihoods) or social support networks such as family or friends. One of the aims of socio-economic surveys to be undertaken during detailed resettlement planning would be to identify such mitigating factors; and
- Socio-economic ***vulnerability*** – which, in turn, is influenced by factors such as income levels, disability, gender, the age distribution of household members, etc. – which would also be assessed on the basis of socio-economic survey and other data.

Strategies to mitigate displacement-related impacts on livelihoods should, therefore, take into account these other mediating factors. For instance (as discussed in more detail in the following chapter) if the majority of Project-affected persons (PAPs) will lose only a small portion of their land to the Project, and thus experience minimal impact on their livelihoods. Livelihood restoration measures would be scaled accordingly.

5.3.2 Commercial Farming Operations

As discussed in Chapter 4, current indications are that the pipeline corridor will likely traverse a small number of areas used for commercial farming of sisal, cotton and sesame; these areas are mainly located in the south of Tanga, central Tabora and near Kahama in Shinyanga Regions (see Figure 5-13 for an example). The severity of the impact on the farming operation will depend on the proportion of the total farming area that will be disturbed, as well as whether the property fragmentation caused by the construction activities will significantly impact on operational activities.

Given the size of commercial agricultural landholdings identified in the Project area to date (in the order of dozens of hectares, based on analysis of LiDAR imagery), it is highly unlikely that any commercial farming operations intersected by the Project footprint will lose a large enough proportion of their land to experience any impact on their productivity or economic viability. This will be confirmed during detailed resettlement planning.

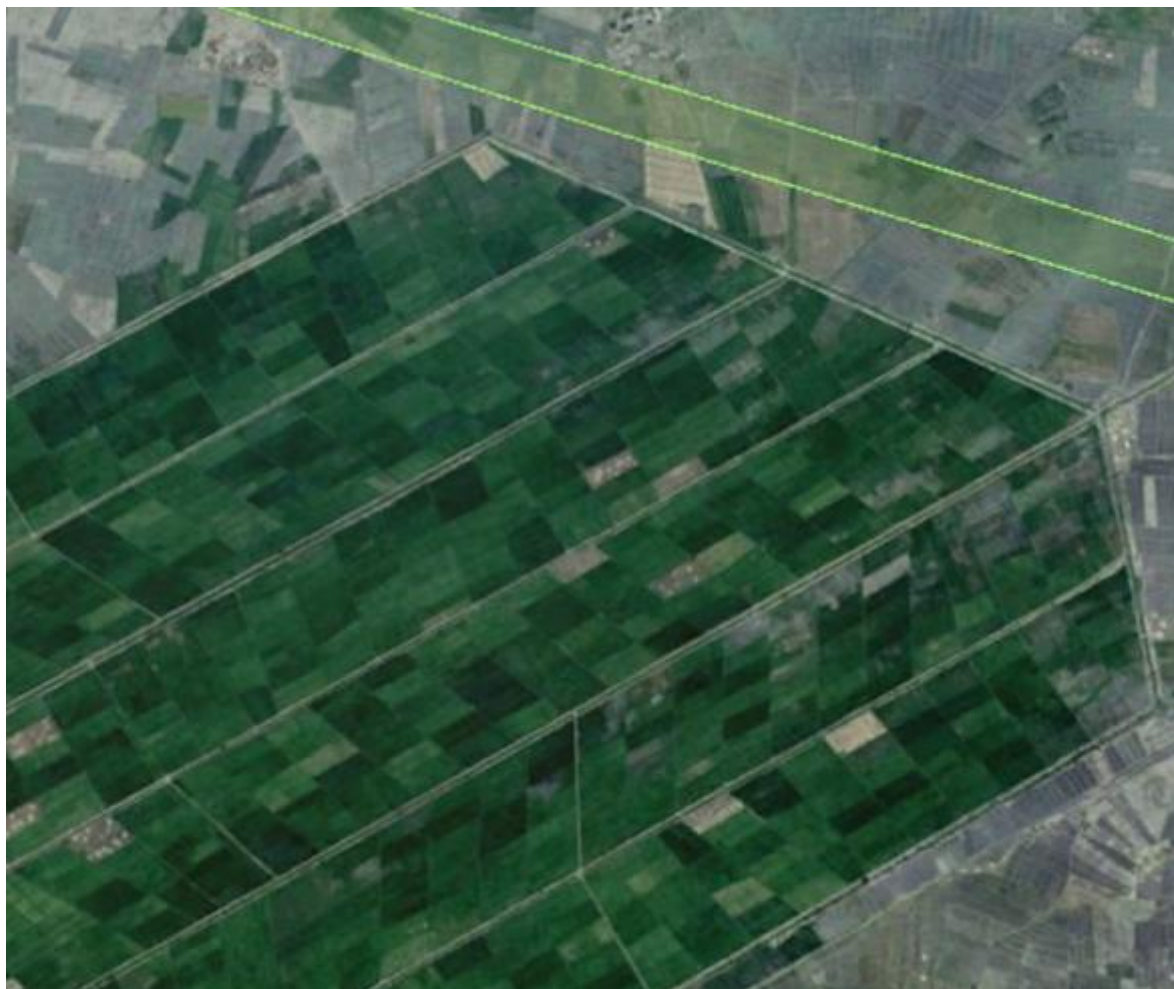


Figure 5-13: Pipeline Corridor in Vicinity of Commercial Farm

5.4 Loss of Other Land

While Village Land is generally allocated to individual households for residential and/or agricultural purposes, most villages retain a portion of communal land that is managed by Village Councils. Such unallocated Village Land mostly serves as communal grazing land for livestock. The importance of livestock husbandry varies significantly over the length of the pipeline route; it is particularly prominent in areas such as Tabora, Singida and Manyara. The importance of livestock in these areas is closely linked to the cultural role of livestock in traditional communities such as the Maasai, Akie and Barabaig (Bagota), who are concentrated in these areas (see Section 5.4 below for a more complete discussion of potential Project impacts on traditional communities).

The impact of Project-related land acquisition on grazing and livestock husbandry is not expected to be significant. The area to be occupied by the Project will, for the most part, constitute a narrow strip of land. Moreover, it is not foreseen that the pipeline corridor will be fenced upon completion of construction, thus allowing crossing of people and livestock, e.g.

cattle herds, etc. As mentioned in Chapter 2, provision will be made during construction and operation to enable people, vehicles and livestock to cross the pipeline.

In addition to Village Land, the other two main categories of land recognised in Tanzania are Reserved Land (wildlife areas, forests, marine parks, etc.) and General Land (which is land that is neither Reserved Land nor Village Land). During design of the pipeline route, care was taken to minimise the impact on Reserved Land – in particular, protected areas. Nevertheless, as mentioned in Chapter 4, current indications are that the Project footprint will traverse twelve game and/or forest reserves (see Chapter 4). Where such impacts are unavoidable, the appropriate environmental management procedures will be established through the Project's Environmental and Social Management System to minimise impacts on ecosystems and biodiversity.

5.5 Loss of Access to Natural Resources

Communities in the vicinity of the Project area generally rely on a variety of natural resources: wood for fires, medicinal plants, food (bush meat, fishing), building materials etc. Land clearing for construction purposes will involve the loss of resources such as trees for firewood or timber, plants used for medicinal purposes, hunting areas, etc.

The impact of Project-related land acquisition on the utilisation of such resources will relate more to loss of access (e.g. by communities on one side of the corridor to resources on the other side) than to loss of the resources *per se*. Such impacts are expected to be most pronounced during the Project's construction phase: depending on the length of construction spreads and the duration of construction activities, households might be forced to take long detours to reach available livelihood resources. Hunter-gatherer groups such as the Hadzabe tribe (see Chapter 4) would be particularly vulnerable to such impacts. Restrictions in access could also impact pastoralists, especially if they have limited routing options to access water sources and designated grazing areas.

These impacts are expected to be relatively limited during the Project's operational phase, however, as the areas to be occupied by the Project are likely to constitute a small portion of the total land areas from which these resources are obtained. Moreover, since the pipeline corridor will not be fenced during the Project's operational phase, it is not expected that significant restrictions on access to such resources (e.g. by communities on the opposite side of the pipeline) will occur.

Pipeline construction activities at river crossings may also have a short-term impact on fishing (although, as mentioned in Chapter 4, a very small proportion of households within the Project-affected regions depend on fishing for their primary occupation or livelihood). The pipeline route crosses a total of 13 rivers in Tanzania, including the Kagera, Kigosi, Nanga, Wembere, Mkingi, Nkuku, Bubu, Kelema, Pangani and Sigi Rivers; it also crosses an estimated 230 smaller rivers and major streams.²⁹

²⁹ EACOP Project Synoptic Diagram, 12 October 2017. Document no. UT-MID-60-0010-000401_00.

The livelihoods of communities living in the Chongoleani and Putini Mtaas will be affected by the temporary construction exclusion and the permanent marine exclusion zone. Potential impacts on the livelihoods of fisherfolk including fisherfolk and those gleaning along the beach will be addressed in the ESIA. A separate livelihood restoration programme will be established for those people whose marine-based livelihood are affected by the Project.

5.6 Impact on Graves and Cultural Heritage

During the pipeline route design process, care was taken to avoid graveyards and sites of cultural significance, where the locations of these were known. However, many graves and cultural sites are not visible on LiDAR imagery or recorded by other means. It is therefore possible that a number of these might be located within the Project footprint. This was confirmed by the reconnaissance site visit, during which it was found that – especially in the central regions – graves are commonly located in homestead farms (see Figure 5-14). The exact numbers and positions of affected graves will be determined during resettlement planning.



Figure 5-14: Example of a Grave Located in a Farm

Graves and sacred sites play an important role in the social cohesion and cultural continuity of many communities along the pipeline route. A wide diversity in burial practices (and attitudes towards graves and grave relocation) is evident along the pipeline route (see Chapter 4). For instance, burial sites in Barabaig communities are regarded as sacred and are maintained in perpetuity; by contrast, the communal cemeteries of many other communities are considered as sensitive, but not necessarily sacred.

In many communities, such as those in Tanga, Chemba District in Dodoma region, Singida region, Nzega District in Tabora Region, Kahama District in Shinyanga Region, and Geita District, grave relocation is regarded as taboo or at least severely frowned upon.³⁰ Others (e.g. Kondoa District in Dodoma Region, Bukombe District in Shinyanga Region, and Kagera Region) are more tolerant towards the prospect of grave relocation; in these cases, cultural requirements for grave relocation vary, but typically involve rituals (including animal sacrifices) and compensation. However, even in areas where grave relocation is allowed, rituals are often required even before any details of graves are recorded for resettlement planning purposes.

Types of sacred sites, and practices surrounding such sites, are equally diverse. Such sites tend to be rare (or rarely reported) in areas where Islam dominates – such as Singida Region and Tanga City and Handeni District in Tanga Region. Areas where sacred or ritual sites are reported to be common include Kilindi District in Tanga Region, Manyara Region, Chemba District in Dodoma Region, Iramba District in Singida Region, and Igunga and Nzega Districts in Tabora Region. Types of sites include unmarked sacrificial sites, ritual trees, caves, drumming stones, graves of important ancestral figures or traditional chiefs from pastoralist tribes, rock art sites and sacred wells.

Communities are sometimes hesitant to share information on the location and nature of sacred sites, thus complicating efforts to assess impacts on such sites and devising strategies for mitigating these impacts. Cultural sensitivity, respect and sustained engagement will be required during the formulation of appropriate measures to relocate sacred sites or compensate communities for their loss.

Sacred sites play a pivotal role in sustaining the cultural identity of many traditional communities. Loss of or damage to these sites could be perceived as a threat to personal well-being and household livelihood, especially because rituals practiced at these sites are often associated with ensuring agricultural success, enhancing fertility and healing.

5.7 Disruption of Access Routes

The pipeline route crosses a number of tarmac and a significant number of *murram* roads. In instances where national or regional roads cross the pipeline corridor, there will be a temporary impact during construction; this may require temporary diversion of some roads. It is not foreseen that any permanent disruption of roads will occur.

It is possible that the pipeline corridor may impact on local or “informal” access routes as well. Cases of temporary disruption that would need special attention include:

- Disruption of access routes to community facilities (such as schools or clinics) or routes used by farmers to access their land – particularly during construction. Such disruption could force people to take longer, alternative routes, thus increasing travelling time and cost;

³⁰ Market Asset Value Assessment, Volume 2: Main Report. Majengo Estate Developers Ltd. (2017).

- Disruption of access to small businesses, which may cause loss of income to business owners; and
- Disruption of “cattle corridors” – i.e. routes used to drive livestock to grazing areas or water sources.

As mentioned, provision will be made during construction and operation to enable people, vehicles and livestock to cross the pipeline, thus minimising disruption of access routes.

5.8 Impacts on Mining

As discussed in Chapter 4, current indications are that the corridor traverses mining prospecting rights, as well as formalised and unregulated artisanal gold mining sites, in several Project-affected regions. These include potentially:

- 51 prospecting licences;
- 41 primary mining licences;
- 5 mining licences;
- 2 active mines;
- An as-yet undetermined number of unpermitted artisanal and small-scale mining (ASM) areas; and
- 3 demarcated ASM areas.

5.8.1 Artisanal and Small-scale Mining

Where the Project footprint or construction corridor impinges on ASM activities, these activities would be permanently displaced. This implies that persons involved in those activities would need to relocate to other areas with similar mineral deposits that are outside of the Project footprint. Where no such alternative resources are available or accessible, these persons would lose the income derived from ASM.

The severity of this impact is compounded by the fact that many members of the ASM community are already socio-economically vulnerable – children, females and illegitimate migrant workers are employed at relatively low wages under harsh, unsafe working conditions to undertake these activities on behalf of those who profit most of these operations. Generally, these individuals are not in a position to own land, which makes it difficult to pursue other land-based livelihood activities.³¹

As discussed in Chapter 6, a distinction will be drawn between licensed and informal ASM operators in terms of eligibility for compensation and assistance. In accordance with Tanzanian legislation, informal ASM operators would not be eligible for loss of profit allowances or loss of land or assets, but would receive cash compensation for loss of structures used in their

³¹ It should be noted that not all artisanal and small-scale miners fall in this category of vulnerability. For many members of the ASM community, farming is their primary source of livelihood, and mining constitutes a seasonal strategy for supplementing agricultural income.

operations. Impacts on livelihoods of ASM operators and workers will be factored into the livelihood restoration strategy to be developed during detailed resettlement planning, in conformance with international lender requirements.

Licensed ASM activities will be identified by means of the Tanzanian Mining Cadastre. As discussed in Chapter 7, the Zonal Mines Offices will be involved in validating mining license information and determining whether there are declared and gazetted special zonal areas for primary licenses that will be affected by the Project. The Zonal Mines Offices will also be involved in identifying mining activities without licensing; their details will be recorded, and a legal opinion and recommendation will be obtained on the proposed way forward with unlicensed miners.

5.8.2 Large-scale Mining and Prospecting/ Exploration

Exploration and mining activities may intensify challenges in terms of land acquisition, and will increase complexity of engagement with various stakeholders, including local government, communities, small-scale miners and businesses.³²

The Tanzanian Mining Cadastre will be used during detailed resettlement planning as a source of information for confirming prospecting and mining rights that may be affected by the Project. Proposed measures to mitigate impacts on such rights holders, as well as on informal miners, are discussed in more detail in Chapter 6.

5.9 Vulnerable and Marginalised Groups

A number of minority or nomadic groups are known to be present in regions traversed by the pipeline route. These include:³³

- The Hadzabe or Hadza people, who are considered indigenous to Manyara, Singida and Dodoma Regions. Hadza reliance on hunting and gathering remains high, despite efforts from Government to introduce agriculturally-based livelihoods. They speak a language that appears to be unrelated to any other language, which is suggestive of very ancient origins;
- The Maasai, originally Nilotic pastoralists who migrated into Tanzania along the course of the Nile from southern Sudan. The range of the Maasai is divided between Tanzania and Kenya. Within the Project-affected area, they are mostly found in Manyara, Singida and Dodoma;
- The Barabaig, the largest section of the Dagota people found in Manyara Region. They are traditionally similar to the Maasai groups, in that they are seminomadic and herd cattle. In recent years, many have become agro-pastoralists and they farm maize, beans and millet. The Barabaig have been locked in a dispute with the Tanzania Canada Wheat Project since 1969, due to the fact that the project has alienated over 400,000 hectares of grazing land in Hanang District. Although the project has since

³² Tanzania Site Visit Report Scoping: Stakeholder Engagement. RSK (2017).

³³ Peter, C.M. (2007). Human Rights of Indigenous Minorities in Tanzania and the Courts of Law. *International Journal of Group and Minority Rights* 14(4).

been abandoned, custody of the land remains in the hands of the Tanzanian government³⁴; and

- The Dorobo, which is a collective (and possibly derogatory) term for several hunter-gatherer groups in Arusha and Manyara Regions; these include the Okiek, Sengwer, Aasax, Akie, Mediak, Kisankasa, Aramanik and Mosiro.

There have been historical cases of minority and nomadic groups in Tanzania being subjected to various forms of discrimination and marginalisation – for instance, through forced evictions from ancestral lands to make way for large-scale crop cultivation, creation of wildlife protected areas, mining, etc.³⁵

It is not expected that the Project will have a more significant impact on land or natural resources utilised by minority or nomadic peoples than on that of other people in the Project area (see Sections 5.3, 5.4 and 5.5 above). As mentioned, impacts on grazing and utilisation of natural resources are not expected to be significant, as crossing of people and livestock over the pipeline route will be uninhibited once construction is completed.

However, the economic and social vulnerability of many pastoralist and hunter/gatherer groups may increase their susceptibility to Project-induced displacement impacts, even if those impacts themselves are of low intensity. EACOP will review the status of any marginalised or vulnerable groups that may be affected by the Project in line with the requirement of IFC Performance Standard 7 on Indigenous Peoples.

5.10 Impacts on Host Communities

Host communities may be defined as communities living, or making use of land or livelihood resources, at or near a resettlement site. Resettlement may in certain instances give rise to impacts on host communities – for instance, through increased pressure on land, water or other resources, or through changes in local socio-economic dynamics.

As mentioned earlier, it is anticipated that most cases of physical displacement could be dealt with through the construction of replacement structures on an alternative location within the same plot of land – or, where this is not possible, by relocating displaced households to suitable locations in the same village. Where replacement farmland is required, a similar approach will be followed – i.e. by extending affected households' existing plots to compensate for the portions within the Project footprint, or finding replacement land elsewhere in the same village. Thus, there should be a limited need for relocation over large distances or the establishment of dedicated resettlement sites/villages.

³⁴ MRGI (2016). World Directory of Minorities and Indigenous Peoples. Minority Rights Group International website, URL: <http://minorityrights.org>.

³⁵ Coalition of Indigenous Pastoralist and Hunter Gatherer Organizations (2011). *Shadow Report Concerning the Situation Of Economic Social and Cultural Rights of Indigenous Pastoralists and Hunter Gatherers of The United Republic of Tanzania*. Submission to the 48th Session of the United Nations Committee on Economic Social and Cultural Rights.

In view of the above, it is expected that the “host communities” for physically or economically displaced persons in the context of this Project will, in most instances, be the communities in which they currently reside. As mentioned previously, there are an estimated 225 villages along the pipeline corridor. Each of these villages can therefore be regarded as a possible “host community” for persons displaced by the Project. The most likely source of replacement and will be unallocated portions of Village Land. The 225 villages’ Village Councils – who are responsible for administering Village Land under the Village Land Act – will therefore be key role-players in the process of identifying replacement land during detailed resettlement planning.

Identification of suitable areas of replacement land may, in some cases, be a challenge. As also mentioned previously, it is estimated that about 75% of the pipeline corridor is occupied by cultivation of crops. In most instances, similar land-use patterns extend for several kilometres to either side of the corridor (see Figure 5-15 for a typical example). Thus, it may be difficult to find land for replacement houses and/or farms within a reasonable distance of the corridor that is not already occupied by cultivation.

It is therefore expected that some villages in the Project area (who act as host communities to displaced persons) will experience some form of *secondary displacement*, in that persons not directly affected by Project-induced displacement may be required to give up land to make way for replacement houses or farms. This impact will be particularly significant in areas where there is already a shortage of land, and where many land parcels have been repeatedly subdivided (e.g. during inheritance) so that many of them are already too small to be economically viable. Areas where this is likely to be the case include Geita, Shinyanga and Tanga, where the route runs relatively close to large towns or urban centres.

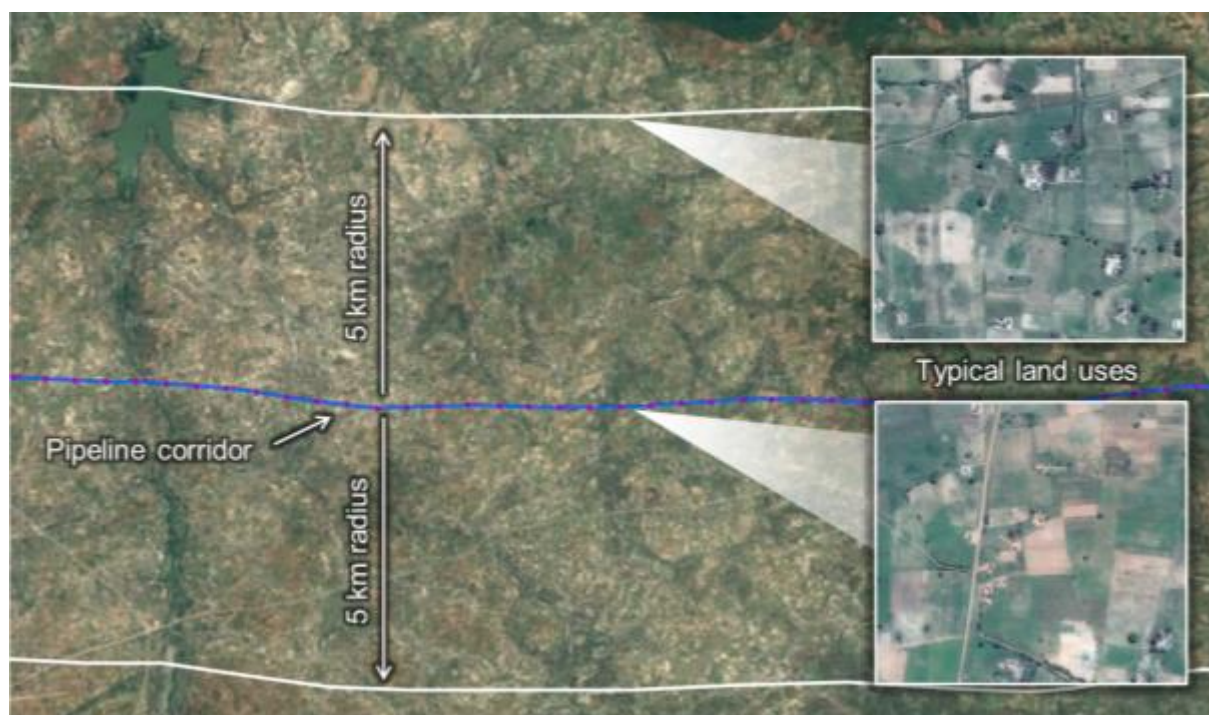


Figure 5-15: Uniformity of Land Uses at and around the Pipeline Corridor

Measures to avoid or ameliorate secondary displacement impacts are discussed more fully in Chapter 6; in brief, these will comprise:

- Providing support through livelihood restoration support measures for the development of more intensive agricultural practices – i.e. practices that would deliver similar yields but would require less land – for relocated persons as well as for members of host communities who would experience secondary displacement; and
- Providing physically displaced persons with replacement dwellings on an unaffected part of the land they currently own, this avoiding the need to acquire additional land for replacement housing.

5.11 Influx and Speculation

This impact differs from others discussed in this chapter in that it does not pertain to the consequences of displacement *per se*, but rather to people's responses to (actual or expected) displacement. Such impacts can take various forms, and may occur during various Project phases. For instance, during resettlement planning, persons may establish fixed assets (structures and/or crops) in areas that people believe to coincide with the Project footprint, with the aim of obtaining compensation for such assets. Strategies for discouraging such actions would include:

- Minimising distribution of maps showing the Project footprint;
- Widely publicising the cut-off date and its implication (i.e. that no persons moving into or establishing assets in the Project footprint after the cut-off date would be eligible for compensation);
- Using recently-acquired LiDAR imagery of the route to verify which assets were present in the Project footprint prior to the cut-off date; and
- Engaging with district and regional officers to monitor and assist with taking quick response to persons speculating.

As will be discussed in Chapter 7, gazettelement of the Project footprint will be undertaken in parallel with preparation of RAPs/LRPs. Since gazettelement constitutes the legal basis for compulsory acquisition of land for public purpose, this could also be employed as a mechanism for deterring influx and speculation.

5.12 Conclusions

As can be seen from the foregoing discussion, the magnitude of displacement-related impacts on any one individual or household is, in most instances, expected to be relatively minor. Exceptions to this general trend include:

- Physically displaced households (who constitute a small fraction of the total number of displaced households); and
- Persons who will lose all or most of their farmland to the Project (also estimated to be a small percentage of the total number of displaced households).

6 ELIGIBILITY AND ENTITLEMENTS / COMPENSATION FRAMEWORK

This Chapter of the RPF outlines the proposed entitlements for each type of displacement impact resulting from the Project. It also defines eligibility criteria for affected persons to receive compensation, resettlement and assistance. It recognises the legal context framed in Chapter 3 and builds on the socio-economic baseline outlined in Chapter 4 and Project-induced displacement impacts identified in Chapter 5. The Chapter:

- Identifies those eligible to receive compensation and assistance (see Section 6.1);
- Defines how impacts on land and assets will be valued and sets levels of compensation to be offered to PAPs (Section 6.2);
- Broadly outlines what kinds of compensation and assistance PAPs will be entitled to for each type of loss (see Sections 6.3 and 6.4); and
- Summarises the above in the entitlements framework (see Section 6.5).

As discussed in Chapter 1, the purpose of the RPF is to define overarching land access, compensation and resettlement principles, and thus to ensure compliance with Tanzanian legislative requirements and IFC PS5, as well as to ensure consistency between the various individual RAPs/ LRPs to be produced during detailed resettlement planning. The entitlements outlined in this chapter will therefore be the subject of discussion and refinement during detailed resettlement planning. The processes through which this will be achieved are described in Chapter 7. The final, agreed-upon entitlements will be presented in the individual RAPs/ LRPs. These may in some instances differ from one RAP/ LRP to the next, depending on geographical differences in livelihoods, cultural preferences and customs, etc. The overarching principle underlying this RPF – i.e. that no person should be worse off after resettlement than they were before – will remain firm.

6.1 Eligibility Criteria and Categories

6.1.1 Eligibility Criteria

Eligibility, for the purposes of this RPF, is defined as entitlement to compensation and assistance granted to persons, groups of persons, families, or institutions due to subjection to displacement resulting from land acquisition, the revocation of rights, and/or the expropriation of property as a direct result of the Project.

