



Brainae Journal of Business, Sciences and Technology

ISSN "2789-374X (print)" "2789-3758 (online)"

Volume 3, Issue 6, June 2019

<http://www.brainajournal.com>

info@brainae.org

ASSESSING THE ROLE, CAUSES AND IMPACTS OF DELAYED PAYMENT OF COMPENSATION ON EXPROPRIATED PEOPLE IN RWANDA

Paper Published for the Award of Doctor of Philosophy

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Received: 10th May, 2019; **Accepted:** 11th June, 2019; **Published:** 17th June 2019

<https://doi.org/10.5281/zenodo.777575>

ABSTRACT:

During expropriation, many complaints are observed and some of them are due to delayed compensation. In areas where expropriations took place, delayed payment was observed and no additional compensation paid to affected people. This has an impact on individual's income, social and economic livelihood is affected by this untimely compensation. This research was to assess the role, causes and impacts of delayed compensation in the case study. Data was collected by using purposive sampling technique and the sample size used were 43 respondents. Primary data were collected through questionnaires, observation and interview while secondary through written books and office records. Results show that the delayed compensation played a great role and it is due to various causes such lacks legal required documents (37.21%), lacks account numbers (18.60%), lacks ID cards (16.28%) and unregistered landowners on the side of landholders and lack of enough funds due to high and expensive project initiated by the expropriator (27.91%). Field results show that the delayed payment of compensation has brought so many impacts to expropriated people such as delayed to pay their medical insurance fees for their health protection which caused them to buy expensive medicines in the pharmacy without any discounts (19 households which represent 44.19%), being landless due to poverty while used to own land before being expropriated left them unable to buy other land (1 household representing 2.33%), not able to get loans from banks and other financial institutions since their land has been expropriated (12 households representing 27.91%), and delayed to pay school fees for educating and giving other basic needs to their children (11 households representing 25.58%). Researchers concluded that the expropriated persons are delayed in the payment of compensation because they are not familiar with the expropriation procedures as stated by the law and the time given of one hundred and twenty (120) days is not enough to get all required documents for those who do not meet the conditions. Based on the results of this study, researchers recommend the government to consult the decentralized and local authorities for further evaluation of the level of implementation of the laws and policy established in solving required services, especially the law relating to expropriation in the public interest in Rwanda.

INTRODUCTION

Expropriation is the power of the government to acquire private rights in land for a public purpose without the willing consent of its owner or occupant (Keith et al., 2008). It is also used as a policy instrument to correct market failures in urban development as well as the implementing of land use plans for sustainable development (Kusiluka et al., 2011; Ding, 2007). Expropriation refers to the right of the nation or state, or of those to whom the power has been lawfully delegated to condemn private property for public use, and to appropriate the ownership and possession of such property without owner's consent on paying the owner a due compensation to be ascertained according to law (Ambaye, 2009).

Delayed compensation is defined as the delay's compensation in pricing adjustment payable by the parties to secondary loan trades that closes late and intend to ensure that neither party derives an economic advantage from the delay (Alemu, 2012). The delays in payment of compensation in terms of economy of the expropriated persons, affects them for receiving prior payment to the taking of possession within a specified timeframe thereafter (Keith et al.,

2008). Untimely compensation is the delays that occurs when the expropriated person does not receive compensation of his or her land and other properties thereon within the period stated by the law relating to expropriation in the public interest while already relocated from his or her properties for establishing a particular project.

In almost all countries, government can acquire or expropriate privately held land for a public purpose as long as affected populations are compensated. The expropriation for genuine public purposes can promote public benefits by allowing the government to acquire land for developing roads, dams, schools, designating protected areas and other public purposes. In some countries however, government transfer acquired land to private companies often for the purpose of extracting natural resources for export, where these expropriations are usually justified as serving public needs by increasing public revenues, creating jobs and otherwise stimulating economic growth (Tagliarino, 2016).

In China, the process of acquiring land by the state is known as Zhengdi, those who are using the land are not taken as landowners, all land are gotten through compulsory land resumptions which is the case where ownership of the land is held by government, not the occupants of the land, during expropriation state acquires user rights over land for several times and gets it back to the original occupants, where they have only leasehold interests in land and land use of expropriated land is taken into consideration in order to determine payable amount for compensation, for example; farmland is compensated based on six or ten times of its average values of production in the past three years before being acquired, where compensation for other land is determined by state or its institutions (Chan, 2003).

In Netherlands, compulsory purchase can be applied by municipalities, provinces, water boards and the national government, the government can initiate the procedures at the beginning of negotiation process and the landowners are informed about the procedures, where this may stimulate them to sell their land voluntarily, the state makes a compulsory purchase plan that exists on a map with a list of all properties and their corresponding entitled persons, landowners are given a notice of the plan and may respond, after the responses have been processed, the government can demand a royal decree for compulsory purchase with the crown, at this stage state negotiate with landowners and make compensation entitled to them (Van-Straalen & Korthas-Altes, 2014).

