

## 7 PUBLIC PARTICIPATION PROCESS / STAKEHOLDER ENGAGEMENT

This chapter outlines the public information and consultation process conducted in Mozambique to support the development of this RPF. The stakeholders reached at the different stages of the studies, as well as their concerns, expectations and recommendations in view of the project, are reported along with indications on how stakeholders' inputs have influenced the proposed compensation and resettlement assistance measures proposed.

### 7.1 OBJECTIVES

General stakeholder engagement objectives for this study were to:

- facilitate the informed participation of the affected communities, authorities and other stakeholders in the development of the RPF to improve the proposed compensation and resettlement strategies and increase their credibility and support from stakeholders.
- develop a thorough understanding of national requirements, practices and expectations for compensation and resettlement processes.
- ensure that the RPF development process helps to consolidate the efforts made by EDM in order to establish lasting relationships with affected communities and other stakeholders.

### 7.2 STAKEHOLDER GROUPS

Stakeholder groups for the RPF development process are identified and briefly described in Table 7-1. A comprehensive list of Project stakeholder organizations is provided in Appendix 4a.

**Table 7-1 Target Stakeholder Groups**

Stakeholder Groups	Description
Relevant ministries and agencies at national level	Includes the regulatory bodies involved in the different aspects of the resettlement process: Environment, Agriculture, Land Planning, Forests and Cultural Heritage.
Provincial government	Includes the following provincial (Tete) directorates and services, which will be involved in the supervision and implementation of specific aspects of the resettlement process: Lands, Environment and Rural Development; Forest Resources; Geography and Cadaster; Gender and Social Affairs; Agriculture and Food Security.
Local governments	Administrators and relevant technical staff of Tete municipality, Changara district and Moatize district. Administrators of affected administrative posts (Chipembere, Moatize, Kambulatsisi and Zobué)
Customary authorities	Traditional chiefs (first, second and third echelons. These authorities are highly influential over land issues in the study area and are expected to play a key role in the search for replacement lands.
Affected communities	All the communities affected by the line route. 25 of them have been identified, distributed between 7 localities (official villages)
Displaced households	The potentially affected persons (PAPs), that are likely to be either physically or economically displaced by the Project.
NGOs	Relevant NGOs at national and local levels in the fields of conservation, environment, social development and Human Rights. Such organizations could contribute to the RPF development process through their knowledge of local issues and learnings from past resettlement processes.

### 7.3 CONSULTATION PROGRAM

Three (3) stakeholder information and consultation rounds were conducted through the development of this RPF. Those were planned according to key stages, or decision moments, throughout the study

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where the informed participation of stakeholders was expected to make the most significant contribution to the on-going analysis, namely the environmental and social scoping stage (1<sup>st</sup> round), the assessment of the preliminary line route and of PAPs' needs and preferences (2<sup>nd</sup> round) and the disclosure of the draft RPF report (3<sup>rd</sup> round). The next table outlines the stakeholder engagement process and shows, for each consultation round, the specific engagement objectives, target groups and implementation periods.

**Table 7-2 Specific Objectives, Target Groups, Meeting Formats and Timelines for the Different Consultation Rounds**

Engagement Objectives	Target Groups	Consultation Formats	Time
<b>Consultation Round 1 - Scoping (EPDA) Phase</b>			
<ul style="list-style-type: none"> <li>Identify key issues, concerns and expectations associated with the Project and the resettlement process.</li> <li>Present upcoming activities as part of RPF development process.</li> <li>Expose, validate and enhance elements of the stakeholder engagement plan.</li> </ul>	<ul style="list-style-type: none"> <li>Provincial directions</li> <li>District governments</li> <li>General public</li> </ul>	<ul style="list-style-type: none"> <li>Open public assemblies in Moatize and Tete, publicized through local media.</li> <li>Personalized invitations to target organizations and community leaders to attend public assemblies.</li> <li>Additional meetings with authorities and technical services at provincial and district levels authorities.</li> <li>Public information depositories in affected districts with all relevant information, including the preliminary scoping report.</li> </ul>	Nov. 2016
<b>Consultation Round 2 - On Provisional Line Routing and PAPs' Needs and Preferences</b>			
<ul style="list-style-type: none"> <li>Disclose the preliminary line's route to communities.</li> <li>Identify sensitive elements within the final study corridor.</li> <li>Present and discuss with communities the options for compensations, resettlement sites and assistance.</li> </ul>	<ul style="list-style-type: none"> <li>Customary Authorities.</li> <li>Affected communities / Community leaders.</li> <li>Potentially-displaced households.</li> </ul>	<ul style="list-style-type: none"> <li>Individual meetings with Customary Authorities</li> <li>Group discussions and field walks with community leaders</li> <li>Interviews with heads of potentially-displaced households (through socio-economic surveys)</li> </ul>	April 2017
<b>Consultation Round 3 – Disclosure of Draft RPF Report</b>			
<ul style="list-style-type: none"> <li>Publicize the final line routing.</li> <li>Present, validate and enhance key elements of draft report, including the proposed compensation and resettlement strategies.</li> </ul>	<ul style="list-style-type: none"> <li>Affected communities.</li> <li>Provincial / district governments.</li> <li>Relevant ministries and agencies at national level.</li> <li>NGOs.</li> </ul>	<ul style="list-style-type: none"> <li>Open public assemblies in affected districts, publicized through local media.</li> <li>Individual meetings with province and district-level authorities and technical services.</li> <li>Public information depositories in all affected districts with all relevant information, including a draft version of the RPF report.</li> </ul>	July 2017

## 7.4 RESULTS FROM INITIAL CONSULTATIONS (CONSULTATION ROUND 1)

The first public consultation round, conducted from November 14<sup>th</sup> to 18<sup>th</sup>, 2016, has served to introduce the Project to key stakeholders, to disclose the key findings from the preliminary EPDA report and to identify the key issues, concerns and expectations surrounding the Project's resettlement process. It has included two public hearings (one in Tete and the other in Moatize) which were complemented by additional meetings with a selection of key stakeholders.

Table 7-3 lists the stakeholder organizations that were reached at this stage and summarizes the key issues raised surrounding the compensation and resettlement process. Detailed consultation reports are provided in Appendix 4b (for the public assemblies) and Appendix 4c (for the additional meetings).

**Table 7-3 Consultative Meetings Held and Key Issues Raised Relative to the Compensation and Resettlement Process**

Date	Organization	Key Issues and Concerns Raised
Nov. 14 <sup>th</sup> 2016	Provincial Direction of Mineral Resources and Energy (DPRME - Tete)	<ul style="list-style-type: none"> <li>• Access to electricity is a critical need for the villages of the Project area. The Project should integrate a rural electrification component, either through the extension of the existing distribution network or through funding of solar energy projects in affected communities.</li> </ul>
Nov. 15 <sup>th</sup> 2016	Public hearing in Tete (27 participants)	<ul style="list-style-type: none"> <li>• Encroachments on densely occupied areas (inhabitants and farm plots) must be minimized as much as possible.</li> <li>• Compensation to affected families and farmers for their losses.</li> <li>• Resettlement assistance to displaced families.</li> <li>• Communities must be directly engaged in the EIA / RPF processes.</li> <li>• The Project must avoid affecting the families that were recently resettled by other development projects.</li> <li>• Hiring local manpower.</li> <li>• Electrification of the nearby communities.</li> <li>• Support to community development / Social responsibility of the Project.</li> </ul>
Nov. 16 <sup>th</sup> 2016	Public hearing in Moatize (22 participants)	<ul style="list-style-type: none"> <li>• Compensation to affected families and farmers for their losses.</li> <li>• Resettlement assistance to displaced families.</li> <li>• Hiring local manpower.</li> <li>• Electrification of the nearby communities.</li> <li>• Support to community development / Social responsibility of the Project.</li> </ul>
Nov. 16 <sup>th</sup> 2016	Chiefs of Zobué, Kamburatsitsi and Moatize administrative posts	<ul style="list-style-type: none"> <li>• Some areas crossed by the preliminary line route around Zobué and Kamburatsitsi are densely cultivated and inhabited and should be avoided. The Sweet and Kanhungue areas are highlighted as the most problematic.</li> <li>• Families recently displaced by the Vale – Nacala railroad were resettled along the EN7 road between Inhagoma and Nhamitsatsi, on the north-west side of the road. The Project should avoid affecting these recently resettled families.</li> <li>• Other major concerns raised include: <ul style="list-style-type: none"> <li>○ Fair compensation and assistance to displaced families.</li> <li>○ Job opportunities for local populations.</li> <li>○ Access to electricity for the villages affected by the transmission line, which is said to be critical for the Project's social acceptability.</li> <li>○ Access to drinking water for the displaced families.</li> </ul> </li> </ul>
Nov. 16 <sup>th</sup> 2016	Municipality of Tete – department of urban planning	<ul style="list-style-type: none"> <li>• The section of the preliminary line route between the EN7 and the Zambezi River crosses the Municipality's urban expansion area for the borough of Mpadwe. This raises a major concern as residential and industrial developments are planned in this area. Many lots have already been attributed to developers, while others are in the process of being allocated.</li> </ul>
Nov. 16 <sup>th</sup> 2016	Provincial Direction of Land, Environment and Rural Development (DPTADER – Tete)	<ul style="list-style-type: none"> <li>• The preliminary line route crosses many villages and farmed areas. Deviations must be proposed for densely occupied areas.</li> <li>• The Project is expected to provide for adequate and fair compensations and resettlement assistance. Affected communities must be directly informed and consulted during the RPF development process.</li> <li>• The Project area has experienced many resettlement processes in the past years for different projects (mining, railway, power lines). A major concern is to avoid having to resettle the already displaced families for a second time. Areas where such situations could occur are Benga and on</li> </ul>

the north side of EN7 between Inhagoma and Nhamitsatsi.

**Table 7-4 Consultative Meetings Held and Key Issues Raised Relative to the Compensation and Resettlement Process**

Date	Organization	Key Issues and Concerns Raised
Nov. 17 <sup>th</sup> 2016	Provincial Direction of Agriculture and Food Security (DPASA – Tete)	<ul style="list-style-type: none"> <li>• Compensations must be provided for losses of crops, productive trees and all improvements / labor invested in the preparation of agricultural lands.</li> <li>• The Direction has an official price chart for productive trees and crops, but this chart needs to be updated.</li> <li>• Displaced farmers are not expected to face any significant difficulty in finding quality replacement lands to restore their production. Replacement land is considered to be generally available in the area.</li> <li>• The Project will affect mostly customary and unregistered agricultural lands. However, the number of registered land rights (DUAT) has been rising in the province and some are likely to be found along the line route. These land rights are protected by the Law and will require compensation.</li> <li>• The Project should avoid affecting families that have already been resettled recently by other projects.</li> <li>• It is recommended to invite an officer from the direction of Agriculture to participate to the field surveys.</li> </ul>
Nov. 17 <sup>th</sup> 2016	Provincial Service of Geography and Cadaster	<ul style="list-style-type: none"> <li>• A few registered lands (DUAT) are likely to be affected by the line route. The service will gather the information on existing DUAT in the Project area and will share it with the consultant.</li> <li>• Compensations must be provided for losses of productive trees, crops and houses. Compensations are also required for the works and improvements made to the land, but not for the land itself. For registered land rights (DUAT), an additional compensation is required for the lost rights of use and transaction costs. Customary land rights are recognized by Law in Mozambique and therefore owners of customary lands are also eligible to compensation.</li> <li>• In land-for-land compensation strategies, it is recommended to let the displaced families, look themselves, for replacement lands. This will allow for a better consideration of each families' preferences.</li> </ul>
Nov. 17 <sup>th</sup> 2016	Moatize District Office	<ul style="list-style-type: none"> <li>• Many of the villages that will be affected by the Project do not appear on the consultant's map.</li> <li>• Between Inhagoma and Nhamitsatsi, communities and farming areas are concentrated between the EN7 and the Vale railway. To minimize impacts on communities, the line should remain to the south of Vale's railway.</li> <li>• The whole section between the localities of Lizié / Sweet and the border with Malawi also raises particular concerns, as it is densely occupied by farm plots.</li> <li>• In Benga, a few families were recently displaced for the construction of Vale's new 220 kV transmission line. The Project should try to avoid as much as possible affecting these resettled families.</li> <li>• Avoiding inhabited areas should be prioritized over farming areas. Agricultural lands are considered easier to replace than houses.</li> <li>• District officers, government technicians and representatives from the civil society should be involved in the RAP development and implementation process, for greater transparency and coordination.</li> <li>• Affected communities need to be directly engaged in the development of the RAP.</li> </ul>

## 7.5 CONSULTATIONS ROUND 2 - ON COMMUNITIES AND PAPS' CONCERNS, NEEDS AND PREFERENCES

The second public consultation round, conducted from March 31<sup>st</sup> to April 25<sup>th</sup>, 2017, in parallel with socio-economic surveys, has served to expose the project to local leaders, affected communities and potentially displaced households and document their respective concerns and recommendations. The consultation activities realized, the stakeholders reached and the concerns and views expressed by the latter are summarized below.

### 7.5.1 ACTIVITIES PERFORMED

Consultations Round 2 included the following activities:

→ **Meetings with Customary Authorities:** Informative and consultative meetings were held with local customary leaders (1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> escaloes chiefs or their representatives) in six (6) different locations along the proposed line route. These meetings have served to present the proposed line route, to inform local leaders on the upcoming field activities (socio-economic surveys) and to document their concerns, expectations and recommendations. Printed maps of the proposed line route were displayed and a project information document in Portuguese was distributed to participants. Table 7-4 indicates the date, place and participants to these meetings. Detailed minutes of meetings and a copy of the project information document are provided in Appendix 4d.

**Table 7-5 List of Meetings with Customary Chiefs**

Date	Place	Participants	Number of Participants (Excluding the Consultants)
31/03/2017	Nhaliemue Locality	Locality Chief accompanied by heads of villages	5
01/04/2017	Congonlongonde Village	Village Chief and Village members	5
03/04/2017	Nhambaloalo Village	Customary chiefs from Nhambaloalo, Nhamssebe and Chitondo villages	5
04/04/2017	Caphirizange Locality	Locality Chief, village chief and community members.	7
10/04/2017	Zobué Post Office	Administrative Post Chief, accompanied by the post officials, the representative of Moatize District Economic Activities Services and local customary chiefs (1 <sup>st</sup> , 2 <sup>nd</sup> and 3 <sup>rd</sup> escaloes)	16
22/04/2017	Machedue Village	Customary chiefs	2

→ **Focus group discussion with community representatives:** As part of the Community Survey, community leaders were engaged in a focus group discussion in each one of the twenty-five communities affected by the proposed line route. This has served to present the proposed alignment and to document community representatives' concerns, expectations and recommendations. Printed maps of the proposed line route were displayed and a project information document in Portuguese was distributed to participants. Community representatives were taken to a field walk to locate the proposed alignment and identify community assets or other elements of importance to communities likely to be impacted by the project. Communities reached through the Community Survey (including a focus group discussion and field reconnaissance walk with local representatives) are listed below.