A primary requirement for eligibility is that affected persons and assets are enumerated during the resettlement asset valuation process that is used to define the cut-off date – in other words, eligibility applies only to land and assets that were established prior to the cut-off date. Should affected persons not be present during the valuation process, such persons will be requested to provide proof of their presence in the Project area during the valuation period, and/or proof of ownership of assets in the Project area during that period, to be eligible for compensation. Such

considerations may apply to absent family members engaged in migrant wage labour, or nomadic pastoralists who use local resources on a seasonal basis.

IFC PS5 defines three categories of persons who are eligible for compensation:

- Displaced persons who have **formal legal rights to land and/or the assets they occupy**. This includes persons with properties that are formally registered in cadastral land registers;
- Those who **do not have formal legal rights to lands but do have a claim to land which is recognised under national law**. This category includes persons with customary ownership/rights of occupancy of land: as set out in Section 3(1)(g) of the Land Act and section 3(1)(h) of the Village Land Act, persons with legal rights to land include those with “right of occupancy or recognised long-standing occupation or customary use of land” and the Village Land Regulations state that any villager occupying the affected land under a customary right of occupancy, including an unregistered right, is entitled to compensation;
- Those who have **no recognisable legal right or claim to land and/ or assets they occupy or use**. This category would typically include persons who have constructed buildings or have cultivated crops on land owned by others, without approval and/or knowledge of the land owner. This also includes informal users on Reserved Land or General Land. Such persons may not be entitled to compensation for land, as they do not hold the formal rights to it; however, they would be entitled to compensation for assets that they own – for example, the replacement value of buildings, structures, crops, and economic trees. Eligibility for compensation **does not create or confer a right where none previously existed – it does not legitimise the illegal occupation of land**. The purpose of compensation is to ensure that people affected by the project do not end up worse off as a result of displacement.

6.1.2 Eligibility Categories

The eligibility categories listed below refer to categories of PAPs who will experience various types of displacement-induced loss or increased vulnerability for as a result of physical and/or economic displacement. These categories have been identified based on socio-economic baseline information (presented in Chapter 4), the estimation of land acquisition and resettlement impacts (Chapter 5), the experience and research of other RPFs and RAPs recently completed in Tanzania, and consultation with MLHSD as well as regional and district authorities.

The identified eligibility categories are as follows:

- Persons who hold the rights to land under legal title;
- Persons who have the customary right of occupancy of land;
- Persons who own affected buildings and structures, such as primary and secondary dwellings, ancillary domestic buildings and agricultural structures;
- Communities who own community land and assets, as represented by the relevant Village Councils;

- Institutions who own land and/or buildings and/or public facilities, including religious organisations and government authorities (assets belonging to such institutions may include schools, health facilities, roads, reserved land, protected areas, etc.);
- Private sector companies or businesses who have legal title to land and /or building whose operations are registered for tax, have audited accounts and are licensed (if necessary) – including mining companies with mining licenses, commercial farmers, commercial fishing operations, industrial operators and logistics/transport operators;
- Owners of perennial (annual) agricultural crops;
- Owners of seasonal (planted and harvested each season) crops;
- Owners of economic trees growing in the affected areas, either on their own land or on the land of others;
- Owners of standalone business structures with a license or permit for such operations and structures including markets, butchers, cafés, hairdressers, clothing manufacture, furniture manufacture, etc.;
- Owners or custodians of cultural heritage assets such as graves, graveyards, sacred trees, sacred stones etc.;
- Small scale miners with mining licenses;
- Tenants of houses and/or land – i.e. persons who, while not owning the house or land, have right of occupancy;
- Employees of established and formal businesses;
- Informal users of land – for example, persons who collect firewood, herbs and medicines, hunters and poachers and who gather other natural resources;
- Informal occupiers of dwellings and land;
- Informal businesses/petty traders such as market stalls, butchers, crop production facilities (e.g. milling machine shelters), cafés, hairdressers, clothing manufacture, furniture manufacture, kiosks etc.;
- Pastoralists using land for grazing livestock;
- Fishermen and related processing activities (informal) in coastal areas and waters and inland rivers;
- Artisanal miners and small scale mining operations who do not have legal title to land on which they operate; and
- Vulnerable persons – i.e. persons for whom loss of assets or resources, and/or disruption of access to assets or resources, may have a disproportionate impact on livelihoods, due to their vulnerability and/or livelihood dependency on these activities.

It is recognised that PAPs may fall into more than one eligibility category (e.g. for land, house and/or crops). Specific criteria for eligibility are set out in Section 6.5 below. The socio-economic and asset valuation surveys to be undertaken as part of detailed resettlement planning will be used to determine the eligibility categories that apply to each identified PAP. Special situations, such as share-cropping arrangements and third-party investment interests, will be also considered based on evidence from these surveys. It is possible that information

obtained during the surveys might require the definition of additional eligibility categories. If so, these will be addressed specifically in each RAP/LRP to which they are applicable.

6.2 Valuation Methodology

As indicated in Chapter 3, valuation methodology is prescribed in various Acts, including the Land Act, 1999, the Land (Assessment of Land Compensation) Regulations 2001, the Village Land Regulations, 2001, and most recently the Valuation and Valuers Registration Act 2016, and the Valuation And Valuers (General) Regulations 2018 which explicitly provides guidance on valuation practices.

6.2.1 Types of Valuation Methods

A summary of conventional valuation methods is given in Table 6-1 below.

Table 6-1: Summary of Typical Valuation Methods

Method of Valuation	Description	Criteria for Use	Applicability to Project
Comparative	Value is derived from price of landed property or asset that has recently been bought/sold and that is similar in its physical properties, attributes and its legal status.	Used in the valuation of landed properties or assets that tend to be similar and readily change hands in the market. Because of the difficulty of getting sufficient and reliable sales data of comparable properties on a consistent basis, the method would be used in the valuation of land only.	Applicable for all types of land including bare land, agricultural land and residential land.
Replacement cost/ contractors method	Basis for valuation is the cost of replacing the affected asset.	Applied to assets that are not readily available on the market, and/or in cases where there is either limited or unreliable sales evidence to enable direct comparison.	Applicable for all buildings, structures and improvements on land that impacted and are to be replaced.
Income/ investment	The rental income or annual value derived from the land (including any improvements and discounting it at an appropriate yield is used to arrive at the capital value of an interest in landed property.	Used in the valuation of investment properties. These are income producing commercial properties. In principle, the main classes of properties that are amenable to valuation using this method include office, retail and industrial properties.	This method of valuation will not be applied as there are no office blocks, retail and industrial properties that are affected by the Project.
Profits	The net value of an asset is inferred from its actual or estimated profits (i.e. gross income or turnover minus reasonable overheads and working expenses).	Applied to value profit generating properties.	Applicable for formal businesses (taxed, licensed and subject to having audited accounts) for example Guest houses, restaurants, tourism establishments ³⁶ .

³⁶ Excludes those businesses where no licenses, taxes and /or audited accounts available. It is expected that most businesses will be informal in the project footprint. Businesses such as kiosks, cafes, market stalls, butchers,

Method of Valuation	Description	Criteria for Use	Applicability to Project
Residual	Surplus value is calculated after meeting all costs of developments (including the cost of finance), and allowing for profits.	Typically used to value development properties. These include land which is ripe to be developed, or land with dilapidated existing buildings which are to be refurbished or redeveloped.	Not applicable as no development properties are expected to be encountered in the project.

Different valuation methods are proposed for the various eligibility categories outlined in Section 6.1.2 above – particularly in relation to land, structures, crops and trees and businesses. The selection of valuation method has been guided by the requirement of compliance to Tanzanian legislation as well as IFC PS5 (as discussed in Section 6.2.1).

The valuation principles for each category of asset are discussed in more detail below.

6.2.2 Land

Land will be valued by means of the Comparative Method of Valuation, i.e. by determining the market value of a land parcel through an analysis of market prices of similar land parcels sold recently in the same or competing neighbourhoods. Where available current base (indicative) market rates for land will be issued to the Registered Valuer from the Office of the Chief Valuer (Section 53 of the Valuation and Valuers Regulations 2018). These market base rates for land will be based on consultations (through the Chief Valuer) with District Land Officers and the Regional Valuers and convert indicative rates into specific rates. Specific rates for land will be determined at RAP/LRP stage; the process that will be applied for determining specific compensation rates is described in more detail in Chapter 7.

Any transactional costs associated with acquiring new land will be included in the compensation amount³⁷.

6.2.3 Crops and Economic Trees

Crops and trees of economic value will be valued on the basis of their earning potential.

6.2.3.1 *Economic trees*

Trees of economic value represent non-moveable assets. They provide fruit as a source of income and food, and other uses such as timber for construction. Species vary widely across the Project footprint depending on soil and climatic conditions. Economic trees include mango, coconut, banana, cashew nut, avocado, cassava, coffee, etc. (see Chapter 4).

hairdressers etc. are usually informal. The Entitlement Framework recognises both formal and informal businesses with compensation mechanisms devised for each.

³⁷ Where a formal title exists and land or other fixed assets are encumbered with a mortgage, the Project will have to settle the outstanding mortgage amount and deduct this from monies paid to the PAP. This is required in order to facilitate transfer of land or assets.

Economic trees are usually valued according to Government annual rates set for geographic zones³⁸ by the Ministry of Agriculture in association with the MLHSD (Crop Compensation Rates of MLHSD). These Government rates vary depending on regions and show specific rates for different species and maturity of tree (e.g seedlings 15%; early growth 25%; young 50%; early maturity 75%; full maturity 100%; old stage 30% as per The Valuation and Valuers Regulations 2018.) The Crop Compensation Rates (based on market rates) are currently being updated by the Office of the Chief Valuer in conjunction with District Land Officers and District Agricultural officers for those districts directly impacted by the Project footprint. Trees identified in Crop Compensation Rates issued by Government will form part of the asset surveys.

Trees which are not listed on the Crop Compensation Rate schedules for a specific zone but are presented by PAPs as having an economic value may be recorded by the Registered Valuers. Any such 'unlisted' trees would be submitted to the Chief Valuer to determine whether they are eligible for valuation or not and to obtain an approved rate if they are determined to be eligible.

6.2.3.2 Seasonal Crops

If the construction schedule allows, the intention is to allow seasonal crops (crops that are planted each season) to be harvested prior to land access. These crops will be recorded during the surveys and will be valued. These crops will be compensated according to the Crop Compensation Rates currently being updated by the Office of the Chief Government Valuer (see above). The compensation rates are specific for each crop by stem or by hectare (depending on the amount and density of the crops). Adjustment for intercropping may be required where applicable.

6.2.3.3 Perennial Crops

Perennial crops will be valued according to the same Crop Compensation Rates schedules mentioned above.

6.2.4 Buildings, Dwellings and Domestic Structures

The valuation of buildings, dwellings and domestic structures is based on such structures being immovable assets and thus having to be removed/ demolished to gain land required for the Project. The national laws and practices of Tanzania provide for 'market value' as basis for determining the compensation value of any assets that will be subject of compulsory acquisition or acquired for a project that is for a public purpose. Specifically, for the building values The Valuation and Valuers Regulations 2018 provides for a Registered or Authorized Valuer to research and prepare building value rates and submit to the Chief Valuer for endorsement before commencement of valuation fieldwork. Where these are not available prior to the survey then ranges of rates that are determined by qualified professionals will be used in the field and then submitted for ratification by the Chief Valuer during the process of completing the valuation

³⁸ The Agricultural Zones within the Project footprint include the Eastern, Northern, Western, Central and Southern Highland Zones.

exercise. The cost of replacing a building or a structure of similar nature, quality of construction, levels of completion in works-in-progress and size based on local market prices of materials and labour charges is the basis for the rates. In a typical land/property market situation, the subject property would be sold as one object that includes its land, quality of the building structure and condition, any other assets around it such as landscaping works, cropping etc. However, in compensation assessments, each of these components must be valued separately. In this regard therefore, the building value rates established are referenced to the cost of erecting a substitute building, but which meets some minimal decent standards within that class of building structure.

For this Project it is proposed that buildings (including dwellings), structures and improvements on the land will be valued using the Replacement Cost/Contractor method. Using this valuation method, the cost of reconstructing the buildings as new will be assessed. No allowance will be made for depreciation thus complying with IFC PS5 and consistent with the intent of the Valuation and Valuers Regulations 2018.

6.2.5 Community Buildings and Facilities

Although the pipeline routing exercises (see Chapter 2) sought to avoid community buildings or community facilities (e.g. schools, dispensaries or religious buildings) there may be some that are impacted by the project footprint. If impacted, the Project will base valuation rates on replacement costs. The parameters of the valuation method will be the same as above (full replacement cost, excluding depreciation and based on an assessment and opinion of the Registered Valuer).

6.2.6 Other Structures

For the valuation of “Other Structures” e.g. beehives, barns, cattle kraals, water troughs etc., the Project will value these structures either through replacement cost of the structures (e.g. cattle kraals) or the Income Approach (e.g. for beehives). Partially developed structures will be paid in cash at replacement cost of materials and labour input. If such structures can be moved without damage, the Project will provide for transportation costs without compensation for the structure itself.

6.2.7 Mining and Prospecting Licences

Mining and prospecting licenses are granted by the Tanzanian Government to facilitate exploitation of minerals or natural resources. A review of active mining projects (special, primary and other mining licenses) within the Project footprint is ongoing.

The Project will agree with the Ministry of Minerals (MoM), the way that the exploration, mining and surface rights associated with those parts of prospecting and mining licences that are traversed by the pipeline corridor and AGIs, will be revoked and the affected license owners and mine workers will be compensated for loss of any such rights. The eligibility for compensation will depend on whether the licence areas are being actively explored and/or mined at the cut-off date and the type of licence. The project will engage with both the MoM and the MLHSD on the proposed compensation framework for affected prospecting and mining operations. The project will agree with the MoM the way that that licences which have lapsed or

are submitted for renewal will be either not renewed or amended so as to remove all mineral and surface access rights within the pipeline corridor and AGIs.

Discussions with the MoM and MLHSD on the way forward for valuation for any compensation for impacts on these activities will be addressed at the RAP/LRP stage. It is expected that compensation will be addressed on a case by case basis for the current operating licensed mines. Informal mining activities are addressed in Section 6.2.10 below.

6.2.8 Orphaned Land

Pipeline projects being linear projects tend to traverse many landholdings and this invariably produces the problem of orphaned land.

Valuation of orphaned land (refer to Chapter 5) will occur where the amount of land that is being acquired from an individual is more than the Project requires because that which is left is no longer sufficient for the use it had been put to due to its size, shape, access and/or economic value. In this case the law in Tanzania provides that the acquiring authority may acquire the plot in its entirety where the remainder of rural land is less than half an acre (0.2 ha) in size³⁹.

The basis of compensation will be on a case-by-case basis, largely determining the amount of loss or expenses that the landowner will have to reasonably incur to get him/her back to the position before the acquisition. The valuation of orphaned land will be based on the use to which it is put at the Project cut-off date and subject to the asset and land valuation methods outlined above. For titled land, the cost of adjusting land parcel boundaries and preparation of the deed of variation will need to be reflected in the valuation of orphaned land that was part of titled land.

6.2.9 Priority Areas - Construction Facilities

Certain sites have been identified as requiring land access for the construction period and land access is required as a priority prior to pipeline construction – these are referred to as ‘Priority Areas.’ These construction sites are near the pipeline corridor and will be used as construction camps, pipeline storage yards and a pipeline coating facility. The sites are expected to be required by the Project for the duration of the construction phase only. They would require decommissioning and restoration prior to being capable of being returned to the Government of Tanzania (i.e. party that provides the lease to the Project – see Chapter 7). It is proposed that the construction sites follow the entitlements and valuation methodology set out above which is dependent on what use exists at the applicable cut-off date for the Priority Areas. The management of the affected land post-construction and arrangements are being discussed with the GoT.

6.2.10 Other Project Land Needs

In addition to the above, it is likely that there will be other additional land requests during the construction stage outside the formal Project land requirements. These may include land for fly

³⁹ The Land Acquisition Act, Cap 118 R.E., 2010 Section 10.

camps, short term storage of equipment, short term vehicle access etc. These will normally be temporarily secured by consensual agreement between Project contractors and land owners. The Project will oversee this process through land access protocols and monitored processes. As such, the Entitlement Framework does not address compensation for this activity.

6.2.11 Loss of Profits for Businesses Affected by Relocation

Business activity within the project footprint is most likely to include:

- Formal established businesses which are registered for tax, have audited accounts and, where necessary, are licensed. Such business would be entitled to loss of profit allowances set out in Section 6.2.14 below. Compensation for structures is addressed 6.2.6 above;
- Informal businesses such as, petty traders, small kiosks (selling soft drinks, mobile phone credit, etc.), maize milling facilities market stalls and Artisanal and Small Scale Mining and sited within the Project footprint are not eligible for loss of profit allowances but are eligible for compensation for the loss of an asset (structure) and transport allowance. The Project may provide additional support to move and re-establish their business at the resettlement site or another nearby location (see Entitlements Framework Section 6.5 below).

6.2.12 Compensation for Losses Suffered by Owners for Rental Properties and for Tenants

For landlords, the amount of compensation payable will be based on loss of rental over the time it takes to reinstate themselves. Under Tanzanian law, compensation for loss of income from tenants (under a formal rental agreement) is assessed for 36 months multiplied by the rental fee. For tenants, with formal contracts, of land or buildings, in practice, assessment of compensation is usually based on 3 months' rent equivalent in cash – as an estimate of the time that it would take to find alternative accommodation.

6.2.13 Valuation of Graves and Ritual Sites

For the “Valuation of Grave and Ritual Sites” there are two components the Project will need to assess in compliance with the Grave Removals legislation in Tanzania. These are:

- **Compensation to deceased relatives:** Here the basis of the assessment is the reasonable expenses that the deceased family members will have to incur in rituals associated with exhumation of graves. It is noted that these customs are not documented and, in most cases, it is likely that they will have to be negotiated.
- **Grave removal and reburial:** Section 9 (2) of The Graveyard Removal Act (No. 9 of 1969) states that compensation payable shall be limited to the reasonable expenses incurred in the removal, transportation, reinstatement and re-interment of the grave or dead body and any placatory or expiatory rites or other ceremony accompanying such removal and reinternment.

The Project will provide compensation rates for graves based on Registered Valuer's opinion (considering construction cost, material type, digging costs, reburial ceremony costs) and Chief Valuer's guidance on national rates set for grave types. The proposed figure established in

recent RAPs is TZS 700,000 for flat grave in earth, and TZS 1,000,000 for built up grave made of stone or cement.

Relocation of sacred sites will be supported by the Project through compensation for rituals and relevant cultural events. If appropriate, compensation may be provided to relocate physical assets that are present at the site. However, the compensation for affected cultural sites and graves will be discussed further with PAPs and Village Councils during socio-economic census surveys forming part of the RAP/LRP process.

6.2.14 Allowances

In addition to the above and in Tanzanian law, there are four types of allowances required to form part of compensation for the acquisition of land and assets. Each of these allowances is defined in the Land (Assessment of the Value of Land for Compensation) Regulations 2001 and in the Valuation and Valuers Regulations 2018. While the “Disturbance Allowance” and “Transport Allowance” are clearly set out in legislation “Accommodation Allowance” and “Loss of Profit Allowances” require some analysis to be made. For this Project the following allowances are confirmed:

Disturbance Allowance – The Land (Assessment of the Value of Land for Compensation) Regulations (2001) and the Village Land Regulations 2001 state that compensation for “loss of any interest in land” (which also includes loss of land, buildings and assets) shall include a disturbance allowance, calculated by multiplying the value of the land (including the components of land, buildings and economic trees etc.) by average percentage rate of interest paid by commercial banks on fixed deposits for twelve months at the time of loss of interest in the land.⁴⁰ All households who own affected land, buildings or crops (including economic trees) acquired by the Project will be eligible for Disturbance Allowance.

Transport Allowance – This will be paid to all owners of houses which are displaced and is calculated as the actual cost of transporting twelve (12) tons of luggage by rail or road (whichever is cheaper) within twenty (20) km from the point of displacement. It is expected that for this Project a once-off transport allowance would be paid to all impacted owners of houses and the amount would be consistent no matter the location. This allowance will be established by the Registered Valuer and agreed with EACOP and the Office of the Chief Valuer.

Accommodation Allowance – This will be paid to all households living in a functional house (not an empty and /or abandoned house) that is displaced and is based on the market rent for the building (amount per room multiplied by number of rooms) and multiplied by thirty-six months (as governed by Tanzanian law) in order to arrive at the accommodation allowance payable.

Loss of Profit Allowance – As outlined in Section 6.2.11 above, this allowance is relevant for formal businesses (e.g. Industries and operating mining projects) with tax registration, audited

⁴⁰ The Valuation and Valuers Regulations 2018 require that the average percentage rate of interest offered by the Central Bank on fixed deposits for twelve months is used. As the Central Bank does not accept fixed deposits the rates sued by Commercial Banks will be used in lieu.

accounts and (where relevant) licensing. For this Project it is proposed that the net monthly profit of the business carried out on the land shall be assessed, evidenced by audited accounts where necessary and applicable, and multiplied by thirty-six months to arrive at the loss of profits payable proportionate to the amount of land acquired for the Project. The amount of profit will vary depending on size, performance and location of the business. Different formal businesses will be assigned specific net profit rates by the Registered Valuer.

6.3 Compensation Options & Packages

Further to the valuation methodologies outlined in Section 6.2 above, options and packages are proposed by the Project to ensure that Tanzanian legal requirements are complied with and the IFC PS5 criteria are fully addressed particularly to “improve, or restore, the livelihoods and standards of living of displaced persons”. A Valuation Report and Compensation Schedule that complies fully and exclusively with Tanzanian regulations will be compiled for eventual approval by the Chief Valuer. This document will set out compensation entitlements categorised for the purposes of this project as “above the line”. A separate “below the line” document outlining individual entitlements to fulfil additional IFC PS5 criteria will be also be prepared for the Chief Valuers reference and for presentation to PAPS.

As mentioned, the entitlement options outlined below are initial proposals which will be subject to change and the final entitlements will be presented in the RAP /LRP document.

6.3.1 Cash and Like-for-like Compensation

A general principle to emphasise throughout the options outlined below and included in the Entitlement Framework is that the Project’s preference is to offer, where applicable due to Project impacts on land based livelihoods, like-for-like compensation for affected land and assets in line with IFC PS5. It is recognised that some PAPs may have preferences for cash compensation. If persons request cash compensation, it will be important to ensure that they (and their dependants) are able to continue to sustain their livelihoods through a sufficient land and asset base outside those being acquired by the Project. Housing and Residential Land

Persons losing dwelling structures and the residential land on which these dwellings are located will be offered a choice between cash compensation and replacement dwellings.

For those choosing replacement housing, this will be offered with due deliberation regarding pre-existing housing arrangements recorded in the asset and census surveys. These persons will be offered:

- a replacement house of an adequate standard and a standard allocation of replacement residential land (equivalent title) at or near the closest village site; plus
- cash compensation for any residential land affected and not replaced, and support from the Project to identify further replacement land if requested.

Property owners will receive replacement housing and specific ancillary domestic structures (covered kitchen shelter and toilet structures) from a standard house design which is compatible with their current dwelling. The designs will comply with Tanzanian regulations and standards, relevant building and planning codes and be of an adequate standard.

Replacement housing will, as far as possible, be constructed within existing communities at suitable and available plots. Such sites will be identified with participation from local government authorities and physically displaced households. Where a cluster of households are displaced by Project activities⁴¹, an appropriate resettlement site will be identified based on agreed site selection criteria, including characteristics such as distance from existing community and social network, ground suitability and safety, as well as access to public facilities.

Secondary residential structures and ancillary immovable homestead structures will be assessed based on functional, locational and cultural factors. In some instances, housing is “compound” style with several houses forming one family unit; in such instances, it would be inappropriate to relocate some of the housing units separate from the primary dwelling or the compound. Further, other ancillary structures may also be an extension of the house/s (or compound) such as separate kitchens, food storage areas etc. Thus, where required considering cultural considerations, compensation would need to address both secondary residential structures and homestead structures as part of the entire homestead.

If the house or ancillary structure does not satisfy the criteria above and is not for permanent residential or regular household use, the affected PAP will be offered cash compensation only.

People who elect for cash compensation for houses will need to demonstrate that:

- Their spouse and dependents in the house agree with the selection of cash compensation;
- They have arrangements in place to move to another house; and
- They have the means to maintain or restore their livelihoods.

Of particular relevance to the above is the Village Land Act, which contains various sections (20/23/33/57) pertaining to equality of all persons and respecting women rights in land related matters. This underpins the requirement of the spouse and dependents’ agreement to cash compensation (and in the entitlements decision process) as outlined in this RPF.

The Project will provide appropriate support to ensure that the consequences of choices are fully understood. The Project may also be able to offer additional in-kind support for livelihood restoration assistance and, if necessary, support to vulnerable persons (see Chapter 7).

6.3.2 Communal Structures

If communal structures (e.g., schools, health clinics) will be displaced, the loss of these will be compensated for with replacement structures without sacrificing the quality, cost, and duration of construction. The designs of communal facilities will be undertaken in collaboration with the relevant institutions, authorities and affected communities. In addition, cash allowances (disturbance, transport allowances) would also be offered.

⁴¹ Given the linear nature of the pipeline corridor it is unlikely cluster of homesteads will be affected by the pipeline itself. There is the potential for small clusters to exist at the Priority Area facilities and AGIs. However, the Project has tried where possible to avoid this from occurring.

6.3.3 Replacement Agricultural Land

Persons with formal or customary rights to agricultural land affected by the Project will be offered a choice between:

- Cash compensation for the land: this is expected to apply to most situations in the Project corridor. It is relevant when the proportion of the PAP's land impacted by the Project is below thresholds of significance and does not render the remaining portion unviable (i.e. not orphaned land) or where prior use of the land (e.g. for grazing) can continue post construction; or
- Replacement land: this will be offered, as far as is possible, if the land is acquired in its entirety or if portion remaining is considered orphaned land (see Section 6.2.8 above). If the land parcel is impacted by the Project footprint and the land parcel includes orphaned land, the Project would offer replacement land. If it is not possible to provide replacement land of equivalent size and productivity as the affected land (including orphaned land), cash compensation will be provided for the difference in size between the original landholding and the replacement land.

Those PAPs permanently losing all their agricultural land will also be offered relevant livelihood restoration support. Eligibility for in-kind compensation will, in all cases, be related to the significance of impacts on PAPs' livelihoods and assets.

The processes and criteria that will be applied to identify suitable replacement land, as well as alternative approaches that can be applied to maximise access to farmland, are discussed in Chapter 7.

The Project will be responsible for the completion of all land transactions.

Persons selecting to receive cash compensation for affected agricultural land (as opposed to a combination of replacement land and cash where required) will be offered appropriate support to ensure that the consequences of choices are fully understood, and will need to demonstrate that their spouse and dependents in the house are in agreement with the selection of cash compensation, that they have arrangements in place to utilise other land, or better use existing land; and that they have the means to maintain or restore their livelihoods.