Internationally, compensation of all financial harm (indemnification) is often used as ground for compensation, however in Australia emotional and injurious affection are also part of compensation, which is used to repay the expropriated persons for these losses and should be based on principles of equity and equivalence (Newell et al., 2011). In Tanzania, the president is the custodian of land and individual landholders have usufruct rights through statutory or granted rights of occupancy, the customary and other informal rights, the president is given overwhelming powers to compulsorily acquire land for public use or interest, whereas fair and prompt compensation is to be paid to the displaced population (Kusiluka et al., 2011; Kombe, 2010).

It may seem perverse in situations where strong emphasis is on disposal by public sector of land and property to give time and consideration to the rules under which the public sector may acquire property, but such rules are an important guarantee of property rights, constitutions protect the rights to compensation when property is acquired compulsorily, where fair compensation depends on a mixture of the correct legal framework, accessible independent appeal mechanisms, and competence of those involved (Adlington, 2000).

Rwanda as a developing country is looking for various tools like expropriation that can be used in order to develop infrastructures of rural and urban areas, upon payment of fair compensation. Its implementation is not easy since it is affected by improper property valuation, disturbing of landowner's rights and untimely compensation which affects lives of individuals and create family land related disputes, unemployment and poverty to the people who mostly depend on the land for their livelihood (Yirsaw-Alemu, 2013).

Rwanda's law permits expropriation for public interest, in its article 17 states that landowners prohibited to make long term activities on land after decision of expropriation has been approved otherwise the property will not be compensated, while article 36 states that the fair compensation must be paid within a period not exceeding one hundred and twenty (120) days from the day expropriation has been approved. However, there are complaints and claims that compensation is delayed and no extra payment provided for such circumstance and this affects the individual's income, social and economic livelihood is affected by this untimely compensation. Thus, this research was conducted to assess the role, causes and impacts of delayed compensation during the whole process of expropriation.

LITERATURE REVIEW

Reasons behind the delayed payment of compensation to public projects affected people

Most constitutions provide that payment of compensation must be promptly or without delay, this approach grants some flexibility to the state where the timeframe should be assessed in light of the specific experience of each state and the normal procedures in place to make an effective payment, in many countries a normal time to make such transfer would be between three and six months (UN, 2012).

Expropriation involves four key steps; planning and decision to acquire land, legal preliminaries including getting statutory authority and serving notices, field investigations including valuation and payment of compensation to those who were displaced (Ndjovu, 2003). Despite these requirements, there has been delays of up to five years and above after valuation exercise (Kombe, 2010). Poor communication, non-involvement of landowners, conflicts of landholders, lack of legal land documents and inadequate compensation sum to the affected communities and led to the delays in providing compensation (Msangi, 2011; Kombe, 2010; Ndjovu, 2016).

Viitanen et al. (2010) identified two key challenges that developing countries faces in payment of compensation to the expropriated persons; first, local government leaders prefer economic development as a way to bring their areas out of poverty and therefore offer more favorable terms to investors and their investment projects, and as a result are less concerned about landowners or occupiers whose land is acquired by the state or the developers with state approval, second is that, legal provisions are not implemented at local levels or are implemented in ways that ensure more favors for investors rather than the local expropriated persons (landowners or occupiers).

Often affected landholders and occupants have less negotiating power, experience and skills than the acquiring agency, untimely compensation occurs because they may be unaware of their rights and be under pressure to accept a promise in order to resettle elsewhere quickly, due to this cases the rich may be able to afford professional advice on timely payment of compensation but the poor are likely to be untimely compensated, also a lack of standards and poor governance practices allows corrupt officials to provide timely compensation to those who offer bribes and cause untimely compensation to those who do not offer bribes to the project implementers (FAO, 2008).

Impacts of delayed payment of compensation to the public projects affected people

The research aims to determine what types of impacts, both positive and negative expropriation may have had on expropriated person's lives and the communities in which these projects have been implemented, this may include both objective analysis (changes in income, etc.) and subjective analysis (changes in attitudes, perceptions, etc.).

Positive impacts

The government power to acquire land compulsorily is often necessary for social and economic development and the protection of natural environment, where land is acquired for investments such as roads, railways, harbors, airports, hospitals, schools, electrical lines, water and sewage facilities, protection against flooding, protection of water courses and environmentally fragile areas (FAO, 2008).

Negative impacts

The insufficient and delayed compensation were the most important issues to property owners, government stakeholders and expropriating institutions, which suggests the possibility for collaborative efforts to decrease delays and improve the integrity of the valuation process (LAF, 2015). The appropriate provisions have been inserted in legislation in many countries to deal with this issue of compensation and some of these provisions have been manifested as wholly monetary compensation, while others although still economic in nature may involve in the original place or replacement of land, with only limited monetary payment for disturbance and other losses (Hyam, 1995).

The displacement due to land expropriation is more significant issue in developing countries than developed countries because, the majority of the people in developing countries live highly concentrated in the periphery depending on agriculture with fragmented landholdings, this is common in countries like Ethiopia where land remains government's property and amount of compensation paid depends on government's decision, in many ways expropriation is a spontaneous phenomenon and untimely compensation leads to spontaneous growth displacement of rural farming community, loss of jobs, poverty, family conflict, hunger, homeless and landless (Egziabhier, 1999).

