



REPUBLIC OF MOZAMBIQUE
MINISTRY OF PUBLIC WORKS, HOUSING AND WATER RESOURCES



WATER SERVICES AND INSTITUTIONAL SUPPORT PROJECT II
(WASIS II AF)
IDA Credit P-149377

RESETTLEMENT POLICY FRAMEWORK
for WASIS II and Updated to Include Additional
Financing (AF) For Nacala City

May, 2019

The current document is the Resettlement Policy Framework (RPF) of the Water Services and Institutional Support Project II (WASIS II) and Additional Financing Amendment. The WASIS II RPF was originally produced in 2015 covering five cities (Pemba, Tete, Moatize, Beira and Dondo) and was updated in 2019 to include a sixth city (Nacala) under additional financing scope. The document is divided in three parts, namely:

PART I – SUMÁRIO EXECUTIVO (EXECUTIVE SUMMARY IN PORTUGUESE)

PART II – EXECUTIVE SUMMARY

PART III – MAIN DOCUMENT

Appendices are provided at the end of the main document.

PART I

SUMÁRIO EXECUTIVO

O *Fundo de Investimento e Património de Abastecimento de Água*- FIPAG (Autoridade do Projecto e Proponente) beneficiou de fundos do Banco Mundial, através do Projecto de Abastecimento de Água e Apoio Institucional (WASIS I)¹, que visava melhorar o desempenho, a sustentabilidade e a cobertura dos serviços de abastecimento de água em 11 cidades no Centro e Norte de Moçambique, nomeadamente nas cidades de Beira, Dondo, Quelimane, Nampula, Pemba, Chimoio, Gondola, Nacala, Angoche, Tete e Moatize.

Uma vez que existe demanda contínua e cada vez crescente por água de qualidade, e adequadas infra-estruturas de fornecimento, foi preparada uma segunda fase do projecto, denominada WASIS II, cobrindo cinco (5) cidades nas regiões Centro e Norte do País, nomeadamente em Pemba, Tete, Moatize, Beira e Dondo.

Como parte das preparações para o Projecto WASIS II, foi desenvolvida em Agosto de 2015 um Quadro de Política de Reassentamento. O Governo de Moçambique recebeu crédito da Associação de Desenvolvimento Internacional (ADI) para a implementação do WASIS II, o Crédito IDA P-149377.

Considerando o rápido crescimento da Cidade de Nacala e a sobrecarga na sua infraestrutura de abastecimento de água, a FIPAG pretende estender o WASIS II para incluir a Cidade de Nacala, no âmbito de um Financiamento Adicional (FA). Assim sendo, o Quadro de Política de Reassentamento do WASIS II está a ser actualizado para incluir a Cidade de Nacala no contexto do Financiamento Adicional. O QPR reflete também mudanças relevantes no quadro regulamentar ambiental e social de Moçambique e as diretrizes do Banco Mundial que ocorreram entre 2015 e 2019. A actualização do QPR não actualiza dados referentes às cinco cidades cobertas na versão de 2015.

O WASIS II (incluindo o seu FA) inclui investimentos em três componentes, nomeadamente A - Sistema de Produção de Abastecimento de Água; B - Sistema de Distribuição de Abastecimento de Água e C - Assistência Técnica ao FIPAG. As principais atividades a serem desenvolvidas por cidade nas categorias A e B, incluindo Nacala, estão resumidas na tabela abaixo.

De forma geral, espera-se que o Projecto WASIS II venha a beneficiar directamente a saúde e a qualidade de vida das famílias e comunidades (no mínimo 339.200 pessoas) vivendo dentro e nos arredores das seis cidades beneficiárias do projecto, nomeadamente Pemba, Nacala, Tete, Moatize, Beira e Dondo.

O propósito do QPR é estabelecer princípios, arranjos institucionais, cronogramas e orçamento indicativos para quaisquer acções de reassentamento ou compensação que possam vir a ser necessários para o Projecto. Procura-se ainda garantir que haja um processo

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¹ WASIS I incluiu um financiamento adicional através da Adenda – denominada, WASIS I Extensão

sistemático nas diferentes fases da implementação que assegure a participação das pessoas e instituições interessadas ou afectadas, a adesão aos requisitos do Banco Mundial e da República de Moçambique, e que orientam à compensação das pessoas afectadas.

As questões-chave relacionadas com o bem-estar da comunidade na concepção, desenvolvimento e implementação do Projecto WASIS II incluem: a) envolvimento e participação dos novos e potenciais consumidores no processo de planeamento, para a identificação de áreas de maior demanda, com potencial de fornecimento; b) uma vez que o grupo alvo para as conexões domésticas é da renda baixa, os canais de comunicação abertos em paralelo com as facilidades contratuais são importantes para que os novos clientes possam escolher os modos e níveis de pagamento acessíveis, contribuindo para assegurar a sustentabilidade da adesão do cliente; e c) a qualidade dos serviços deve ser adequada para garantir a satisfação do consumidor.