**Table 7-6 List of Communities Consulted**

Number	Date	District	Administrative Post	Locality	Community
1	31-03-2017	Changara	Chipembere	Muchenga	Nhaliemué
2	31-03-2017	Changara	Chipembere	Muchenga	Nhaliemué
3	31-03-2017	Changara	Chipembere	Muchenga	Nhaliemué
4	01-04-2017	Cidade de Tete	Cidade de Tete	Tete	Mpadue
5	03-04-2017	Moatize	Moatize	Benga	Nhambaloalo e Nhamsembe
6	04-04-2017	Moatize	Moatize	Benga	Nhambaloalo
7	04-04-2017	Moatize	Moatize	Benga	Chinthondo
8	10-04-2017	Moatize	Zóbuè	Campirizange	Nhambulo 2
9	10-04-2017	Moatize	Zóbuè	Campirizange	Nhambulo 2
10	10-04-2017	Moatize	Zóbuè	Campirizange	Nhambulo 2
11	11-04-2017	Moatize	Zóbuè	Mussacama	Caponhatola
12	12-04-2017	Moatize	Zóbuè	Mussacama	Suite
13	13-04-2017	Moatize	Zóbuè	Mussacama	camphinembule
14	15-04-2017	Moatize	Zóbuè	Mussacama	Mboola
15	17-04-2017	Moatize	Zóbuè	Mussacama	Mboola
16	18-04-2017	Moatize	Zóbuè	Mussacama	Mboola
17	15-04-2017	Moatize	Zóbuè	Mussacama	Mboola
18	15-04-2017	Moatize	Zóbuè	Mussacama	Mboola
19	18-04-2017	Moatize	Zóbuè	Mussacama	Mboola
20	18-04-2017	Moatize	Zóbuè	Mussacama	Mboola
21	21-04-2017	Moatize	Zóbuè	Mussacama	Mboola
22	21-04-2017	Moatize	Zóbuè	Mussacama	Mboola
23	24-04-2017	Moatize	Moatize	Moatize	Machedua
24	25-04-2017	Moatize	Zóbuè	Zóbuè	candjunchi
25	25-04-2017	Moatize	Zóbuè	Zóbuè	candjunchi

→ **Household Survey:** The Household Survey Questionnaire, which was completed with the heads of all potentially displaced households, has included a number of open and consultative questions aiming to document their concerns, preferences and expectations with regard to the project and the resettlement process.

## 7.5.2 CONCERNS, EXPECTATIONS AND RECOMMENDATIONS EXPRESSED BY CUSTOMARY CHIEFS, COMMUNITY REPRESENTATIVES AND HEADS OF HOUSEHOLDS

The main issues raised by stakeholders during the second round of consultations are summarized below, according to the different groups.

### 7.5.2.1 CUSTOMARY CHIEFS

In all the meetings, local customary chiefs have emphasized on the following issues:

- **Communication:** The chiefs expect the Project to establish a sustained and transparent communication with communities throughout its lifecycle;
- **Community Development:** The chiefs welcome the Project as it is expected to contribute to the improvement of the living conditions of the displaced households and nearby communities;
- **Rural Electrification:** In particular, the chiefs expect the Project to accelerate the rural electrification process in the area;
- **Job Creation:** The Project is expected to use the local workforce for low-qualification jobs.

### 7.5.2.2 COMMUNITY REPRESENTATIVES

Open discussions held with community representatives as part of the community survey have allowed to identify some of the most important requests and expectations from communities in view of the Project. These are listed in Table 7-6, grouped under the different districts and administrative posts. Job opportunities for the local population and new boreholes to supply water to nearby communities were the two most frequently raised expectations, while the construction of health dispensaries, schools, police stations or markets were also requested by some of the villages.

**Table 7-7 Main Requests and Needs Expressed by Communities**

District	Administrative Post	Main requests and needs expressed by community representatives
Changara	Chipembere	Recruitment of local workforce for low-qualification work
		New boreholes for water supply in nearby communities
		Construction of a hospital or health dispensary
		Construction of a school
		Access to electricity or other form of energy
Tete	Ciudade de Tete	Recruitment of local workforce for low-qualification work
Moatize	Moatize	Recruitment of local workforce for low-qualification work
		New boreholes for water supply in nearby communities
		Rehabilitation of the road to Cateme
	Zóbuè	Recruitment of local workforce for low-qualification work
		New boreholes for water supply in nearby communities
		Construction of a hospital or health dispensary
		Establishment of a police station
		Construction of a market in Mussacama
		Acquisition of grinding equipment for cereals

### 7.5.2.3 HEADS OF AFFECTED HOUSEHOLDS

During the socio-economic survey, the heads of affected households were consulted on their preferences, needs and concerns regarding the resettlement process. Table 7-7 below summarizes the answers provided by heads of household on their preferences for replacement houses and on their perceived vulnerability to economic displacement. A total of 204 affected households were interviewed, out of which 23 are facing potential displacement of their dwelling and 190 are affected in economic terms (crop disruption).

**Table 7-8 Preferences of Heads of Household about Replacement Houses and their Perception of Vulnerability to Economic Displacement**

Questions / Answers	Distribution (%)
<b>PAPs facing physical displacement</b>	
<b>Who should construct the replacement house?</b>	
Replacement house should be constructed by the household, with financial support and material provided by the Project	39
Replacement house should be constructed by an entrepreneur contracted by the Project	26
No preference	35
<b>Where should the replacement house be located?</b>	
Replacement house should be located on the same land	13
Replacement house should be located on a different land, but the household would need support to identify and secure a site for it	9
Replacement house should be located on a different land already owned by the household, or accessible to it	78
<b>All PAPs</b>	
<b>If one tower happens to be located on your land, or where your crops are, do you think this could affect your capacity to feed your family or to generate incomes?</b>	
Yes	92,2
No	7,8
<b>If one tower happens to be located on your land, or where your crops are, how difficult would it be for you / your household to find another similar area to grow similar crops or perform similar activities?</b>	
Major difficulty. No access to alternative land	61,8
Difficulty. Access to alternative land, but quality is not as good	22,5
No difficulty. Access to similar land	15,7

As the table shows, PAPs facing physical displacement are divided on their preferences as of who should construct the replacement houses, with 39% preferring self-construction (with financial and material support from the Project) and 26% preferring construction by contractors. 34% were not able to express any preference. The most frequent arguments given for self-construction were to have access to money and to enjoy a greater autonomy in construction-related choices. Households arguing for the involvement of contractors have all raised that this would allow for better quality houses.

A majority of PAPs facing physical displacement have expressed a preference for replacement houses to be located on a different land, with only 13% preferring to maintain their dwelling on the same plot. Most frequent motivations expressed for the construction of new houses in a different location were to get closer to relatives or to move to the city. A large majority (78%) of PAPs have expressed a need for assistance in finding suitable land for the construction of a new house.

A strong majority (92%) of all PAPs consider that their capacity to feed themselves or to generate incomes would be affected if one tower happens to be located on the land that they cultivate. Finding replacement land to sustain their production is expected to be difficult for 84% of the PAPs, while the remaining 16% have said to have access to similar lands to cultivate elsewhere.

## 7.6 CONSULTATIONS ROUND 3 - ON DRAFT ESIA AND RPF REPORTS

This last round of stakeholder information and consultations has served to expose the main findings and recommendations contained in the preliminary ESIA and RPF reports in order to pre-validate these elements and obtain feedback and suggestions from stakeholders, to improve them. The activities carried out, the organizations reached and the results obtained are summarized below. The list of signatures as well as the meeting minutes are presented in Appendix 4e.

### 7.6.1 DISCLOSURE OF INFORMATION AND ANNOUNCEMENT OF PUBLIC MEETINGS

In accordance with EIA regulations and considering the type and nature of I&APs identified, were used two (2) complementary methods for the dissemination of the project and its public consultation, including:

- Ads in the media;
- Sending direct invitations through letters, faxes and emails.

Media disclosure has the objective of disseminating information to the general public about the Project and Public Participation Process (PPP). As such, newspaper adverts were made. The adverts were placed in Mozambique's main newspaper (*Jornal Noticias*) in the weeks prior to the public consultation meetings. An example of an advertisement in the paper is presented in Appendix 4e.

Individual invitations, through personalized letters, were also used in order to ensure the dissemination of the information on the public consultations to institutional stakeholders, including governmental and non-governmental institutions. The letters were sent in the two weeks preceding the public meetings and during the week preceding the consultation was followed up these invitations, through the use of phone calls.

In order to allow the consultation of technical documentation, the Preliminary Report of the EIA, including its Non-Technical Summary (NTS), was made available to the public at the following locations during the two weeks before the public meetings:

- National Directorate of Environmental Impact Assessment (DNAIA - MITADER) in Maputo;
- Provincial Directorate of Land, Environment and Rural Development of Tete;
- Administrative Post of Zóbué;
- Administrative Post of Kambulatsisi;
- Consultec Office, Maputo;
- Consultec's Website: [www.consultec.co.mz](http://www.consultec.co.mz) (throughout the consultation period -11 August to 15 September);
- EDM Office, Maputo.

It should be note that following this last round of consultation this RPF and subsequent RAP will be cleared by the government of Mozambique and the World Bank and disclosed with translation locally in a language that surveyed people and stakeholders understand. It will also be disclosed in the World Bank external website. For any changes to these instruments, the same clearance and disclosure protocols will be followed.

### 7.6.2 CONSULTATION MEETINGS HELD

Two (2) open public meetings were conducted (in Tete and Moatize cities), aimed at the authorities, institutional stakeholders and the general public and four meetings with the communities (locality chiefs; Leaders and representatives from all villages covered by the project).

Meetings took place from August 28<sup>th</sup> to 31<sup>st</sup>, 2017, 15 days after the publication of the first ad in the paper, in order to provide sufficient time for the I&AP to effectively participate in public meetings.

The following table indicates the location and date of the public meeting as well as the number of registered participants.

**Table 7-9 Public meetings held during consultation round 3**

Local	Place	Date (2016)	Participants
Tete	Conference Room Hotel VIP	Aug. 28 <sup>th</sup>	29 registered participants, including: <ul style="list-style-type: none"> <li>Representatives of the Tete Provincial Government - Permanent Secretariat.</li> <li>Representatives of government institutions and state enterprises, including: DPTADER, DIPREME, DPTC and DPGCAS.</li> <li>Representatives of other entities and companies, including: FIPAG, ARA Zambeze.</li> <li>Representatives of government institutions of Changara District, including: Permanent Secretary, district directors.</li> <li>Representatives of Benga.</li> <li>Representatives of Kambulatsisti Administrative Post.</li> <li>Members of Civil Society.</li> </ul>
Moatize	Hotel Moatize	Aug. 29 <sup>th</sup>	16 registered participants, including: <ul style="list-style-type: none"> <li>Representatives of the Provincial Directorate of Land, Environment and Rural Development;</li> <li>Representatives of government institutions and state enterprises, including: District Services of Planning and Infrastructure, Mozambique Railways, District Services for Economic Activities;</li> <li>Representatives of Zobué Administrative Post accompanied by the Locality Chiefs of Caphirizange, Mussacama and Zobué Sede;</li> <li>Representatives of NGOs, including: Human Rights League;</li> </ul>
Muchenga	NhalicumueVillage	Aug. 30 <sup>th</sup>	24 registered participants, including: <ul style="list-style-type: none"> <li>Representative of the district administrator;</li> <li>Representative of the administrative post chief and Locality Chief;</li> <li>Leader of the village affected by the project;</li> <li>Representatives of the village;</li> </ul>
Benga	Nhambaloalo Village	Aug. 31 <sup>st</sup>	16 registered participants, including: <ul style="list-style-type: none"> <li>Village Leaders of Nhassembe; Nhambaloalo and Chintondo;</li> <li>Representatives of the three villages;</li> </ul>
Campirizange	Campirizange	Aug. 31 <sup>st</sup>	26 registered participants, including: <ul style="list-style-type: none"> <li>Representatives of the Locality Chief Head.</li> <li>Leaders from all villages of the Locality.</li> <li>Representatives of the villages.</li> </ul>
Mussacama	Mussacama	Aug. 31 <sup>st</sup>	48 registered participants, including: <ul style="list-style-type: none"> <li>Locality Chief.</li> <li>Leaders from all villages covered by the project.</li> <li>Representatives from all villages.</li> </ul>

#### 7.6.2.1 OPEN PUBLIC MEETINGS SUMMARY

The consultation meetings were conducted using an audiovisual presentation about the Mozambique-Malawi 400 KV Interconnection Project and the main findings of the ESIA report. Explanatory posters were displayed in the public meetings, describing the project and the EIA process. Also, the Non-Technical Summary (NTS) of the ESIA and RPF was distributed among the participants. Following the presentations, a period for open debate was given, in which I&AP were encouraged to express their opinions and submit questions, concerning either the Project or the EIA and RPF Process.

The meetings' presentations and answers to comments received were conducted in a simple, objective and clear speech, to ensure that all participants fully understood the presentation and the following discussion. In the Tete and Moatize meetings, no translation to Portuguese or English was necessary. In the communities, translation from/to Portuguese and local dialects were provided by local translators, to ensure an active participation of all attendees.

At the end of the meetings, I&AP were informed that further comments and suggestions could be sent to the e-mail, fax or postal addresses provided in the meetings and in the NTS by September 16<sup>th</sup>, 2017.

#### **7.6.2.2 MEETINGS WITH THE COMMUNITIES**

As part of consultation round 3, meetings were held with the communities located within the ROW.

The presentation of the preliminary ESIA was made in Portuguese and in some communities translated into the local language, since most participants do not understand the Portuguese language. The presentation was made by Consultec with illustrative laminated posters of the project, maps showing the location of the powerline and Matambo's substation in relation to communities, the legal procedures for an ESIA, and the main environmental and social issues that the project could bring, the specialist studies done to address these issues as well as the Resettlement Policy Framework.

After the presentations, a discussion took place, where the communities were given the opportunity to present the main questions, comments and concerns. The questions were answered by the consultant or the person best placed to answer the question, in this case, the project proponent EDM.

The consultant informed the community that if there were aspects that have not been properly clarified or if other aspects arise or not mentioned that they consider relevant to the project, they would have 15 days after the meeting to forward these issues. These could be sent to their leaders and they will make the proper referral until the information reaches the consultants and be incorporated.

The main objectives of these meetings were to:

- Transfer knowledge about the project;
- Present the project's potential environmental and socioeconomic impacts, which are relevant to the consulted communities;
- Present potential mitigation plans in order to improve the positive impacts and reduce the negative ones; and
- Clarify any queries and collect any comments and concerns which the population may have about the Resettlement Policy Framework (RPF).

#### **7.6.3 KEY ISSUES AND CONCERNS RAISED**

The main issues, suggestions and comments raised during the public participation process during consultation round 3 were related to the following issues (Table 7-10).