Possible solutions to the delayed payment of compensation to the public projects affected people

Many constitutions state that compensation should be paid promptly, however the period in which payment is to be made is often left undefined in relevant legislation, when the acquiring agency takes possessions before full compensation is paid, and there may be little incentive for it to make the final payment (FAO, 2008).

Some land rights that are critical to rural livelihoods, such as rights of pasture or access to forest resources may simply not be susceptible to monetization, their loss may only be genuinely addressed through the provision of alternatives, where markets for land are weak cash compensation based on fair market value may be untimely compensated for the disruption to livelihoods and social cohesion caused by a taking, for example, if communities are seeking a solution where they can remain geographical together, they may prefer to receive land as compensation rather than money, the alternative land as compensation may avoid problems that can arise when financial compensation is paid like unused large amounts of money, loss of land to farm, loss of jobs, poverty due to low income earned and so on (Lindsay, 2012).

METHODS AND MATERIALS

Sectors involved in this research a case study area

Figure 1 represents the study areas of Gakenke district which were Gakenke, Kivuruga, Mugunga and Muyongwe sectors. Gakenke is one among thirty (30) districts of Rwanda. It is located in Northern Province, where bordering the districts of Northern Province both Musanze and Burera in the North, Rulindo district in the East, Kamonyi and Muhanga districts in the South (districts of Southern Province) and Nyabihu district in the West (district of Western Province).

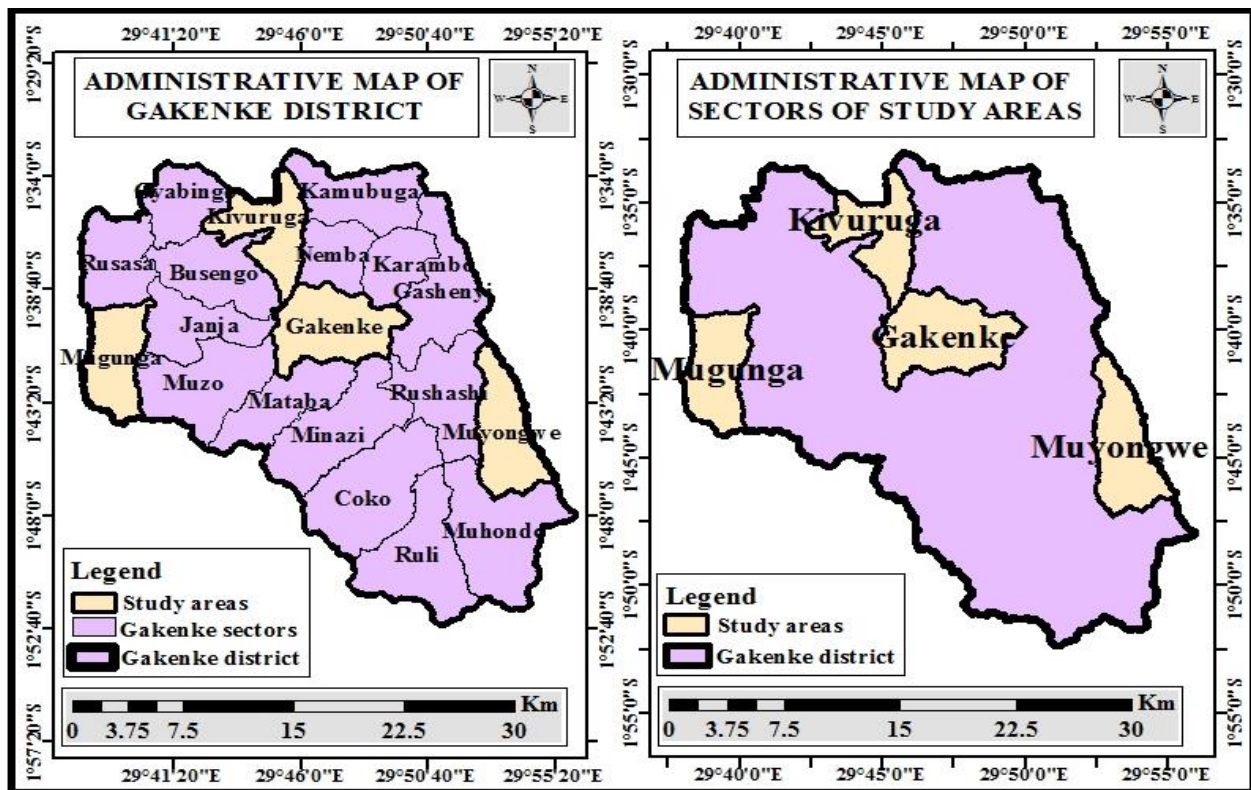


Figure 1: Presentation of Gakenke district

Data Collection

In the collection of data, the instruments such as interview, questionnaires, focus group discussion, observation and documentations were utilized.