6.3.4 Grazing Land

The nature of the development means that for the most part project impacts will not lead to loss of grazing land. PAPs will be able to cross the corridor with livestock and graze whilst doing this. Where grazing land is alienated, for example the Priority Areas (PAs) and sufficient alternative land is not available then the relevant RAP will review the entitlement to be offered.

6.4 Additional Entitlements Offered by EACOP to PAPs

In addition to the entitlements outlined above, the following additional entitlements are proposed to encourage PAPs to select the replacement housing and standard allocation of replacement land where they are eligible rather than cash compensation. These additional entitlements include:

- Replacement housing will be of an adequate standard of construction – for example construction materials are likely to comprise cement blocks with iron sheet roofs making houses far more tolerant to the rains in the area. The use of local materials will be considered where appropriate (e.g. local stones for foundation materials etc). A minimum size of house shall be offered based on a typical design that closely aligns, where feasible, to their current dwelling. The detailed housing design for house types, design and construction details will be disclosed and detailed in the RAPs. During future engagements, including the entitlement briefings, replacement housing designs will be disclosed and discussed with PAPs, Village Councils and District Officers.
- Transition Allowance – For relocated households and those households losing agricultural land, the Project proposes additional assistance to re-establish livelihoods. This will facilitate food security during a transitional period. In addition to a Disturbance Allowance (under Tanzanian Law) the project will offer additional assistance to particularly vulnerable individuals and households during and after relocation.
- Land preparation costs – those PAPs displaced from their agricultural land will also receive a once-off compensation based on the value of the labour invested in preparing replacement land for agriculture or allied purposes. This will be compensated as the sum of the average costs of clearing, ploughing, sowing, weeding twice, and harvesting the replacement crops.
- Multiple Livelihood Restoration Support Programmes – the Project will provide a programme of initiatives for restoring and improving livelihoods of PAPs, a major focus of this will be agricultural improvements, financial training and skills training (see Chapter 7). Further details on these programmes will be provided in RAPs/LRPs.
- The Project will be designing a full suite of relocation assistance and ensuring that the administrative capacity for delivery is catered for in the implementation process.

In this context transition allowances, land preparation costs and multiple livelihood restoration support programmes outlined above inherently include the provision that some forms in-kind compensation. These allowances will be available only to those persons whose livelihoods will be significantly affected by loss of land and/or be proportionate to scale of resettlement assets acquired permanently for the Project.

The process to accommodate Tanzanian regulatory requirements and those additional to meet IFC PS5 is outlined in the Chapter 7 (Resettlement Planning and Implementation Process). Chapter 7 thus explicitly outlines how valuation reports prepared clearly identify entitlements that reflect Tanzanian legal compensation requirements and separately, those which will be provided by the Project to meet international standards.

6.5 Other Resettlement Impacts

Given the scope of entitlements for this project, and the fact that impacts are more rural and agriculture-based in nature than urban, the Entitlement Framework focusses on impacts most likely to occur. As such some impacts are only addressed at a high level or not at all. The following provide a context to the entitlements proposed for such impacts:

- **Loss of employment:** Where an established formal business needs to close or relocate and there is a potential loss of formal waged-employment as a result of a

project, the affected employees may be included in the relevant aspects of the socio-economic survey and the impact on them assessed (e.g. if they will relocate with the employer the Project may offer some assistance with this; if not, support will be offered to assist them to restore their livelihoods). However, given the majority of the land take for the pipeline is a linear 30m strip, it is anticipated it is very unlikely any established formal business (e.g. commercial farm) would be significantly impacted in the corridor to require either closure or relocation or result in loss of such formal waged-employment.

- **Temporary or Partial Impacts:** The Priority Areas, AGIs, MST and pipeline corridor include provision of land to accommodate construction (e.g. the 30m construction corridor includes the area to accommodate construction activities) and, at this stage, all such land is proposed to be acquired permanently. As such no entitlements are proposed for temporary impacts. The exception is if access is disrupted to a dwelling, business, communal facility etc. (school/health facility) during construction. In such instances the Project would work with the construction teams to devise access arrangements during the construction period or provide support to enable such facilities to continue operation (e.g. provide transport for school children to schools which may be temporarily impacted by construction on access routes; enable graziers/ pastoralists to pass through certain construction sections at certain times). Similarly, if structures are partially impacted and are able to operate, cash compensation will be provided for the lost portion. If significantly impacted by partial loss, then the structure would be required to be relocated and rebuilt or compensated in cash.

6.6 Outline Entitlement Matrix

As discussed in Chapter 3 (gap analysis comparing Tanzanian and international lender requirements), Tanzanian legislation and IFC PS5 both allow for all four kinds of entitlement; the difference between them is in the degree of emphasis they place on each:

- Tanzanian requirements are largely (but not exclusively) geared towards cash compensation; IFC PS5 allows for cash compensation, but expresses a preference for in-kind compensation where certain conditions occur;
- Tanzanian legislation allows for various types of allowance (disturbance allowance, accommodation allowance, etc.); IFC PS5 allows for certain additional allowances – e.g. transition allowance, assistance for vulnerable persons;
- Tanzanian legislation allows for in-kind compensation – particularly for replacement housing; as mentioned, IFC PS5 prefers in-kind compensation; and
- Livelihood restoration is largely aimed at satisfying IFC PS5; however, there are certain provisions in Tanzanian legislation that support some livelihood restoration (e.g. for the Loss of Profit requirement in the Land Act).

Table 6-2 sets out the various categories of potential loss envisaged, impacts of loss, effects of loss and entitlements. The Entitlement Framework assumes eligibility in terms of presence of eligible PAPs and compensable items prior to cut-off has been established and that entitlement conforms to IFC PS5.

Table 6-2: Entitlements Framework

Impact		Effect	Entitled Persons	Entitlement
Land	A1 Loss of Land with dwelling – entire plot acquired (because it falls wholly in the Project footprint or because remaining land classified as orphaned land and impacts of PAPS total land holding is likely to impact livelihoods)	Acquisition (Permanent Loss)	Legal holder of land Customary holder of land And Institutional owners Applicable only where land is taken in entirety or remnants are not viable.	<p>In-kind Option:</p> <ul style="list-style-type: none"> Replacement land of equivalent size to land lost, at a suitable location, with security of tenure as per IFC PS5; Payment of all transaction costs⁴²; Disturbance Allowance;⁴³ Other allowances as applicable;⁴⁴ and Participation in livelihood restoration programmes.⁴⁵ <p>OR Cash Option:</p> <ul style="list-style-type: none"> Compensation (if entitled) for permanently lost land at market rates as defined by the Registered Valuer;⁴⁶ Allowances as above; and Participation in livelihood restoration programmes. <p>OR Mixed Option:</p> <ul style="list-style-type: none"> Replacement land of standard size, at suitable location, with security of tenure as per IFC PS5; Cash compensation for land affected and not replaced (if entitled); Project support to find land to replace portion compensation for in cash; Disturbance allowance; Other allowances as applicable; and Participation in livelihood restoration programmes.
	A2 Loss of land with dwelling – only part of plot	Acquisition (Permanent)	Legal holder of land Customary holder	<ul style="list-style-type: none"> Pro-rata cash replacement value for affected portion of land; Disturbance Allowance;

⁴² For transaction or registration costs real figures will be established from the local authorities.

⁴³ As indicated the Disturbance allowance as per legislation is defined as the average percentage rate of interest offered by commercial banks on fixed deposits for twelve months at the time of loss of interest in land.

⁴⁴ These could include banking costs associated with administration of compensation payment, taxes and transaction costs, as well as assistance with crop starter packages, if necessary. These will be defined by the RAP.

⁴⁵ Such programmes would be derived from the findings of the socio-economic survey and census forming part of the RAP/LRP process.

⁴⁶ Where applicable, mortgage is deducted from pay-out and paid to lending institution. This principle applies to all assets that are encumbered with a mortgage.

Impact		Effect	Entitled Persons	Entitlement
	acquired (with remaining portion of viable for economic use)	Loss)	of land Institutional owners	<ul style="list-style-type: none"> • Other allowances as applicable; and • Participation in livelihood restoration programmes
	A 3 Permanent loss of agricultural (crop) land where entire plot affected or remaining portion not viable (orphaned land and impacts of PAPS total land holding is likely to impact livelihoods)	Acquisition (Permanent Loss)	Legal holder of land Customary holder of land	<p>In-kind Option:</p> <ul style="list-style-type: none"> • Replacement land of same size, or an amount of land with equivalent productive value; • Land will be brought to same level of preparedness as at time of crop survey; • Disturbance Allowance; • Other allowances as applicable; and • Participation in livelihood restoration programmes. <p>OR Cash Option:</p> <ul style="list-style-type: none"> • This option is offered when in-kind replacement is not possible, or where owner has access to alternative farm land suitable for the same agricultural purpose and household has agreed to cash compensation; • Compensation at agreed rates for agricultural land, in proportion to the tenancy or sharecropping agreement (should there be any); • Participation in livelihood restoration programmes; and • Allowances as above. <p>OR Mixed Option:</p> <ul style="list-style-type: none"> • Replacement land of smaller size than land lost, at suitable location; • Cash compensation for land affected and not replaced (if entitled); • Project support to find land to replace portion compensation for in cash; • Allowances as above; • Land preparation cost; and • Participation in livelihood restoration programmes.
	A 4 Permanent loss of agricultural (crop) land where only part of plot acquired with remaining portion still viable	Acquisition (Permanent Loss)	Legal holder of land Customary holder of land	<ul style="list-style-type: none"> • Cash based on pro-rata replacement value for affected portion of land; • Participation in livelihood restoration programmes; and • Allowances as applicable.

Impact		Effect	Entitled Persons	Entitlement
	A 5 Permanent loss of agricultural (crop) land	Acquisition (Permanent Loss)	Acknowledged users but not owners (incl. tenants by occupancy) ⁴⁷ Persons with informal occupancy ⁴⁸	<ul style="list-style-type: none"> • None for loss of land. Refer to B 5 and I categories below regarding entitlements for loss of assets. • The Project may, where the persons with informal occupancy are also vulnerable, provide in-kind replacement land with security of title – dealt with on a case by case basis.
	A 6 Permanent loss of grazing land	Acquisition (Permanent Loss)	Legal holder of land Customary holder of land	<ul style="list-style-type: none"> • Cash Compensation for the value of the land at full replacement cost; and • Other entitlements including in-kind options outlined in category H below.
	A 7 Permanent loss of bare farm land /vacant land ⁴⁹	Acquisition (Permanent Loss)	Legal holder of land Customary holder of land	<ul style="list-style-type: none"> • Cash compensation for the farmland/vacant land at market value.

⁴⁷ This applies to land individually owned or possessed and rented to a third party. Tenants are recognised as having an interest, but not ownership of land under The Valuation And Valuers (General) Regulations, 2018. For land communally held and used see H5 and H6.

⁴⁸ Informal occupiers have a presence on the property that is deemed to be permanent or semi-permanent and that precludes other competing interests.

⁴⁹ Vacant land implies land that is held and is used (fallow), even if not operational at the time of the survey, but does not include obviously abandoned land.

Impact		Effect	Entitled Persons	Entitlement
Loss of Residence by Owner ⁵⁰	B 1 Loss of primary residence and associated secondary dwellings for wives or family members (subject to criteria) – houses must be occupied and complete at time of final asset survey ⁵¹	Permanent Loss of full structures or if partial where reminder unable to be occupied	Structure owner and occupier irrespective of legal right of occupation including “Certificate of Occupancy”	In-kind Option: <ul style="list-style-type: none"> Structure owners will receive replacement housing and certain ancillary domestic structures with standard house design. The design will comply with Tanzanian regulations and standards and be of an equivalent or adequate standard than the existing houses and comply with all relevant building and planning standards; Transaction Costs; Cost of transportation for the removal of household goods and reusable and transportable construction materials to replacement location; Disturbance Allowance; Other allowances as applicable;⁵² and Participation in livelihood improvement programmes. OR Cash Option: <ul style="list-style-type: none"> Replacement cost for structure in entirety;⁵³ Where applicable, mortgage is deducted from pay out and paid to lending institution; Disturbance Allowance; Other allowances as applicable; and Participation in livelihood improvement programmes.
	B 2 Loss of secondary dwellings (rental houses, free accommodation for	Permanent Loss of full structures or if partial where reminder unable	Structure owner (but not necessarily occupant)	Subject to same criteria for B1 and if complies: <ul style="list-style-type: none"> Replacement cost for structure as surveyed; Disturbance Allowance; and Other allowances as applicable.

⁵⁰ Entitled PAPs will be allowed prior to providing vacant possession to the Project to remove all building and other materials from **their** existing structures (and other assets), many of which are not permanently affixed to the land.

⁵¹ Secondary residential structures and ancillary immovable homestead structures will be assessed based on functional, locational and cultural factors – refer Section 7.3.2 for full definition and context.

⁵² Other allowances will include a sum deemed sufficient to facilitate transport to banks or other relevant institutions so that the PAP can access funds paid out. This will be calculated on a region-by-region basis and possibly at the subproject level and will be based on cost of return trip utilising public transport.

⁵³ Cash option available to homeowners with proven and verified alternative dwelling suitable for household members identified during final census survey; Combination of cash and in kind package for homeowners who prefer a smaller replacement house and the balance paid in cash for improved finishes assessed on case-basis.

Impact		Effect	Entitled Persons	Entitlement
	relatives, etc.)	to be occupied		<p>OR</p> <ul style="list-style-type: none"> Replacement housing and certain ancillary domestic structure with standard house design. The design will, at a minimum, comply with Tanzanian regulations and standards and be of an equivalent or higher standard than the existing houses and comply with all relevant building and planning standards; and Participation in livelihood improvement programmes. <p>Allowances:</p> <ul style="list-style-type: none"> Transaction Costs; Cost of transportation for the removal of household goods and reusable and transportable construction materials to replacement location; Disturbance Allowance; and Other allowances as applicable. <p>Incentives:</p> <ul style="list-style-type: none"> Project may offer cash incentive if such structures can be replaced within existing family compound;
	B 3 Ancillary structures and outbuildings, livestock kraals, wells/boreholes, septic systems, soak-aways, storehouses, perimeter walls, steps, verandas, non- tarmac access points, and the like - including incomplete structures	Permanent Loss of Other and Ancillary Structures	Owner of infrastructure - note that this may not be same as owner of plot.	<ul style="list-style-type: none"> Replacement cost for entire structure, if no longer viable; Incomplete structures to be valued at Replacement Cost considering the level of completion of the structures; Disturbance Allowance; and Cost of transportation for the removal of household goods and reusable and transportable construction materials to replacement location.
	B 4 Sanitation facilities	Loss of sanitation facilities	Owners of residential, commercial and other buildings. Government agencies as	<ul style="list-style-type: none"> In kind – Provision of on-site composting latrines, one per affected household or per physical planning standards.

Impact		Effect	Entitled Persons	Entitlement
			owners of communal facilities	
	B 5 Loss of Primary residence, loss of secondary dwelling(s) and /or loss of ancillary structures and out buildings	Loss of residence, secondary structures, and/or loss of ancillary structures and out buildings	Persons with informal occupancy and owner of asset	<ul style="list-style-type: none"> Resettlement assistance based on compensation for built assets that they own (excluding land). Addressed on a case by case basis to ensure PAPs do not end up worse off as a result of Project induced displacement. The Project may, where the persons with informal occupancy are also vulnerable, provide in-kind replacement housing and land with security of title – dealt with on a case by case basis
Loss of Residence by Tenant ⁵⁴	C 1 Loss of place of residency	Permanent Loss	Tenants, or other owner permitted occupant ⁵⁵	<ul style="list-style-type: none"> Project support to secure alternative accommodation; Three months residential rental assistance allowance; and Other allowances as applicable.
	C 2 Loss of use of place of residency	Temporary loss of accommodation due to access and return to original place of residence	Tenant, other owner permitted occupant,	<p>In-kind Option:</p> <ul style="list-style-type: none"> In-kind provision of temporary alternative accommodation if available with Project support as required; and Other allowances as applicable. <p>OR Cash Option:</p> <ul style="list-style-type: none"> Rental accommodation payment for period of disturbance; and Other allowances as applicable.
	C 3 Loss of Place of Residency	Temporary or Permanent loss	Informal Occupant	Project support to secure alternative accommodation
Loss of Business Structures by Owner ⁵⁶	D 1 Fixed Structure designated as formal business premises	Permanent loss	Structure owner with legal right of occupation and operator of	<p>In-kind Option:</p> <ul style="list-style-type: none"> Replacement structure, if available and acceptable (existing buildings may be rehabilitated or adapted for the purpose); Fitting out costs, as appropriate;

⁵⁴ See footnote 50.

⁵⁵ The definition of a qualifying tenant will have to be strictly applied in this regard. The Rent Restriction Act, although repealed defines a tenant as a party who occupies land and has erected a structure upon land owned by a third party or who has an agreement to occupy with a third part. The issue of formal agreement is paramount. Members of an immediate family who occupy land in the absence of an agreement are precluded as being classified as tenants.

⁵⁶ See footnote 50.

Impact		Effect	Entitled Persons	Entitlement
			business	<ul style="list-style-type: none"> Disturbance Allowance; Other allowances as applicable; and Participation in community-based training programmes. OR Cash Option: <ul style="list-style-type: none"> Replacement cost for entire structure; Fitting out costs, as appropriate; Disturbance Allowance; Loss of proven income for 36 months;⁵⁷ Transaction Costs;⁵⁸ Full cost of transportation for the removal of goods and reusable construction materials to new location; Other allowances as applicable; and Participation in community-based training programmes.
	D 2 Fixed Structure designated as formal business premises	Permanent Loss	Structure owner but non-operator of business	In-kind Option: <ul style="list-style-type: none"> Replacement structure, if available and acceptable (existing buildings may be rehabilitated or adapted for the purpose); Disturbance Allowance; Transaction Costs; Full cost of transportation for the removal of goods and reusable construction materials to new location; and Other allowances as applicable. OR Cash Option: <ul style="list-style-type: none"> Replacement cost for entire structure; Disturbance Allowance; Loss of Rental Income for 36 months⁵⁹; and

⁵⁷ As indicated, the Loss of profits will be computed by taking into consideration the net monthly profit from the business/value of produce multiplied by 36 months to arrive at the loss of profits payable. Loss of profit will be paid when the owner presents audited accounts or proof of paying taxes. Where this is not reasonably available, the loss of profit will be determined by the Registered Valuer in consultation and agreement with the business owner /operator.

⁵⁸ This will include any costs associated with formalization of the transfer of premises as envisaged by IFC PS5, specifically GN 11.

⁵⁹ The allowance is the market rent over a period of 36 months as per legislation.

Impact		Effect	Entitled Persons	Entitlement
				<ul style="list-style-type: none"> Other allowances as applicable.
	D 3 All non-fixed structures designated as informal business premises	Permanent loss	Owner Informal Owner and /or operator	<ul style="list-style-type: none"> Project assistance for relocation to equivalent or better site, if available, with security of tenure Compensation for perishables, breakages, etc.; and Other allowances if applicable.
Loss of Business Tenant ⁶⁰	E 1 Fixed Structure designated as business premises ⁶¹	Permanent Loss	Formal Business Tenant	<p>In-kind Option:</p> <ul style="list-style-type: none"> Relocation to equivalent or better site, if available, with security of tenure. Perishable Inventory; Other allowances as applicable; and Participation in livelihood improvement programmes. <p>OR Cash Option:</p> <ul style="list-style-type: none"> Loss of Income 6 months; Transportation Relocation allowance; Perishable Inventory; Other allowances as applicable; and Participation in livelihood improvement programmes.
	E 2 Fixed Structure designated as formal business premises	Temporary Loss due to access	Formal Business Tenant	<p>In-kind Option:</p> <ul style="list-style-type: none"> Alternative business premises for period of disturbance; Project assistance to maintain access to premises during construction; and Other allowances as applicable.
	E 3 All non-fixed structures designated as business premises	Permanent loss	Informal Business Tenant	<ul style="list-style-type: none"> Project support to find new location and transport assistance of non-fixed business premises to new location; Transportation Relocation; Other allowances if applicable; and Community based training programmes.

⁶⁰ See footnote 50.

⁶¹ Structure must be set up to support a business such as a kiosk, maize milling facility etc, contain equipment and to facilities that would support a business and have accounts showing operation of a business. Business tenant to be verified as such by the Ward Officer, Village representative or equivalent.

Impact		Effect	Entitled Persons	Entitlement
Loss of Employment	F 1 Loss of employment	Permanent	Employee ⁶²	<ul style="list-style-type: none"> Relevant assistance if present and included in the socio-economic /census survey.
Loss of resources providing income in cash or in kind	G1 Loss of community accessed resources such as forests, wetlands and non-economic trees.	Permanent and temporary Loss but does not impact on access to remaining area	Resource users or any persons losing an income stream associated with land alienated and including seasonal natural resource users (IFC PS5 GN 8).	<ul style="list-style-type: none"> Community level access would be maintained; Training designed to provide assistance and support for income replacement activities; and Participation in livelihood restoration programmes
	G 2 Loss of access to mineral resources actively exploited on an active mining project	Permanent Loss	Owner of Primary Mining License,	<ul style="list-style-type: none"> Resettlement assistance on a case by case basis including compensation for loss of assets.
	G 3 Loss of access to mineral resources actively exploited	Permanent Loss	ASM with developed assets but no formal mining/mineral rights	<ul style="list-style-type: none"> Compensation for loss of structures; Participation in community-based training programmes; and Allowances as applicable including transport of tailings
Loss of Communal or Institutionally owned structures or land	H 1 Structures owned by community or institutions. These include community centres not built by government, churches, mosques and other places of worship, market	Permanent Loss or loss of access temporarily	Owner of buildings and infrastructure	<p>For Permanent Loss:</p> <p>In-kind Option:</p> <ul style="list-style-type: none"> Replacement in-kind; Disturbance Allowance; and Other allowances as applicable <p>OR Cash Option:</p> <ul style="list-style-type: none"> Replacement cost for land and structures; Disturbance Allowance; and

⁶² This is unlikely over corridor - Independent employee in a business, agricultural activities etc. Where family members are designated as employees - proof of employment needs to be provided.

Impact		Effect	Entitled Persons	Entitlement
	stalls, private schools, private clinics, etc.			<ul style="list-style-type: none"> Other allowances as applicable. Temporary loss of access: <ul style="list-style-type: none"> Project assistance to maintain access on a case by case basis.
	H 2 Government developed and owned structures	Permanent Loss	Government as owner	In-kind Option: <ul style="list-style-type: none"> Replacement of structures in consultant with relevant Government Authority. OR Cash Option: <ul style="list-style-type: none"> Compensation on a case by case basis as per agreement with government.
	H 3 Government developed and owned structures	Temporary loss of access	Government as owner	<ul style="list-style-type: none"> Project assistance to maintain access on a case by case basis Compensation (if relevant) on a case by case basis as per agreement with government.
	H 4 Land used for communal purposes, particularly pastoral land used for collective grazing	Permanent Loss	Communal owner	<ul style="list-style-type: none"> Cash for permanent land acquired value based on market rates and cash paid to pastoralist community (entity to be nominated by community) or if Village land to Village Council); Allowances as applicable; and Corridor not fenced
	H 5 Land used for communal purposes, particularly pastoral land used for collective grazing	Temporary Loss of access	Communal owner	<ul style="list-style-type: none"> Project assistance in maintaining some access or alternative arrangements during the construction period; and Corridor not fenced.
	H 6 Roads, pathways, drainage, and electricity mains	Permanent Loss of infrastructure	District and local government, communities, or utility company.	<ul style="list-style-type: none"> Provision of roads within communities to national road safety standards including drainage and safety crossings where required; Diversion of services and infrastructure in conformity with national standards; Provision of access roads to resettlement sites where there is no existing access; and Rerouting of pathways around project infrastructure based on assessment of loss of access.
Trees and Crops	I 1 Loss of seasonal crops / seedlings replanted after harvesting	Permanent loss or restriction of access	Legal Holder of Land and Owner of Crops or Trees of Economic Value	<ul style="list-style-type: none"> Not compensated if seasonal crops are harvested prior to relocation; If above is unable to be achieved, then Rates approved by Office for the Chief Valuer are used; Where rates are not current the value of standing crops will be assessed using Income Method. Participation in livelihood improvement programmes; Disturbance Allowance; and Other allowances as applicable.

Impact		Effect	Entitled Persons	Entitlement
	I 2 Loss of perennial (annual) crops	Permanent loss or restriction of access	Owner of Crops or Trees of Economic Value	<ul style="list-style-type: none"> Same as I 1 above.
	I 3 Loss of crops – seasonal and perennial	Permanent loss or restriction of access	Tenant farmer	<ul style="list-style-type: none"> Same process as per I 1 and I 2 above except that the value of standing crops, using Income Method, is reduced to take account of compensation amount due to the land owner from the tenant (if applicable); Assistance in finding new cultivable land if applicable; Participation in livelihood improvement programmes; Disturbance Allowance; and Other allowances as applicable.
	I 4 Loss of fruit trees of economic value including fruit and timber trees	Permanent loss or restriction of access	Tree owner	<ul style="list-style-type: none"> Owners of economic trees that will be lost will receive cash compensation for the trees based on the valuation established by the Registered Valuer and approved by the Government Chief Valuer; Participation in livelihood improvement programmes; Disturbance Allowance based on the value of the trees; and Other allowances as applicable.
	I 5 Loss of timber trees of economic value	Permanent loss or restriction of access	Tree user owner	<ul style="list-style-type: none"> Same process as I 4; Disturbance Allowance based on the value of the trees; and Other allowances as applicable.
	I 6 Loss of fruit or timber trees	Permanent loss or restriction of access	Communal/Village ownership	<ul style="list-style-type: none"> Same as I 4 however compensation paid to Village Authority.
	I 7 Loss of agricultural assets	Permanent loss of access	Informal owner of all categories of crops and trees	<ul style="list-style-type: none"> Same as process as relevant I category listed above. Addressed on a case by case basis to ensure PAPs do not end up worse off as a result of Project induced displacement. The Project may, where the persons with informal occupancy are also vulnerable, provide in-kind replacement agricultural land with security of title – dealt with on a case by case basis
Cultural Assets	J 1 Any substantial loss of cultural assets or activities resulting from alienation of land or loss of access. These can be educational, religious or	Permanent	Cultural group or community impacted by loss	<ul style="list-style-type: none"> Development intervention designed to provide alternative as agreed with the impacted group or community.

Impact		Effect	Entitled Persons	Entitlement
	recreational assets.			
	J 2 Graves	Permanent	Individual or groups laying claim to grave	<ul style="list-style-type: none"> • Municipal or District Health Officers to oversee grave removal and relocation in conformity with health requirements; • Relocation or sealing of grave in consultation with claimant or representative of claimants; and • The Project will provide compensation rates for graves based on Registered Valuer's opinion (considering construction cost, material type, digging costs, reburial ceremony costs) and Government Chief Valuer's guidance on national rates set for grave types.
Vulnerable Individuals or Groups	K 1 Supplementary program of social support for vulnerable people entitled to any of the above benefits	Permanent or Temporary Loss	Individual or groups that may be disproportionately impacted by displacement. This may include the elderly, disabled or those suffering extreme forms of deprivation.	<ul style="list-style-type: none"> • Designated assistance as assessed on a case by case basis to ensure that vulnerable people have access to intended compensation and protection afforded them by the conditions of the RAP; • Legal assistance, financial assistance and practical assistance; and • Participation in livelihood improvement programmes.
Financial Transition	L 1 Cash windfalls	Inability of households to manage sudden cash windfalls and misallocation of funds for items other than intended ends.	All persons receiving a form of cash compensation identified through final census surveys	<ul style="list-style-type: none"> • Money management training will be provided; and • Assistance with the opening of bank accounts.