**Table 7-10 Main Issues of Concern Raised during consultation round 3**

SUBJECT	MAIN ISSUES, CONCERNS AND QUESTIONS RAISED
On the EIA process	<ul style="list-style-type: none"> <li>• Consideration of the development plan for the Zambezi Valley</li> </ul>
On technical aspects	<ul style="list-style-type: none"> <li>• Parallelism with Vale's line</li> <li>• Specific coordinates of the line</li> <li>• Foreseen schedule for the construction works</li> </ul>
On biophysical aspects	<ul style="list-style-type: none"> <li>• Mitigation measures for the impacts on flora and fauna</li> <li>• Man-wildlife conflicts</li> </ul>
On socioeconomic aspects	<ul style="list-style-type: none"> <li>• Mitigation measures related to the presence of workers coming from other places</li> <li>• Impacts on the existing roads</li> <li>• Hiring local manpower</li> <li>• Electrification of the nearby communities</li> </ul>
Resettlement Policy Framework	<ul style="list-style-type: none"> <li>• Definition of the Resettlement Policy Framework</li> <li>• Access to the Resettlement Policy Framework Report</li> <li>• Involvement of district authorities in the field work</li> <li>• Attention to vulnerable groups</li> <li>• Possible increase in the number of families affected compared to the current ones</li> <li>• Justice in the compensation process</li> <li>• Water resources and social infra-structures</li> <li>• Continuation of planting activities</li> <li>• Foreseen schedule for the resettlement</li> <li>• Update of the Socioeconomic and Inventory Census</li> <li>• Location of the resettled families and their crop fields</li> <li>• Registration of farmers and owners of agricultural parcels</li> <li>• Future compliance with established</li> </ul>

## 7.7 CONSULTATIONS AT RAP STAGE

Stakeholder engagement will be an integral part of the RAP development process. It is defined as an iterative process by which the public's input on matters affecting them is sought and incorporated in project planning as early as possible.

### 7.7.1 OBJECTIVES

General stakeholder engagement objectives for the RAP are:

- Adhere to national and international requirements, practices and expectations for compensation and resettlement processes;
- Inform and allow participation of every level of governance and other stakeholders during all stages of the RAP preparation;
- Develop a thorough understanding of national requirements, practices and expectations for compensation and resettlement processes;
- Ensure a transparent, inclusive and participative RAP elaboration process with participation of all socio-economic and ethnic groups of PAPs along with youth, etc. in all stakeholder rounds;
- Provide displaced persons and their communities, and any host communities receiving them, timely and relevant information on resettlement options, and offer opportunities to participate in the complete RAP planning;

→ Mobilize stakeholders for the implementation and steps following the RAP elaboration.

### 7.7.2 STAKEHOLDER GROUPS

Stakeholder groups for the RAP development process are suggested and briefly described in Table 7-11.

**Table 7-11 Target Stakeholder Groups**

Stakeholder Groups	Description
Relevant ministries and agencies at national level	Ministry of Land, Environment and Rural Development (MITADER), Ministry of Mineral Resources and Energy (MIREME), Electricidade de Moçambique, Fundo Nacional de Energia (FUNAE), Ministry of Agriculture and Food Security (MASA), Ministry of Gender, Children and Social Protection, National Roads Agency (ANE), Ministry of Culture and Tourism (MCT), Mozambique Civil Aviation Institute (ACM), Mozambique Railways Company (CFM)
Provincial / Regional authorities and technical services	Tete Provincial Government, Provincial Directorates (DPTADER; DPREME; Agriculture; Gender, Children and Social Action; Transports and Communications; Culture and Tourism)
District authorities and technical services (LGA)	Tete City Municipality, Moatize District Government, Changara District Government
Affected communities	All communities (villages and towns) affected by the line route. They are represented by village leaders. i.e. Communities of Changara District, Communities of Tete Municipality, Communities of Moatize District as well as by focus groups of women and elders
Potentially-displaced households	Potentially affected persons (PAPs), that are likely to be either physically or economically displaced by the project, including women, elders, youth, etc.
Industrial and commercial stakeholders	Industrial or commercial organizations potentially affected by the line route. May include large commercial farms and industrial sites (eg. Vale Coal Mine, Corredor Logistico Norte, Benga Coal Mine)
NGOs	Relevant NGOs in the fields of social development, human rights and gender at national or provincial levels

### 7.7.3 CONSULTATION PROGRAM

Four stakeholder information and consultation rounds are suggested during the RAP preparation. Those are planned according to key stages, or decision moments, throughout the study where the informed participation of stakeholders will likely to make the most significant contribution the RAP.

**Table 4-15 Objectives, Target Groups, Meeting Formats and Implementation Periods for the Different Consultation Rounds**

RAP activities	Engagement Objectives	Target Groups
<b>Consultation Round 1</b>		
Start of RAP preparation process, information and key stakeholders' mobilization	<ul style="list-style-type: none"> <li>→ Review of the project and previous activities done during the RPF elaboration</li> <li>→ Validate territory issues raised during the ESIA / RPF process and identify potential new issues</li> <li>→ Inform key stakeholders of the RAP preparation steps and activities for them to inform their constituents and be mobilized</li> <li>→ Presentation of the stakeholder</li> </ul>	<ul style="list-style-type: none"> <li>→ Central ministries and national agencies including those in charge of gender issues</li> <li>→ Regional administrative authorities and technical services including those in charge of gender issues</li> <li>→ District administrative authorities and technical services (LGA)</li> </ul>

	<p>engagement programme</p> <ul style="list-style-type: none"> <li>→ Discussion on upcoming census, including the cut-off date</li> <li>→ Discussion on wayleave markers installation activities</li> <li>→ Collect concerns and expectations associated with the RAP</li> <li>→ Validate or enhance elements of the stakeholder engagement plan.</li> </ul>	<ul style="list-style-type: none"> <li>→ Traditional authorities</li> <li>→ NGOs</li> </ul>
<p><b>Consultation Round 2</b></p> <p>Census and affected communities' consultation and participation</p>	<ul style="list-style-type: none"> <li>→ Undertake the census survey: households and communities</li> <li>→ Involve stakeholders in the identification of sensitive elements or to consider in the RAP, including displacement of heritage sites and future development projects;</li> <li>→ Expose, validate or enhance key elements of the previous RPF, such as entitlement matrix and compensation / livelihood restoration options, grievance mechanism and procedures</li> <li>→ Allow potentially-displaced households to voice their preferences, concerns and suggestions with regards to compensation options and resettlement assistance needs, including identification of new resettlement sites and host communities</li> <li>→ Identify vulnerable groups and their particular needs</li> <li>→ Organize focus group consultations with specific stakeholders such as women, elders, borders authorities, etc. to list their opinion, concerns and advice.</li> </ul>	<ul style="list-style-type: none"> <li>→ Potentially-displaced households (through socio-economic surveys)</li> <li>→ Potentially affected industrial / commercial stakeholders</li> <li>→ Community leaders in affected villages, villages and senior headmen (through socio-economic surveys)</li> <li>→ Vulnerable groups (through socio-economic survey and focus group consultation)</li> <li>→ Borders authorities</li> </ul>
<p><b>Consultation Round 3</b></p> <p>Preliminary census results and RAP key content validation</p>	<ul style="list-style-type: none"> <li>→ Present, preliminary results of the census to key stakeholders;</li> <li>→ Validate and agree on key elements for the final Draft RAP, including: <ul style="list-style-type: none"> <li>■ Eligibility criteria</li> <li>■ Entitlement matrix and compensation</li> <li>■ Livelihood restoration measures</li> <li>■ Grievance mechanism and procedures</li> <li>■ Host communities and potential resettlement sites alternatives</li> <li>■ Capacity building program</li> <li>■ Institutional framework and organizational responsibilities</li> </ul> </li> <li>→ Discussion on land, crops and structure replacement costs;</li> </ul>	<ul style="list-style-type: none"> <li>→ Regional administrative authorities and technical services including those in charge of gender issues</li> <li>→ District administrative authorities and technical services (LGAs)</li> <li>→ Traditional authorities and communities' leaders</li> <li>→ NGOs</li> </ul>

	<ul style="list-style-type: none"> <li>→ Discuss identified vulnerable groups and specific assistance needs and agree on resettlement measures for each group, including cross-border groups</li> </ul>	
<p><b><u>Consultation Round 4</u></b> Final Draft RAP report presentation</p>	<ul style="list-style-type: none"> <li>→ Presentation of the Final Draft of the RAP and all its components</li> <li>→ Collect concerns, comments on RAP key components such as: entitlement matrix and compensation / livelihood restoration, grievance mechanism and procedures, host community, resettlement potential sites, etc.</li> <li>→ Present and discuss on the institutional framework and organizational responsibilities</li> </ul>	<ul style="list-style-type: none"> <li>→ Central ministries and national agencies including those in charge of gender issues</li> <li>→ NGOs</li> </ul>



## 8 ELIGIBILITY CRITERIA

### 8.1 ELIGIBILITY CRITERIA

This RPF provides guidance to preparation of RAP which will provide compensation and assistance to the individuals, households and communities that are directly and involuntarily affected by project-induced taking of land, or land use restrictions, resulting in<sup>7</sup>:

- Relocation or loss of shelter.
- Loss of land or other assets, or loss of access to land or other assets.
- Loss of income sources or means of livelihood, whether or not the affected persons must move to another location.

Eligibility for compensation and resettlement assistance under this RPF requires that the affected assets or land-based activities must have been located within the area that is directly affected by the Project (i.e. the line's ROW as well as any land take for the access roads and any other structure or equipment associated with the Project) when the census begins and before the cut-off date is established. Ownership or right of usage of affected lands and assets must be legally registered or recognized in the local community.

### 8.2 CATEGORIES OF PROJECT AFFECTED PERSONS

Based on field observations, stakeholder consultations and socio-economic surveys, the following categories of Project affected persons (PAPs) are likely to be eligible to compensation and resettlement assistance:

- owners of dwellings and outlying structures;
- owners of commercial structures;
- renters of dwellings or business structures;
- owners of registered land use rights (DUAT);
- owners of customary land use rights;
- tenant farmers;
- municipal or district councils (in case of losses of municipal lands);
- communities (for losses of community assets and productive areas);
- Informal occupants or users of any type of land or commercial structures;
- communities using religious sites or structures;
- communities using social/public services or utilities.

There are 23 dwellings in the surveyed area. All of them are occupied by owners. Secondary and commercial structures were not found in the surveyed area.

Farmers on customary lands are expected to constitute by far the most important group of PAPs. This category comprises the families which have been allocated land under the traditional land tenure system. According to the information received from the provincial and district services during consultative meetings, a limited number of tenant farmers are also likely to be found in the surveyed area, mainly urbans from Tete and Moatize having crops in rural areas under different forms of agreements with customary land owners. The number of registered land rights (DUAT) in the affected area is unknown at the moment.

<sup>7</sup> As stated in the WB OP 4.12 on Involuntary Resettlement, art. 3 (impacts covered).

According to the socio-economic surveys, no assets associated to the two (2) areas of municipal lands – namely the Mpadwe urban expansion area in the Municipality of Tete and the Cateme urban expansion area in the district of Moatize – are affected in the area covered by the baseline survey.

### **8.3 ENTITLEMENT AND COMPENSATION MATRIX**

Following the apparent gap between Mozambique laws on resettlement policy and that of the World Bank, this RPF has been prepared to align with the World Bank Operation Policy which generally indicates best practices for rehabilitation of livelihoods of people affected by the implementation of the project.

The matrix follows WB standards which state that:

- a) all compensations will be at replacement value;
- b) Depreciation and salvage value will not be subtracted from the compensation value;
- c) PAPs will be allowed to salvage the material;
- d) market price used, will be the current market price.

The entitlement and compensation strategies for the different types of losses and categories of PAPs are exposed in Table 8-1 using an Entitlement and Compensation Matrix.

Table 8-1 Preliminary Entitlement and Compensation Strategies for the Different Types of Losses and Categories of PAPs

Type of Loss	PAPs	Entitlement	Nature of Compensation
Structures	Dwelling occupants, including informal occupants but except for renters	Compensation at full replacement cost for primary structures (houses)	In-kind (improved house) or cash (full replacement cost), as preferred by PAP
		Compensation at full replacement cost for secondary structures associated to the dwelling or to any productive activity	Cash
		Moving allowance	Cash
		Disturbance allowance	Cash
	Business owners	Compensation at full replacement cost	Cash
		Moving allowance	Cash
		Loss of profit allowance (covering for two (2) months' business or time necessary to re-establish business)	Cash
	Renters	Moving allowance (covering for two months' rent)	Cash
		Disturbance allowance and assistance in locating suitable property In case of high vulnerability, an option to be included in the resettlement housing	Cash
Land Use Rights	Owners (customary or registered land use rights)	Compensation for land improvements (investments in land preparation and development)	Cash
		For farmers losing 20% or more of their productive land: Assistance in finding replacement agricultural land + Allowance covering for the fees associated with the search, acquisition and clearing of replacement land of similar characteristics in the same area (and of a minimum of 5 ha in rural area). If replacement land is not found in time to guarantee the next harvest, cash compensation for the loss crop will be necessary.	In-kind (assistance) and cash (allowance)
		Assistance and training through agricultural extension services over a transition period of three (3) years.	In-kind
	Tenant farmers and informal growers/users	Assistance in finding new land to farm	In-kind
	Municipal / District Councils	Replacement of municipal land losses through community investment / development project to be agreed with PIU at RAP implementation	In-Kind
Crops and productive trees	Owners (formal or informal)	Compensation at market value for any loss production of annual crops	Cash
		For perennial crops and trees, compensation at market value (full replacement cost) over the period required for the new crops or trees to reach maturity	Cash
Loss of income due to loss of employment at affected businesses	Permanent loss (displacement of business) for all concerned PAPs	Severance pay equal to three (3) months average pay	Cash
		Monthly unemployment support (half of monthly average pay starting above poverty level + assistance in finding a job for up to one (1) year)	Cash
		Reorientation assistance	Cash
		Transitional assistance to ensure access to food and health services during transition	Cash
	Temporary loss (relocation of business) for all concerned PAPs	Severance pay equal to three (3) months average pay	Cash
		Monthly unemployment support (half of monthly average pay starting above poverty level + assistance in finding a job for up to one (1) year)	Cash and in-kind
		Cash compensation equal to one half average monthly	Cash
<b>COMMUNITY ASSETS</b>			
Graveyard		Fees for required rituals	Cash
		Assistance in relocation of tombs	Cash or in-kind, as preferred by PAPs
Boreholes		Construction of replacement boreholes	In-Kind
Community equipment (school, church, football ground, etc.)		Construction of new assets outside of the ROW or at resettlement sites	In-kind
Community forests / firewood fetching area		Reforestation in areas identified by the communities	In-kind
Natural resources access		Maintain or provide alternative access to livelihoods resources	In-kind or cash
Animals or pastoral sites		Assistance with translocation of any animal and domestic animals as needed, assistance in finding new land, pastoring and watering holes or sites for animals	In-kind or cash

Notes: Vulnerable people, in addition to entitlements as listed above, are entitled to special assistance from the PIU as needed to participate effectively in the resettlement process. Entitlements are presented separately for each category of affected household/entity; some households may qualify for entitlements in more than one category (for example, a household that is physically and economically displaced may qualify for the entitlements for both these categories. e.g. households losing their residential structure and losing agricultural land). Although in kind compensation is preferred, PAPs will be given the option of cash compensation if desired.