Interview

An interview is defined as a more personal form of survey research in which questions are posed in a face to face or telephone exchange between the interviewer and respondent (Rubin, 2011). The study used face to face interview method to gather data through person's interaction, where structured and semi-structured interviews were

used to land valuator, land administrator and expropriated persons to collect qualitative data in order to address all the questions of this research.

Questionnaire

A questionnaire is defined as a set of questions that are drawn up to meet the objectives of the survey (Malhotra, 1998). Data was collected from the sample population by using questionnaires which were issued to land valuator and expropriated persons as an instrument consisting of a series of both open and closed questions and other prompts for the purpose of gathering qualitative data from the respondents.

Focus group discussion

Focus group discussion means to focus on the given respondents, under it the interviewer has the freedom to decide the manner and sequence in which the questions would be asked in group, the main task of the interviewer in case of a focused group discussion is to limit the respondent to discuss about the issues with which he or she seeks information about (Kothari, 2004). This technique was used where the researcher formed a group discussion, which was composed of five to seven members of the expropriated persons as the way of obtaining qualitative data, and to talk about the impacts of untimely compensation during expropriation and what would be the solution to the issue.

Observation

Observation is a method used in studies relating to the behavioral sciences, under the observation method, the information is sought by the way of investigator's own direct observation to the targeted object without asking from the respondents (Kothari, 2004). Researcher used observation method in the affected areas, as the way of investigating the physical appearance of the expropriated person's living conditions in Gakenke district.

Documentation or secondary data

Documentation is a method used to go through different theoretical and conceptual views on development strategies and project management, where different sources consulted to get accurate and useful information and data for the purpose of the study (Powells, 2014). The method was used in investigating the living conditions of the expropriated persons, through different published writings such as books, journals, reports, internet and so on, where the information obtained were used in order to prepare the results of this study.

Sampling technique and sample size

Due to the limitations of resources, time and logistics in contacting expropriated persons within the project of expropriation process, purposive sampling technique was adopted because it enabled the researcher to reach the targeted respondents quickly, where selected by using Yamane's formula in order to determine the sample size and which helped to investigate the units which fit the desired research objectives.

Sampling technique

Sampling technique provide a range of methods that helps to reduce the amount of data collected by considering only data from small group that represents the whole entire populations (Saunders & Allen, 2010). Under this study, purposive sampling technique was applied in selecting a sample size from the expropriated persons in Gakenke district, in order to obtain the data related to the impacts of untimely payment of compensation.

Sample size

A sample is defined as a set of individuals who selected from a large group of population and acts as a representative for them under a specific study (Bouchard & Mc-Gue, 1981). In order to assess the impacts of untimely compensation during expropriation to the expropriated persons, seventy-five (75) households (landholders) of Gakenke district has been affected by untimely compensation. The sample size of this study was selected with the help of Yamane's formula as shown below.

$$n = \frac{N}{1 + Ne^2}$$

From the formula above:

n: represents the sample size

N: represents the number of households (landholders) who were expropriated

e: represents the sampling error which is equal to 10% (0.1)

$$n = \frac{75}{1 + 75(0.1)^2}$$

$$n = \frac{75}{1 + 75(0.01)}$$

$$n = \frac{75}{1.75}$$

n = 42.857 ≈ 43

Thus, sample size of the study were 43 respondents selected from the population study.

RESULTS AND DISCUSSIONS:

Identification of surveyed respondents by gender

Table 1 shows how surveyed respondents participated in relation to their gender.

Table 1: Distribution of surveyed respondents by gender

Gender	Frequency	Percentage
Male	28	65.1%
Female	15	34.9%
Total	43	100%

Surveyed respondents under this study were given equal opportunity where both male and female participated actively in providing responses. There was enough freedom to the respondents in answering the research questions, except the instructions shown in the questionnaire which shows a symbol to be used to select a correct answer. Thus, 28 respondents who are 65.1% were male, while 15 respondents who are 34.9% were female. The researcher surveyed the respondents in relation to their gender in order to make comparison between male and female in finding solutions to the family challenges. The results show that a large number were male because they are responsible for their families and they have to provide solutions to the existing issues for better standards of living of their families. They are in charge of family's properties control.

Identification of surveyed respondents by marital status

Table 2 shows how the respondents participated in relation to their marital status.

Table 2: Distribution of surveyed respondents by marital status

Marital status	Frequency	Percentage
Single	11	25.6%
Married	32	74.4%
Total	43	100%

In this study, 11 respondents who are 25.6% were single while 32 respondents who are 74.4% were married. The researcher surveyed respondents in relation to their marital status in order to investigate the level at which land is held among different marital status. The results show that the married people held or owns and occupy land at high level than single ones. This is because the married people have permanent address in a particular area together with

their families than single people who usually migrates from one place to another place for different reasons like jobs seeking.

Identification of surveyed respondents by education level

Table 3 shows how the respondents participated in relation to their education level.