7 LAND ACQUISITION, COMPENSATION AND RESETTLEMENT PROCESS

The planning and implementation of land acquisition, resettlement and compensation for the Project has been designed to provide secure land rights to the Project and ensure the related land acquisition process meets Tanzanian legislation and international financing standards, including International Finance Corporation (IFC) Performance Standard 5 (PS5) requirements (outlined in Chapter 3). The land acquisition process is subject to ongoing discussions with the Government of Tanzania (GoT) and may thus be refined in future.

7.1 Objective and Principles of the Land Acquisition Process

7.1.1 Objective of the Process

The land acquisition for the Project will be achieved with the full support and collaboration of the GoT through its authorities, including, as applicable, TPDC, MLHSD, Tanzania Ports Authority (TPA) and Ministry of Energy (ME), as well as other agencies such as those with responsibility for roads (TARURA and TANROADS), the Ministry of Minerals and the relevant Reserved Land authorities.

In facilitation of the successful execution of the Project, the overarching objective for the land acquisition process in Tanzania is to achieve land access for the Project land in line with the project schedule, and that the land rights to be provided to the Project and the related land acquisition process are all in line with Tanzanian and international financing standards in order to secure financing for the Project. This objective translates into certain requirements as to the nature of the land rights for the Project and the process for their execution. The principles that underlie the land acquisition process have already been recognised by Uganda and Tanzania through the agreement under Article 3 (Land Rights) of the Inter-Governmental Agreement (IGA).

7.1.2 Nature of Different Land Uses Required by the Project

The land rights required by the Project in Tanzania for the various land uses at different stages in the Project's life are set out below. The primary distinction is between land required for short-term purposes during construction and land required on a long-term basis. All land for the Project in Tanzania will be acquired and consolidated on a permanent basis, even for the construction facilities, and then provided for use to the Project in accordance with the IGA principles.

7.1.2.1 Short-term Land Requirements

Land required by the Project on a short-term basis during the construction phase includes land for construction facilities, short-term access routes and orphaned land.

In relation to construction facilities and orphaned land, the Project requires:

- The GoT (through the relevant authorities, including as applicable, the TPDC and/or TPA, in close coordination with the Project, to acquire the long-term right of occupancy for such land; and
- The relevant authority to then provide a lease to the Project (for an initial term of five years, unless the Project specifies otherwise), which grants land rights to the Project that comply with the principles set out in the IGA.

On the expiry or termination of the Project's land rights, land will be returned by the Project to the GoT and thereafter the State will be responsible for such land.

In relation to short-term access routes, the Project requires that appropriate road-related land acquisition and use arrangements will be established and agreed with relevant roads authorities, including, as applicable, TARURA and/or TANROADS.

7.1.2.2 Long-term Land Requirements

Land required by the Project on a long-term basis includes:

- 1) The 30 m-wide pipeline corridor plus widened sections where technically required by the Project;
- 2) Above ground installations (AGIs) (intermediate pumping stations, pressure reduction stations, electrical sub-stations and block valves stations);
- 3) Permanent access routes; and
- 4) Marine oil facilities.

In relation to land referred to in items (1), (2) and (4), the Project requires:

- GoT, in close coordination with the Project, to acquire the long-term right of occupancy for such land (including any necessary transfer of Village Land and Reserved Land to General Land; and
- The relevant authority to then provide a long-term lease to the Project (the initial term to be agreed between the Project and the GoT), which grants land rights to the Project that comply with the principles set out in the IGA.

In relation to land referred to in item (3), the Project requires that appropriate road-related land acquisition and use arrangements will be established and agreed with relevant roads authorities, including, as applicable, TARURA and/or TANROADS.

Reserved Land

The Project acknowledges that there exist certain types of land in Tanzania (such as that defined as Reserved Land) where land rights may only be available upon conversion of such Reserved Land to General Land. The overall framework for required Project land which is presently categorized as certain types of Reserved Land (for example, Forest Reserves, Game Reserves, Wildlife Management Area, Game Controlled Area and Open Areas) is presented within the Land Acquisition Process (Section 7.2) below. The Project will continue to work with the GoT to determine acceptable management arrangements in respect of all types of Reserved Land to safeguard their protected status even after the conversion in order to meet international financing standards.

In addition, the Project recognizes that there may be certain crossing arrangements on the required land (e.g. for roads, transmission lines, etc. crossing the pipeline route), and that there will need to be various discussions and agreements between the Project and the relevant persons and/or institutions in respect of access and shared use. The proposed land acquisition process presents the current understanding of the principles which will govern access and shared use but does not account for such detailed discussions and agreements at this stage.

7.2 Summary of the Land Acquisition and Resettlement Process

7.2.1 General Operational Principles

In addition to the principles outlined in Article 3 of the IGA, the Project will aim to reach a consensual agreement for compensation of affected land and assets with Project-affected persons (PAPs). Only where this cannot be reached with PAPs (or if they are absent) will PAPs be subject to implementation of further measures of compulsory acquisition, and these further steps will only be undertaken if the Project explicitly requests so. Measures to avoid forced evictions shall be agreed between the Project and the Acquiring Authority.⁶³

7.2.2 Overview of Land Acquisition Process

Land acquisition processes are managed in two main phases which include a number of activities:

- **Pre-Acquisition Activities Phase**, which comprises the detailed surveys and valuations, and will culminate in the development of a suite of RAPs and/or LRPs, as well as Valuation Reports. The gazettment of land for public purpose by the GoT will be carried out during this phase; and
- **Acquisition and Grant of Rights Phase**, which will result in the acquisition of land, granting of land rights to TPDC and provision of lease for the requisite duration to the Project. This will involve the subsequent implementation of the RAPs/LRPs, including agreements with PAPs, compensation payments, physical relocation, livelihood restoration assistance, and final arrangements for land rights to be granted to the Project.

As indicated above, the Pre-Acquisition Phase will culminate in a suite of RAPs and/or LRPs. The geographical area to be covered by each is determined partly by administrative boundaries, and partly by the timing of required land access for various Project components. The RAPs/LRPs proposed thus comprise the following:

- One RAP for Priority Areas, to be prioritised in terms of land access requirements; and

⁶³ Under the Land Acquisition Act (LAA) the Government of Tanzania will be the Acquiring Authority, it is the intention that the Right of Occupancy (ROO) for the majority of Project land will be granted to TPDC with the exception for: the marine facilities where land has already been acquired and it is assumed the ROO is/will be granted to the TPA; and specific arrangements for land related to access roads, which will likely ultimately be under the jurisdiction of the relevant roads authority.

- Eight RAPs/LRPs for the pipeline corridor and AGIs – divided in terms of regional administrative geographical areas.

A supplementary plan will be developed to address government-led land acquisition that has already been initiated for the Marine Storage Terminal (MST) by TPA. The supplemental plan, and measures it proposes, would be aimed at addressing any gaps between the land acquisition process and compensation principles applied in line with the Tanzanian legal framework and the requirements of the international financing standard IFC PS5.

The overall Project land acquisition process, developed in discussion with the GoT, is presented in Figure 7-1 and is discussed in more detail in the following Sections. During the implementation of the process the steps will be continued to be defined in more detail.

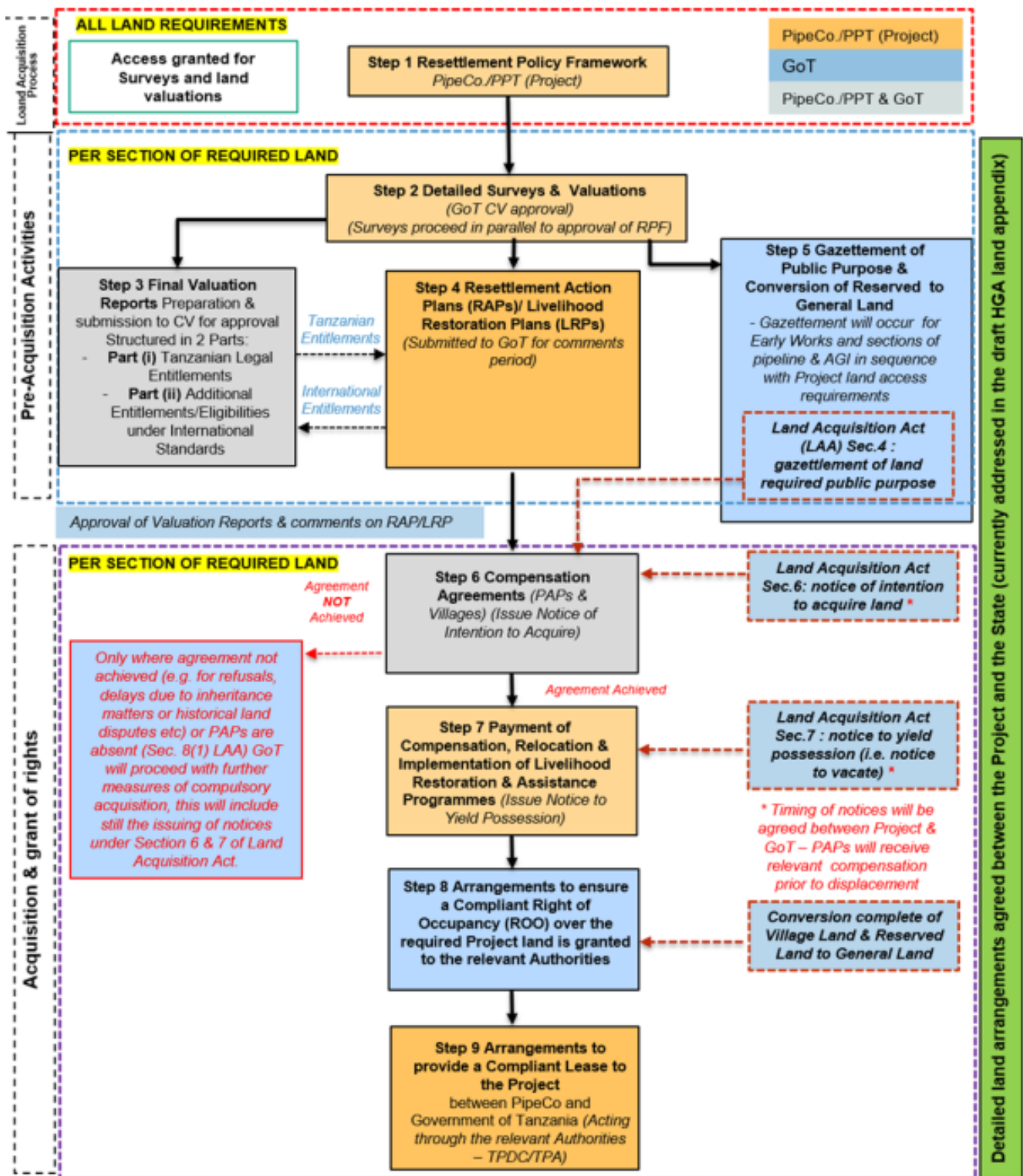


Figure 7-1: Land Acquisition Process

7.3 Pre-Acquisition Activities

The following steps will be undertaken in the land acquisition process. Step 1 will be undertaken for all land requirements; the steps thereafter (2 to 9) will be completed for each section of land required (for example, Priority Areas and various sections of the pipeline).

7.3.1 Step 1 Resettlement Policy Framework (RPF)

The RPF guides all subsequent steps in the land acquisition process and ensures consistency between the individual RAPs/LRPs to be produced.

7.3.2 Step 2 Detailed Surveys and Valuations

As part of the survey programme (Step 2) a number of activities will need to be undertaken to ultimately inform the Valuation Reports, Compensation Schedules and RAPs/LRPs (Steps 3 and 4 respectively). These activities are not necessarily undertaken sequentially, with some occurring in parallel.

7.3.2.1 Determination of Base Compensation Rates

Base rates refer to standard rates for land and crops that are used as a basis for valuation. Base rates for land are published on a regular basis by MLHSD and are based on a national survey of land rates, which takes into account factors such as location and accessibility. The land base rates are specific for regions, districts and wards. Crop compensation base rates are also published on a regular basis, by the Ministry of Agriculture, Food Security and Cooperatives in association with MLHSD, and are specific for Agricultural Zones.⁶⁴ During valuation, these indicative base rates may be adjusted according to the professional opinion of the Registered Valuer to take into account location-specific factors.

The Office of the Chief Valuer is providing updated indicative base rates for land and crops for each of the 25 Project-affected districts. The Chief Valuer (CV) will also review and endorse building value rates for purpose of assessing compensation of buildings. These will be based on rates provided by a Registered or Authorized Valuer before commencement of valuation fieldwork.

7.3.2.2 Confirmation of Land Areas for Surveys

The engineering design team appointed by EACOP is responsible for defining the Project footprint, as well as the times at which land access to various parts of this footprint will be required.

Prior to finalisation of the Project footprint, the resettlement and ESIA teams have the opportunity to review preliminary designs and provide recommendations for avoiding and minimising displacement, where feasible. These recommendations are assessed by the engineering design team in terms of their technical feasibility.

⁶⁴ The Agricultural Zones within the Project footprint include the Eastern, Northern, Western, Central and Southern Highland Zones.

7.3.2.3 Preparation for Surveys

The Project will work with the ME to formally confirm with MLHSD (CV and Director of Surveys and Mapping) approval for the Project to conduct surveys and valuations of land. The survey plan and valuation approach will be presented and discussed with the GoT representatives, including from the ME, TPDC and MLHSD, at the Land Acquisition and Resettlement Working Group (LARWG) meetings.

7.3.2.4 Announcement of Surveys and Cut-off Date (including Community Sensitization meetings)

The following tasks will be executed for the announcement of the surveys and establishment of the cut-off date:

- The survey plan and schedule will be confirmed with the relevant regional, district, ward and village authorities through issuing of official correspondence;
- Notification letters will be sent to the relevant regional secretariats and district councils;
- Community sensitization meetings will be held in Project-affected communities to explain the nature, purpose and timing of the planned surveys;
- In alignment with international standards and Tanzanian legislation, a cut-off date will be declared that will ensure that opportunistic speculators do not benefit from the compensation and resettlement process. The cut-off date in Tanzania coincides with the start of the valuation process. The cut-off date and its implications will be communicated to affected households and local authorities. The cut-off process will be a specific point of engagement with MLHSD and other relevant Government authorities;
- Land Form 69 will be served by District Land Officers (with support from the survey team), inviting PAPs to claim compensation and stating the intent to proceed with property assessment; and
- PAPs (i.e., owners and/or users of affected land, houses, economic trees, other improvements on land, crops and other assets) will be identified. Their availability to be present during survey activities will be confirmed.

7.3.2.5 Surveys & Valuations

Valuation will be one of the activities to be undertaken concurrently during resettlement surveys, as outlined below.

- ***Land Delineation and Adjudication***,⁶⁵ which records boundaries of affected land parcels as well as data on land users. This data is used to formalise the list of PAPs. In cases where land parcels partially overlap with the Project footprint, information is collected to identify orphaned land (i.e., unaffected land that, due to its size, shape, access and/or economic value, is no longer sufficient for its former use – see Chapter 5) that would have to be acquired by the Project.

⁶⁵ Sometimes referred to as “land demarcation”.

- **Asset Valuation** survey, which is undertaken by Registered Valuers, and records information on affected buildings and structures, businesses, characteristics of land parcels, crops, economic trees, graves and sites of cultural significance. An asset inventory is compiled for each PAP. Where PAPs own or use assets without accompanying land ownership (e.g. renting structures or land on a certain property), a separate asset survey will be completed. The Registered Valuer, PAP and local authorities sign off on the completed asset inventory. Communal assets (wells, places of worship, markets, etc.) will also be recorded, and signed off by the relevant village authorities.
- **Socio-economic survey**, which collects demographic and socio-economic information about Project-affected households (PAHs) through an interview with an adult household member. All PAHs are included in the survey. In cases where communities make use of communal resources (e.g. grazing land) that will be affected by the Project, but there are no PAPs/ PAHs in the community who will lose individually-owned assets, samples of households from these communities may also be included in the socio-economic survey. The socio-economic survey data informs the identification of livelihood restoration options. It also forms the baseline against which monitoring of livelihood re-establishment will be done during the implementation period.

7.3.2.6 Qualitative Data Collection

Quantitative data collected during surveys will be supplemented with qualitative data collected through a range of methods, such as focus groups, key respondent interviews, direct observation and participatory rural appraisal methods. Qualitative data will be used to assist the RAP team with understanding the constraints of everyday life of the PAPs, and to develop a more nuanced understanding of the likely impacts of displacement and resettlement on PAPs. Participation by women, as well as vulnerable and marginalised person and groups, will be encouraged.

7.3.2.7 Preliminary Valuation

This step of valuation involves the compilation of a compensation schedule by the Registered Valuer for each PAP. The compensation schedule indicates the assets recorded for that PAP during the asset survey. Making use of the confirmed compensation rates, adjusted where necessary based on field observations, the compensation schedule indicates the monetary amount accruing to the PAP for each affected asset. Valuations will be based on valuation methods outlined in Section 6.2.1, and as per national legislation.

7.3.2.8 Validation of Preliminary Valuations

Once the compensation schedules for PAPs have been compiled, these are discussed with PAPs and Village representatives, who are given the opportunity to confirm that all land and assets have been correctly recorded. The verification process provides the opportunity to identify and capture assets that may have been overseen during asset registration process.

Following verification, the Registered Valuer prepares the Draft Valuation Report containing valuation schedules for submission to the Chief Valuer (CV) (Step 3 below). The CV's office as per Section 51 of the Valuation And Valuers Regulations, 2018, may also initiate verification to be undertaken by their office.

7.3.3 Step 3 Final Valuation Reports

The final valuation report and compensation schedule will comprise two parts:

Part (i): items which would be in accordance with the **national legislative procedure**, presented as cash compensation and would be signed off by the CV. The CV will sign off as per Section 51 of the Valuation And Valuers Regulations, 2018, after verification of the Valuation Report and Compensation Schedule by the Valuer in-charge; Executive Officers in-charge for the villages (in rural areas) and *Mtaa* (in urban areas); Executive Officers in-charge of the wards (in both urban and rural areas); authorized Land Officer and authorized Valuer; and District Commissioner (DC).

Part (ii): those items which would be required to ensure that the schedule of compensation satisfies **additional international financing standards** obligations. These items would be appended to the compensation schedules and would be made known to the CV but not signed off to avoid creating a precedent for future Government-led projects. These additional entitlements will mainly take the form of in-kind compensation and livelihood restoration⁶⁶.

Some potential options for livelihood restoration that may be considered for inclusion in this Part (ii) schedule are outlined in Table 7-1.

Table 7-1: Potential Options for Livelihood Restoration

Theme	Livelihood Restoration Options
Land-based development programmes	<ul style="list-style-type: none"> • Training in agricultural methods; • Capacity building in the establishment and management of agricultural schemes/societies; • Access to appropriate agricultural inputs; • Access to markets for the purchase and sale of goods; • Support through a mentoring and monitoring programme; and • Advice on financial management, such as credit facilities with low interest rates.
Non-agricultural livelihood restoration	<ul style="list-style-type: none"> • Training in construction, bricklaying, carpentry, plumbing, etc.; and • Enterprise development.
Community-level livelihood restoration measures	<ul style="list-style-type: none"> • Money management training; and • Training improved management of natural resources.

7.3.4 Step 4 RAPs/LRPs

7.3.4.1 ***Socio-economic Baseline***

After completion of the surveys, and concurrently with the preparation and verification of the valuations, a socio-economic baseline profile is prepared based on the findings of the socio-economic survey. The baseline profile details the demographic and socio-economic

⁶⁶ In principle, the GoT accepts the Part (ii) schedule containing the additional entitlements to meet international financing standards is required to enable the Project to meet the international financing standards. The PPT acknowledge that the allocation of Part (ii) costs will be set out and agreed in the Host Government Agreement (HGA) and shareholders agreement. The PPT will share with the GoT the analysis of costs for Part (i) and Part (ii) entitlements.

characteristics of PAHs and communities, including their age and gender distribution, education levels, livelihoods, access to public facilities and resources, etc.

The baseline profile is used to inform the additional resettlement assistance offered, design of in-kind compensation measures and proposed livelihood restoration support measures so that is aligned with the needs, interests and abilities of the affected people.

A second important function of the socio-economic baseline is to identify vulnerable persons, households or groups that may require additional support or assistance during resettlement planning and implementation.

7.3.4.2 Replacement Land and Resettlement Housing

Replacement land and resettlement housing are both instances of in-kind compensation. These are provided for in terms of Tanzanian legislation and are preferred methods of compensation in terms of IFC PS5.

During this step, possible replacement land requirements are estimated on the basis of information gathered during the surveys. It will not, however, be possible to determine the exact extent of replacement land and resettlement housing required until it is known what compensation options PAPs select; this takes place during Entitlement Briefings and Compensation Agreements (Step 6). A preliminary estimate is also made of available replacement land (residential and agricultural); this is done in consultation with district and village authorities.

As discussed in Chapter 5, the linear nature of the Project makes it likely that it would, in most cases, be possible to implement *in situ* relocation – i.e., relocating a homestead or farm to a suitable location in the same village, but outside the Project footprint. The majority of the farmers to be affected by the pipeline are likely to experience a small impact on overall land parcels and therefore would be offered cash, rather than in-kind compensation, thereby reducing the overall replacement land requirements.

This step also involves the preliminary identification of options for replacement housing for physically displaced households. In designing replacement housing, care will be necessary to allow for geographical variations and, as far as possible, to replicate the social spaces found in traditional dwellings.

7.3.4.3 Preparation of the RAP/LRPs

The outcomes of the steps described above will be documented in a suite of area-specific RAPs (where physical and economic displacement will occur) and/or LRPs (where only economic displacement will occur).

In terms of IFC requirements,⁶⁷ each RAP/LRP will contain the following:

- Non-technical summary of the Project;

⁶⁷ See Annex A: Outline of a Resettlement Action Plan (IFC. January 2012. *Guidance Note 5: Land Acquisition and Involuntary Resettlement*).

- Introduction and Objectives;
- Background and Description of the Project lay-out and Design;
- Legal and Policy Framework;
- Summary of Project Impacts;
- Baseline Data Collection and Analysis;
- Entitlement Framework;
- Compensation, Compensation Support and Resettlement Options;
- Consultation and Disclosure;
- Protection of Cultural Heritage Sites;
- Vulnerable Households;
- Livelihood Restoration;
- Institutional Arrangements for Implementation;
- Grievance Mechanism;
- Monitoring and Evaluation (M&E) Procedure; and
- RAP Budget and Implementation Schedule.

The RAPs/LRPs will not contain any information on individual PAPs. Socio-economic and demographic data on PAPs included in the plans will be presented in statistical format only.

After review and approval by EACOP, the RAPs/LRPs will be submitted to the ME and the MLHSD for review and comment. Public disclosure of the RAPs/LRPs will also be required to meet international standards. The documents will be made available in an accessible form to Project-affected groups and other stakeholders for public review and comments.

7.3.5 Step 5 Gazettement of Public Purpose

As indicated in Section 7.1, land for the Project will be acquired on the basis that the Project is in the public interest, and land required for the Project shall be deemed as in the public purpose. Following surveys and identification of affected land parcels this shall be formalized by gazettelement following the relevant provisions of the Land Acquisition Act (Cap. 118 R.E., 2010) ("LAA"). As such, the GoT would issue an order under Section 4 of Part II of the LAA declaring that land required for the purposes of construction of the EACOP Project is required for a public purpose and this would be published in the Gazette. The Project's acceptance of the use of such gazettelement is a recognition of the State's position of being able to control potential speculative activities on the land and is contingent on the basis that the Project will be able to undertake the consensual process set out in this RPF prior to enacting further steps of compulsory acquisition for specific PAPs where agreement cannot be reached.

At the same time as the gazettelement referred to above, the GoT will take all necessary steps for the conversion of Reserved Land to General Land. This will be done on a section by section basis for the Project land. Mechanisms will be established to provide the same level of protection as the adjacent protected areas.

Whilst different processes, it is proposed that the conversion of Reserved Land to General Land occurs simultaneously with the gazettment of land for public purpose where possible. In order to facilitate such arrangements, all necessary documentation will be provided by the Project to the GoT.

7.4 Acquisition and Grant of Rights Phase

7.4.1 Step 6 Compensation Agreements

7.4.1.1 Serving of Notice to Acquire Land

Following confirmation that land is required for the public purpose, at the time requested by the Project, the GoT in coordination with the Project, shall issue (publish in the Gazette and serve, as required by Tanzanian law) the Notices of Intention to Acquire (section 6 of the LAA) to PAPs identified by the Project. It is envisaged this would generally occur after approval of the Valuation Reports by the CV and prior to the meetings with the PAPs and affected communities for the compensation agreements.

7.4.1.2 Entitlement Briefings and Agreements

As indicated in the Entitlement Framework in Chapter 6, several compensation entitlements (e.g. for land, dwellings, business structures, etc.) offer a choice between cash and in-kind compensation, with a combination of the two (the “mixed option”, involving partial replacement of the lost asset in kind, and cash compensation for the balance) sometimes offered as a third alternative. In most cases, entitlements also include participation in livelihood restoration programmes. Given the range of options it is imperative that the Project undertake engagement with the PAPs and affected communities seeking to achieve consensual compensation agreement with them.

Based on the values confirmed in the approved Final Valuation Report (Step 3) and the report outlining additional entitlements, a series of compensation agreements will be prepared. These may include:

- **Individual household agreements**, identifying the land and assets of each PAP that will be compensated, and providing compensation schedules and options;
- **Community level agreements**, to cover compensation to Village Councils for community land and assets; and
- **District/authority agreements**, to define any obligations and/or commitments involving district and relevant authorities, if required.

Entitlement Briefings will be conducted at village level with the support of district and village authorities and will involve presenting entitlements to PAPs (including the husband and wife where appropriate) and discussing entitlement options with them. These options will include selection between cash and in-kind compensation options (or the mixed option, where applicable), as well as selection between various livelihood restoration options (land-based activities, non-land-based activities, etc.). PAPs will then be given the opportunity to make informed decisions regarding the compensation and livelihood restoration options they select.

Engagements with the PAPs on the compensation agreements will clarify to PAPs that the permanent transfer of their rights of occupancy to the GoT will occur once the relevant compensation package has been made available. The agreements will also include agreement of the compensation the PAPs will receive for the loss of land rights and assets. The agreements will be such that the GoT would be in a position to ensure that the relevant GoT beneficiary would, at Step 8, be granted Right of Occupancy (see below) in respect of all required Project land. Agreements will include PAPs' consent to the compensation packages (based on compensation schedules contained in the approved Valuation Reports (Step 4)) between the land owner/occupier and the Project (exception will be arrangements at Tanga for the marine oil facilities required land).