Principais Impactos associados à aquisição de direitos de uso de terra e criação de zone de protecção parcial

Este Quadro de Política de Reassentamento abrange investimentos na melhoria do sistema de produção e distribuição de água previstos no âmbito do Projecto WASIS II incluindo o Financiamento Adicional.

Abaixo apresenta-se um sumário das obras chave planeadas por cidade e organizadas por componente. As actividades que provavelmente causarão impactos associados à aquisição de uso de terra e criação de zone de protecção parcial estão sublinhados

Sumário de potenciais causas de deslocamento por componente / cidade (sublinhando actividades do Projecto com potencial de gerarem impactos de deslocamento)

Cidade	Sub-Componente 1-a: Produção	Sub-Componente 1-b: Distribuição
Pemba	<ul style="list-style-type: none"> Reabilitação e construção de cerca de <u>15 furos</u> <u>20 km de conduta</u>, diâmetro de 160-315 mm, para conectar os novos furos Reabilitação da adutora existente e construção de nova <u>adutora, 60 km, 500 mm de diâmetro</u>, de Metuge a Pemba 	<ul style="list-style-type: none"> Construção de <u>160 km de rede de distribuição</u> (120 km de expansão e 40 km de reabilitação, incluindo troca de tubagens) Fornecimento de <u>15 000m de conexões</u> Construção de novo <u>Centro de Distribuição</u>, composto por: reservatório subterrâneo (1.000 m³), torre de água (250 m³), equipamento de dosagem e estação de bombagem Beneficiários: 63 600 pessoas
Nacala	<ul style="list-style-type: none"> <u>2 km de adutora</u> de água bruta (750 mm de diâmetro) Nova <u>estação de tratamento de 25000 m³/d</u> <u>21 km de adutora</u>, 500 mm de diâmetro Substituição <u>de 10 km de adutora</u> Nova <u>estação de bombagem (EB2)</u> 	<ul style="list-style-type: none"> Novo <u>Centro Distribuidor</u> incluindo dois reservatórios de 4000 m³/d cada e estação elevatória (250 m³), além de estação de bombagem (EB3) <u>12 km de rede de distribuição primária</u> <u>150 km de rede de distribuição</u> Beneficiários: 42 400 pessoas

Tete/Moatize	<ul style="list-style-type: none"> • Reabilitação e construção de cerca de <u>21 furos</u> • <u>20 km de conduta</u> para conectar novos furos, 160-315 mm de <u>diâmetro</u> • <u>Adutora</u> de Nhartanda para estação de tratamento, <u>1 km</u>, 500 mm de diâmetro • <u>25 km de adutora</u>, do campo de furos de Matundo/Tete para Moatize, 350 mm diâmetro 	<ul style="list-style-type: none"> • <u>175 km de rede distribuição</u> em Tete e Moatize (135 km expansão e 40 km de reabilitação incluindo transferência de ligações) • Dois novos <u>centros distribuidores</u>, cada um composto por: reservatório subterrâneo de 2.000 m³, torre de 350 m³, Equipamento de dosagem e estação de bombagem • Fornecimento de <u>30.000m de materiais para conexões</u> • Beneficiários: 127 200 pessoas
Beira/Dondo		<ul style="list-style-type: none"> • <u>110 km de rede de distribuição</u> na Beira e Dondo (80 km de expansão e 30 km de reabilitação, incluindo a transferência de conexões) • 25.000m de materiais para conexões • Beneficiários: 106.000 pessoas

Devido a ocupação da faixa de reserva de vias públicas onde se pretende implantar o Projecto, algumas famílias poderão ser afectadas, particularmente pelas obras civis previstas na componente de produção de água: no desenvolvimento de campos de furos e de adutoras. A maioria das adutoras são construídas sobre ou adjacente às faixas de reservas das estradas. A substituição ou construção de novas adutoras poderá afectar principalmente famílias que invadiram a faixa de reserva de estradas primárias e secundárias ou que vivem em áreas das cidades congestionadas com deficiente planificação urbanística. Dentre as propriedades afectadas incluem-se casas, construções comerciais e outras estruturas - tanto temporárias como permanentes, bem como pequenas áreas de cultivo.

Zona de Protecção Parcial

A construção de condutas de água, implica o estabelecimento automático de uma Zona de Protecção Parcial (ZPP) de 50 m para cada lado da conduta [Lei de Terras – Lei 19/1997, Art 8. (g)]. Os direitos do uso e aproveitamento da terra dentro da ZPP não podem ser adquiridos, e somente actividades específicas podem ser desenvolvidas mediante uma Licença de Uso Especial.

Sempre que houver restrição do direito de uso da terra, a entidade pública ou privada que restringe os direitos deverá indemnizar ao titular (formal ou costumeiro) do direito, em quantia que represente o efectivo prejuízo pela não utilização da parte afectada (Regulamento da Lei da Terra - Decreto nº 66/1998, Art 17).

A Lei de Terras e o Regulamento da Lei de Terras não especificam a largura da ZPP em função da dimensão da conduta, o que implica que a ZPP se aplica a todas condutas de água, desde as condutas de transporte até a distribuição de água.