Table 3: Distribution of surveyed respondents by education level

Education level	Frequency	Percentage
Illiterate	9	21%
Primary	13	30.2%
Secondary	16	37.2%
University	5	11.6%
Total	43	100%

In this study, 9 respondents who are 21% were illiterate, 13 respondents who are 30.2% has primary level, 16 respondents who are 37.2% has secondary level while 5 respondents who are 11.6% has university level. The researcher surveyed the respondents in relation to their education levels in order to know their understandings about the law guiding their rights. The results show that most of expropriated persons have attended schools and they are able to read and write, but their education levels are low because they do not know what stated by the laws about their rights, and they are not familiar with what can be done in case of the implementation of a particular project for the purpose of public interest.

Identification of surveyed respondents by occupation

Table 4 shows how the respondents participated in relation to their occupation.

Table 4: Distribution of surveyed respondents by occupation

Occupation	Frequency	Percentage
Farmers	14	32.6%
Business	27	62.8%
Public civil servant	2	4.6%
Total	43	100.0

In this study, 14 respondents who are 32.6% were farmers, 27 respondents who are 62.8% were engaged in business while 2 respondents who are 4.6% were public civil servant. The researcher surveyed the respondents in relation to their occupation in order to know their availability and the level of focuses in solving land related issues. The results show that most of the respondents were engaged in business activities of buying and selling final products. The business requires them to keep on moving in different areas and finally lacks enough time to solve issues that exist in their properties especially the land.

Identification of the affected land use by expropriation

In this study, the respondents presented in the Figure 2 show the land use type affected by expropriation activities in Gakenke District, within the sectors of Gakenke, Kivuruga, Mugunga and Muyongwe in between 2013-2018. The initiated project activities as the purpose of expropriation in public interest leads to the change of the land use. The researcher surveyed the respondents in relation to the affected land use, in order to know the level of losses faced in land use type by the expropriated persons.

Results shows that commercial was the most affected land use amongst all the expropriated persons.

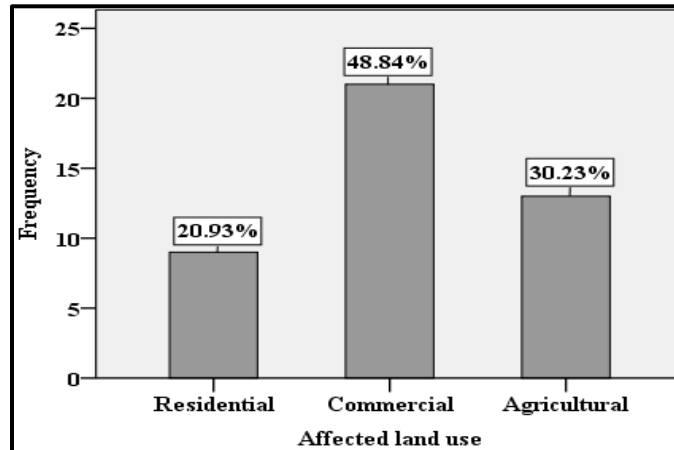


Figure 2: Land use affected by expropriation

Results obtained from the respondents as presented in the Figure 2 illustrate that the projects which were planned to be done within the study areas affected different land use, where 9 land parcels which is 20.93% were residential covered with houses, 21 land parcels which is 48.84% were commercial covered with shops, while 13 land parcels which is 30.23% were agricultural covered with different crops such as maize, beans and potatoes. Most of expropriated land parcels were located in Gakenke district because it is urban area which is developing its infrastructures such as roads and other office buildings. For instance; in Kivuruga sector the project done was the construction of Kivuruga modern market in 2014, there were eight (8) expropriated persons and they were timely paid within eight-four (84) days. In Gakenke sector the project was the construction of new Gakenke District Head Office in 2017. There were twenty (20) expropriated persons where nineteen (19) persons were untimely paid within more than twelve (12) months, while one (1) person was left uncompensated for being expropriated.

Identification of the expropriated persons in between 2013-2018

Table 5 shows the total number of expropriated persons in Gakenke district within the sectors of Gakenke, Kivuruga, Mugunga and Muyongwe in 2013-2018.

Table 5: Expropriated persons in between 2013-2018 (Gakenke district report, 2019)

Sectors of Gakenke district	Year when they signed valuation report	Total number of expropriated persons	Total number of paid persons	Total number of paid persons in less than 120 days	Total number of paid persons in more than 120 days	Total number of persons not paid	Planned project
Kivuruga	2014	8	8	8	0	0	Construction of Kivuruga modern market
Muyongwe	2015	3	3	3	0	0	Construction of school in Bumba cell
Mugunga	2016	8	8	5	3	0	Construction of Gatonde Hospital
Mugunga	2017	7	7	5	2	0	Construction of Gatonde Hospital
Gakenke	2017	20	19	0	19	1	Construction of new Gakenke District Head Office
Gakenke	2018	29	26	26	0	3	Construction Kaziba-Muzo-Janja road and Busengo cell office
Total: 4 sectors	5 years	75 persons	71 persons	47 persons	24 persons	4 persons	6 projects

Identification of expropriated persons who were timely compensated

Figure 3 shows the level at which the expropriated persons has received their full compensation on time for each year in between 2013-2018.