Once PAPs have selected their preferred compensation and livelihood restoration options, the agreements will be signed and witnessed.

The Project will only offer rates agreed by the CV for the relevant district/area/zone; these will not be a subject of negotiation with PAPs.

During these briefings, vulnerable PAPs will receive particular attention to ensure that they are aware of the support options that are available to them over and above compensation for losses.

In the event the engagement process fails to gain agreement over compensation, further steps requiring the GoT's involvement would be triggered. In light of the importance that the international financing standards place on the need to pursue the consensual approach, even in instances of initial failure at engagement, steps will be discussed and agreed between the GoT and the Project to encourage refusing PAPs to consider engaging further in order to reach compensation agreements.

In the event that such further engagement still fails, for the purpose of the GoT proceeding with such further steps (including establishment of escrow arrangements with the Project and planning for the issuance of notices to yield possession upon payment of compensation), the following is envisaged:

- The Project (when/if it considers appropriate) to submit to the GoT (Acquiring Authority) a list of PAPs/land areas which the Project has been either: i) unable to reach compensation agreement on (this will include where there are in-complete inheritance matters); or ii) have refused to have assets and/or land surveyed ; or iii) are absent; and
- Following up on the above, the GoT to proceed with subsequent steps for compulsory acquisition as laid down in the LAA (but with the provision that PAPs are offered the same entitlements disclosed in the applicable RAP or LRP (as may be the case) to meet both national legal requirements and international financing standards).

7.4.2 Step 7 Payment of Compensation, Relocation and Implementation of Livelihood Restoration and Assistance Programmes

7.4.2.1 Payment of Compensation

The Project proposes to pay the compensation and provide the additional entitlements (including in-kind and livelihood restoration) and therefore would be a signature party to the

compensation agreements (where such can be achieved). The arrangements for payment of compensation on behalf of the Acquiring Authority are still a matter of discussion between the Project and the GoT at the time this RPF was disclosed.

Cash compensation due to PAPs will be paid on a rolling basis after the agreements had been signed (within six months of agreements, as per Tanzanian legislation). Cash compensation payments will be deposited directly into the bank of the beneficiary and spouse (if married). Existing accounts may be used, or a bank account will be opened for the relevant parties with assistance from the Project. Reconciliation of all payments made is recorded in an auditable format.

7.4.2.2 Preparation of Replacement Land and Construction of Replacement Housing

This activity builds on the socio-economic baseline, which involved preliminary estimation of possible replacement land requirements on the basis of information gathered during the surveys. Following signing of the agreements (Step 6), it is possible to make a more precise determination of land required for replacement housing and replacement farms.

Suitable plots will be identified by the Project in collaboration with district and village authorities. As mentioned, it is likely that most replacement land will be in the same village as the land previously owned by PAPs. Thus, the replacement plots are likely to remain Village Land under jurisdiction of the same village, although right of occupancy will have to be transferred to the PAPs.

To ensure security of tenure for resettled PAPs, formal land acquisition, transfer and registration as per Tanzanian legislation will be conducted for identified replacement land. The registration documents will be handed to the PAPs as confirmation of right of occupancy of the land.

The Project will be responsible for the preparation of replacement plots and for construction of replacement houses according to PAPs' selected house designs. The Project will be responsible for facilitating the registration of replacement land and will pay all charges that will accrue from the process of acquiring the land and constructing structures on that land.

7.4.2.3 Implementation of Livelihood Restoration and Assistance Programmes

This activity will involve giving effect to the additional entitlements related to livelihood restoration. It will involve:

- Development by the Project of a suite of projects of initiatives for livelihood restoration and support to PAPs;
- Discussions with regional and district officials, as well as Non-governmental Organisations (NGOs) and Community Based Organisations (CBOs), to ascertain what existing development projects are in place that may be suitable to support livelihood restoration;
- Liaison with regional and district technical staff to assist with co-ordination and integration with existing livelihood support initiatives of livelihood development initiatives, where applicable;
- Assessing locally-based service providers who are able to provide training and post training support and monitoring on livelihood restoration initiatives;

- Engagement with PAPs to ensure they understand what implementation of their selected livelihood restoration options will involve; and
- Mobilisation of the necessary human, financial and material resources to implement livelihood restoration initiatives.

7.4.2.4 Relocation

PAPs will be served with a Notice to yield possession (three months minimum allocated in Project planning) by the GoT at the Project's request, and relocation can only occur following payment of cash compensation and delivery of in-kind entitlements. Sufficient time will be allowed for PAPs to prepare for relocation. During this period, they will have the option of removing any parts of their structures that they wish to salvage, and any crops and/or trees as agreed.

Relocation will take place only once replacement houses and land had been prepared – or, where this will not be possible, appropriate arrangements will have been made for temporary accommodation (at the Project's cost) until these are prepared. While the relocation process is underway, the Project will regularly survey the area to record and monitor the departure of PAPs.

7.4.2.5 Monitoring and Evaluation

M&E is required for the duration of the RAP/LRP implementation process to ensure that resettlement and compensation commitments are honoured, that entitlements are delivered, that they have the intended effect in terms of restoring livelihoods of displaced persons to at least pre-resettlement levels, and where this is not achieved, that appropriate corrective measures are identified and implemented.

The following types of monitoring will be undertaken:

- **Process monitoring**, which is an internal monitoring activity with the aim of tracking the impact of the resettlement implementation process on the PAPs, their households and host communities. It ensures efficient resettlement implementation management through identification and timely implementation of corrective actions;
- **Compliance monitoring**, which is aimed at establishing whether resettlement implementation is meeting the key objectives as defined in the RAPs/LRPs, that PAPs received due compensation in line with the entitlements framework, and that they were able to restore their livelihoods upon resettlement. Compliance monitoring is usually conducted by an external party, at regular intervals during the implementation process. The socio-economic baseline developed during Step 4 will provide a point of reference in terms of the livelihoods and social dynamics of PAPs, households and communities before the Project intervention occurred, and will thus form the basis for monitoring re-establishment or improvement of livelihoods;
- A **completion audit** upon completion of RAP/LRP implementation. This will be conducted by an external party. The main purpose of the completion audit is to verify whether PAPs have been able to restore their livelihoods or whether there are corrective measures to be taken; and

- An **ex-post evaluation**, to be undertaken three to five years after implementation of resettlement. The objective of this audit is to assess the long-term impact that resettlement has had on PAPs and host communities, and whether compensation and livelihood restoration initiatives had achieved the intended benefits in a sustainable manner.

7.4.3 Step 8 Rights of Occupancy/Title Granted to Government of Tanzania

The GoT will ensure that, once the right of occupancy on the relevant required Project land has been transferred to/has reverted to the State, any required further steps will be undertaken to ensure that the relevant authorities (such as the TPDC, TPA and the relevant roads authority, as the case may be) will be granted with a "Compliant Right of Occupancy" on such land (i.e., such right of occupancy in such a manner as will enable the State to grant to the Project land rights which are compliant with the IGA principles (see Step 9)).

The required features of a Compliant Right of Occupancy are currently being progressed between the Project and the GoT.

7.4.4 Step 9 Lease of Land provided to the Project

Once a Compliant Right of Occupancy on the required land has been granted to the relevant authorities, the GoT will be required to undertake steps to ensure that such authorities grant a "Compliant Lease" to the Project. Examples of the arrangements required to be undertaken include establishing the lease of a requisite duration, minimizing the number of leases, associated with required Project land, registration of the leases, etc. The required arrangements for ensuring a Compliant Lease from the relevant authorities over required Project land are still to be agreed between the Project and the State.

Given the Project's required land use for new roads or upgrades for construction and the operation, the TPDC envisages that appropriate road-related land arrangements will be established and agreed with relevant roads authorities, including, as applicable, TARURA and/or TANROADS.

7.5 Roles and Responsibilities for Resettlement Planning and Implementation

Table 7-2 outlines the roles and responsibilities envisaged for various stakeholders, including the GoT and the Project (supported by resettlement contractors where appropriate) in resettlement planning and implementation. With regard to the various government role-players mentioned in the table, their responsibilities are consistent with their legal mandate as discussed in Chapter 3. As the Project in collaboration move through the resettlement planning and implementation further refinement of roles may occur.

Both the GoT and the Project Co./PPT will be party to the LARWG, as discussed in Chapter 8.

Table 7-2: Roles and Responsibilities of EACOP and the GoT in Resettlement Planning and Implementation

	Project Company/PPT (Project) Role	Government of Tanzania (GoT) Role
Step 1: RPF	<ul style="list-style-type: none"> Preparation of the RPF. 	<ul style="list-style-type: none"> Submission of RPF to the GoT (ME/MLHSD/CV) for review and comment⁶⁸.
Step 2: Detailed Surveys & Valuations	<ul style="list-style-type: none"> Project Co./PPT will work with the ME to formally confirm with the MLHSD (CV and Director of Surveys and Mapping) approval for the Project to conduct surveys and valuations of land; and Undertake surveys and valuations, including verification visit by valuation team post-survey. 	<ul style="list-style-type: none"> ME assist in confirmation with the MLHSD (CV and Director of Surveys and Mapping) approval to the Project Co./PPT to conduct surveys and valuations of land required by the Project; Oversight of surveys and valuation; and Agreement between the CV and the Registered Valuer in respect of rates and valuation method.
Step 3: Final Valuation Reports	<ul style="list-style-type: none"> Registered Valuer will be procured by Project Co./PPT to prepare and submit Valuation Reports to the CV. These, along with the Compensation Schedules, will be structured into two parts as described above. 	<ul style="list-style-type: none"> Verification and approval of Part (i) of Compensation Schedules by Executive Officers in-charge for the villages (in rural areas) and Mtaa (in urban areas); Executive Officers in charge of the wards (in both urban and rural areas), authorized Land Officer, authorized Valuer and authorized DC; and Final sign-off of Part (i) of Valuation Reports and Compensation Schedule by the CV.
Step 4: RAPs/LRPs	<ul style="list-style-type: none"> Preparation and submission of RAPs/LRPs to the ME, MLHSD, NEMC and other required GoT agencies. 	<ul style="list-style-type: none"> Review submitted RAPs/LRPs.
Step 5: Gazettement of Public Purpose and Conversion of Reserved Land to General Land	<ul style="list-style-type: none"> Provide maps and information (including list of affected villages) of required Project land per section; and Review gazetteement area and draft public purpose order prior to publication. 	<ul style="list-style-type: none"> Prepares, issues and publishes public purpose order in Gazette; and Undertakes all necessary actions for the conversion of certain land (at timing agreed with the Project Co./PPT,) to General Land as agreed with the Project Co./PPT.
Step 6: Compensation Agreements	<ul style="list-style-type: none"> Provide timing to the GoT and agree to wording of notices of intention to acquire; Lead the engagement with PAPs and communities to reach compensation agreements and Determine cases where the GoT's compulsory acquisition powers need to be engaged and, as applicable, facilitate process of applying such compulsory acquisition powers by providing relevant information (outlined above). 	<ul style="list-style-type: none"> Prepare in agreement with the Project Co./PPT, issues at the precise time requested by the Project Co./PPT, and publishes notices of intention to acquire to PAPs (and affected villages, as required under the LAA); and Party to the compensation agreement as Acquiring Authority.

⁶⁸ The RPF is not a mandatory document in Tanzania requiring approval by GoT, the Project Company/PPT therefore will submit it for a review and comments period. Whilst the Project Company/PPT would welcome approval of it, however it is accepted this is not a legal requirement in Tanzania and the RPF is a Project financing document. The Project Company/PPT therefore have submitted the RPF to the GoT for a period of review and comment, prior to disclosure.

	Project Company/PPT (Project) Role	Government of Tanzania (GoT) Role
Step 7: Payment of Compensation, Relocation and Implementation of Livelihood Restoration and Assistance Programmes	<ul style="list-style-type: none"> • Payment of compensation and delivery of in-kind entitlements and livelihood restoration and assistance measures – the acceptance by the GoT and the arrangement for the Project Co./PPT to pay compensation and/or on behalf of the GoT/Acquiring Authority is still an outstanding matter to be discussed and agreed at the time of drafting the RPF; and • Provide precise timing and agree wording of notices to yield possession. 	<ul style="list-style-type: none"> • Prepare in agreement with the Project Co./PPT, issues at the precise time requested by the Project Co./PPT, and publishes notices to yield possession to PAPs (and affected villages, as required under the LAA); • Oversight of compensation payments and relocation process; and • Acquiring Authority – the acceptance by the GoT and the arrangement for the Project Co./PPT to pay compensation and/or on behalf of the GoT/Acquiring Authority is still an outstanding matter to be discussed and agreed at the time of drafting the RPF.
The detailed roles and responsibilities for the arrangements for Steps 8 and 9 are at the time of preparing the RPF under discussion between the Project Co./PPT and the GoT. The currently envisaged arrangements are indicated below:		
Step 8: Right of Occupancy/Title Granted to the GoT	<ul style="list-style-type: none"> • The GoT to ensure that any required further steps are undertaken to ensure that the relevant authorities are granted with “compliant Right of Occupancy”/Title to the land. <p>Examples of such further steps include:</p> <ul style="list-style-type: none"> • Completion of transfer of land to General Land (e.g. Village Land to General Land); • Granting of the ROO of the authorities – extension of ROO to an agreed period *; and • Amend terms and conditions of ROO, registration of titles, etc. 	
Step 9: Compliant Lease to the Project	<ul style="list-style-type: none"> • Relevant GoT authorities grant Compliant Lease (i.e., such lease and in such a manner as will be compliant with the IGA principles*) of the Project Co./PPT. <p>* The duration of the right of occupancy, of the lease and terms are still a subject of discussion between the Project Co./PPT and the GoT in order to reach an agreement.</p>	

8 STAKEHOLDER ENGAGEMENT

A comprehensive discussion on stakeholder engagement processes, plans and mechanisms is presented in the Resettlement Stakeholder Engagement Plan (RSEP), which is a separate document. Pertinent elements of the RSEP are summarised below.

8.1 General Stakeholder Engagement Principles Adopted for EACOP

The EACOP Project is committed to transparency, dialogue and engagement as they view long-term, transparent relationships with stakeholders across all levels as essential to their business. The Project is further committed to information sharing, consultation and dialogue prior to any high-impact decisions being made.

In achieving these commitments, EACOP subscribes to the following engagement principles, which are set out in Project's overall Stakeholder Engagement Framework (SEF):

Table 8-1: EACOP's Stakeholder Engagement Principles

Principle	Definition
Open and Transparent	Information relevant to project activities will be as accessible and transparent as possible, providing stakeholders with a comprehensive understanding of Project activities and how they are or may be affected by them (unless legitimate reasons for commercial confidentiality or the protection of stakeholders require that it be kept confidential).
Based on Listening and Dialogue	Stakeholders will be listened to, their concerns taken seriously, and responses provided in a timely manner to address their concerns.
Participative	Stakeholders will be invited and encouraged to actively engage with the Project. The Project will be inclusive in this process taking into account factors such as gender and cultural considerations and ensuring stakeholders feel they have an opportunity to share their perspectives.
Proactive	The engagement process will provide information in advance of consultation activities and decision-making points. Potential risks and impacts will be communicated proactively with stakeholders.
Impact-Focused	During the impact assessment and land acquisition process, engagement with communities affected by the Project will be, whenever possible, focused around the potential and actual negative project impacts that may concern them in order to jointly identify appropriate avoidance, mitigation and compensation measures. Other stakeholders indirectly affected by Project impacts may also be consulted.
Safe	Steps will be taken by the Project towards ensuring stakeholder engagement is free from manipulation, interference, coercion or intimidation. Any stakeholder that participates in any form of engagement can do so in a safe and protected manner without risk or for retaliation (for example through the use of trusted third parties, individual meetings or group meetings).
Effective	Information and forms of engagement will be acceptable to and effective for the individuals for whose use they were intended and will be accessible, legitimate, transparent and Human Rights-compatible.
Appropriate	Different forms of engagement may be required for different kinds of stakeholders and for different purposes. Information provided to stakeholders will be provided in formats and fora appropriate to the stakeholder in question considering the potential need to provide assistance for the interpretation of technically complex information.
Empowering and Responsive	Engagement should empower stakeholders to make their voices heard. This will include informing stakeholders of what they can expect in terms of feedback and responses to their inputs.

Principle	Definition
Equal and Human Rights Respectful	Everyone, without discrimination, will be afforded the right to participate on equal terms. The Project will ensure a gender sensitive approach to engagement and identify the need for any special measures to ensure that vulnerable individuals and groups are inclusively engaged.

8.2 Engagement Model

The Project's engagement model is built on the Total SA sustainable development guideline to local social and economic development, as reflected in Figure 8-1.⁶⁹

⁶⁹ <https://www.total.com/en/commitment/shared-development/social-engineering>.

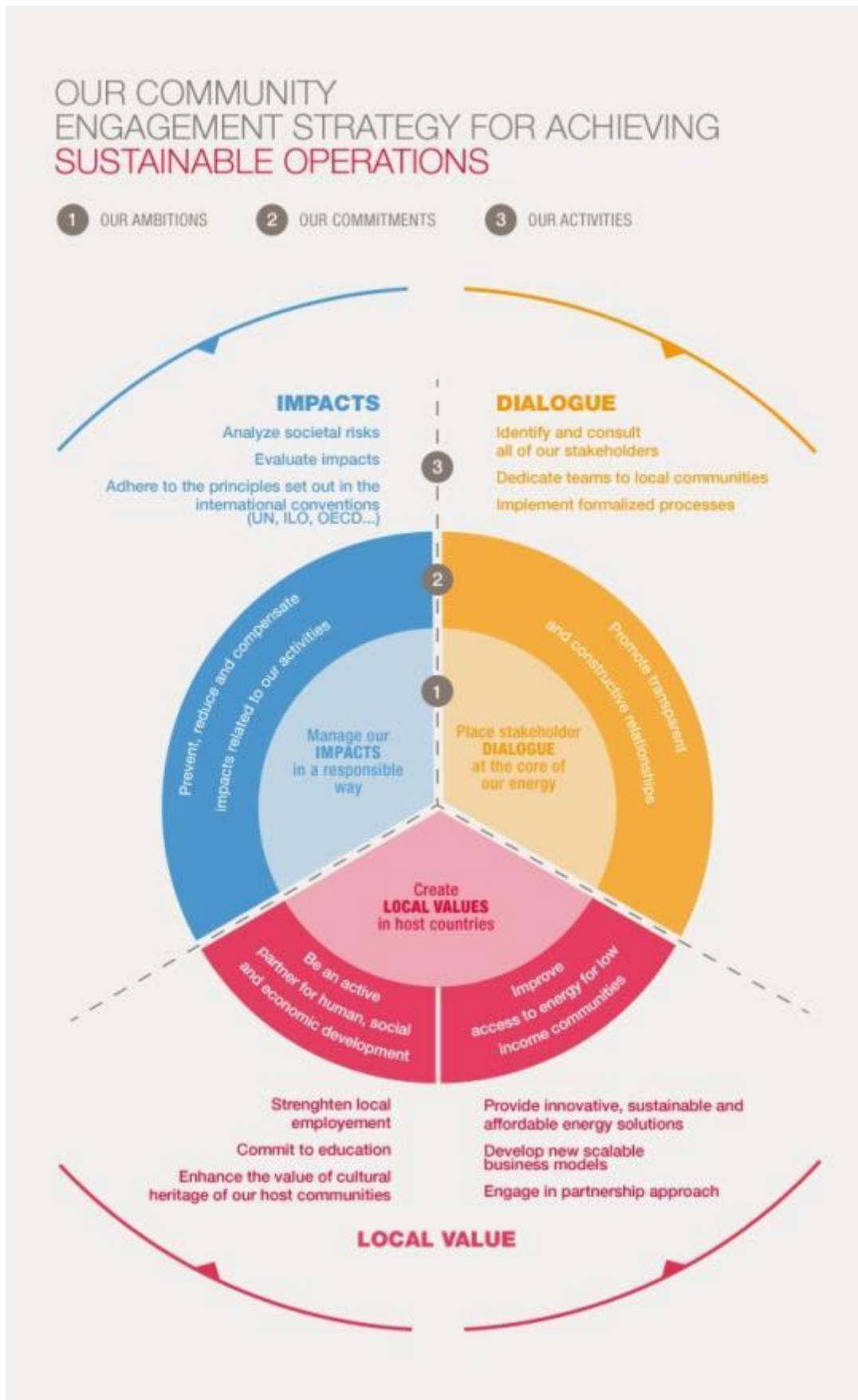


Figure 8-1: EACOP's Engagement Model

8.3 Summary of Previous Project Land Acquisition and Resettlement Engagement

Stakeholder engagement and meaningful dialogues with potentially affected communities are critical elements in mutually sustainable and successful land acquisition. In Tanzania, communities in the project areas of influence express anxiety about the land acquisition in general and the future EACOP Project land acquisition. Given this, the concerns of affected communities around the valuation and compensation process tend to be high and identification of affected people and building of trust relationships can be a long and resource intensive process. As such, the EACOP Project team initiated stakeholder engagement as early as possible with government authorities at national, regional and district level to build relationships, pursue their support and participation in the land acquisition process.

To date (May 2018), the stakeholder engagement process for the EACOP Project has involved:

- Engagement activities carried out during the ESIA scoping and baseline phases;
- Engagement activities related to the MAVA;
- Regional government engagement during pipeline route design;
- Consultation undertaken by the EACOP stakeholder engagement team;
- Consultation undertaken as part of resettlement studies being conducted by DWC; and
- Parallel consultation between EACOP and the GoT.

A summary of an outcomes of each of these processes are highlighted in Table 8-2 below.

Table 8-2: Summary of Stakeholder Engagement up to Date (May 2018)

Phase	Details
Stakeholder Engagement as part of the ESIA Scoping Phase	<p>Scoping phase stakeholder engagement was held as part of the ESIA between March and May 2017. The aims of the engagement were to identify stakeholders, to provide stakeholders with an overview of the proposed project activities, the potential impacts and opportunities and an understanding of the ESIA process, to document stakeholder views, concerns and expectations, and to ensure stakeholder input to the development of the terms of reference for the Environmental Impact Statement.</p> <p>The ESIA stakeholder engagement activities for the scoping phase included consultation with all regions and districts crossed by the Project and all wards with proposed AGIs or construction facilities. Ten villages were also sampled and consulted during the engagement process. The full details of this engagement can be found in the ESIA scoping phase: Stakeholder Engagement Report for the ESIA (August 2017; RSK Environmental Ltd. in collaboration with JSB EnviDep Ltd. and COWI). Additional engagements were undertaken during the collection of baseline environment and social data.</p>
Stakeholder Engagement as part of the MAVA	<p>Meetings were undertaken between February and April 2017 to develop a baseline of the market values of various assets (such as crops, natural resources, structures and graves) in the separate regions along the length of the proposed pipeline route. The MAVA conducted interviews with key respondents across all spheres of government (district, ward and village) in each of the (then) 24 districts (in eight regions) known at that time to be affected by the Project.</p>

Phase	Details
Route definition Stakeholder Engagement	Gulf Interstate Engineering (GIE) accompanied by RSK and EACOP undertook a site visit of the Tanzanian section of the EACOP Project in April 2017. The purpose of the site visit was to collect information on potential aspects which could affect pipeline and infrastructure engineering. The team conducted introduction meetings with all 8 regions, providing an outline of the technical survey they were conducting and introducing the planned EACOP Project, including the ESIA study which had recently started. The team also collected general questions, concerns and comments captured during these introductory meetings. This information is recorded in the EACOP Stakeholder Engagement database.
Consultation by the EACOP Stakeholder Engagement Team	During August 2017 and September 2017, EACOP appointed an engagement team consisting of two Stakeholder Engagement Coordinators and five Community Liaison Officers (CLOs). EACOP have continued to grow their CLO resources and in April 2018 comprised of 12 CLOs. This team has undertaken engagement with regional authorities in affected communities to announce the start of various Project-related studies (RAP, geotechnical, geophysical and ESIA surveys), engage with district authorities and to undertake high level environmental and social constraint assessments on worksite areas along the pipeline route.
Consultation as part of Resettlement Studies	<ul style="list-style-type: none"> An introductory meeting was held on 13 July 2017 with relevant government ministries to introduce the Project itself and the related studies (including the RAP process) to key government officials; A technical kick-off meeting was held on 17 August 2017 with ministerial stakeholders to provide them with background on the RPF, the Scoping Report and the construction site surveys; Between 29 August and 7 September 2017, members of the DWC team undertook a series of consultation meetings at the headquarters of the various Project-affected regions to introduce the DWC team and provide information on the upcoming Priority Area surveys; Priority Area surveys were undertaken in March 2018. All survey activities were preceded by sensitization meetings at district, ward and village level; Verification of compensation schedules and investigation of in-kind compensation options for Priority Areas were undertaken in April 2018; and EACOP and the DWC team, including their Registered Valuers from WhiteKnights, have undertaken periodic direct consultation with the Chief Valuer of the MLHSD to discuss matters related to determining the rates and the valuation process for affected land and assets.
Consultation between EACOP and the GoT	<p>This consultation is on-going, and has included discussions at various levels on various topics. Issues discussed that have particular relevance to resettlement planning include:</p> <ul style="list-style-type: none"> The process for acquiring land rights for the Project (which underpins the process outlined in Chapter 7 of this RPF); and The terms of the Land Annex within the Host Government Agreement (HGA), which sets out the standards and legal and commercial terms for the Project, as well as the roles and responsibilities of the respective parties. <p>A Land Acquisition & Resettlement Working Group (LARWG) with Government and EACOP technical representatives was convened in March 2018 and meets every 2 weeks to provide updates on the land acquisition and resettlement process and discuss issues and the future planning of the programme. Representatives from the Government are from TPDC, Ministry of Energy (ME) and the MLHSD. Other Government agencies also attend LARWG's where required to discuss certain specific technical matters, including the Tanzanian National Roads Agency (TANROADS), the Tanzania Rural and Urban Roads Agency (TARURA), the Tanzania Electric Supply Company (TANESCO), the Tanzania Railways Corporation (TRC), etc.</p>

8.4 Consultation and Engagement Structures

Not all stakeholders require the same type or depth of information. Nonetheless, establishing meaningful relationships with stakeholders is not a once-off exchange but rather a series of continuous two-way interactions. This requires a sound understanding of stakeholders' needs

and a firm commitment by the Project to plan and coordinate transparent and open communication through dedicated consultation and engagement structures.

The following subsections outline the proposed consultation and engagement structures for resettlement planning and implementation. The form, composition and mandate of the proposed consultation structures are subject to discussions with and approval by Government and other key stakeholders. These will be further defined during ongoing resettlement planning.

8.4.1 Land Acquisition and Resettlement Working Group (LARWG)

An LARWG has been established as the overall governing body and management committee through which the national government will collaborate and interact with the Project on technical matters related to land acquisition, compensation and resettlement. This national-level body comprises representatives of ME, TPDC, MLHSD, EACOP and DWC as resettlement consultants. Representatives of other government bodies (e.g. NEMC, TPA, TARURA, TANROADS, etc) would participate in LARWG meetings on an as-and-when-required basis.