## 9 VALUATION AND COMPENSATION METHODS

### 9.1 COMPENSATION FOR HOUSES

The baseline survey shows that a total of 40 households (19.7%) are physically located in the study area including the hamlet near the Matambo substation. As prescribed by the World Bank, it is better to rebuild dwellings of better quality than their original condition. The replacement houses will provide to PAPs with minimum, sustainable living standards, which is considered to be a house of 70 m<sup>2</sup> with three (3) bedrooms and made of conventional material (estimated price of 40,000 USD – average value of a house of this type in Tete). The project must not go lower than this standard. As mentioned, new houses must follow the social and cultural characteristics of the resettlement place. All compensation rates are presented in Appendix 5. A budget of 96,000,000 Mt has therefore been calculated for the reconstruction of all affected primary structures.

If possible, affected houses will be rebuilt a few meters from their current location (outside the wayleave). The structures will have to be moved on another land parcel that belongs to the same household or on a new land that will be found by EDM. In each case, the new parcel must be located near the project area. In the case of a compound, if only one (1) primary structure is impacted, it is still prescribed to move all the compound. The organization of the structure will be discussed with each household to determine the layout of the rooms. Although in kind compensation is preferred, PAPs must be given the option of cash compensation if desired. The possibility of reconstruction will also be offered to the households while being supervised and constrained to respect predetermined standards.

The survey indicated that the 40 households currently located in the surveyed area do not own land outside the area, and therefore a new piece of land will have to be found for the reconstruction of the property. It is estimated that 5,000 m<sup>2</sup> per house (residential land) is necessary to move them. The Mozambican land law states that people are not allowed to buy or sell land. Thereby, the state will find lands for the resettlement of every PAP.

To these costs, must be added the Land Use Right (DUAT) which includes all the administrative cost and taxes (registration fees, land taxes, etc.). This amounts to 480,000 Mt (200 USD X 40 households). All relevant purchase charges are included in that estimate.

Furthermore the WB following principles must be applied: 1-Depreciation and salvage value will not be subtracted from the compensation value; 2) PAPs will be allowed to salvage the material; 3) market price used will be current market price.

### 9.2 COMPENSATION FOR SECONDARY STRUCTURES

The survey on the 55 m proxy alignment did not identify any secondary structures that are expected to be affected by the project. This information will be updated for the final alignment and wayleave during the RAP final census.

However, according to the Decree 31/2012 every reconstruction of new houses ( estimated at 40 within the 55m proxy alignment) must include a kitchen and a toilet.

Compensation amounts for these toilets and kitchens are included in the total compensation amount for main structures (40,000 USD per main structure).

### 9.3 COMPENSATION FOR AGRICULTURAL PRODUCTION

The compensation allocated for harvest loss during the construction phase will vary depending on whether or not people have time to harvest. Compensation for crop losses will be calculated during the project implementation phase, based on harvests<sup>8</sup>.

As mentioned in chapter 6 (sections 6.3.2 and 6.3.3), a total of 190 households have a cultivated land in the 55 m proxy alignment baseline survey area.

A compensation for the loss of agricultural production was calculated according to the compensation table presented by the Provincial Directorate of Agriculture. Compensation is based on the affected area, production and loss of income from land use restrictions under the line for one (1) year. The compensation associated to the loss of agricultural production amounts is estimated at 1,800,488 Mt (30,008 USD).

As already mentioned, according to the Mozambican land law, no piece of land must be bought to replace the affected parcels. EDM will find new land parcels for every PAPs.

At the time of socio-economic surveys, some lands had no crops and were in fallow. To compensate these lands and their potential production at the time of the RAP, a compensation associated with the most common crop, which is maize, should be calculated<sup>9</sup>.

### 9.4 COMPENSATION FOR TREES

Households (16) in the 55m proxy alignment baseline survey area have a total of 179 fruit trees. All trees will have to be cut and compensated<sup>10</sup>, and cannot be replanted in the area of the line. This will be a permanent loss over the years.

The total compensation for affected trees is estimated at 1,624,610 Mt (27,077 USD) and will be updated in the final RAP to cover the final alignment and wayleave

### 9.5 ACCESS ROADS AND WORKERS CAMPS

The allowance required for temporary workers to access roads is budgeted to account for the damages or temporary impacts on land for which the owners must be compensated. The budget for these damages is estimated at 5,029,083 Mt or 83,818 USD (5% of the RAP).

<sup>8</sup> The given price per kg for each crop has been multiplied to its yield per m<sup>2</sup> to get the compensation amount per m<sup>2</sup>. This amount was then multiplied by the area of each crop. The compensation rates per crop are presented in Appendix 5.

<sup>9</sup> There is no compensation rate for fallow land in Mozambique.

<sup>10</sup> The number of trees has been multiplied by the amount of compensation established per tree. The compensation rates per tree are presented in Appendix 5.

## 10 INCOME AND LIVELIHOOD RESTORATION STRATEGIES

A Livelihoods Restoration Plan (LRP) should be produced with RAP to ensure that people's livelihoods are restored or improved. In preparing the LRP, communities, local leaders and NGOs must be consulted.

The World Bank (WB)'s OP, 4.12 paragraph (6c), states the following:

*“Displaced persons should be offered support after displacement, for a transition period, based on a reasonable estimate of the time likely to be needed to restore their livelihood and standards of living; and provided with development assistance, such as land preparation, credit facilities, training, in addition to the compensation they receive.”*

Additionally, WB OP 4.12, paragraph (2c), requires that displaced individuals be given assistance for their efforts to improve their living standards or to at least restore them to the highest standard between pre-displacement or standards prevailing prior to the beginning of the project implementation.

To define income and develop livelihood restoration strategies, the developer must involve participation for purposes of fostering ownership at an early stage. Assistance will be especially critical to the individual that is to be relocated far away, due to reconstruction costs that may be otherwise avoided.

Many communities assessed for the baseline survey have experienced workers that can be hired during the construction phase (see Tables 6-7 and 6-8 for additional details). Local experienced workers and entrepreneurs with necessary experience and capacity will be given priority work opportunities, if applicable. Also, as suggested through consultations, the general contractor must liaise with village chiefs to maximise local hiring as well as the purchase of relevant local materials and services.

The Community Compensation Fund (CCF) of 918,460 USD is a local fund that can be utilized to improve existing community facilities and services by funding the construction or refurbishment of public buildings (schools), services (dispensaries) and infrastructures (water supply, roads). Equitable distribution of the fund is necessary. Communities will receive compensation based on both the length of the wayleave within their community and the number of households affected. A calculation method for the distribution of the CCF is proposed below. Community leaders will be consulted and involved in the choice and implementation of these actions.

### 10.1 LIVELIHOOD RESTORATION AND IMPROVEMENT

Different restoration packages will be required for each of the various categories of PAPs and will depend on the type and magnitude of loss suffered, the vulnerability level of the PAP's household, the indicated preferences associated to their family characteristics and other relevant circumstances.

In the development of the measures for the livelihood restoration and improvement, some guiding principles has been considered:

- Plan and negotiate livelihood restoration and improvement activities with displaced persons;
- Implement pilot activities where possible;
- Focus on investments rather than direct interventions;
- Give priority to the replacement of existing livelihood activities;
- Create, foster and enhance networks with government and existing civil society organisations and stakeholders.

### 10.1.1 LAND BASE

PAPs must be assisted in the following ways:

- Sufficient time to find and evaluate their option and possible replacement land and organize the resettlement;
- Support for all legal aspects of the transaction;
- All “transaction costs” (Land Use Right) such as registration fees, transfer taxes, or customary tributes are to be compensated by the project developer;
- Adequate control of PAPs’ use of compensations by project authorities through different mechanisms like progressive verification of land purchase must be taken.

PAPs whose crops are to be negatively impacted by the project will be provided seedlings and seeds for their gardens and crops on their replacement land.

As already mentioned, EDM, with the help of the local communities, will assist the PAPs finding new resettlement lands (for PAPs losing 20% or more of their productive land). An assistance in the clearing and preparation of these ones (upgrading) must be considered. The replacement parcel land must be improved (fertilized, tilled, weeded, fenced, etc.) to reach the productive condition of the original land. Affected households will be paid by the project to do this work as much as possible.

Additionally, technical assistance will be provided for at least a three-year period to help the impacted households improve their situation. As discussed in chapter 9, a member of the Project Implementation Unit will be an experienced development specialist. The PIU specialist will also ensure coordination with governmental agricultural departments for the coordination and efficiency of the work. This specialist will assess concerns, needs and the most relevant aspects of livelihood improvement with PAPs and local administration as well as it will propose improvement and support activities.

This help could include the following:

- Practical training courses on improved agricultural techniques;
- Improved crop varieties;
- Fertilization;
- Small scale irrigation;
- Animal traction and related equipment;
- Post-harvest grain conservation;
- Agroforestry, other relevant techniques.

If possible training and services to ensure that the PAPs understand the scope of work could be delivered by an experienced organization providing a permanent presence in the area.

Women must be targeted as a specific group of interest, with specific engagement methodologies. To this effect a feminine social worker will be included in the PIU and dedicated to women engagement. She will inform the women of the RAP’s technicalities such as compensation payments, training opportunities, agricultural production programs and other allowances specific to women.

#### 10.1.1.1 TREES

Trees will be destroyed during the construction of the transmission line since no trees taller than five (5) meters can be retained in the wayleave. Compensation to households will be allocated according to the prescribed rates. The PIU specialist will help the affected households to plant trees to restore their source of income and livelihoods.

### 10.1.2 STRUCTURES

In a limited number of cases, houses and other structures located in the wayleave will have to be displaced. A replacement house must provide to PAPs with minimum, sustainable living standards, which is considered to be a house of 70 m<sup>2</sup> with three (3) rooms and made of conventional material (price of 40,000 USD). The project must not go lower than this standard.

All relevant purchase charges – including the Land Use Right (DUAT) – must be included in the final estimate as well as the cost for the construction of new sanitation facilities and kitchens (one (1) of each for each new house).

Those buildings must therefore be rebuilt on new land where the risk of spatial disruption of household activities is the lowest. All necessary steps will be taken by EDM and the PIU in charge of compensation and reconstruction follow-up to make sure that the PAPs receive a suitable land for reconstruction and enough time for reconstruction and proper compensations. Reconstruction is to be done on parcels adjacent to the piece of land being displaced, at best. Again, to reduce the risk of compensation mismanagement and impoverishment of the households, the PIU staff will control the way compensation is spent by the PAPs.

Progressive instalment will be applied through two (2) steps of the operation: first the land and construction material purchase and second, upon verification of the built structure. Reconstruction performed by households under the supervision of a qualified professional hired by PIU will be prioritized to ensure the quality of the structure and to help maximize their revenue from resettlement.

### 10.1.3 MOVING ALLOWANCE

The Project shall provide for transportation of PAP's salvaged materials to the new residential site within the local community. A moving allowance of 100 USD shall be included in the resettlement package. A distance based moving allowance is considered not assessed as the distances will generally not be long (few 100 m). If no local sites are available, the transport allowance shall cover full costs of the move to the closest available sites that are comparable to the affected plot.

### 10.1.4 DISTURBANCE ALLOWANCE

The Project shall provide a disturbance allowance to cover time lost from other efforts in addressing moving and other activities associated with resettlement. PAPs will be given an advance notice of 30 days and requested to vacate the premises, after conclusion of replacement house or payment of compensation amounts. They will get the opportunity to dismantle affected structures prior to project implementation and they won't have to bear the cost of demolition. Construction materials that PAPs chose to re-use will not be confiscated and they will not pay any fine or suffer any sanction. Remaining structures and unused material will be dismantled by the implementing agency. The disturbance allowance is equivalent to 100 USD.

### 10.1.5 VULNERABLE GROUPS

A special focus must be given to the livelihood improvement of vulnerable groups prior to the construction of the project. Vulnerable groups include low income families, women, elderly, child headed households or those with disabled members. Vulnerable households will be consulted at the onset of the operation to evaluate their concerns and needs. Special help that could be provided include, amongst others:

- Support to open bank account;
- Help for administrative transactions (land titling);
- Relocation logistics and other support for the physically resettled households such as:
  - Transport assistance;
  - Reconstruction advice (on materials, type of structures, etc.) to ensure the quality of construction.

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- Psychological support (information, counseling, discussion);
- Special transitional funds specific to vulnerable households.

Members of affected households will also benefit from the proposed training programs. Household members within vulnerable households are to be given priority for the allocation of project related employment and other benefits.

The PIU will assess the applicability of lessons learned from previous projects with relevance to the planned resettlement and compensation activities. The PIU will therefore propose compensation in kind (house reconstruction, equivalent in locally bought food for crop damage) because this type of compensation tends to protect the weakest in the community (females and children, vulnerable people) while cash compensation has been shown to be detrimental to them (Cernea, 1988).

As noted in Table 6-21, 179 vulnerable households (where either the woman or a handicapped individual is head of household) will receive an income supported allocation. The RAP shall base these vulnerability payments either on (i) poverty line per household member or (ii) minimum wage per earning member. For purposes of preliminary budgeting at the RPF stage, an allocation of 1 USD/day for each member of the households identified within the 55m proxy alignment for 30 days was considered. This amount is allocated due to the inconvenience and time constraint related to the resettlement of their primary structures. The total is 43,200 Mt (720 USD) and will be updated in the final RAP to cover all Households in the final alignment and wayleave..

When cash compensations is the only acceptable option, the following possible mitigation measures will also be examined and implemented when feasible:

- Awareness programs on issues directed towards authorities, local administrators and communities;
- Assistance of the PIU to inform and assist vulnerable people and groups;
- Seeking full consent of females in the households and explaining to them the proposed compensation options;
- Opening of joint bank account to husband and wife to receive and use cash compensation;
- Payment of large amounts of cash compensation (larger than 500 USD) through carefully distributed instalments (it can be over several months) to mitigate the potential for cash misuse;
- Careful monitoring.

## 10.1.6 ADDITIONAL MEASURES: NON-FARM COMPONENTS

### 10.1.6.1 EMPLOYMENT AND OTHER BENEFITS

Priority must be given to all able-bodied members of resettled households during the labour recruitment process. This applies to the following employment and contract opportunities: clearing of the wayleave path; portorage for movement of construction materials to transmission pylon development and other sites, construction of access roads and construction camps, reconstruction of community buildings and houses, provision of services and goods to the workers; administration of the compensation program, monitoring activities, etc.

Furthermore, all the affected households and communities will be given all the wood that is cut on their parcel for their own use or sale. The materials salvaged from the affected structures will also be left to the affected households and communities.

All goods and services (sand, cement, food, etc.) must be bought locally when possible. This applies to all contractors and specific provisions to that effect must be included in the construction Terms of Reference.

### 10.1.7 COMMUNITY MEASURES: COMMUNITY COMPENSATION FUND (CCF)

The project will have many impacts on land use and on many households and the positive impacts of the communities are limited to jobs during construction. It is therefore required to dedicate some funds to general development objectives, with communities taking the lead in determining which project they wish to prioritize and implement as well as how the project must be implemented. An engagement program will be put in place at the onset of the RAP implementation to inform and engage the leaders and communities of the importance of prioritizing their objectives.

It is proposed that the equivalent of 1% of the project's total cost of construction (line and substation) in Mozambique be added to the cost of the project to finance the CCF. The CCF amounts to 918,460 USD, which is 1% of 91,846,000 USD.

The CCF aims at providing impacted communities with developmental benefits beyond mitigation impacts, household and community compensations for loss of assets.