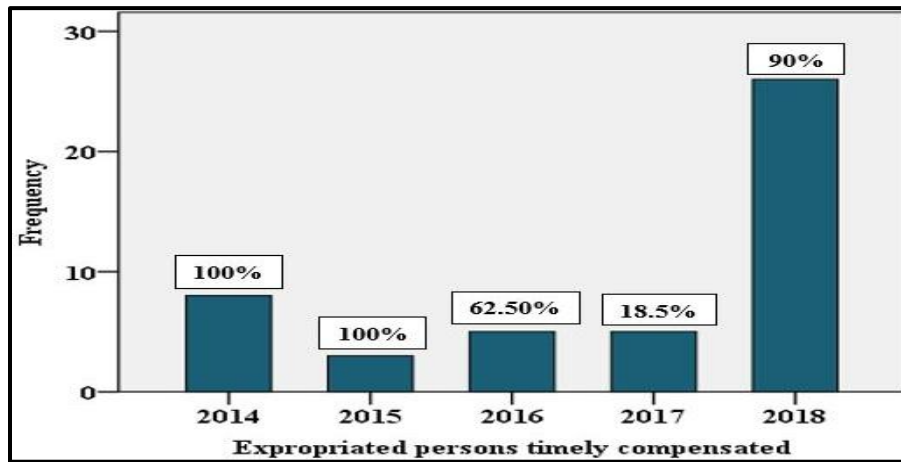


Figure 3: Level of expropriated persons who were timely compensated

Results obtained from the surveyed households as shown in the Figure 3, in 2014, 8 persons and 2015, 3 persons were timely compensated at the level of 100%, in 2016, 5 persons were timely compensated at the level of

62.50%, in 2017, 5 persons were timely compensated at the level of 18.5%, while in 2018, where 26 persons were compensated at the level of 90%. The results show that the level of compensation payment was at a very high level in 2014 and 2015 because there were few number of expropriated persons, they have fulfilled all the requirements on time and the funds for compensation were fully available, but becomes low in 2016 and 2017 because the number of expropriated persons have increased at a high level and most of them were not able to fulfill the requirements within the given time, and the expropriator has initiated large project which has required a lot of funds which were not available for paying all the necessities on time. Furthermore, compensation was at high level in 2018.

Identification of expropriated persons who were untimely compensated

Figure 4 shows the level at which the expropriated persons delayed to receive their compensation for each year in between 2013-2018.

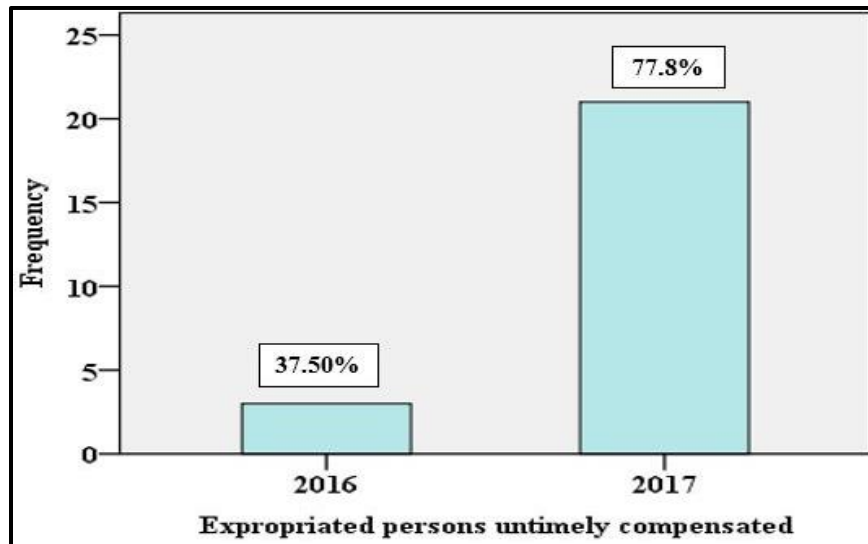


Figure 4: Level of expropriated persons who were untimely compensated

Figure 4 shows the results obtained from the surveyed respondents about the expropriated persons who were untimely compensated. In 2014, 2015 and 2018 untimely compensation was at the level of 0% means that compensations were paid fully on time, while in 2016 the expropriated persons who were untimely compensated were 3 who are about 37.50% and in 2017 were 21 who are about 77.8%, where one (1) person who is 3.70% was not compensated, and also in 2018 three (3) persons who are 10% were not compensated for their land and properties thereon during expropriation, due to the lack of all required documents on the side of the expropriated landholders.

Major causes of delayed payment of compensation to public projects affected people

Figure 5 shows the causes of untimely payment of compensation to expropriated persons.