The LARWG is chaired by the GoT, but EACOP will facilitate this group. It is currently envisaged that the LARWG will meet every two weeks for the duration of resettlement planning, with more frequent meetings (if required) during periods of intense activity where rapid decision-making may be required.

The activities of the LARWG will be overseen by a Steering Group consisting of senior representatives of EACOP, ME, TPDC, TPA and MLHSD.

8.4.2 Regional Task Teams

It is understood that the GoT is in the process of establishing a task team in each of the Project-affected regions. These task teams will not solely focus on resettlement but will also consider wider Project-related issues such as economic opportunities from the Project for the regions.

The exact composition and mandate of the task teams have not yet been confirmed, but current indications are that they would include the District Commissioners (DCs) and District Executive Directors (DEDs) of the Project-affected districts within that region, as well as relevant technical experts. The functions of these task teams are understood to include coordination communications with Project-affected districts, assisting in grievance management and participating in community sensitisation meetings prior to any resettlement-related activities taking place within a region.

8.4.3 DWC Engagement Team

The DWC engagement team will comprise several reporting levels, with assistant facilitators reporting to facilitators, reporting to senior facilitators, who will report to the DWC in-country and core management team. All team members will receive appropriate training in engagement procedures, key messages, etc. The engagement team will work concurrently in groups stationed along several locations along the pipeline route. Their primary roles will be to:

- Conduct sensitisation meetings on district, ward and village level;
- Assisting the Project in identifying absent affected landowners and vulnerable people through the CLOs;

- Facilitate the flow of information between the Project and Project-affected communities (PACs) on options for registering grievances, progress with resettlement planning and implementation, key decisions of the LARWG, etc.; and
- Assist in receiving and recording land related grievances in the EACOP Grievance Book, and ensuring that EACOP CLOs and the Land and Social Management team are informed of grievances related to resettlement. The DWC team will undertake the investigation to establish the validity of the grievance and identify the proposed resolution. EACOP will be consulted on and approve the proposed resolution.

8.4.4 Other Consultation Structures

At this stage it is not foreseen that any additional formal resettlement consultation structures will be established apart from those listed above. Sustained dialogue will be maintained with relevant parties as regional, district, ward and village level throughout resettlement planning and implementation; however, it is envisaged that this interaction will be through regular meetings with the relevant stakeholders rather than through the establishment of official consultation bodies. The need for additional engagement structures at regional and/or district level will be decided in consultation with the LARWG.

8.5 Future Land Acquisition and Resettlement Consultation Activities

Future land acquisition and resettlement consultation activities will be undertaken in three consecutive phases, namely:

- Pre-implementation – RAP planning phase;
- RAP implementation phase; and
- Post-RAP implementation phase (during the Project's construction and operation phases).

All engagement activities will aim to adhere to Informed Consultation and Participation (ICP) with impacted/affected stakeholders but with the aim to obtain broad community support (i.e. it will not be possible to meet all demands on an individual level). The activities that form part of each of these phases are summarised in Table 8-3 to

Table 8-5.

It is important to note that several of the steps described in the land acquisition, compensation and resettlement process in Chapter 7 will be supported by stakeholder engagement at various levels. For instance:

- During detailed resettlement planning:
 - Determination of base compensation rates (Step B) will involve engagement with the Office of the Chief Valuer;
 - Preparation for surveys (Step E) will involve liaison with regional, district and ward officials to elicit their support for planned survey activities;
 - Announcement of surveys and cut-off date (Step F) will involve sensitisation meetings at district, ward and village level;
 - Surveys and valuation (Step G) will involve intensive engagement with Project-affected persons (PAPs) and village authorities, as well as with other stakeholders;
 - Verification of preliminary valuations (Step H) will involve discussions with PAPs and village representatives; and
 - Assessment of options for replacement land and resettlement housing (Step L) will involve consultation with district and village authorities.
- During resettlement implementation:
 - Entitlement briefings (Step N) will be conducted at village level with the support of district and village authorities;
 - Payment of compensation (Step P) will involve engagement with recipients of payments;
 - Implementation of livelihood restoration and assistance programmes (Step R) will involve engagement with participants in these programmes at regional, district, ward and village level (e.g. to ensure co-ordination and integration with existing livelihood support initiatives); and
 - Relocation (Step S) will involve serving notices to PAPs signalling that land acquisition is imminent.

These engagement activities are not repeated in the tables below. Instead, the tables focus on stakeholder engagement activities that will be undertaken in addition to the engagement inherent in the aforementioned steps.

During the Project's construction phase (i.e. post-resettlement), social performance monitoring will be undertaken as part of the Project's Environmental and Social Management Plan (ESMP). This performance monitoring will be undertaken by the CLOs under leadership of the EACOP Land and Social Management Team. The post-resettlement engagement activities described in will therefore form part of the broader social monitoring programme.

Table 8-3: Stakeholder Engagement during Detailed Resettlement Planning

No	Tasks	Stakeholder Engagement (SE) Activities	Stakeholders	Medium
1	LARWG meetings	<ul style="list-style-type: none"> Decide on preferred methods of structuring engagement between the Project and GoT; Provision of updates on progress with resettlement planning; and Discuss appropriate strategies for dealing with specific issues (e.g. Reserved Land, mining licences, other encumbrances, etc.) 	Required: <ul style="list-style-type: none"> DWC team; EACOP team; LARWG members; Other participants as required. 	Meetings to be held every 2 weeks. More frequent if required during some Project phases.
2	District-level sensitization meetings	<ul style="list-style-type: none"> Inform district authorities of upcoming resettlement activities and timeframes, including: <ul style="list-style-type: none"> Project overview; IFC and GoT compliant resettlement process; Cut-off date and implications; Scheduling of activities; Grievance management; Roles and responsibilities; Announcement of surveys to explain the nature, purpose and timing of the planned surveys; Discuss measures to prevent encroachment and speculation; Disclose general compensation parameters; Gain an understanding of site specific issues; and Confirm sensitization approach to affected landowners/users. 	Required: <ul style="list-style-type: none"> DWC team; EACOP team; Invited: <ul style="list-style-type: none"> District Commissioners; District Land Officer; District Executive Officer; Agricultural Officer; District Lawyer; and District Valuers. 	Meetings will be held in parallel along the pipeline route by multiple teams in field working on various sections of the pipeline. Tools: <ul style="list-style-type: none"> Maps; Project presentation; Meeting plan; Sensitisation presentation (for external circulation); Frequently asked questions (FAQs); Video on pipeline construction; Project grievance brochure; RPF summary leaflet; RAP information brochure; and Project land acquisition brochure.

No	Tasks	Stakeholder Engagement (SE) Activities	Stakeholders	Medium
3	Ward-level sensitization meetings	<ul style="list-style-type: none"> • Inform Ward Committees and Ward Officers of upcoming resettlement activities and timeframes including: <ul style="list-style-type: none"> – Project overview; – IFC and GoT compliant resettlement process; – Cut-off date; – Scheduling of activities; – Grievance management; – Roles and responsibilities; • Announcement of surveys to explain the nature, purpose and timing of the planned surveys; • Discuss measures to prevent encroachment and speculation; • Disclose general compensation parameters; • Gain an understanding of site specific issues; • Confirm sensitization approach to affected landowners/users; and • Attain accurate identification of landownership and users. 	<p>Required:</p> <ul style="list-style-type: none"> • DWC team; • EACOP SE team; <p>Invited:</p> <ul style="list-style-type: none"> • A representative of the relevant district (when feasible); • Ward Development Committees (WDCs); • Ward Executive Officers (WEOs); and • Ward Development Officers (WDOs). 	<p>These meetings follow as soon as the relevant District-level meetings have been concluded (to allow for required protocol).</p> <p>Tools:</p> <ul style="list-style-type: none"> • Maps; • Sensitisation presentations (and/or posters); • Project land acquisition brochure; • Project grievance brochure; • RPF summary leaflet; • FAQs; and • RAP information brochure.

No	Tasks	Stakeholder Engagement (SE) Activities	Stakeholders	Medium
4	Village-level sensitization meetings to introduce the Project to PACs, announce resettlement and provide detail on the resettlement process (e.g. types of activities, project teams, timeframes, grievance procedure, etc.)	<ul style="list-style-type: none"> • Arrange ward and village meetings, according to a meeting schedule; and • Develop printed materials on the Project. <p><i>Invitation to PACs will include information on the intention of the meeting, whose attendance is required, who will be facilitating the meetings, and when and where the meetings will be held.</i></p>	<p>Required:</p> <ul style="list-style-type: none"> • DWC team; • EACOP SE team; <p>Invited:</p> <ul style="list-style-type: none"> • A representative of the relevant district (when feasible); • A representative of the relevant ward (e.g. WEO or WDO); • PACs; and • PAPs. 	<ul style="list-style-type: none"> • Ward and village meetings; • Posters/notice boards; • Pamphlets⁷⁰; • Radio announcements; • Existing EACOP grievance brochure and forms. and
5	Regular feedback meetings with district and regional authorities	<ul style="list-style-type: none"> • Frequency and format of meetings will be aligned with the established CLO engagement strategy; • Provide updates on activities completed; • Discuss upcoming activities; • Seek guidance on regulatory requirements; • Provide feedback on grievances received and resolved; and • Solicit feedback and adapt plans accordingly. 	<ul style="list-style-type: none"> • Relevant regional authorities; • Relevant district authorities; and • Internal: resettlement teams, CLOs (facilitate meetings). 	<ul style="list-style-type: none"> • Presentations; • Grievance record; and • Capacity building initiatives.

⁷⁰ Standard EACOP engagement literature on key topics (such as grievance management, the nature and timing of the Project, etc.) will be used where appropriate.

No	Tasks	Stakeholder Engagement (SE) Activities	Stakeholders	Medium
6	Ward and village feedback	<ul style="list-style-type: none"> Will involve meetings at village level, led by the DWC team and EACOP CLOs; and Will provide feedback to PACs on resettlement planning progress and key decisions taken during LARWG meetings. 	Required: <ul style="list-style-type: none"> DWC team; EACOP SE team; Invited: <ul style="list-style-type: none"> PACs; and PAPs. 	<ul style="list-style-type: none"> Brief progress updates; and Posters
7	RPF and RAP disclosure	<ul style="list-style-type: none"> Develop information leaflet that summarises RPF in English and local languages; Upload to Project website; Keep printed copy at Head Office in Dar es Salaam; and Conduct disclosure meetings at regional, district and ward levels according to procedure and format agreed with the LARWG. 	All	<ul style="list-style-type: none"> Focus Group meetings; Public meetings (tbc); Posters/notice boards; Information kept at CLO hubs per region; Pamphlets; and Website.

Table 8-4: Stakeholder Engagement during Resettlement Implementation Phase

No	Tasks	SE Activities	Stakeholders	Medium
1	Regular feedback meetings with district and regional authorities	<ul style="list-style-type: none"> • Arrange meetings with all affected regional and district authorities at 4-6 week intervals; • Provide updates on activities completed; • Discuss upcoming activities; • Seek guidance on regulatory requirements; • Provide feedback on grievances received and resolved; and • Solicit feedback and adapt plans accordingly. 	<ul style="list-style-type: none"> • Relevant regional authorities; • Relevant district authorities; and • Internal: resettlement teams, CLOs. 	<ul style="list-style-type: none"> • Presentations; • Grievance records; and • Capacity building initiatives.
2	Regular feedback meetings at ward and village level	<ul style="list-style-type: none"> • Arrange meetings with affected wards and village at 4-6 week intervals; • Provide updates on activities completed; • Discuss upcoming activities; • Provide feedback on grievances received and resolve; and • Solicit feedback and adapt plans accordingly. 	<ul style="list-style-type: none"> • Relevant ward stakeholder; • Relevant village authorities, PACs; and • Internal: resettlement teams, CLOs. 	<ul style="list-style-type: none"> • Presentations; • Grievance records; and • Capacity building initiatives.

Table 8-5: Stakeholder Engagement after Resettlement Implementation Phase

No	Tasks	SE Activities	Stakeholders	Medium
1	Monitoring performance of RAP implementation	<ul style="list-style-type: none"> Provide periodic feedback using a structured report to authorities; and Develop monitoring database (this will form part of the social performance monitoring carried over from the construction phase). <p><i>Monitoring during this phase will be guided by the grievance mechanism, suggestion boxes and the LARWG who will be able to provide information on how PACs and PAPs experience the process.</i></p>	<ul style="list-style-type: none"> CLOs; PAPs; PACs; and NGOs and CBOs. 	<ul style="list-style-type: none"> Regular meetings with LARWG to ensure information provided is considered as part of the monitoring process; and Monitoring database to track progress against set criteria and objectives.
2	Monitor vulnerable groups' ability to adapt to their new environment	<ul style="list-style-type: none"> Establish and manage feedback structures. <p><i>The IFC provides guidelines for monitoring vulnerable groups, which include identifying key individuals and groups within the vulnerable persons group, ensure rightful representation and creating a safe environment for discussions to take place.</i></p>	Vulnerable groups.	<ul style="list-style-type: none"> Focus group meetings; CLOs who will return periodically to vulnerable households to determine how well they are able to re-establish themselves; Suggestion boxes; Grievance records; and Capacity building initiatives.
3	Ongoing consultation with resettled households and host communities (monitoring period to be determined by Project)	<ul style="list-style-type: none"> Develop a schedule for setting up regular meetings; Determine important aspects to discuss with PACs, NGOs, etc. based on trends observed in the grievances received; and Develop printed materials and reports for distribution that provides updates on post-implementation RAP activities. 	<ul style="list-style-type: none"> PACs; PAPs; Regional and district authorities; and Relevant NGOs and CBOs. 	<ul style="list-style-type: none"> Focus group meetings; Posters/notice boards; Pamphlets; CLOs; and Grievance records.

8.6 Coordination between Engagement Teams and Structures

To ensure effective and efficient stakeholder engagement, it will be essential to ensure that consistent messages are disseminated to stakeholders that various parties are clear on their respective roles and responsibilities, and that duplication of effort is avoided. Specific aspects of inter-team coordination discussed below are:

- Consistency of messages;
- Alignment of engagement schedules of various teams; and
- Coordination of grievance management.

8.6.1 Consistency of Messages

The EACOP stakeholder engagement team has established an information dissemination system that is administered by the Land and Stakeholder Coordinator and the Stakeholder Engagement Coordinator through the team of CLOs. An important means of information dissemination is through regional CLO “hubs” which are in the process of being developed. It will be important to ensure that information disseminated by the CLOs through this system in respect of land acquisition; resettlement and compensation are consistent with communication on such topics by the DWC stakeholder engagement team.

The following mechanisms are proposed to ensure such consistency of information:

- Where information materials have already been developed by EACOP (e.g. brochures describing the EACOP grievance procedure), these will be used by the DWC team when engaging with stakeholders;
- Communication and engagement protocols developed by DWC (including key messages, frequently asked questions, etc.) will be reviewed and approved by EACOP prior to use in the field;
- Field reports will be submitted to EACOP on a daily basis by every DWC team that is in the field. Daily field reports by DWC stakeholder engagement teams will summarise engagement activities undertaken during that day, and highlight any key issues that should be brought to the attention of the wider team;
- Due to the volume of daily field reports that will be produced while large numbers of teams are in the field, it will also be necessary to produce summary reports on a monthly or bi-weekly basis, summarising the activities of all DWC field teams and highlighting key issues that have emerged during the reporting period; and
- Through regular interaction and progress meetings with EACOP, the DWC team will be alerted of any important stakeholder issues recorded by the CLOs or by other field teams (such as the ESIA team, geotechnical teams, etc.).

8.6.2 Timing of Consultation

The schedule for community engagement by the resettlement team will be aligned with the EACOP stakeholder engagement schedule for the purposes of:

- Ensuring that first contact with a community not previously consulted is made by the EACOP team, not the resettlement team; and
- Minimising the risk of stakeholder fatigue by avoiding unnecessary duplication of meetings or high numbers of meetings within a short timeframe.

8.6.3 Coordination of Grievance Management

There is an existing system of grievance management at district level, in which community members are able to lodge grievances with ward and/or district officials. It will thus be necessary to ensure coordination between this system and the EACOP grievance system, which is administered by the EACOP stakeholder engagement team through the CLOs.

It is proposed that the two systems are coordinated as follows in respect of management of resettlement-related grievances:

- District officials will be able to record Project-related grievances;
- Project-related grievances recorded by district officials will be forwarded to the EACOP CLOs for recording in the EACOP grievance database;
- Recorded grievances will be categorized so that those related to resettlement/land acquisition/compensation are separated from those dealing with other aspects of the Project (e.g. environmental impacts, contractor conduct, employment, etc.);
- The DWC stakeholder engagement team will be notified of any grievances related to resettlement/land acquisition/compensation that have been recorded in the EACOP grievance database;
- The DWC stakeholder engagement team will record resettlement-related grievances reported to them while in the field. These grievances will also be forwarded to the CLOs for inclusion in the EACOP grievance management system;
- DWC will investigate the validity of land related grievances and recommend solutions to EACOP;
- The normal EACOP grievance procedure will be used for addressing and resolving these grievances; and
- Feedback will be provided to district officials on resettlement-related grievances that have been recorded in the EACOP grievance database, as well as on progress in addressing or resolving these.

This proposed division of tasks will be discussed with the LARWG during the early stages of detailed resettlement planning, and finalised pending the outcome of this discussion.

8.7 Supporting the Engagement of Vulnerable Persons and Households

Vulnerable persons are often not able to make their voices heard, either because of constraints in their own capacity and resources, or because of their isolation/exclusion from existing social structures and networks. Because of this, targeted measures are required during resettlement-related stakeholder engagement to ensure that they have access to information about resettlement-related activities and plans that affect them, and that they are given the opportunity to voice their concerns and preferences.

The following methods will be used during resettlement planning and implementation to support meaningful engagement and protect the rights of vulnerable persons and groups:

- If there are minority language groups present among PAPs, ensuring that the resettlement planning and implementation teams include persons who are able to speak these languages;
- Assisting with transport of vulnerable persons to stakeholder engagement meetings, where required and appropriate;
- During disclosure of socio-economic data collected during surveys, ensuring that potentially sensitive data (e.g. the identity of households belonging to minority groups) is redacted;
- Including, as a standard agenda item in all resettlement-related consultation and meetings, a discussion on any specific measures that may be required to address the needs of vulnerable groups and women; and
- Separate consultation (in the form of individual meetings and/or focus group discussions) with vulnerable persons or groups, or with representatives of vulnerable groups (e.g. local community-based organisations or NGOs working with vulnerable groups).

9 RESETTLEMENT TIMETABLE AND MAIN BUDGET COMPONENTS

This chapter presents the schedule for the resettlement planning and implementation activities that will be undertaken for the EACOP Project. This is followed by a breakdown of the main items that will be costed for in individual RAPs or LRPs; the procedures that will be applied to each costing item to develop the budget estimates for each RAP/LRP is also described.

9.1 Resettlement Planning and Implementation Timetable

Table 9-1 gives an estimated timetable for resettlement planning and implementation activities. The schedule distinguishes between activities for Priority Areas (since land access to these areas will be required earlier than for other Project components) and the remainder of the Project footprint.

The number of RAPs versus LRPs to be compiled will be determined on the basis of whether or not the area covered by a particular plan will involve physical as well as economic displacement, or only economic displacement.

The relative timing of the development and implementation of the individual RAPs/LRPs will be decided during the initial stages of detailed resettlement planning. This may depend on the construction schedule, as construction for some parts of the pipeline may begin earlier than for others, thus necessitating earlier land access.

Table 9-1: Resettlement Planning and Implementation Schedule

	Priority Areas
	Pipeline and AGIs

Activity		Aug-17	Sep-17	Oct-17	Nov-17	Dec-17	Jan-18	Feb-18	Mar-18	Apr-18	May-18	Jun-18	Jul-18	Aug-18	Sep-18	Oct-18	Nov-18	Dec-18	Jan-19	Feb-19	Mar-19	Apr-19	May-19	Jun-19	Jul-19	Aug-19	Sep-19	Oct-19	Nov-19	Dec-19	Jan-20	Feb-20	Mar-20	Apr-20	May-20	Jun-20	Jul-20	
Pre-Acquisition Activities	Step 1: Preparation of RPF																																					
	Step 2: Detailed Surveys & Valuations																																					
	Determination of Base Compensation Rates																																					
	Confirmation of Land Areas for Surveys																																					
	Preparation for Surveys																																					
	Announcement of Surveys & Cut-off Date																																					
	Surveys & Valuations																																					
	Verification of Preliminary Valuations																																					
	Step 3: Final Valuation Reports																																					
	Step 4: RAPs/LRPs																																					
	Socio-economic baseline																																					
	Replacement Land & Resettlement Housing (Identification & Concepts)																																					
	Preparation of RAPs/ LRPs																																					
	Step 5: Gazettement of Public Purpose																																					
Acquisition and Grant of Rights Phases	Step 6: Compensation Agreements																																					
	Serving of Notice to Acquire Land																																					
	Entitlement Briefings & Agreements																																					
	Step 7: Payment of Compensation, Relocation & Implementation of Livelihood Restoration & Assistance Programmes																																					
	Payment of Compensation																																					
	Preparation of Replacement Land, Construction of Replacement Housing																																					
	Implementation of Livelihood Restoration and Assistance Programmes *																																					
	Relocation**																																					
	Monitoring & Evaluation																																					
	Step 8: Rights of Occupancy/Title Granted to Government of Tanzania																																					
	Step 9: Lease of Land provided to the Project																																					
	* Priority Areas Livelihoods Programmes will continue as pipeline programmes are implemented.																																					
	** For the pipeline: Relocation of PAPs will be on a rolling basis as compensation is paid, other entitlements are delivered and notices to vacate are issued.																																					

9.2 Main Budget Components for Resettlement Implementation

Guidelines for the preparation of a RAP or LRP⁷¹ require that each RAP or LRP should include an estimate of the budget that will be involved in its implementation. This section provides a description of the procedures to be applied during the detailed resettlement planning to develop the budget estimates that will be included in the individual RAPs or LRPs.

Resettlement and livelihood restoration implementation budgets are strongly dependent on the magnitude of displacement impacts – numbers of physically and economically displaced households, etc. Although estimates of the magnitude of displacement impacts were given in Chapter 5, the quantification of impacts will be refined on the basis of surveys and studies to be undertaken during detailed resettlement planning. The refined estimates of displacement impacts will thus be used as basis for the estimates of implementation budgets.

In line with the entitlement matrix presented in Chapter 6, the budget estimates will be broken down into the following main components. Valuations of the compensation for affected land and assets shall be in line with the valuation methodology presented in Chapter 6:

Table 9-2 Summary of RAP Implementation Budget Components

Budget Main Components	Summary Description
Land	The cost of land is a function of the area of land to be acquired by the Project (Chapter 1). For permanently-acquired land, market rates as determined during professional valuation will apply. These rates are dependent on location and on the category of land (residential land, bare farm land, etc.). When estimating the cost of land, allowance will be made for orphan land. As per international lender requirements, transaction costs will be included in the cost of land.
Residential and Other Structures	<p>Owners of Project affected residential dwellings will have a choice between cash compensation and the provision of replacement structures. The RAP implementation budget will adopt a conservative approach – i.e., assuming that all PAPs will choose the costlier option, which is generally replacement housing rather than cash compensation. Replacement of adequate housing is required under the international standards and costs for provision of 'adequate housing' will be included in the budget. Owners of ancillary structures will also be eligible for compensation which will be included in RAP implementation budget.</p> <p>Where communal structures such as schools, health clinics, etc. are displaced, these will probably be rebuilt by the Project, and the cost for this will also be allowed for in the budget. The compensation cost of structures will be determined on the basis of replacement value (not including depreciation).</p>
Crops and	During asset valuation surveys all affected crops and economic trees will be recorded, valued and owners of these will be eligible for cash compensation which will be included in the

⁷¹ See, for instance, *Guidance Note 5: Land Acquisition and Involuntary Resettlement*: Annex A: Outline of a Resettlement Action Plan (IFC. January 2012.).