The following principles are proposed to shape the project approval process and organise the CCF:

- Focus on quick-impact social infrastructure or environmental improvement projects;
- Allocate to each community a portion of the total budget which is proportional to the magnitude of the impacts they are experiencing;
- Assist communities in identifying eligible projects and preparing project documents;
- Establish eligibility criteria for projects;
- Disburse funds to eligible activities based on procedures that ensure a control over the actual destination of the funds by the PIU;

To insure an equitable distribution of the CCF to each community, a formula to allocate community development funds to a given community must be based on:

- The magnitude of impacts (length of the electric line crossing the community);
- The proportion of permanent population living in the community;
- Minimum amount for villages with small population and small length of transmission lines.

Beyond the obvious benefits to communities in terms of social infrastructure, the CCF is also viewed as a means to enhance community self-reliance in prioritizing projects and project implementation capacity that is built within the community.

The proposed formula (to be used in Mozambique) is the following:

- $I$ : the community
- $L$ : the total length of the transmission system (km);
- $N$ : the total number of affected communities in the country;
- $P$ : the total population of all communities intersected (number of individuals including both affected and non-affected people);
- $L_i$ : the length of the transmission system in community (in km);
- $P_i$ : the population of the community (number of individuals);
- $Avg(L_i)$ : the average length of transmission system intersection ( $L/N$ );
- $Avg(P_i)$ : the average community population (number of individuals) ( $P/N$ );
- $B$  is the total budget allocated to the whole CCF for the interconnection system;
- $B_i$  is the budget allocated for a community.

$$b_i = B/N \bullet \left[ \frac{l_i}{\text{Avg}(l_i)} \times 0.3 + \frac{p_i}{\text{Avg}(p_i)} \times 0.3 + 0.4 \right]$$

This formula gives equal weight to population and length of impact (each weighed by a coefficient of 0.3). Through the coefficient of 0.4, a minimum amount is made available to smaller communities with limited impacts (no community will get less than  $B/N \times 0.4$ ).

The calculation gives the same weight to the line length factor as well as to the number of individuals in each of the communities that are both multiplied by a coefficient of 0.3. As a result, these two (2) elements have equal weights. However, the calculation also provides a minimum weight (coefficient of 0.4) that is added to the calculation for each community to ensure that they receive minimal compensation.

Areas where the electrical line intersects with large estates will not be considered to be community-land and are excluded from the calculation.

In the context of the implementation of the CCF, it will be an interesting avenue to reflect on the creation of a guiding framework. It should be inspired by the Sustainable Livelihood Framework (SLF) to insure positive livelihood outcomes and improve the living standards of the communities affected by the project. For more information, a document presented by the Department for International Development is available at: <http://www.eldis.org/vfile/upload/1/document/0901/section2.pdf>.

# 11 ESTIMATED RESETTLEMENT BUDGET AND SCHEDULE

## 11.1 RESETTLEMENT BUDGET AND SCHEDULE

It is understood that EDM will prepare a full RAP report based on the final alignment and wayleave (currently expected to be 100 m wide), before the commencement of project implementation. The RAP implementation schedule covers a period of twenty-four (24) months in order to include all planned activities, including implementation of the CCF. It is important that all structures be rebuilt and payments for compensation completed before project construction begins. This can be done progressively so construction can start on one end.

The only RAP activities that are planned for a longer period (about three (3) years) are the monitoring and evaluation activities which are scheduled to be done once a year after completion of major RAP activities.

While the actual cost of the RAP will be determined at its preparation based on the final alignment, way leave and Partial Protection Zone, currently expected to be 100m wide centered on the alignment, an estimate of the RAP implementation budget based on the baseline survey of the 55m proxy wayleave is summarized in the table below. This budget includes all costs involved in the execution of all RAP activities and is based on number of PAPs interviewed within the 55m wide proxy wayleave and will have to be updated in the final RAP to cover the final alignment and full wayleave.

**Table 11-1 Estimated Resettlement Implementation and monitoring Cost (55m proxy wayleave)**

Element		Cost Local Currency (MT)	Cost (USD)
<b>Annual crops</b>			
Annual crops compensation	Annual crops	1,800,488	
	Fallow	153,355	
	Total annual crops	1,953,843	32,564
<b>Trees</b>			
Trees compensation	Compensation	1,624,610	27,077
	Number of trees	-	-
<b>Primary structures</b>			
Primary structures compensation – including new toilets and kitchens (one per affected house)	Compensation of primary structures	96,000,000	
	Moving allowance	240,000	
	Disturbance allowance	240,000	
	Land Use Right (DUAT)	480,000	
	TOTAL	96,960,000	1,616,000
<b>Income support allocation for vulnerable groups</b>			
Income support allocation for vulnerable groups	1 USD per person per day for 30 days	43,200	720
	Members (9 HofH and 15 members)	-	-
<b>SUB-TOTAL</b>			
Compensation sub-total		100,581,653	1,676,361
<b>Others</b>			
EDM staff to support resettlement		31,800,000	530,000
Training of EDM staff		6,000,000	100,000
Witness NGO supervision		11,700,000	195,000
Consultation costs		2,100,000	35,000
Communication and dissemination materials		600,000	10,000
RAP implementation consultant		16,500,000	275,000
Support to LGAs/DCs in managing compensations		1,500,000	25,000
Supervision, monitoring, annual evaluations and audit costs		6,000,000	100,000
Community compensation fund (CCF)	1% of the project	55,107,600	918,460
Administration of CCF	10% of CCF	5,510,760	91,846
Contingencies	15% of compensations sub-total	15,087,248	251,454
Compensation for access road and workers camps	5% of compensations sub-total	5,029,083	83,818
<b>TOTAL</b>			
Total RAP and CCF (55m proxy wayleave)		<b>257,516,340</b>	<b>4,291,939</b>

Conversion rate: 60 Mt = 1 USD

As the estimates above were calculated based on a 55m proxy wayleave, a contingent estimate to cover the additional 45m expected in the final PPZ was calculated in table 11-2 below.

**Table 11-2 Estimated Resettlement Implementation and monitoring Cost (100m PPZ)**

	Mt	USD
Contingent RAP and CCF estimate (remaining 45m from PPZ)	210 695 187	3 511 586 \$
Total RAP and CCF (100m PPZ)	468 211 527	7 803 525 \$





## 12 INSTITUTIONAL FRAMEWORK

### 12.1 ACTORS INVOLVED AND ORGANIZATIONAL STRUCTURE

This section highlights relevant institutions through which the planning and implementation of the RPF/RAP for the Project will be conducted<sup>11</sup>. Several institutions were identified and consulted and will be involved in the overall implementation of this RPF/RAP. These include:

- Government of Mozambique (national level);
- Electricidade de Moçambique, E.P. (EDM);
- Ministério de Terra, Ambiente e Desenvolvimento Rural (MITADER);
- Direcção Nacional de Ordenamento Territorial & Reassentamento;
- Resettlement Monitoring and Supervision Technical Committee at the Provincial Level;
- Monitoring and Supervision Technical Committee at the District Level;
- Relevant District Services.

### 12.2 PROCEDURES AND RESPONSIBILITIES

The responsibilities and roles of each of the institutions are discussed in detail in the ESIA study report. We briefly present the main functions of those involved in resettlement in the following paragraphs.

#### 12.2.1 THE GOVERNMENT OF MOZAMBIQUE

Responsibilities for commitments proposed in the RPF/RAP exist within Government of Mozambique and are delegated internally to the relevant Ministry, which in this case is the Ministério de Terra, Ambiente e Desenvolvimento Rural (MITADER).

#### 12.2.2 ELECTRICIDADE DE MOÇAMBIQUE, E.P. (EDM)

EDM will manage and coordinate the entire resettlement process. It will appoint a consultancy company to elaborate the Resettlement Plan and Resettlement Action for the Implementation Plan and will monitor and ensure that the ESAI/ESMP and RPF/RAP processes are followed adequately in line with the country's legislation.

If necessary, EDM will hire Non-Governmental Organizations (NGO) or Community Based Organizations (CBO), to accompany the Resettlement Plan and Resettlement Action for the Implementation Plan process.

The different responsibilities of EDM will be to:

- Coordinate and manage the elaboration and implementation of the resettlement plan.
- Implement the resettlement plan according to the RPF/RAP documentation and national legislation.
- Settle the RPF/RAP compensation budget through counterpart funding and pay the stipulated compensations.
- Implement the proposed development and social integration programs.
- Inform in advance the host community on the resettlement implementation process, project description and schedule of activities.

<sup>11</sup> Concerning International Best Practices, IFC handbook has been consulted. This guide is available at : [http://www.ifc.org/wps/wcm/connect/938f1a0048855805beacfe6a6515bb18/IFC\\_StakeholderEngagement.pdf?MOD=AJPERES](http://www.ifc.org/wps/wcm/connect/938f1a0048855805beacfe6a6515bb18/IFC_StakeholderEngagement.pdf?MOD=AJPERES)

- Ensure respect for social and cultural dynamics of the host community.
- Interact with government authorities to ensure the transfer of services.
- Participate, whenever convened, in the meetings of the Monitoring and Supervision Technical Commission.
- Facilitate the monitoring and evaluation actions of the resettlement implementation process by the monitoring commissions and committees.
- Implement and manage a complaints and suggestions system.
- Monitor and evaluate the implementation of the resettlement process.

### 12.2.3 MINISTERIO DE TERRA, AMBIENTE E DESENVOLVIMENTO RURAL (MITADER) AND DIRECÇÃO NACIONAL DE ORDENAMENTO TERRITORIAL & REASSENTAMENTO

The national directory responsible of resettlement is the Direcção Nacional de Ordenamento Territorial & Reassentamento, which is part of MITADER.

The ministry is will evaluate the Resettlement Plan and Resettlement Action and Implementation Plan and will ensure that the various aspects of the RPF/RAP are in line with the overall management of the Project (agriculture, public works, land management, etc.), as well as their resettlement framework and that of the World Bank.

### 12.2.4 RESETTLEMENT MONITORING AND SUPERVISION TECHNICAL COMMITTEE AT THE PROVINCIAL LEVEL

Decree 31/2012 of August 8<sup>th</sup>, requires a Technical Committee for Monitoring and Supervision of Resettlement to be formed at relevant levels to manage the entire resettlement process. In 2014, the Government approved the Decree No.155/2014 of September 9<sup>th</sup>, to support the precedent decree 31/2012. The new Decree establishes the organization and functioning of all those involved in the monitoring and supervision of resettlement.

As per Decree 155/2014, the Technical Committee at the provincial level must include the following representatives:

- Director of the area that oversees the territorial planning activity at the provincial level
- Director of public works and housing
- Director of Agriculture
- Director of Social Action
- Director of related area

The Resettlement Monitoring and Supervision Committee at the provincial level is, as the title says, responsible of monitoring and evaluating the resettlement process and providing guidance to the District Committee. Thereby, the committee will have the responsibility of advising the District authorities in relation to the Resettlement Process (ex: land planning at the provincial level).

This committee falls under the responsibility of Direcção Nacional de Ordenamento Territorial e Reassentamento.

### 12.2.5 MONITORING AND SUPERVISION TECHNICAL COMMITTEE AT THE DISTRICT LEVEL

The relatively complex issues to be addressed call for a well thought institutional arrangement to conduct the resettlement process.

The Monitoring and Supervision Technical Committee at the district level is also responsible of the follow up and monitoring of the different resettlement process phases. This committee will have to set guidelines, parameters and methodologies for monitoring and evaluating the implementation process of the resettlement plan.

As per Decree 155/2014, the Technical Committee at the district level must include the following representatives:

- Director of Health, Women and Social Action Service
- One (1) District authority representative
- One (1) representative of the Civil Society
- Five (5) representatives of affected population
- Five (5) community leaders

The committee will be responsible of ensuring that RPF/RAP implementation is in line with strategic land use plans in the districts and towns.

The responsibilities of the committees will include ensuring the PAP voice and genuine interests and concerns are adequately considered in all phases of the process, including assisting PAPs to deal with and redress grievances.

### 12.2.6 RELEVANT DISTRICT SERVICES

The District Services concerned will be the affected government entities (ex: agriculture and health district services). These services will have to:

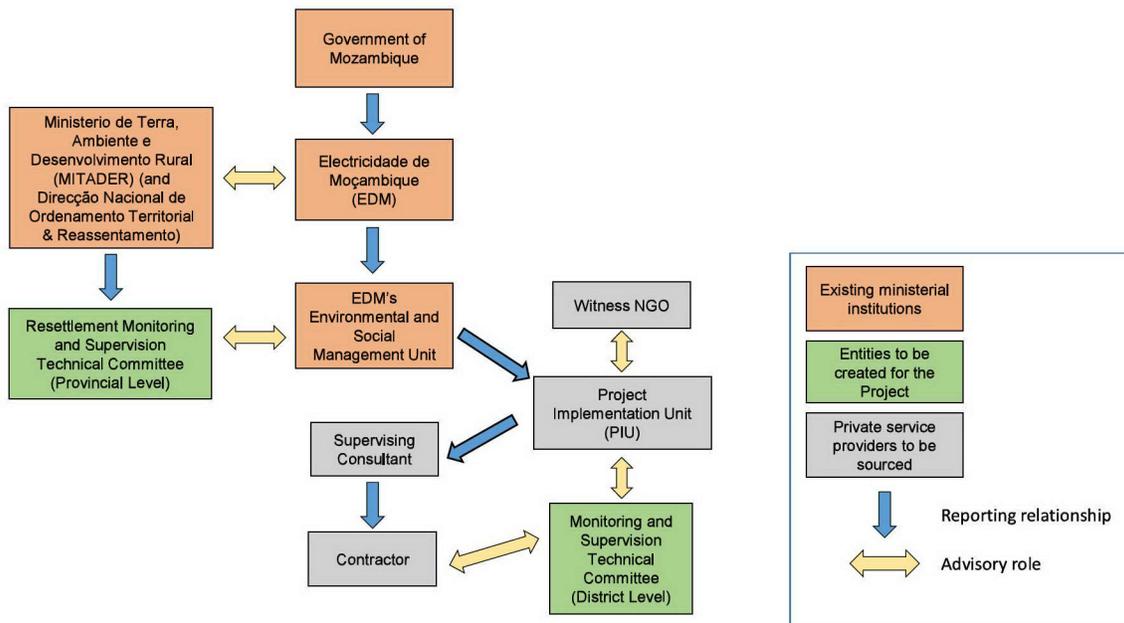
- Collaborate in the implementation of the resettlement plan on its operating area, ensuring that their contributions, and especially the transfer of services, are provided in a timely manner.
- Manage the new infrastructures.
- Provide support, especially to vulnerable people.
- Check how the measurements are implemented.

## 12.3 INSTITUTIONAL ARRANGEMENT

Responsibilities in the implementation and monitoring of the ESMP and RPF are shared between multiple stakeholders, including the funding agencies, competent ministries, provincial and district authorities and EDM.

In this context, and to encourage the coordination of decisions as well as application of the various measures in an appropriate way, EDM will consider the possibility of setting up an Environmental and Social Management Unit and Project Implementation Unit (PIU) to be responsible for the Project ESMP and RPF. Furthermore, a witness NGO will be invited to participate to the process.

The figure below illustrates the functioning of such institutional arrangements.