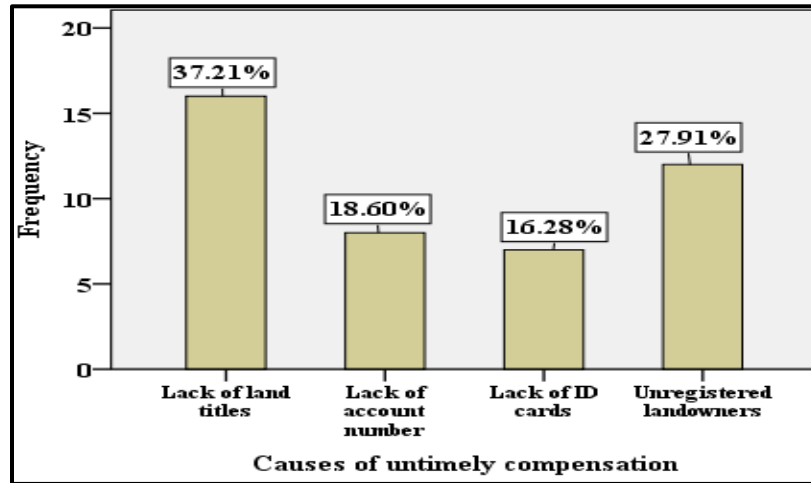


Figure 5: Major causes of untimely payment of compensation to expropriated persons

During the field survey through the use of questionnaires and interview user guide, the interviewees has pointed that most of the expropriated persons usually faced problems of not having all the necessary documents required for a particular expropriated person to be timely compensated for their land and properties thereon during the establishment of a project of public interest. The research has found that 16 households who are 37.21% lacked land titles because they did not collect them after land registration and others has lost them, 8 households who are 18.60% lacked a legal account number, 7 households who are 16.28% lacked identity cards while 12 households who are 27.91% were taken as unregistered landowners because of presenting documents with different identifications.

Unregistered landowners were found because for instance, they did not make transfer of rights over their land. The researcher found landowners who occupied land in form of heritage from their former parents and siblings. Others also own land purchased from their neighbors, but they have not made transfer of rights over the land as they way of having full rights and legal required documents that confirms full ownership. The land law in Rwanda states that, the landholder who own land which is not registered on his or her legal identifications is not his or her land.

Untimely compensation happens because landowners are not fulfilling the required documents during expropriation. Article 35 of the law relating to expropriation in the public interest in Rwanda states that in order for the expropriation to be authorized, the fair compensation must be paid to the expropriated person before he / she relocates, while article 36 states that compensation should be paid within 120 days. The expropriated persons delayed to be compensated due to the insufficient time given for them to have all the necessary documents, where becomes difficult and takes long time to get them in case any person lacked one or all the requirements.

However, on other hand untimely compensation happens because of government's untimely actions plan due to lack of sufficient budget of fiscal year, and compensation requires long official and legal approvals of list of expropriated persons and total amounts of money of fair compensation paid to the land and properties thereon from different government's institutions which is not completed within the limited time established. Due to this case the government offers more favorable terms to the projects and less concerned about landowners or occupiers whose land and properties thereon are acquired by state.

Impacts arising from delayed payment of compensation to public projects affected people

Results of this study showed that there are negative impacts arising from untimely compensation to the expropriated person's livelihoods of as shown by (Fig. 6).

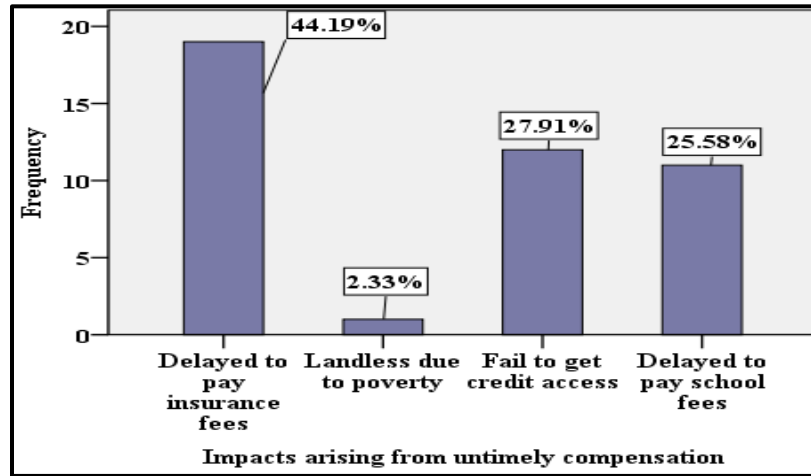


Figure 6: Impacts arising from untimely compensation to the expropriated persons

Expropriated persons have faced by various negative impacts arising from untimely compensation. Based on the results; 19 households who are 44.19% have delayed to pay their medical insurance fees for their health protection which caused them to buy expensive medicines in the pharmacy without any discounts; 1 household who is 2.33% have faced by the problem of being landless due to poverty while used to own land before being expropriated, this untimely compensation have left them unable to buy other land; 12 households who are 27.91% were not able to get loans from banks and other financial institutions since their land has been expropriated; 11 households who are 25.58% delayed to pay school fees for educating and giving other basic needs to their children.