Economic Trees	budget.
Allowances	<p>Physically and economically displaced households will be eligible for a disturbance allowance, which is defined in the Valuers And Valuers Regulations, 2018 (Section 13). Physically-displaced persons will also be eligible for the following allowances as defined under the regulations, which will be included in the budget:</p> <ul style="list-style-type: none"> • Accommodation allowance, based on the rent that the affected property would command, multiplied by the number of months provided in the law – i.e. 36 months; and • Transport allowance – i.e., the amount equivalent to transporting 12 tons either by rail/road for 20 kilometres from the point of displacement.
Graves and Ritual Sites	<p>In terms of Tanzanian legislation, compensation for relocation of graves comprises two components which will be allowed for in the budget:</p> <ul style="list-style-type: none"> • Compensation to relatives of the deceased for reasonable expenses associated with rituals involved in exhumation of graves; and • Costs involved in the removal, transportation, reinstatement and re-interment of the grave or dead body, as defined in the Graveyard Removal Act.
Businesses	<p>All structures used for business purposes will be recorded during the asset valuation survey. These will be compensated in the same manner as other types of structures, and procedures for estimating the costs of this will be as described above.</p> <p>Estimates of the cost of compensating for loss of business profits for formal businesses will take into account the Loss of Profits allowance provided for in Valuers And Valuers Regulations, 2018 (Section 14) – i.e., the net monthly profit of the business carried out on the land shall be assessed, evidenced by audited accounts where necessary and applicable or returns evidenced by Revenue Collection Authority and multiplied by 36 months in order to arrive at the loss of profit payable. This approach would not apply to informal businesses, which would not be able to provide audited accounts from which lost earnings could be estimated. In such instances, resettlement entitlements would comprise replacement or moving of structures, and assistance with transportation to a new location.</p>
Livelihood Restoration	<p>The budget for livelihood restoration measures will comprise two main components:</p> <ul style="list-style-type: none"> • Costs associated with individual- and household-level livelihood restoration measures: budget will be based on the number Project-affected households and Project-affected people multiplied by a standard amount per household that incorporates the cost of typical elements of livelihood restoration programmes (agricultural improvement training, food packages, seed capital for alternative enterprises, skills training, money management training, etc.). This standard cost per household will consider estimates from service providers typically involved in provision of such programmes. Livelihood restoration programmes will be scaled in terms of the intensity of livelihood impacts that affected households will experience; where a household will lose only a small proportion of its land, the impact on the livelihoods of its members is unlikely to be significant; and • Costs associated with community or village-level livelihood restoration measures: budget will be based on the number of villages affected by the Project multiplied by a standard amount per village, again considering estimates from service providers typically involved in provision of such programmes.
Vulnerable Persons and Households	<p>Additional assistance required by vulnerable persons or households will be assessed on a case-by-case basis during resettlement implementation. An allowance will be made in RAP implementation budget for this additional assistance and monitored closely.</p>
RAP Implementation	<p>Implementation resources will be required to undertake RAP or LRP implementation activities. EACOP has committed to maximising national content in the composition of these teams.</p>

	Budget for the implementation resources will be based on the estimated level of effort associated with each task (in terms of man-days) multiplied by the average daily cost of the resources required to perform those tasks. The level of effort involved in each task would, in turn, be based on the number of affected households and villages that the implementation will need to cover.
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Appendix A: Applicable Legislation

Overarching Legislation

Act	Description
Constitution of the United Republic of Tanzania, 1977	<ul style="list-style-type: none"> • Gives all citizens the right to own land and the right to be compensated for the loss of land. It recognises customary land ownership. Classification of land, including customary land and communal land, is also defined. • Gives the State the power of compulsory land acquisition where this would be in the public's interest. • Further regulates: <ul style="list-style-type: none"> – A project developer's obligations for resettlement (including land valuation and compensation); – The requirements for informing affected landowners of the upcoming land acquisition process and how it will be dealt with; – Methods for land valuation; – The payment of compensation; and – Ways in which appeals and grievances should be resolved. • Constitutionally, if a person's land or land property has to be acquired, the individual affected must be fully, fairly and promptly provided with compensation.
The National Land Policy, 1997 (as amended from time to time)	<ul style="list-style-type: none"> • Provides guidance and directives on land ownership and tenure rights (equitable distribution of land, access to land by all citizens, rights in unplanned areas) and taking of land and other land based assets. The Policy and the Land Laws emanating from it stipulate organisations and procedures for valuing assets, delivery of compensation and land disputes resolution. • Objectives (Section 2) outlined in the Land Policy include to: <ul style="list-style-type: none"> – Promote an equitable distribution of and access to land by all citizens; – Ensure that existing rights in land, especially customary rights of small holders (i.e. peasants and herdsman who are the majority of the population in the country), are recognized, clarified and secured in law; – Set ceilings on land ownership (later to be translated into statutory ceilings) to prevent or avoid the phenomenon of land concentration (i.e. land grabbing); – Ensure land is put to its most productive use to promote rapid social and economic development of the country; and – Protect land resources from degradation for sustainable development. • Provides a dual system of tenure, which recognises both customary and statutory right of occupancy as being equal, and that land law should take this into consideration. The Policy furthermore recognises the need for investors to acquire land for investment. • With regard to land acquisition, the Policy contains the following principles: <ul style="list-style-type: none"> – Land has value; – The rights and interests in land of citizens shall not be taken without due process of law; – Full, fair and prompt compensation shall be paid when land is acquired; and – Village Councils will administer village land, and their powers will be subject to the limitations embedded in laws and procedures; and consultation and consent of a Village Council will be required whenever alienation of village land is necessary. • According to the Policy, Village Councils have to request consent before any alienation of village land is executed. In the case of land allocations, Village Councils must report to respective Village Assemblies. Land management in urban areas is undertaken by the respective City, Municipal or Town Councils. • Although the Minister responsible for land matters is the principal authority in land issues, the Policy involves the public and private institutions whose functions are associated with lands, such as local authorities, communities and non-governmental organisations and community-based development organisations, to participate and co-operate with the Minister at different levels during the implementation of the Policy and utilisation of land. To address the problem of multiple land allocation and resultant disputes, the Commissioner for Lands is the delegated authority for administration of land. The Commissioner may appoint officers to administer on his/her behalf. • A revised draft National Land Policy was issued for public consultation in 2016.
Petroleum Act No. 8, 2015	<ul style="list-style-type: none"> • Provides for the regulation of upstream, midstream and downstream petroleum activities; • Establishes the Petroleum Upstream Regulatory Authority (PURA); and • Requires compliance with environmental principles and safeguards prescribed in the National

Act	Description
	Environment Management Act (NEMA) and other laws. This includes the duty to contract a separate entity to manage transportation, storage, and treatment or disposal of waste arising out of petroleum operations.

Land Acts

Act	Description
The Land Act, 1999 (as amended from time to time)	<ul style="list-style-type: none"> Provides basic legal requirements in relation to land other than Village Land, the management of land, settlement of disputes and related matters. Requires that full, fair and prompt compensation must be paid to any person whose right of occupancy or recognised long-standing occupation, or customary use of land, is revoked or interfered with by the State, or is acquired under the Land Acquisition Act (see below). According to the Act, the basis of assessment of land and unexhausted improvement is the market value of such land. <p>Sections relevant to the Project include:</p> <ul style="list-style-type: none"> Section 1 states that all land in Tanzania is public land vested in the President as trustee on behalf of all citizens. Section 2 defines "land" to include "the surface of the earth and the earth below the surface and all substances other than minerals or petroleum forming part of or below the surface, things naturally growing on the land, buildings and other structures permanently affixed to or under land and land covered by water". Section 22 (1)(k) specifies that a granted right of occupancy "shall be liable, subject to the prompt payment of full compensation, to compulsory acquisition by the state for public purposes". Compensation: Section 3(1)(g) addresses the requirement to "pay full, fair and prompt compensation to any person whose right of occupancy or recognized long-standing occupation or customary use of land is revoked or otherwise interfered with to their detriment by the State under this Act or is acquired under the Land Acquisition Act". This Section of the Land Act requires that assessment of affected properties must take the following into account: <ul style="list-style-type: none"> Market value of the real property; Disturbance allowance; Transport allowance; Loss of profit or accommodation; Cost of acquiring or getting of the subject land; Any loss or capital expenditure incurred through the development of the subject land; and Interest at market rate will be charged. This assessment of land acquired under the Act must be prepared by a qualified Valuer and verified by the Chief Valuer. Section 7 highlights what is included in the compensation for loss of land and unexhausted improvements. Section 23 (6) states that where a person or family has occupied land in the same location under a residential license for not less than three years, s/he or they shall be entitled to compensation under the Land Acquisition Act, 1967, where that land is to be acquired for a public purpose or where that person or family is to be removed from the land as if that person or family had a right of occupancy in the land. Section 156 (1) states that compensation shall be payable to any person for the use of land, of which s/he is in lawful or actual occupation, as a communal right of way and, with respect to a wayleave, in addition to any compensation for the use of land for any damage suffered in respect of trees, crops and buildings as result of the creation of such wayleave. Grievance Resolution: Section 156 (4) states that in case of a disagreement on the amount or method of payment of compensation, or in case of dissatisfaction with the time taken by the body under a duty to pay that compensation, the recipient of the compensation may apply to the High Court to determine the amount and method of payment of compensation and the High Court may, in making any award, make any additional costs and inconvenience incurred by the person entitled to compensation through the dilatory or other unsatisfactory procedures of that public authority. Relocation: Section 34 (3) states that where a right of occupancy includes land that is occupied by persons under customary law, it shall be a condition of that right of occupancy that those customary rights shall be recognized and those persons so occupying the land shall

Act	Description
	<p>be moved or relocated only so far as is necessary to enable the purpose for which the right of occupancy was granted to be carried out. Furthermore, persons shall be moved or relocated in accordance with due process and principles of fair administration, being given:</p> <ul style="list-style-type: none"> - Not less than one hundred and eighty days' notice of any requirement to move; and - The opportunity to reap crops sown before any notice to move was given to those persons; and - The right to continue to use water which those persons had a right to use before being given notice to move; and - Prompt payment of full compensation for loss of any interests in the land and any other losses that are incurred due to any move or any other interference with their occupation or use of the land. <ul style="list-style-type: none"> • Institutions for Grievance Resolution: Section 167 (1) vests exclusively the following land courts with the responsibility to hear and determine all manner of disputes, actions and proceedings concerning land: <ul style="list-style-type: none"> - The Court of Appeal of Tanzania; - The High Court of Tanzania (pursuant to changes in the Land Disputes Courts Act introduced by Act No. 2 of 2010); - The District Land and Housing Tribunal; - Ward Tribunals; and - Village Land Councils. • Information Disclosure: Sections 168 and 169 identify how detailed information should be disclosed to affected persons occupying general or village land. Information should be disclosed both in written and oral format in either English or Swahili or both. • Advance Notice Prior to Land Entry: Section 170 requires any person authorized by the Commissioner to give an advance notice of not less than 48 hours prior to entry of any land (other than that used solely as a dwelling house) for inspection, and to inspect at reasonable times between 6:00am and 6:00pm. Any damages caused during such inspections shall be promptly assessed and compensation paid. • Wayleaves: Section 151 provides for the creation of wayleaves – the Minister “may create rights of way which shall be known as public rights of way” to serve for the purpose of the proposed development. Further Section 152 (1) requires that any corporate body or ministry wanting to create a wayleave should apply to the Commissioner for Lands in a prescribed format with all the required detailed information. Section 152 (4) requires the applicant for a wayleave to serve a notice on: <ul style="list-style-type: none"> - All persons occupying land under a right of occupancy over which the proposed wayleave is to be created, including persons occupying land in accordance with customary pastoral rights. - All Local Government Authorities (LGA) in whose area of jurisdiction the proposed wayleave to be created is located. - All persons in actual occupation of land in an urban and peri urban area over which the proposed wayleave is to be created. - Any other interested person. • Section 156 states that “compensation shall be payable to any person for the use of land, of which he is in lawful or actual occupation, as a communal right of way and, with respect to a wayleave, in addition to any compensation for the use of land for any damage suffered in respect of trees, crops and buildings as a result of the creation of such wayleave”. The Section also defines damages to include that caused as a result of any preliminary work undertaken in connection with surveying or determining the route of the wayleave, whether trees, crops or buildings. • Compensation under Section 156 of the Land Act applies to non-governmental corporate bodies, institutions or groups of persons. The Section requires compensation to be paid to any person for the use of land of which s/he is in lawful or actual occupation. • Section 173(1) of the Land Act states that there shall be established the Land Compensation Fund which, according to section 173(2), should be managed by trustees. The overall objective of the Fund is to provide compensation to any person who suffers any loss of interest in land by reason of the implementation of the Land Act. Management of the Fund is as provided for by the Land (Management of the Land Compensation Fund) Regulations, Government Notice No. 82 of 2001. In short, there must be a Board of Trustees with the primary function of verifying compensation schedules and claims and payment of compensation out of the Fund. The Board must meet at least three times in a year. Based on

Act	Description
	<p>available information, the Project understand the Fund became operational on 24th November, 2017.</p> <ul style="list-style-type: none"> • If the
The Land Acquisition Act, Cap 118 R.E., 2010	<ul style="list-style-type: none"> • Governs land acquisition by the Government for public purposes in Tanzania. Requires that compensation is paid as may be agreed upon or determined in accordance with the provisions of this Act. Compensation for land acquired in the manner provided for in the Act shall be based on market value of the real property, in addition to transport allowance, disturbance, loss of profits and accommodation, and cost of acquiring or getting the subject land. • Section 15 provides that, if payment of compensation is delayed until after the land has been possessed, the Minister must pay, in addition to compensation, interest thereon at the rate of 6% per annum from the date when land was acquired until compensation is paid. The Act also defines procedures for dispute settlement with respect to compensation. • The Act does not require the provision of replacement land for project-affected people. Obligations under the Act end once compensation has been paid. On receipt of compensation, the affected party should relocate and thereafter s/he has no further claim. However, it is important to note that in matters related to compensation, the Land Acquisition Act must be read in conjunction with the Land Act and Regulations as the latter take precedence.
The Land (Assessment of the Value of Land Compensation) Regulations, 2001	<ul style="list-style-type: none"> • Basis for assessment of the market value of acquired land: The Regulations ensure that fair and adequate compensation is paid, determined on the basis of: <ul style="list-style-type: none"> – Market value of the real property; – Disturbance allowance; – Transport allowance; – Loss of profit or accommodation; – Cost of acquiring or getting of subject land; and – Any loss or capital expenditure incurred to the development of the subject land. • The Regulations apply to any application and/or claims for compensation by any person occupying land and shall include the value of unexhausted improvements on the occupied land, as well as grazing land. • Affected parties must be compensated for the value of property lost and the loss of (access to) land. A disturbance allowance and transport allowance must be paid to enable the resettlement of a person whose land has been acquired. An accommodation allowance for a period of 36 months may be applicable. • Guidelines for the assessment of compensation: The Regulations outline how the market value of land and unexhausted improvements may be derived by the use of the following methods: <ul style="list-style-type: none"> – Income/earnings approach; – Comparative method evidenced by the actual recent sales of similar property; and – Replacement cost method where the property is of special nature and not saleable. • Asset valuation for compensation purposes is sanctioned by the Commissioner for Lands or duly authorised officer. The Commissioner shall prepare and submit a claim form to the Compensation Fund. The claimant shall verify and accept payment within not less than 30 days of receipt of the claim.
The Land (Compensation Claims) Regulations, 2001	<ul style="list-style-type: none"> • Determining eligibility and rights for claiming compensation: According to these Regulations and Regulations made under the Land Act, the following entities are eligible for compensation: <ul style="list-style-type: none"> – Holder of a right of occupancy (Section 22 of the Land Act, 1999); – Holder of customary right of occupancy whose land has been declared hazard land (Section 49 of the Land Act, 1999); – Holder of customary land, whose land becomes granted to another person and is moved or relocated under Section 34 of the Land Act, 1999; – Land obtained as a consequence of disposition by a holder of the right of granted or customary right of occupancy but is refused a right of occupancy under Section 54 of the Land Act, 1999; and – Urban or peri-urban land acquired by the President under Section 60 of the Land Act, 1999. • Section 6 of the Act stipulates that the Commissioner for Lands, or duly authorised officer, shall publish a notice on public notice boards, and serve a notice in a prescribed form on every occupier. The Act requires that the following procedures be followed to ensure participation

Act	Description
	<p>and involvement of the land owners subject to compensation:</p> <ul style="list-style-type: none"> - Publish a notice in a public notice board/gazette notifying the occupiers of land subject to compensation; - Occupiers to submit their claims for compensation; and - Physical presence of the occupier during the assessment. <ul style="list-style-type: none"> • Section 9 recommends the preparation of a compensation schedule that will be submitted together with the compensation claims to the fund for verification and consideration for compensation payment. <ul style="list-style-type: none"> - Section 10 of the Act provides that compensation shall take the form of monetary compensation, but may also include the following: <ul style="list-style-type: none"> - A plot of land of comparable quality, extent and productive potential to land lost; - A building or buildings of comparable quality, extent and use to the building or buildings lost; - Plants and seedlings; and - Regular supplies of grain and other basic foodstuffs for a specified period.
The Village Land Act No. 5, Cap 114 R.E., 1999	<ul style="list-style-type: none"> • Governs village land and land tenure under the Village Councils. Although the Act recognises the role of Village Councils in management of village land, individuals through their customary land rights hold most of the land in the villages. The right of the individuals to the land must be recognised and respected, and development should not take more than the land it needs for that particular development. Customary land tenure is the recognised legal ownership that is protected by the land laws, and compels developers to pay appropriate compensation packages in the event the land in question is acquired for development purposes. • Specifically, provision is made with respect to acquisition of land governed under the Act as follows: <ul style="list-style-type: none"> - Section 4 gives legal guidance on the procedure to follow if part of the village land is to be transferred to general or reserved land for public interest. - Section 4 further requires that once such land has been identified a notification should be forwarded to the Village Council, specifying the location of the area of the village transfer land, the extent and boundaries of the village transfer land, and a brief statement of the reasons for the proposed transfer. - Section 4 also emphasizes that no village land shall be transferred until the type, amount, method and timing of the payment of compensation has been agreed upon between the concerned parties, and not earlier than 90 days from the notification. - Section 15 recommends that, where there is a dispute between two or more persons, family units or groups of persons as to which of the parties is entitled to land under any of the provisions of the Act, the Village Council shall refer the matter to the Village Land Council to mediate between the parties, and where the Village Land Council is unable to resolve the dispute between the parties, the Village Council shall refer the dispute to the Ward Tribunal and may further refer the matter to court. • Relevant provisions within this (Sections 20/23/33/57) pertain to equality of all persons and respecting women rights.
The Village Land Act, Cap 114 R.E., 2002, as amended from time to time	<ul style="list-style-type: none"> • Governs all village land, including land inside the boundaries of registered villages, which a Village Council is given the power to manage. Under the provisions of the Act, the Village Council is required to manage village land by upholding the principles of sustainable development, respecting the relationship between land uses, protection of natural resources and the environment. • The Land Act and the Village Land Act are the principal laws with regard to all land matters, including land management and settlement of disputes and related aspects.
The Village Land Regulations, 2001	<ul style="list-style-type: none"> • According to these Regulations, the basis for assessment of value for land and unexhausted improvement shall be "market value." The regulations adopt a "comparative method" as the primary valuation method, and where this is not possible, an "income approach" or "replacement cost." The assessment is to be prepared by a Registered Valuer and every assessment shall be verified and approved by the Chief Valuer. • The Chief Valuer is nominated to determine and prepare crop value schedules; and the validity period for the crop value schedule shall not exceed five years. Valuers are required to use the crop compensation schedules prepared by the Chief Valuer and are required to make adjustment for crop maturity stages: <ul style="list-style-type: none"> - Seedlings 15%;

Act	Description
	<ul style="list-style-type: none"> - Young 50%; - Early maturity 75%; - Full Maturity 100%; - Old stage 30⁷²%; and - With respect to abandoned farms (not defined, but presumably as to be reasonably determined by a valuer), crops in such farms will be valued at 50% of the crop rates. <ul style="list-style-type: none"> • Land Value rates shall be prepared by the Chief Valuer (who may choose to hire services of a consultant) and be based on market research. The validity period of land value rates is 3⁷³ years. • In case of temporary occupation of land, landowners would be entitled to compensation for crops, loss of income for the duration when denied use of their land, and a disturbance allowance. However, temporary acquisition is only possible where the subject land is capable of being restored to acceptable condition for use by the landowner. • Land Value Rates will be in the custodian of the Chief Valuer, and members of public can access the data upon payment of prescribed fees. • The Regulations empower the Chief Valuer to cause the establishment of a building value rate for the purposes of assessing compensation of building structures. However, unlike in the previous two types of assets, an authorised valuer (district designate valuer) or Registered Valuer 'shall' prepare building value rates and submit them to the Chief Valuer for endorsement before commencement of the valuation fieldwork. • With regard to allowances, an accommodation allowance is defined as the "market rent" for the building (as opposed to passing rent) multiplied by 36 months; loss of profit allowance is defined as the product of 36 months by net monthly profit based on audited accounts where necessary and applicable; disturbance and transport allowance computations are also applicable.
The Graves (Removal) Act, Cap 72 R.E. 2010	<ul style="list-style-type: none"> • Refers to graves removal and requirement for compensation. The Act provides for compensation of owners of graves and reburying of the remains elsewhere to pave the way for development interventions. • Section 3 states that, where any land on which a grave is situated is required for a public purpose, the Minister may cause such grave and any dead body buried therein to be removed from the land and, in such case, shall take such steps as may be requisite or convenient for the re-instatement of the grave and the re-interment of the dead body in a place approved by him for the purpose. Specifically: <ul style="list-style-type: none"> - Section 4 requires that all parties (individuals, families, religious communities) with an interest in the grave should be notified in person and the notice should be published in a gazette, as soon as may be practical. - Section 6 recommends that all authorized parties can proceed with the removal of graves upon expiration of the notice period in such a way that may be requisite for the removal, transportation and reinstatement or re-interment of a grave or dead body. - Section 7 emphasizes that the removal, transportation and reinstatement or re-interment conditions of a grave or dead body shall be undertaken.
The Antiquities Act, 1964, and Antiquities (Amendment) Act, 1979	<p>These Acts, and accompanying Rules and Regulations, are the principal legislation that affords protection of Tanzanian cultural heritage (including burial grounds and sacred sites). They require that a Heritage Impact Assessment (HIA) is undertaken for certain projects and, when required, mitigation measures should be implemented before the commencement of any development.</p>
The Land Disputes Courts Act, 2010	<ul style="list-style-type: none"> • This Act concerns potential disputes with respect to land, and states that every dispute or complaint concerning land shall be instituted in the Court having jurisdiction to determine land disputes in the given area. The Courts of jurisdiction include: <ul style="list-style-type: none"> - The Village Land Council; - The Ward Tribunal; - District Land and Housing Tribunal;

⁷² Amended under the Valuation And Valuers (General) Regulations, 2018 to include 25% for Early Growth stage.

⁷³ Now five years under the Valuation And Valuers (General) Regulations, 2018

Act	Description
	<ul style="list-style-type: none"> - The High Court (Land Division); and - The Court of Appeal of Tanzania. • The Act gives the Village Land Councils powers to resolve land disputes involving village lands (Section 7). If the Council fails to resolve the dispute, the matter can be referred to the Ward Tribunal as established by the Land Act (1999) and the Village Land Act (1999). If any dispute will arise because of this activity, the provisions of this Act shall be observed.
The Valuation and Valuers Registration Act, 2016	<ul style="list-style-type: none"> • Sets out the process to become a Registered Valuer and the requirements on them, the process of appointment of the Chief Valuer and powers of them, and the establishment of a Valuers Registration Board. • Part V of the Act provides “Guidance on the valuation practice”, including guidance on: <ul style="list-style-type: none"> - Types, purpose and basis of valuation; - Methods of valuation to be applied (Section 51): includes the replacement cost method; - Validity of valuations (Section 52): includes setting a 2-year validity period for the valuation reports relating to compensation, and the definition of “prompt payment of compensation,” meaning the payment of compensation within six months after approval of valuation by the Chief Valuer; - Cut-off date and limitation period (Section 53): for purposes of valuation the cut-off date shall be the “date of commencement of valuation” and that “upon commencement of valuation, a person shall not add or improve anything to the land or such premises”; - Best practice guidelines (Section 54): states that “upon recommendation of the Board, the Minister shall, within six months after coming into operation of this Act, prepare and publish in the Gazette guidelines prescribing best practice in valuation”; and - Access to land, buildings etc. (Section 55): affords rights to entry to land and buildings for the purpose laid out in the Act (i.e. valuation) by the Registered Valuer subject to prior notice.
The Valuation And Valuers (General) Regulations, 2018	<p>The Valuation And Valuers (General) Regulations, 2018 are pursuant to the Valuation And Valuers Registration Act (Act No.7 Of 2016). The Regulations cover the:</p> <ul style="list-style-type: none"> • Functions of authorized valuers and approval fees charges (Part II). • The basis and methods for assessment of value for land for compensation (Part III). • The process for the registration and enlistment of Valuers (Part IV). • The process for the management of complaints and appeals related to values and their performance (Part V). • A process and procedure of verification of valuation action undertaken (Part VI). • Manner of assessing crop value rates and preparation of crop value schedules and procedure for assessment of crop value rates and schedules (Part VII). • Part VIII provides guidance with regard to the manner of assessing land value rates and preparation of land values schedules. • Part IX covers the assessment of compensable items. Section 54 included in Part IX sets out the compensable items in addition to Land. The section states that compensable items shall include land and all unexhausted improvements permanently affixed to land such as: <ul style="list-style-type: none"> - crops, plants and trees; - buildings and ancillary structures; - site works including landscape, fences, paved walkways, driveways, retaining walls and stone masonry, storm water drains, swimming pools; - canals and irrigation water systems, embankments, ponds and dams; - infrastructure systems including water piping, electrical distribution systems, road and railway systems, sewerage system; - water storage tanks-overhead or underground, water wells, boreholes; and - children playgrounds structures; - Graves according to Graves (Removal) Act 1969. • Part X provides guidance on the procedure for accessing land and buildings. • Part XI defines categories of land uses for valuation purposes and assessing land and property value rates under singular and mass valuations. Interest in land is define more broadly than in The Land (Compensation Claims) Regulations, 2001. • Part XII is key to the process and describes the mechanism for undertaking valuation for compensation and includes the process for approval of valuation reports and compensation schedules.

Act	Description
	<ul style="list-style-type: none"> Part XIII covers valuation for general purposes. <p>Schedules are attached. Schedule 1 and 2 deal with the delegated and additional functions of authorised Valuers. The third schedule sets out the fees to be paid to the Chief Valuers office for valuation report approval. The Fourth Schedule (Part A) covers Forms to be used for purposes of registration of Valuers. Part B of the Fourth Schedule covers the forms required to be used for the process of valuation.</p>

Relevant Reserved Land Acts⁷⁴

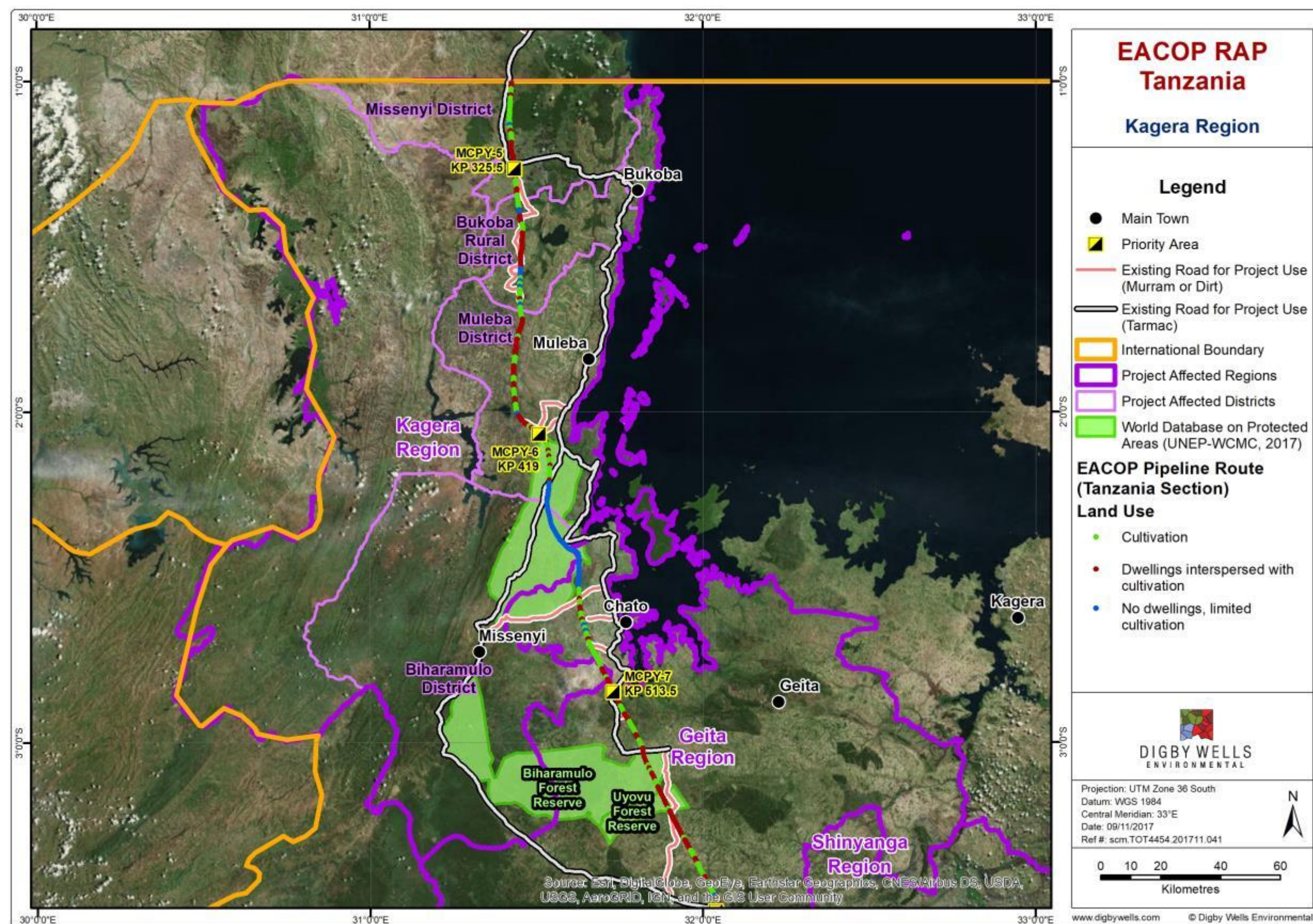
Act	Description
Forestry Act	<ul style="list-style-type: none"> Under the Forestry Act, forests in Tanzania are classified under four main types: national forest reserves, local authority forest reserves, village forests and private forests. It is important to mention that under the category of village forests, the following subcategories exist: village land forest reserves, community forest reserves and non-reserved forests. Private forests can also exist within the boundaries of a village. These forests are held by one or more individuals under customary right of occupancy, or have been granted to individuals, a corporate body or non-governmental organisation (NGO) for the purposes of managing the forest. Finally, the Forestry Act establishes that certain nominated developments in a forest reserve, private forest or sensitive forest are subject to the preparation of an ESIA. The regulations for the Forestry Act were published in March 2004.
The Village Land Act, Cap. 114, 1999 The Land Act, 1999 The National Parks Act, Cap. 282, 2002 The Marine Parks and Reserves Act, 1994	<ul style="list-style-type: none"> Other Reserved Lands: Reserved Lands have been created for specific purposes including game and national parks, wildlife, forest reserves, hazard lands, wildlife conservation areas, marine parks and nature reserves. These areas are as defined as per Section 7 of The Village Land Act Cap. 114 of 1999, and in part in the Land Act 1999, and may be created by transfer of village or general land into such reserved lands. Once created, they at some point may be re-transferred into village or general lands by following similar procedures that created them, in which case the authorities holding them would be involved accordingly. Some reserve lands can be declared following specific provisions in the statutes e.g. Forestry Act, 2002, The National Parks Act Cap 282, 2002, and The Marine Parks and Reserves Act, 1994. Similar to the Forestry Act above, nominated developments in reserve lands must be subject to the preparation of an ESIA.