**Figure 12-1 Institutional Arrangements for ESMP and RPF/RAP Implementation**

### 12.3.1 EDM'S ENVIRONMENTAL AND SOCIAL MANAGEMENT UNIT

EDM's Environmental and Social Management Unit will be tasked with the project's implementation. The technical aspects will be addressed by experts and engineers who will ensure that the construction activities are completed in compliance to the plans and specifications, bidding documents and contracts. The environmental and social management aspects will be directed by experts from the environment, ecology, agronomy and/or sociology domains to assure the proper implementation of the environmental and social management measures contained in the EMP and the RAP, including their surveillance and monitoring. These experts will come from the professional EDM staff.

It is required that this group appoint an Environmental Control and Communication Officer and technical assistants who will perform day-to-day field monitoring of the implementation measures contained in the EMP. These representatives will also be responsible for the relations with local chiefs and the PAPs as well as receive and document the complaints and grievances related to the environmental measures, nuisances, workers-population relations, etc. These complaints and related corrective measures will be discussed daily between the contractor and the Environmental Control and Communication Officer and reported to the unit at the regular meetings. The Environmental Control and Communication Officer will also be responsible for evaluating compliance to the stakeholder engagement protocol, as set out in the Communication Plan of the EMP.

In the case of an incident that could potentially cause serious damage to the environment or equipment, the unit through its Environmental Control and Communication Officer will be authorized to stop the work or to give instructions to the head contractor to ensure that impacts are minimized or eliminated. All cases need to be reported to and discussed at the committee meetings.

The Monitoring and Supervision Technical Committee, at the Provincial Level, will accompany EDM's Environmental and Social Management Unit. It will focus on coordination and monitoring.

In addition, the committee, as mandated by EDM, will work closely with the Project Implementation Unit (PIU) for the RPF/RAP implementation: estimation and delivery of compensation packages; livelihood restoration and vulnerable group assistance measures to affected households; reconstruction of community affected structures and implementation of the CCF funded measures.

### 12.3.2 PROJECT IMPLEMENTATION UNIT (PIU)

The responsibility for the good implementation of the RAP will be on EDM. It is thus its responsibility to insure the creation of the PIU and the hiring of the witness NGO, with the help of its Environmental and Social Management Unit, at least one (1) year before the start of construction activities to insure implementation of resettlement.

The PIU will be responsible for the implementation of the RAP which includes supervising the monitoring activities and the executing the community compensation fund (CCF). As mentioned above, it is required that EDM hire, a local consultant or NGO with good credentials to be a member of the PIU. An open bidding process must be put in place to recruit this organization.

This E&S Unit within the PIU must be in place to monitor the construction activities and impacts on households, and also implement the projects funded through the CCF. It is estimated that the E&S Unit within the PIU will need to operate during 36 to 48 months, starting a year before the start of construction and continuing all along the construction. After the construction activities are completed, a smaller team will monitor the long term impacts.

There must be a Senior Resettlement Specialist assisted by a team of junior specialists on resettlement, gender and labor issues to oversee RAP implementation. The Social Staff will be responsible for:

- Providing information on activities and continuing consultations with the PAPs;
- Maintaining an inventory of the goods to be resettled and a detailed valuation of the compensations;
- Ensuring proper information and participation of PAPs and affected communities;
- Managing the compensation payments;
- Monitoring the resettlement work;
- Implementing the community-approved projects financed through the CCF;
- Communicating with the witness NGO on the consultation activities, compensation and resettlement related activities;
- Producing monitoring reports (see below) for the RAP's implementation to appropriate government authorities, EDM and the contractor in charge of the transmission line's construction.

The E&S Unit must rely on a team of professionals and support staff to be able to conduct all the following tasks. The Unit is advised to hire the following staff as required:

- Support staff: secretarial services, drivers, security and legal personnel, general accountants
- 
- Resettlement (house and community structures): ad-hoc urban planner and architect (consultants), engineers / construction supervisors
- Cash compensation: compensation officers, accountant, security officer
- Database management: database officers
- Livelihood restoration and community forest: agronomist / agro-foresters
- Assistance to vulnerable people and displaced households: social workers among which at least one woman
- Communication specialist: Community engagement specialist in charge of the information and participation program
- CCF community project: technicians or engineers on ad-hoc basis providing technical advices for community projects

It is proposed that the PIU have offices located in easily accessible communities to facilitate the transport and contact with the local population and authorities. The PIU coordinator will assess the situation and propose a proper position.

The predicted compensation amounts and resettlement modalities for each PAP will need to be approved and endorsed by the PAPs, the competent governmental authorities and by EDM. Communities' and households' fears, regarding the non-payment of the claims, are important and widespread. To reduce those fears, it is required that the approval of the start of the construction of the power line be conditional to the transmission of a satisfactory progress report from the PIU. This report must clearly establish, with the support of evidence, that compensations were paid, and that resettlement projects were successfully carried out prior to the initiation of the construction phase. The confirmation of the witness NGO in this report is essential.

Also, as a mitigation measure, the PIU must clearly identify the cut-off date (when will the verification survey come to an end and new compensation claims be refused) and disclose it well in advance to the PAPs and their representatives, provide them with the necessary contact information and procedures to fill in their compensation claims prior to the cut-off date.

### 12.3.3 WITNESS NGO

To enhance transparency and trust from PAPs it is suggested that a witness NGO, recognized and credible in the project area, be retained, through a public proposal and selection process, by EDM's Environmental and Social Management Unit, to provide independent advice, and report on RAP implementation and management, focusing on consultation activities, compensation and resettlement related activities and grievances management. This NGO could be a recognized and credible Human Right advocacy group or a NGO active in rural development.

This outside look will ensure that proper procedures and stated compensation processes are followed, that PAP grievances are well taken care of, and that PAPs are treated with fairness. This mode of supervision was experienced in other projects and gave good results in terms of reduction of grievances.

This NGO will revise PIU reports, meet with PAPs, check implementation of the measures, reconstruction, etc. in the field, and provide comments and recommendations. All PAPs will be informed of the NGO role and function and need to have access to its representatives, in a confidential manner if need be, to explain and discuss their difficulties of grievances.

### 12.3.4 CONTRACTORS

Each contractor will appoint a qualified environmental manager that will need to be approved by the Environmental and Social Management unit. This individual will be responsible for the daily management on-site and will review the application of the management measures proposed in the EMP and the RAP. This individual will report regularly to the Environmental Control and Communication Officer during the construction period.

Additionally, the contractor's environmental manager will appoint liaison officers that will be in charge of reviewing the work performed by sub-contractors to ensure that they respect the health, safety and environment directives. All the national health, safety and environmental regulations as well as EMP's and RAP's recommendations (that meet international best practices) will have to be respected.

Contractors must hold all necessary licenses and permits before the work begins. It will befall on them to provide all of the required legal documents, such as the signed agreements with owners, authorizations for the use of borrow pits and temporary storage sites, etc.

## 12.4 STAKEHOLDER ENGAGEMENT PROGRAM

To ensure the interests of the affected persons are fully entrenched in the RPF/RAP process and income restoration, an engagement program shall be developed at the onset of the RPF/RAP implementation process.

The objectives of the communication and stakeholder engagement activities are to:

- Maintain a social and institutional dialogue with the population, authorities and other concerned organizations about RAP implementation process at each step;
- Ensure compliance with good public engagement practices, and;
- Ensure that the project implementation process contributes to strengthening EDM's efforts to build lasting relationships with affected communities, relevant authorities and other stakeholder.

The target groups must be identified using the available information resulting from the various public consultation activities completed during the RPF process (see Chapter 7).

This participation will be done through the creation of EDM's Environmental and Social Management Unit and a vigorous program of information and consultation of affected communities and PAPs by PIU. The latter will be responsible to draw and implement the SEP.

The SEP will make sure that information and consultations will concern compensations rules and procedures, livelihood programs, PAPs rights, grievance mechanisms, schedule, etc. Women headed households and women of physically resettled households will be targeted in the follow-up survey and consultations to inform the project of their situation and provide opportunities to redress any difficulties encountered by these groups.

Many means will be used; leaflets, community meetings with graphical display to help illiterate people, focus-groups with vulnerable households and women, elderly and youth affected, radio messages in local languages, recorded approval of the Project by local authorities, organisation of PAP access to RAP implementation committees (district, provincial), electronic diffusion on the WEB site of EDM, regular meeting with involved services from other ministries (Environment, Agriculture, etc.) etc.

## 12.5 INSTITUTIONAL CAPACITY REINFORCEMENT

In relation to the above, training and information transmission are important issues in order to raise awareness on current environmental and compensation legislations and regulations governing the Project.

A training program must be implemented as part of the PIU and Environmental and Social Management Unit's set-up process, to properly train key personnel involved with the supervision of compensation evaluation, procedures and implementation of other mitigation and compensation measures. Training on grievance procedures and negotiations will also be provided to the personnel in charge of supervising compensation and resettlement issues.

Table 12-1 outlines the training proposed for the PIU and EDM's Environmental and Social Management Unit staff. The training is focused on the practical aspects of compensation and resettlement, compensation process, monitoring and management. The proposed content is a minimum that can be expanded according to EDM's Environmental and Social Management Unit and PIU staff expertise and experience.

**Table 12-1 Training Program**

<b>Training Recipients</b>	<b>Type of Training</b>	<b>Environmental Issues to be Covered</b>	<b>Training Conducting Agency</b>
PIU and EDM's Environmental and Social Management Unit Environmental Committee	<ul style="list-style-type: none"> <li>• Lecture</li> <li>• Workshops</li> <li>• Teamwork</li> <li>• Case studies</li> <li>• On-site</li> </ul>	<ul style="list-style-type: none"> <li>• Overview of the environmental and social issues of the Project</li> <li>• Environmental laws and regulations</li> <li>• Review of ESMP and RPF/RAP reports, implementation schedule and activities</li> <li>• Legal requirements on compensation and resettlement, World Bank OP 4.12 and other financiers (if necessary) RPF/RAP standards</li> <li>• Lessons learned from previous projects</li> <li>• IFC best practices review<sup>12</sup></li> <li>• Vulnerable groups participation techniques</li> <li>• Monitoring requirements and techniques</li> </ul>	Environmental and social experts, legal advisors and Estate Surveyors and Valuers
PIU team of compensation supervisors and grievance committee members and EDM's Environmental and Social Management Unit	<ul style="list-style-type: none"> <li>• Workshops</li> <li>• Lectures</li> <li>• Case studies</li> </ul>	<ul style="list-style-type: none"> <li>• Grievances management, negotiations and mediation techniques</li> <li>• Vulnerable groups situation and grievances management</li> <li>• Review of ESMP and RPF/RAP reports, including updated RAP according to final alignment and wayleave; implementation schedule and activities</li> </ul>	Legal and negotiation experts

<sup>12</sup> Concerning International Best Practices, IFC guide is available at:  
[http://www.ifc.org/wps/wcm/connect/938f1a0048855805beacfe6a6515bb18/IFC\\_StakeholderEngagement.pdf?MOD=AJPERES](http://www.ifc.org/wps/wcm/connect/938f1a0048855805beacfe6a6515bb18/IFC_StakeholderEngagement.pdf?MOD=AJPERES).

## 13 GRIEVANCE MECHANISMS

Grievance redress mechanisms are essential tools for allowing Project affected persons (PAPs) to voice concerns about the resettlement and compensation process as they arise and, if necessary, for corrective action to be taken in a timely fashion. Such mechanisms are fundamental to achieving transparency in the resettlement process. The grievance redress procedure includes the use of records to determine the validity of claims.

It is essential (and a requirement of OP 4.12) that all resettlement projects incorporate a Grievance Redress Mechanism – and one that is accessible, free, easily understood, transparent, responsive and effective, and that does not restrict access to official grievance channels (such as the courts including traditional courts), and causes no fear of negative consequences for its recourse amongst users. Affected individuals and households will be informed about the existence of a grievance redress mechanism. General information regarding the existence of such mechanisms will be made public through community consultations.

The objective of the grievance redress mechanism proposed is to respond to the complaints of PAPs in a fast and transparent manner, and to ensure that they have avenues for presenting and redressing their grievances related to any aspect of the RPF/RAP.

### 13.1 OBJECTIVES

The objective of the grievance redress mechanism proposed is to respond to the complaints of PAPs in a fast and transparent manner, and to ensure that they have avenues for presenting and redressing their grievances related to any aspect of the RPF/RAP.

The complaints management protocol provides guidance to Electricidade de Moçambique, E.P. (EDM) for the management of complaints of the community and stakeholders throughout the different phases of the Project, including the preparation of the Resettlement Plan and the resettlement implementation phase. This protocol allows:

- An understanding of the community's perception of project risks and impacts so as to adjust its measures and actions to address the community concerns
- Informing affected communities and stakeholders about the process which will be followed in response to grievances
- Making an effective complaints mechanism, available to the affected communities and stakeholders.
- Ensuring that vulnerable groups including women have a safe means to air grievances, particularly in potential cases of gender-based violence linked with resettlement issues.
- Mapping community suggestions as an opportunity for continuous improvement; creating or changing an existing system and learning process.

### 13.2 GENERAL PRINCIPLES

All grievances related with non-fulfilment of contracts, levels of compensation, or seizure of assets without compensation must be brought to the attention of relevant officers within the District Resettlement Committee including local authorities (at the community and neighborhood levels) and, be dealt with.

At the grassroots level, mainly barrio and neighborhood, the country does not have unified structures to manage common matters affecting those who live there.

However, in all cases, there is always some form of organization and/or representation of the households by entities such as the "Chefe das Dez Casas" (Heads of Ten Houses), Traditional Leaders, Religious Leaders, etc. who represent people living within certain jurisdictions. Depending

on the specific cases, these will be chosen to organize and represent the households throughout the RPF/RAP process and particularly during the presentation and redressing of grievances. They must, by themselves and/or assisted by other people, be able to carry out all the secretarial work involved in the process, such as preparing/writing the grievances where needed, collecting them, filing, sending, translating, etc. However, it is important to note that representation may not be imposed; affected people who want to handle the whole process by themselves will be allowed to do so.

General grievance forms to be used will be prepared by a Project Implementation Unit (PIU) and made known and available to all potential users. PAPs who are illiterate or who do not understand Portuguese must be able to file grievances with someone acting as their advocate.

EDM's Environmental and Social Management Unit must not discourage the filing of a grievance. The grievance will be captured in the Grievance/Issues Register. The Environmental and Social Management Unit will also help PAPs (if necessary) to fill and sign the forms and its representative needs to be included in the form.

### **13.3 PROCESS**

#### **13.3.1 FIRST LEVEL: VILLAGE**

The general process is that a PAP must raise a grievance with his/her village leader for immediate review and solution. This is the first level of the process.

PAPs must submit grievances in writing to the village leaders, who will register the complaint and act as the focal point.

It will be clear in the RAP implementation communication program that women and other vulnerable PAPs are invited to present their grievances, including in cases of gender-based violence related to resettlement. To that effect, the witness NGO will help all PAPs and especially vulnerable ones and women to present their complaints when needed and will handle anonymous grievances.

PAPs will receive an acknowledgement of receipt as proof. If the PAP is unable to write, the NGO or the local government shall record the same on behalf of the PAP. Upon receipt of grievance, the village head must try to resolve the grievance amicably with the active participation of the aggrieved party within five (5) working days from the date of the filing of the grievance.