Opinions on the compensation for the damages and interests arising from delayed payment of compensation to public projects affected people

Results and findings obtained from the surveyed households who were expropriated through questionnaires and interviews surveyed has showed that, since the individual’s life usually unable to adopt any changes in living conditions, has suggested that there should be compensation for the damages and interests arising from untimely compensation to the expropriate persons.

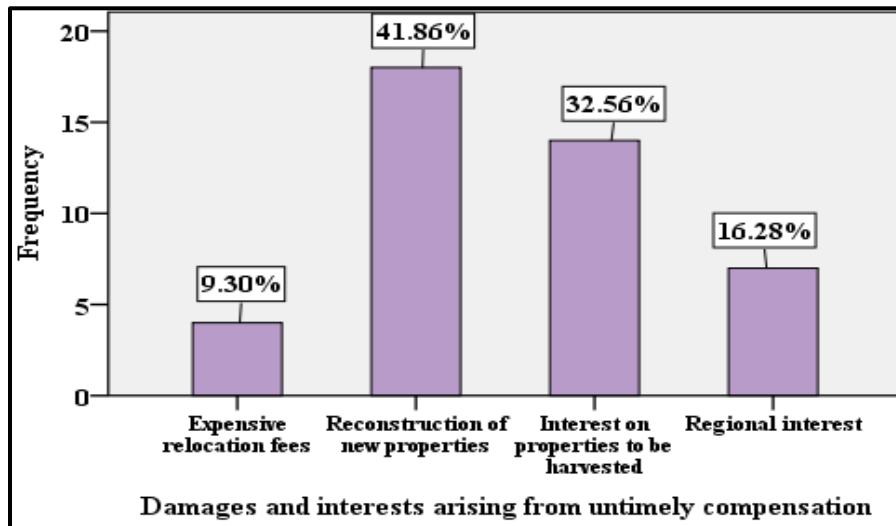


Figure 7: Compensation for the damages and interests arising from untimely payment of compensation to the expropriated persons

Results from expropriated persons showed that; 4 households who are 9.30% wished that there should be compensation for the expensiveness of relocation fees; 18 households who are 41.86% wished to received compensation on damaged properties for reconstruction of new ones; 14 households who are 32.56% wished to be compensated for the interests that were expected to be received from harvested crops; 7 household who are 16.28% wished to be compensated for the interests that were expected to be received within their original environment.

CONCLUSION AND RECOMMENDATIONS

From the findings, it was revealed that there have been various causes of delayed compensation in different areas, the expropriator has said that the expropriation has been delayed by lack of required documents which are required to be submitted by the expropriated persons for them to be compensated. Different issues have been suggested to be the causes of such delay, where most of land owners usually faces the challenges of not having their land titles, for that case he or she cannot be able to get compensation. The results from the surveyed respondents through interview has shown that, the expropriator initiate the project of high cost and lack enough funds to pay all the necessaries and

Results showed that expropriated persons faced negative impacts arising from delayed compensation. The law relating to expropriation in public interest in Rwanda in it article 36 (2) states that, if fair compensation is not paid within the period of one hundred and twenty (120) days, expropriation shall become null and void unless otherwise agreed upon between the expropriator and the person to be expropriated. However, this is not the case in practice because the expropriated persons usually claim that their compensations take long time over the period stated by the law for them to be able to get compensations of their expropriated land and properties that were thereon.

Results and findings obtained from the surveyed respondents has shown that most expropriated persons usually face different issues arising from delayed compensation. Some of them faced by high level of unemployment and now they are not able provide all the requirements for their families because the land and other properties that were used to get productivity for their better standards of living are no longer belongs to them. Others said that they are not allowed to use their land for new project that can provide the profit because the expropriator is not providing compensation; they cannot even sell it (land) to any other client because the expropriator has done valuation of land and other properties.

Law relating to expropriation in public interests in Rwanda in it article 17 states that, after the publication of the decision on expropriation in the public interest and the list of holders of rights registered on land titles and property incorporated on land, the land owner shall not develop any other long term activities on the land. Otherwise, such activities shall not be compensable during expropriation. The expropriated usually loses compensation of their damaged properties, because they were no longer allowed to repair them as well. The expropriated persons claim compensation for the interests that were expected to be received due to the regional development.

As researchers, during the interview, it was very clearly observed that expropriated people are economically and socially affected by delayed compensation and this results into unprecedented circumstances like people becoming temporarily landless, delay in paying school fees, and medical insurance etc. It should therefore be necessary to resolve this by establishing a fine to the expropriator for the untimely compensation by adding a certain percentage (%) to the initial price that expropriated person was supposed to get, let say 2% per delayed month(s).

Based on the findings, landholders should be aware of and be familiar with the laws, especially the law relating to expropriation in the public interest and fulfill all conditions and other required documents in case there is a project of public interests for being timely compensated. For the local leaders of Gakenke district, it was recommended to them to sensitize to the public to know more about all the necessaries of the expropriation procedures for project of public interest. To alleviate the situation of delayed compensation, the Government should consult the decentralized and local authorities for further evaluation of the level of implementation of the laws.

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