⁷⁴ There are several other pieces of legislation referring to Reserved Land – e.g. governing Road Reserves, Rail, water courses etc. This table only summarizes those pieces of legislation most relevant to land acquisition and resettlement.

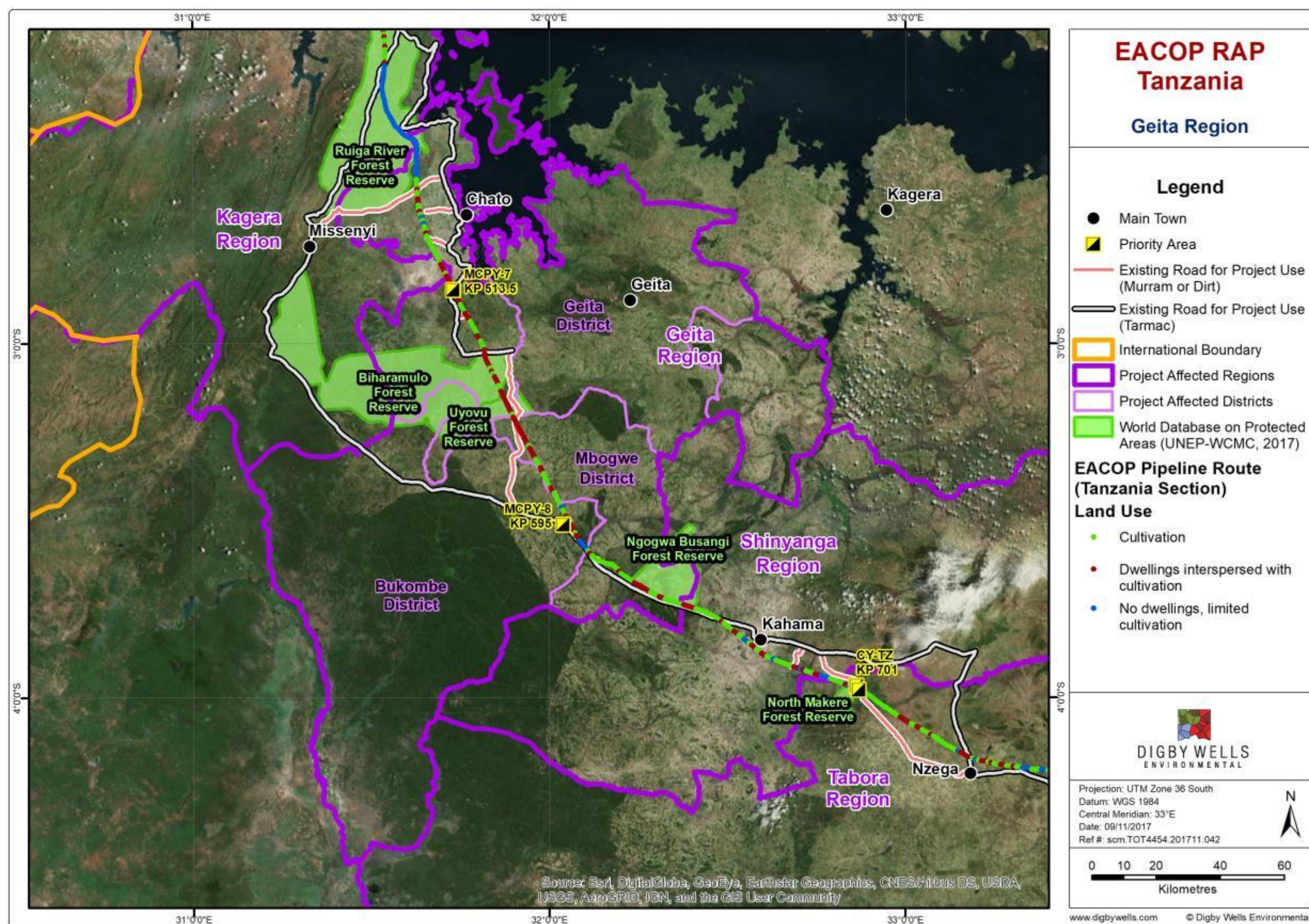
Other Relevant Policies

Act	Description
The National Human Settlements Development Policy, 2000	<ul style="list-style-type: none"> Promotes the development of sustainable human settlements, and highlights that infrastructure and services constitute the backbone of both urban and rural economic activities. The Policy outlines several key development objectives, including: <ul style="list-style-type: none"> Improving infrastructure and the provision of social services to promote sustainable development of human settlements; and Availing serviced land for shelter and human settlements development to all sections of the communities.
Tanzania Women and Gender Policy, 2000	<ul style="list-style-type: none"> Promotes gender equality and equal participation by providing both men and women equal access to education, child care, employment and decision making.
Agricultural and Livestock Policy, 1997	<ul style="list-style-type: none"> The policy's ultimate goal is to improve the well-being of people whose principal occupation and way of life is based on agriculture. Most of these people are subsistence or small-scale peasant farmers and livestock keepers who do not often produce a surplus. Therefore, the focus is to commercialise agriculture so as to increase income levels and alleviate poverty.
Water Policy, 2002	<ul style="list-style-type: none"> The policy expounds on the importance of water for domestic use, agriculture, livestock keeping, mining, energy, fisheries, environment, human health, wildlife and tourism, forestry and navigation, as well as trans-boundary requirements. Some of the affected assets may include water infrastructure that supplies village communities. Resettlement will have to address water supply and availability issues, and the policy proposes changes where water sources or distribution points are in danger of being negatively affected by the proposed development. Similarly, resettlement will be required to cater for provision of water to relocated communities as one of the basic social services needed in relocation areas.

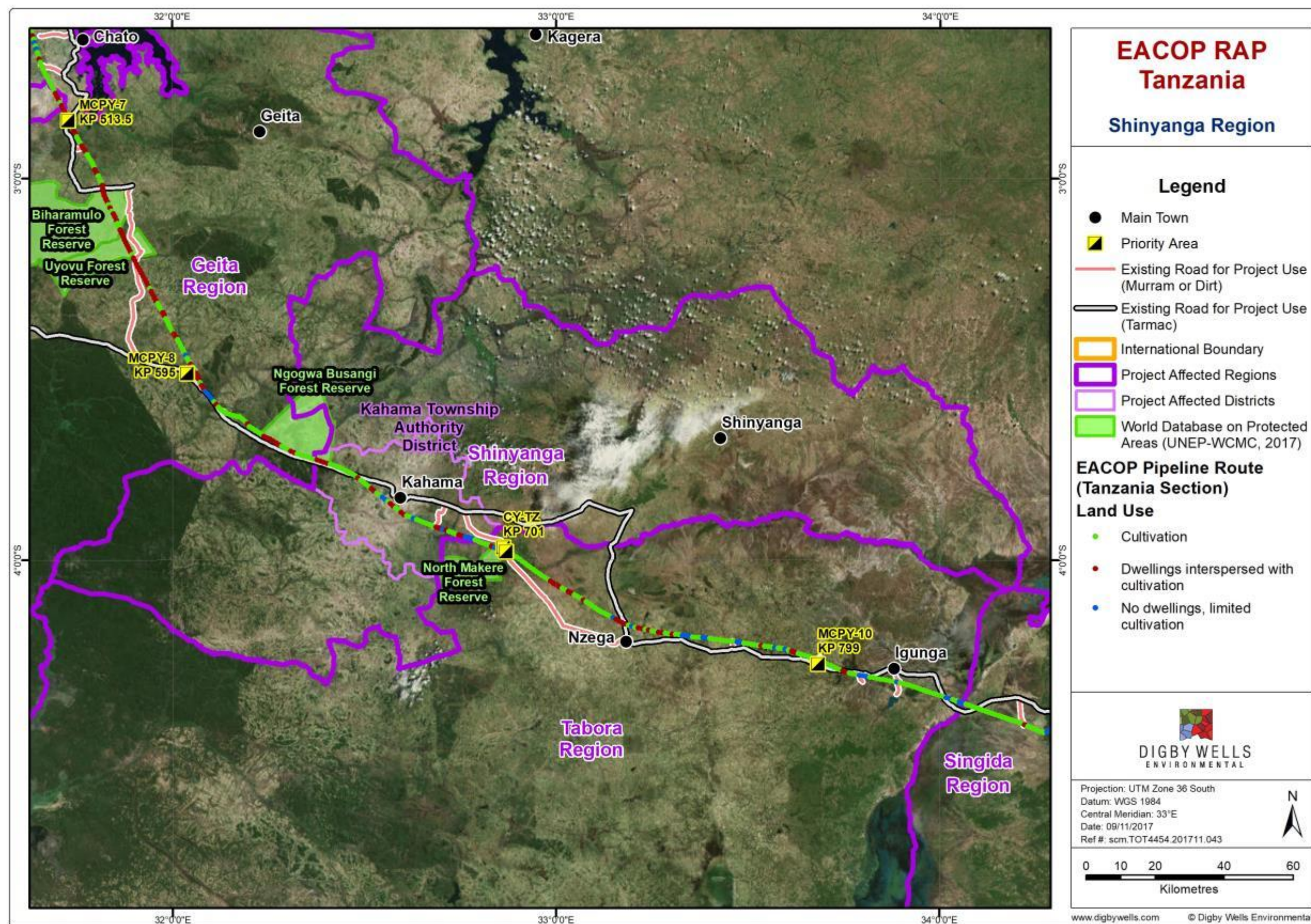
Appendix B: Regional Setting - Kagera



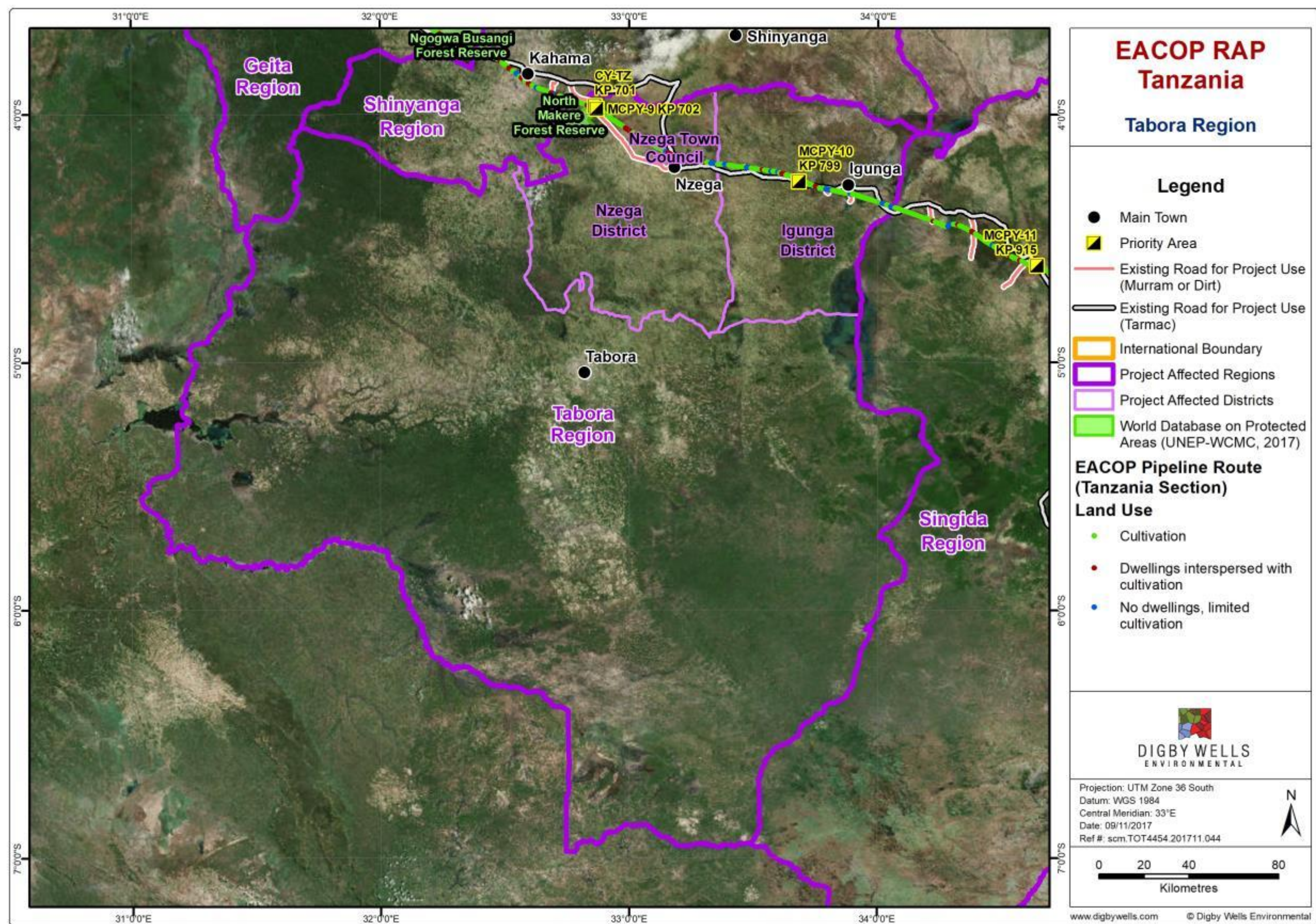
Appendix C: Regional Setting - Geita



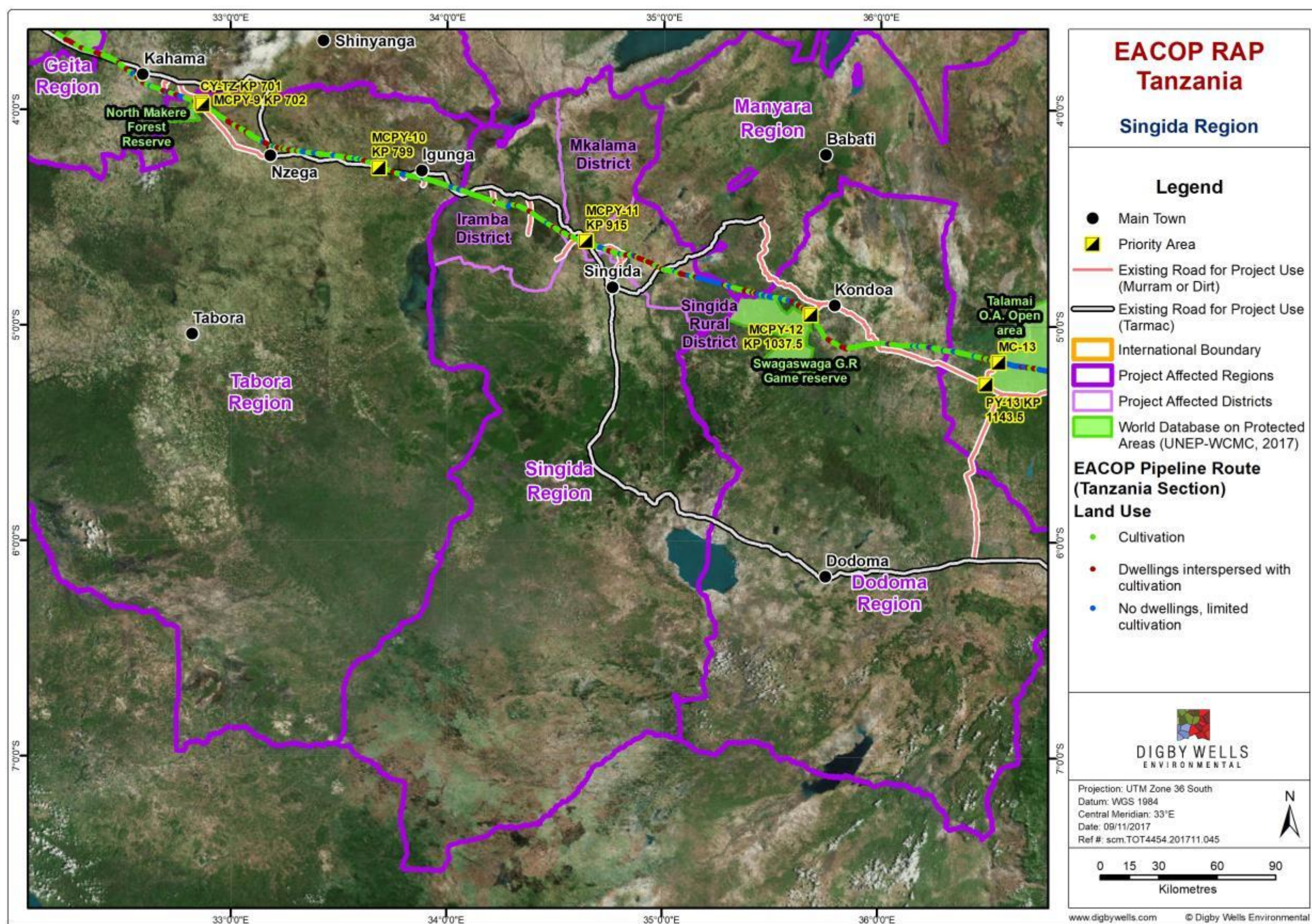
Appendix D: Regional Setting - Shinyanga



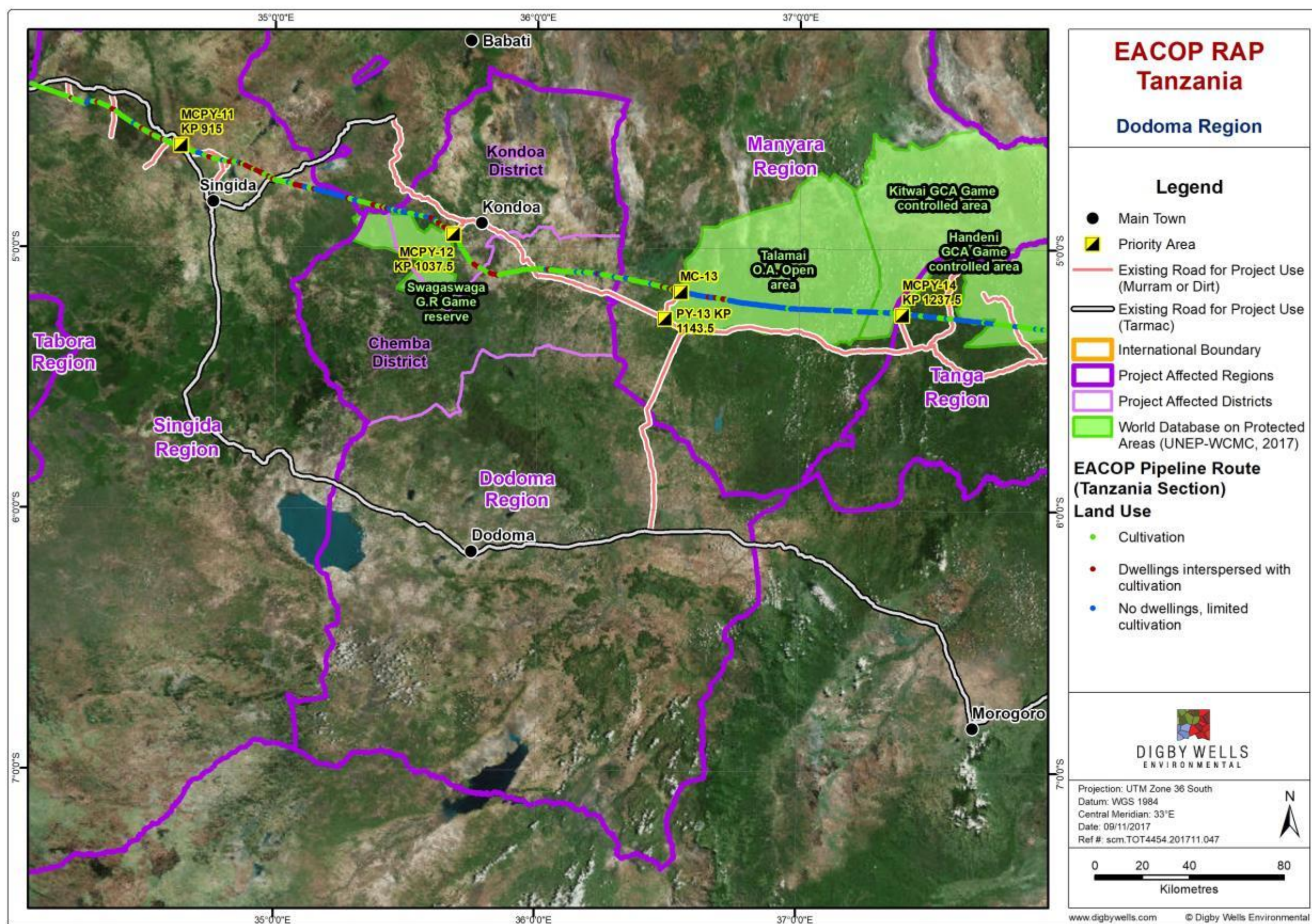
Appendix E: Regional Setting - Tabora



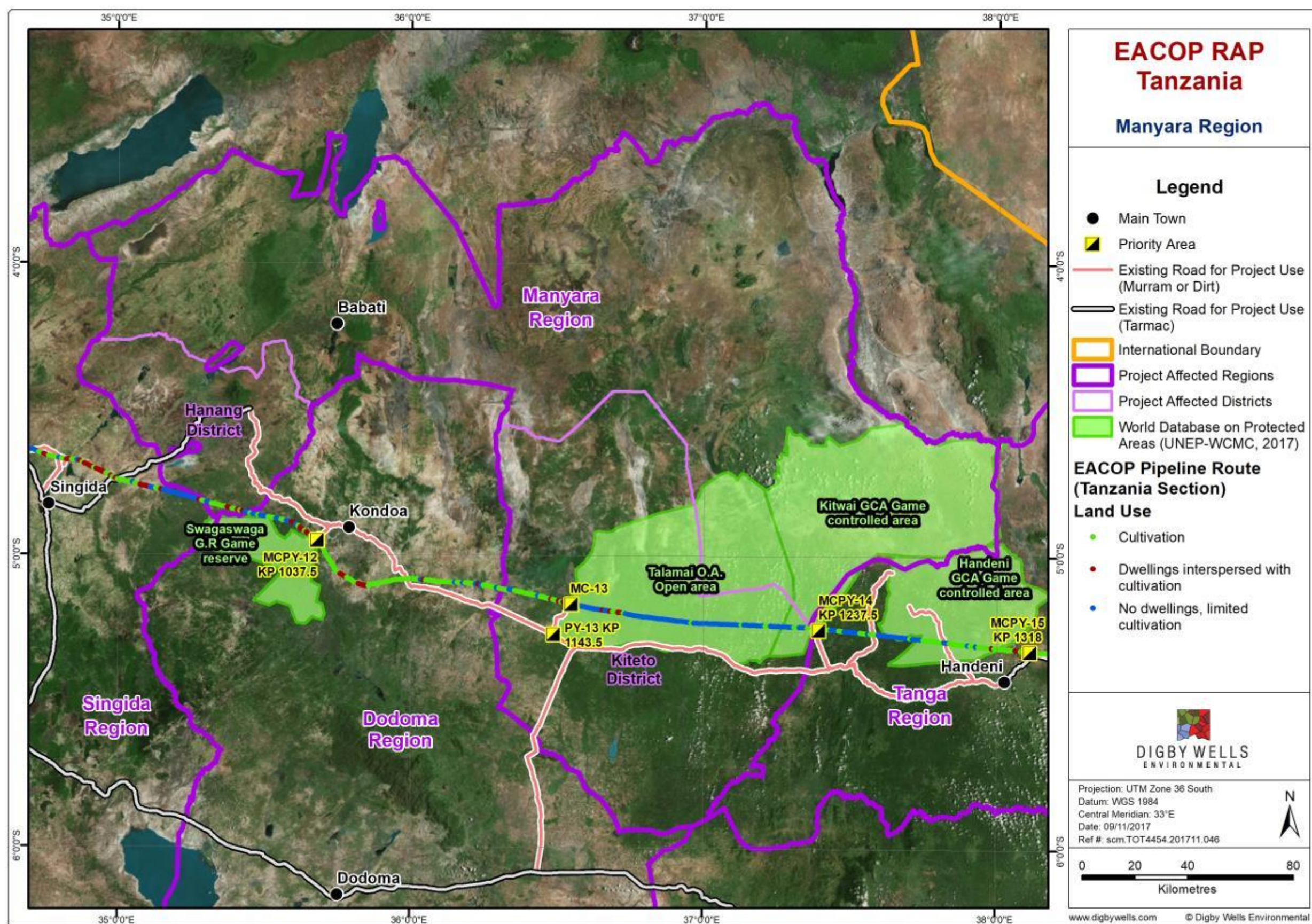
Appendix F: Regional Setting - Singida



Appendix G: Regional Setting - Dodoma



Appendix H: Regional Setting - Manyara



Appendix I: Regional Setting - Tanga