If the grievance is resolved and the PAP is satisfied with the decision, a report must be prepared by the witness NGO. A copy of the report shall be handed over to the PAP and a copy submitted to PIU for the record. If the grievance is not resolved, the PAP must pass to the second level. Figure 10-1 presents the specific process for each type of grievance.

#### **13.3.2 SECOND LEVEL: TECHNICAL COMMITTEE FOR MONITORING AND SUPERVISION OF RESETTLEMENT AT THE DISTRICT LEVEL**

If the PAP is not satisfied with the first level's decision, the case must be forwarded to the Technical Committee for Monitoring and Supervision of Resettlement at the district level with a preliminary report prepared by the witness NGO who will act as the focal point. The report must have the details of the grievance, a preliminary assessment by village leaders, a hearing date and the decision.

Upon receipt of grievance, the committee, if desired, may direct the witness NGO to collect further information related to the grievance and submit the same to the committee for its use while hearing the grievance. The hearing must be completed within 10 working days of the date of case referral. The date, time and venue of the hearing must be communicated to the PAP at least five (5) days in advance by the committee.

If the grievance is resolved and the PAP is satisfied with the decision, a report of the same must be prepared by the witness NGO. A copy of the report must be handed over to the PAP and a copy submitted to the PIU for the record. If the grievance is not resolved, the PAP must pass to the third level.

### 13.3.3 THIRD LEVEL: TECHNICAL COMMITTEE FOR MONITORING AND SUPERVISION OF RESETTLEMENT AT THE PROVINCIAL LEVEL

If the PAP is not satisfied with the second level's decision, the case must be forwarded to the Technical Committee for Monitoring and Supervision of Resettlement at the provincial level with, again, a preliminary report prepared by the witness NGO who will act as the focal point.

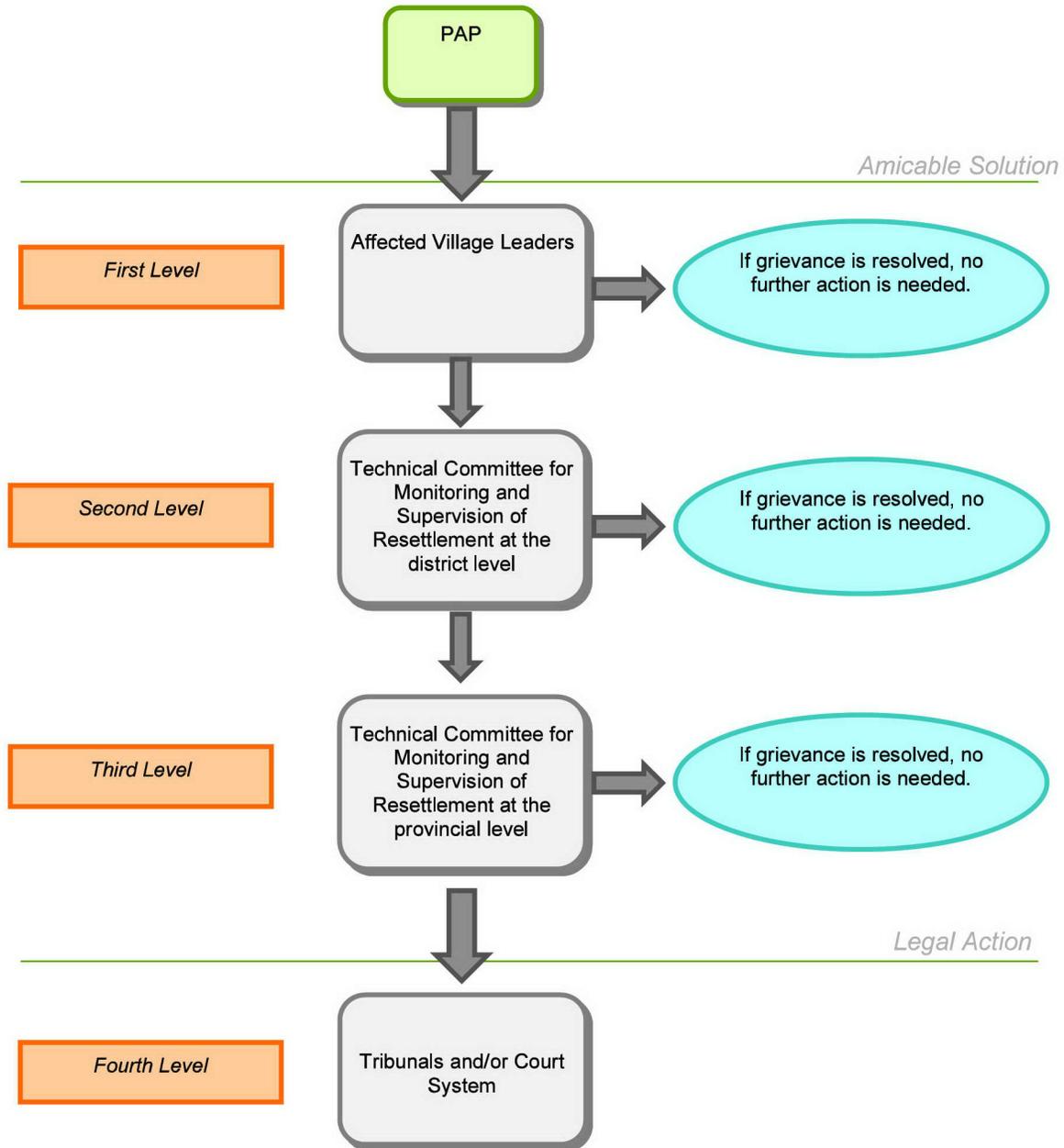
The hearing must be completed within 20 working days of the date of case referral. The date, time and venue of the hearing must be communicated to the PAP at least seven (7) days in advance by the committee.

If the grievance is resolved and the PAP is satisfied with the decision, a report of the same must be prepared by the witness NGO. A copy of the report must be handed over to the PAP and a copy submitted to the PIU for the record. If the grievance is not resolved, the PAP must pass to the last level.

### 13.3.4 FOURTH LEVEL: TRIBUNALS AND/OR COURT SYSTEM

If all avenues have been exhausted without success, then the matter will be brought before the existing local court system for the administration of justice by the PAP with the help of the witness NGO. All such decisions must be reached within four (4) months, from the day the complaint is lodged by the PAP to a grievance redress system. If the local courts and Land Tribunals cannot settle the matter, it will go to the High Court for resolution. EDM will handle such appeals even after the RPF/RAP implementation period has ended. The court's decision is final.

**Figure 13-1 Grievance Redress Process**



## 14 MONITORING AND EVALUATION

This step involves the regular collection of data on the status of planned activities under the RPF. It will make it possible to eventually highlight the achievements and / or shortcomings observed between the recommendations as contained in the RPF and the implementation on the ground to take all the necessary measures to remedy this situation and allow the process to reach its end.

### 14.1 MONITORING

The fundamental objective of monitoring, in the context of the process of resettlement of populations, is to know if the measures prescribed during the development phase, of the RPF/RAP, are effectively implemented. In general, the overall objectives of monitoring are:

- monitoring specific situations and difficulties arising during the implementation of RPF/RAP
- verifying compliance of operational implementation with Mozambique and donor regulations
- verifying that all information and consultation measures, planned with the PAPs, have been implemented and that the PAPs are aware of the Project and the compensation measures to which they are entitled
- ensuring compensations for lost property, income restoration measures, living conditions and other rights have been properly carried out in accordance with the provisions of the RPF/RAP

Specifically, monitoring will seek to ensure that:

- compensations were paid before construction began
- other accompanying measures have been implemented
- moves were normal
- adequate assistance was provided to vulnerable groups
- all complaints were reviewed and resolved
- the timetable for the process has been met
- the resettlement has not resulted in any new negative impacts or that these are well controlled
- displaced and resettled people outside the line are well integrated in their villages without land conflicts and in conditions that respect the environment

Clear and objectively verifiable indicators will be defined to allow effective and efficient monitoring of the process. These include:

- information and consultation meetings with PAPs and communities and, the number of PAPs involved
- the number of compensation / displacement agreements accepted by PAPs
- the actual number of households and persons affected by project activities
- the actual number of households and persons physically displaced as a result of the Project
- the number of vulnerable persons / households, including women-headed households, affected by displacement and their relocation / compensation
- the number of households compensated and relocated by the Project
- the number of complaints registered and resolved
- the total cost of compensation

The definition of these indicators is essential to measure the performance of the Project in terms of the capacity of accompanying during the displacement and resettlement of affected populations in the implementation of the Project. Table 14-1 presents these indicators.

**Table 14-1 RPF/RAP Monitoring Indicators**

Component	Monitoring Measures	Indicator/Periodicity	Performance Targets
Information and consultation	Ensure that dissemination of information to PAPs and consultation procedures are carried out in accordance with the principles set out in the RPF/RAP	Number and types of information sessions for PAPs carried out in villages prior to the start of work Checking the understanding of the rules with affected village leaders Every 3 months	At least three (3) information sessions per village (at the start of resettlement, payment of compensation and grievance resolution)
Payment of compensation and income restoration measures	Ensure that compensation measures and income restoration measures are carried out in accordance with the principles set out in the RPF/RAP	Compensations paid to PAPs and payment dates, income support and restoration program in place Each month	Financial compensation is paid to all PAPs before their move All PAPs were compensated as planned Income restoration measures have been introduced
Gender equality	Ensure that women and vulnerable groups receive fair and adequate compensation, as proposed in the RPF/RAP	Compensation paid and other support to women and vulnerable persons affected by the Project and payment dates Each month	All women affected by the Project were compensated to their satisfaction All vulnerable people have received adequate support No women's complaint remained unresolved
Households (reinstalled on new sites)	Ensure that compensation and compensation measures for habitat losses are carried out in accordance with the principles set out in the RPF/RAP	Effective physical resettlement before work Number of complaints from affected households Each month	No unresolved complaints from PAPs whose houses are affected All PAPs whose houses are affected are compensated as planned
Right the wrongs	Long-term compensation monitoring	Number of negotiated compensation paid Number of compensations to be paid Ongoing monitoring and monthly reports Number of claims related to compensation and compensations recorded (continuous monitoring) Number of complaints resolved (continuous monitoring) Number of cases brought to court (continuous monitoring)	100% of compensation is negotiated amicably 100% of claims or disputes settled amicably No litigation brought before the courts

Moreover, the PIU in charge of monitoring will evaluate the possibility to use other indicators such as:

- Distribution of causes of death for those displaced persons under five years of age, youth and adults;
- Average household landholding for displaced households including the average landholding for recently married sons;
- Degree of food security among displaced households (missed meals per week – seasonally disaggregated);
- Number and nature of local micro, small and medium enterprises owned or operated by displaced individuals.

## 14.2 EVALUATION

The evaluation appreciates the successful implementation of the RPF/RAP; if it effectively helps to maintain, or improve, the standard of living of the PAP. For this purpose, the evaluation may be based on the RPF/RAP and various results of socio-economic censuses and surveys carried out as the baseline for the final RAP based on the final alignment and wayleave, and during the RAP development process. The objectives assigned to the evaluation of social impacts are:

- ensure that the implementation of social measures is aligned with RPF/RAP content, donor policies and national regulatory provisions
- assess the adequacy of compensation, displacement and resettlement procedures
- ensure that compensation is indeed for damage and that PAPs regain their standard of living
- assess the impact of available resettlement measures on sources of income, levels and living conditions to see whether they meet the requirements of donor resettlement policies
- decide on the amendments made in the context of the monitoring of the resettlement process with a view to improving it

The evaluation must inform EDM about the implementation of the RPF/RAP and enable the shortcomings identified in the resettlement process to be corrected in time.

Monitoring of the implementation of the resettlement measures proposed in this RPF will be carried out under the responsibility of EDM and implemented by the PIU (see Chapter 12), whose role will include the monitoring, internal evaluation and coordination of resettlement activities.

Table 14-2 presents the evaluation indicators to be used to determine the success of the actions undertaken.

**Table 14-2 RPF/RAP Evaluation Indicators**

Component	Evaluation Measures	Indicator/Periodicity	Performance Targets
PAPs' Quality and standard of living	Ensure that the living standards of affected households have not deteriorated since resettlement	PAP claims relating to the standard of living at the host site, re-cultivation of plots after work, reforestation, etc. / Annual monitoring Problems experienced by the relocated PAPs / annual consultation sessions at the host site	No complaints concerning the quality or standard of living at the host site and the re-cultivation of affected plots not resolved No major problems experienced by resettled PAPs or PAPs who possess affected plots PAP satisfaction with support measures and compensation
Quality of life of vulnerable groups	Ensure that the living standards of living of female heads of households, widows and other vulnerable persons have not deteriorated since resettlement	PAP claims on the standard of living at the host site (monitoring once a year) Problems faced by resettled vulnerable persons / consultation sessions (each year) at the host site	No complaints concerning the quality or standard of living at the host site and the re-cultivation of affected plots not resolved No major problems experienced by resettled PAPs PAP satisfaction with support measures and compensation

## 14.3 MONITORING RECORD KEEPING AND REPORTING

Monthly performance monitoring reports, at the beginning of the RPF/RAP implementation process, followed by quarterly performance monitoring reports, will be prepared by the PIU and presented to EDM's Environmental and Social Management Unit. These reports will also be available for consultation by a local NGO (see below) and by the donor.

These reports will summarize the information that has been collected and compiled on the various monitoring and follow-up indicators and will highlight the key issues that have been raised, the difficulties encountered and the solutions implemented.

The PIU will oversee record keeping of all information related to grievances, monitoring compensation payments and livelihood restoration, etc. These records will be submitted to the PIU for archives of the project at the end of the RAP implementation process.

#### **14.4 EXTERNAL SUPERVISION**

As mentioned earlier in Chapter 12, it is expected that a local NGO will be solicited to ensure external oversight of the RPF/RAP preparation and implementation process by the PIU.

The general objectives of external monitoring are to:

- provide an independent source of assessment during the resettlement and compensation processes
- provide advice to resolve issues that may arise during RPF/RAP implementation
- provide an overall assessment of RPF/RAP programs from a broader socio-economic perspective, in the longer term

The following parameters will be monitored and evaluated through the PIU reports and site visits:

- public consultation and awareness-raising on the modalities of clearing and supporting PAPs
- knowledge of PAPs regarding activities and rules for resettlement, compensation and income support
- at least once a month, attendance of the representative of the witness NGO to a public meeting to monitor consultation procedures, problems and issues raised during meetings and proposed solutions
- PAP satisfaction levels with various aspects of resettlement and compensation, monitored and recorded, and the functioning of the grievance mechanism, its results and the effectiveness of the resolution of grievances, also be monitored;
- throughout the RPF/RAP implementation the standard of living of the PAPs will be observed and these one will be interviewed, and the potential problems in the restoration of the standard of living will be recorded and reported to the PIU and EDM's Environmental and Social Management Unit.

The NGO must have qualified and experienced staff and the terms of the contract must be accepted by the donor.

In addition to verifying the information provided in the internal reports, the NGO will visit a sample of 10% of PAPs in each municipality twice a year to verify the following elements of RPF/RAP implementation:

- whether the participation procedures and the delivery of allowances to the PAPs have been carried out in accordance with the RPF/RAP
- whether RPF/RAP's socio-economic objective of improving or at least restoring the standard of living and income levels of PAPs has been met
- qualitative indications of the social and economic impact of the implementation of the Project on the PAPs
- change in the RPF/RAP implementation procedures, where appropriate, to achieve the principles and objectives

Drafting of contract terms and selection of the NGO will be carried out by EDM's Environmental and Social Management Unit in collaboration with donors at the beginning of the Project implementation phase.

Internal and external monitoring will be completed with the final audit of the RAP.

#### **14.5 RAP COMPLETION AUDIT**

A final audit of the RAP will be undertaken when monitoring will have indicated that there are no longer outstanding issues related to resettlement.

It is expected that this final verification will be carried out three (3) years after the start of RAP implementation, at the latest. The RAP completion audit will be carried out by an accredited agent with the support of the PIU and EDM's Environmental and Social Management Unit, as required.

Verification of the completion of the RAP will provide a final indication that livelihood restoration is sustainable and that no further action is required. The evaluation report will be made public through the meeting of EDM's Environmental and Social Management Unit and messages through the appropriate media.

## 15 TOR FOR THE RAP

These terms of reference have been prepared as a general guideline, for the preparation of the Resettlement Action Plan, associated to the Mozambique-Malawi Interconnection Project, in compliance with the following:

- Mozambican legislation
- World Bank Operational Policy

### 15.1 RESETTLEMENT ACTION PLAN

The RAP must take account of the findings of socio-economic and other baseline studies and surveys and the respective updates

The socio-economic baseline data will be updated to reflect the final alignment and the full wayleave (expected to be 100m wide) and will inform resettlement requirements in terms of land requirements and access to community facilities.

Authorities often prioritize the physical aspects of resettlement, but the overriding criteria in terms of identification of suitable resettlement sites must be the re-establishment, and ideally improvement, of livelihoods.

The RAP must include an exhaustive land search, with resettlement site criteria agreed upon, in advance, with key stakeholders and communities. Sites will need to provide access to adequate land and community facilities, be as close to the home area as possible, and be capable of accommodating households in a similar social and spatial organization as before.

Mozambican resettlement regulations assign a very important role to the provincial and district level authorities via their leading role in resettlement commissions, and these therefore need to be consulted early in the development of the RAP in accordance with the area covered by the final alignment and wayleave. Furthermore, resettlement is part of district land use planning and it is the district authorities that effectively lead the process of identifying replacement land (and making it available). In order to provide land with secure tenure, there is also a public participation process for the allocation of the DUAT (Direito de Uso e Aproveitamento de Terra – Right to Use and Benefit of Land) to be followed, and this must be incorporated in the RAP.

The RAP must incorporate the following elements:

#### INTRODUCTION

The introduction must provide a detailed description of the Project, and outline physical and economic resettlement effects, and the purpose of the RAP. The detailed Project description must describe the final alignment and wayleave, and include/allow an assessment of related resettlement effects.

All infrastructures, related transport networks, environmental and safety buffers including the wayleave and partial protection zone, (for construction and operation phases), as well as the identified resettlement site/s, will be mapped, with areas for each land use detailed in tabular form.

#### INSTITUTIONAL AND LEGAL FRAMEWORK

The RAP will outline applicable international best practice and standards in respect to analysis of institutional and legal frameworks.

WB best practice requires that all laws of the host country that are applicable to land acquisition and involuntary resettlement, are identified, including any relevant local customs and traditions that govern affected communities.

Additionally, where national legislation falls short of meeting the conditions prescribed by WB Operational Policies, the Project proponent will ensure the Project meets the Operational Policies. The proponent will identify gaps between local law and WB policy and propose a strategy to address those gaps, without infringing on issues of national sovereignty.

The Mozambique institutional and legal frameworks, pertaining to the Project, will be outlined, including all legislation relating to land use, titling, compensation, resettlement, and urban and regional planning. This will include permitting requirements in terms of land use, resettlement, planning and building legislation.

The RAP must provide a gap analysis, which will investigate where gaps exist between domestic requirements and international standards and requirements. Key considerations include: the need for stakeholder engagement and free, prior and informed consent; baseline data collection and analysis; compensation payments; eligibility and entitlements; resettlement planning; livelihood restoration. The gap analysis will outline the strategy whereby the RAP will address these gaps.

The RAP will include an explanation of how the wayleave and partial protection zone are defined for the Project according to Mozambican law, and how the respective effects on land rights and uses will be addressed under the RAP in accordance with OP4.12.

### **ORGANIZATIONAL FRAMEWORK**

The RAP will outline the organizational framework for implementation of the RAP.

WB operational policy notes that the RAP must identify and provide details on the roles and responsibilities of all organizations - public or private, governmental or nongovernmental - that will be responsible for resettlement activities. WB expects the sponsor to assess the capacity of these organizations to carry out their responsibilities. Accordingly, the organizational structure will take account of the capacity of government partners, and suggest capacity building and other assistance measures, where appropriate.

### **STAKEHOLDER ENGAGEMENT**

The RAP will outline the key goals, objectives and strategies for stakeholder engagement for both the RAP development and implementation processes.

A detailed stakeholder engagement plan will be designed to support the RAP development process, emphasizing on direct engagement strategies with affected communities and representatives of local governments. These strategies, the activities performed and the inputs, concerns and recommendations received from stakeholders will be thoroughly reported in the RAP document.

The RAP document will integrate a stakeholder engagement plan for the RAP implementation phase. This must include a proposal for establishment of a dedicated community resettlement committee(s) and how the views of all stakeholders affected by resettlement will be gathered, and importantly, how communities will negotiate on resettlement issues. If necessary, capacity building and support for communities to effectively engage will be considered. Affected communities and local governments will be involved in ongoing participatory monitoring and evaluation of the resettlement activities.

A minimum of four (4) consultation rounds, with affected communities, publicized through adequate local media, need to take place during the preparation and implementation of the RAP.

### **BASELINE DATA COLLECTION AND ANALYSIS**

Baseline data collection for the RAP will incorporate the following, as required by WB:

## **MAPPING**

The area from which people will be moved (or where any activities will be restricted or rights affected) including the alignment, wayleaves and partial protection zones, as well as the area to which people will be resettled, will be mapped in detail, with individual affected households demarcated (identified with registration numbers derived from structure and socio-economic surveys).

### **LAND SURVEYS AND THEMATIC MAPS**

From the land survey, different types of land will be mapped, according to use and potential (for instance, crop suitability assessments and natural vegetation).

Additional thematic maps will be prepared that identify:

- land use categories
- location of common property resources
- cultural property (for example, places of ritual significance, graveyards, and monuments)
- road and transportation networks
- location of farms, employment and services

Further detailed satellite imagery will be acquired for the RAP, and digitized to show all structures, which can be verified by ground-truthing. This will allow for an initial assessment of households and structures to be surveyed in detail within the final alignment and wayleave/partial protection zone.

### **DEMOGRAPHIC DATA**

A detailed census of people (100%), affected by the Project, gathered through the demographic and structure surveys, is a key initial stage in the preparation of the RAP. The Project demographic data can serve four (4) important and interrelated functions:

- enumerating and collecting basic information on the affected population
- registering the affected population by residence or locality
- establishing a list of legitimate beneficiaries before the Project's onset, that counters spurious claims from those moving into the Project area solely in anticipation of benefits
- laying a framework for subsequent socio-economic research needs

### **SOCIO-ECONOMIC STUDIES**

In addition to basic demographic data (age, sex, family size), social and economic information (ethnicity, health, education, occupation and livelihoods, land tenure, income sources) will also be gathered from among the affected people. This information can provide a general understanding of the communities affected by the Project, and the scope of compensation and resettlement assistance necessary to mitigate adverse effects.

Particular attention must be given to vulnerable groups living in the Project area. These groups may include households headed by women or children, people with disabilities, and the extremely poor.

### **INVENTORY OF AFFECTED ASSETS**

The Project Proponent must undertake a detailed survey of all losses that will result for each household, enterprise, or community affected by the Project. The survey will account for land acquisition and loss of physical assets as well as loss of income, restriction of rights and access. Assets held collectively, such as water sources, forest resources, and community structures will be recorded separately. It is essential for resettlement planners to consult with affected people during this step to develop a reasonable consensus on the methods and formulas for assigning value to lost

assets and income forgone during resettlement. Methodologies will be sufficient for calculation of compensation according to national requirements and international standards.

The surveys must coincide with an Entitlement Cut-off Date; the date established as the deadline for entitlement to compensation. This must be agreed upon with relevant government departments and ideally with communities in a participatory manner. Persons without legal rights occupying the Project Area after the Entitlement 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 Entitlement Cut-Off Date will not be compensated.

### **BASELINE DATA FOR MONITORING AND EVALUATION**

Information gathered based on the final alignment and wayleave/partial protection zone will be used to establish indicators not only for resettlement implementation, but also for monitoring and evaluation of income restoration and sustainable development initiatives associated with a RAP. Accordingly, selecting some national level indicators will allow for comparison with non-project areas.

### **SURVEYS CONSOLIDATION**

The RAP will consider, in liaison with the client, depending on Project timescales, opportunities to consolidate data gathering efforts as much as possible, both to economize on Project resources and to minimize survey fatigue among the affected population.

At the outset, the RAP will develop a Survey Matrix, which can identify appropriate indicators, develop survey questions for the purposes of RAP, and establish when and in what forum these will be asked (e.g. household surveys, focus groups, etc.).

Desktop review of all available secondary data will be conducted, including census reports, local authority information, etc. Household surveys will be supplemented by additional data gathering efforts, including focus groups (especially with farmers, elders, youth and women). Special efforts will be made to ensure the views of women are incorporated in the RAP.

In some cases, specialist studies may need to be considered (e.g. cultural heritage). An appropriate database will be proposed for the storage and analysis of data, ensuring effective analysis, security and confidentiality. The RAP will include an analysis of all data collected and how this informs resettlement planning and implementation.

### **IDENTIFICATION OF PROJECT IMPACTS**

The RAP will outline key project impacts.

A key initial task in planning resettlement is to “identify a project’s adverse impacts and the populations that will be affected”.

Projected effects include:

- loss of dwellings
- loss of farm buildings, and other structures (wells, boreholes, animal pens)
- loss of institutional buildings/public facilities
- loss of access to agricultural land
- loss of trees and standing crops
- Impediment or loss of access to community resources including fishing areas, forests and woodlands
- loss of business income during transition
- reduction of income resulting from these losses

Efforts to minimize projected impacts also need to be detailed.

## COMPENSATION FRAMEWORKS

How compensation frameworks will be determined, needs to be considered, including reference to both legislation and impacts, and valuation of assets. The RAP Compensation Framework will specify all forms of asset ownership or use rights among the populations affected by the Project and the Project's strategy for compensating them for the partial or complete loss of those assets.

## DEVELOPMENT OF RESETTLEMENT PACKAGES

The Project proponents will undertake the following actions on behalf of Project-Affected People:

- Inform affected people of their options and rights concerning resettlement.
- Provide technically and economically feasible options for resettlement based on consultation with affected people.
- Provide assistance with relocation expenses, transitional financial support; and provide affected people with development assistance.

The RAP will require an initial exhaustive land search for appropriate resettlement sites. This process involves significant participation from district-level authorities (responsible for making replacement land available) and will require agreeing criteria for an ideal site with all stakeholders, and investigating options in a participatory manner. The availability of replacement land will be the crucial consideration, and assessment of the suitability of potential sites for agriculture may be required through specialist studies.

Site layouts and housing options will require inputs from architects, planners and engineers, in order to provide local authorities and beneficiaries with clear options for resettlement. A choice will need to be offered between resettlement in kind and cash compensations, while safeguards will need to be agreed upon with stakeholders in the case of the cash compensation option.

## LIVELIHOODS RESTORATION

Simple restoration of livelihood may not be sufficient to protect affected populations from adverse project impacts, especially induced effects such as competition for resources and employment, inflation, and the breakdown of social support networks. For this reason, WB seeks to promote the improvement of the living standards of people affected by the Project.

The RAP will incorporate a fully budgeted livelihood program which must incorporate measures for the restoration of all livelihoods. Depending on the availability of alternative farmland, a mix of farming and alternative livelihood activities may be required.

Programs will include clear eligibility criteria, inputs required, and projected outcomes and measures for participatory implementation and monitoring. Development of programs will include the identification of delivery partners where possible and clear exit strategies for the Project.

## TEMPORARY HARDSHIP AND VULNERABILITY

WB defines vulnerable groups at particular risk as "indigenous people, the landless and semi-landless, and households headed by females who, though displaced, may not be protected through national land compensation legislation" (World Bank, 1990). Ethnic minorities are also considered as vulnerable groups.

Vulnerability criteria will be defined upon analysis of the social baseline data and a vulnerability assessment undertaken to determine the vulnerability weighting and ranking. In this analysis the RAP survey and implementation teams will assess the vulnerability of each household using, as possible, the socio-economic and asset survey data, household interviews and information from government departments dealing with Social Protection.

The RAP will devise and document, based on these criteria and assessments, the rehabilitation measures that will be put in place for vulnerable groups during and after the physical relocation and rehabilitation of affected communities.

### **PROTECTION OF CULTURAL HERITAGE**

According to the WB policy, the RAP will document all necessary efforts to protect, move and restore the cultural property of all affected people. Initial investigations undertaken as part of the RFP in December 2016 – January 2017, did not identify any significant archaeological or cultural heritage sites which will be affected by the Project.

The key impact of the Project is likely to be related to cemeteries and graves found within the Project Area. The RAP will outline the approach to graves and cemeteries, and how any archaeological remains, including 'chance finds' will be dealt with.

### **GRIEVANCE PROCEDURES**

According to WB, involuntary resettlement inevitably gives rise to grievances among the affected population. Timely redress of such grievances is vital to the satisfactory implementation of resettlement and to on schedule completion of the Project.

The RAP will outline the grievance mechanism for the resettlement process. This will ideally be aligned with the Project grievance mechanism, but may have particular mechanisms for resettlement related grievances, such as compensation calculations.

### **MONITORING AND EVALUATION**

As mentioned in the WB policy, "Monitoring provides both a warning system for project managers and a channel for the resettlers to make known their needs and their reactions to resettlement execution" (*Ibid.*).

Monitoring and evaluation activities will be integrated into the overall Project management process, and accordingly, the RAP must provide a coherent monitoring plan that identifies the organizational responsibilities, methodology, and the schedule for monitoring and reporting.

### **RESETTLEMENT BUDGET AND IMPLEMENTATION SCHEDULE**

WB policy states that "Submission [...] of a time-bound resettlement plan and budget that conforms to Bank policy is a condition of initiating appraisal for projects involving resettlement" (*Ibid.*).

The RAP budget will thus be linked with a detailed implementation schedule for all key resettlement and rehabilitation activities. In terms of this ToR, an initial schedule and budget for all consultations and negotiations, baseline data gathering and analysis for the final alignment and way leave/partial protection zone, development and design of resettlement options, up to implementation stage, will be considered, including the required organogram/personnel.

## 16 REFERENCES

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