O WASIS II AF, fez análise de riscos do estabelecimento da ZPP nas condutas de transporte e distribuição de água a serem construídas no âmbito do Projecto, nomeadamente, da barragem até a cidade de Nacala e rede de distribuição de água na própria cidade de Nacala.

A análise revelou não ser praticável reassentar toda população existente na faixa confinante de 50 m da conduta de transporte e rede de distribuição de água, até porque o projecto visa

essencialmente a entrega/fornecimento de água aos domicílios dos consumidores e não seria possível o fazer se a rede de distribuição não pode chegar à residência do consumidor caso se respeite 50 m de ZPP.

Foi então estudada a possibilidade de elaboração de censo e atribuição de licenças de uso especial a todos residentes nas ZPP a serem automaticamente criadas pela rede de distribuição do Projecto. Esta abordagem seria desafiante devido a baixa capacidade de muitos municípios e distritos na atribuição massiva de DUAT bem como não familiarização com os princípios da licença de uso especial. Considerou-se ainda o risco de os detentores de licenças de uso especial reclamarem o seu reassentamento para retirada da ZPP pelo FIPAG sem que este reassentamento seja do interesse do FIPAG.

Durante a elaboração do QPR foram efectuadas consultas informais a diferentes académicos e profissionais de sectores ligados a planificação e ordenamento e visitados diferentes projectos de distribuição de água em construção ou operação e constatou-se que, a ZPP não tem estado a ser aplicada a condutas de transporte ou rede de distribuição de água em Moçambique.

Atendendo aos riscos associados ao estabelecimento da ZPP para condutas de transporte e de distribuição de água, o Projecto prevê o estabelecimento de Corredor de Impacto (Col) e reassentamento/compensação apenas na área tecnicamente requerida para o projecto, dentro da ZPP da estrada existente, portanto, não havendo a necessidade de criação de nova ZPP pela implantação de nova conduta de distribuição de água.

Atendendo que a legislação Moçambicana define que a ZPP é criada automaticamente ao implantar/construir condutas de água, **este princípio, de isentar a ZPP para o Projecto, só é válido na condição de o Proponente fornecer, a contento do Banco Mundial, antes de iniciar qualquer obra no Projeto, evidências de que medidas legais efectivas foram adotadas para clarificar/reduzir/eliminar a aplicação da PPZ às condutas de transporte e de distribuição de água em geral, ou, no mínimo, em todas as áreas do Projceto WASIS II AF ou em Nacala.**

A tabela abaixo resume as estimativas de possíveis impactos associados à aquisição de terras.²

Bens potencialmente afectados	Nº estimado
Casas de material permanente	209
Casas de material precário	175
Ancillary items (paredes & portões)	722
Campos agrícolas (hectares)	44
Passeios privados (hectares)	2.4

Note: A estimativa de bens afectados, refere-se a área tecnicamente necessária (Col) para execução das obras civis, tal como para as outras cidades, portanto, não abrange a Zona de Protecção Parcial de 100 metros.

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² A aquisição de terras na terminologia utilizada no QPR abrange a aquisição de direitos de uso da terra pelo proponente, bem como a criação automática de zonas de protecção parcial ao longo das tubagens construídas.

A necessidade de reassentamento ou compensação surge em resultado de impactos do Projecto que causam a perda do acesso aos bens ou activos permanentemente afixados à terra, tais como abrigos, negócios, estruturas de edifícios e culturas, bem como os impactos que causam a perda ou a interdição do acesso a uma base de recursos socioeconómicos ou aos meios de subsistência das comunidades locais, as perdas de forma temporária ou definitivas.

O reassentamento cobre impactos relacionados com a deslocação física³ (perda de abrigo/residência e outros bens) e a deslocação económica⁴ (perda de bens ou acesso a bens e fontes de renda sem necessidade de mudança de residência).

A expansão planeada da rede de distribuição tem mínima probabilidade de causar deslocação física (mudança de residência/abrigo) de pessoas residentes na área do Projecto. No entanto, poderá afectar vedações e pequenas áreas cultivadas com culturas anuais ou perenes, o que induzirá a compensação por perdas e danos. Até a data não são conhecidas a localização, a natureza e a magnitude das perdas.

Instrumentos para o Reassentamento

Desde o momento em que se prevê algum deslocação física a ser causado pelo Projecto, numa fase em que não se tem informação que permite apurar os detalhes de reassentamento involuntário e a aquisição de direitos de uso da terra, um Quadro de Política de Reassentamento é preparado para estabelecer os princípios da política para o desenvolvimento de planos específicos de reassentamento ou de compensação, para planificação, informação pública e discussão. Em fases subsequentes serão conhecidos detalhes suficientes do Projecto e serão elaborados Planos de Acção para o Reassentamento ou Planos de Reassentamento Abreviado para os sub-projectos. A elaboração dos planos de reassentamento será baseada no quadro acordado neste quadro de política.

O reassentamento abrange o deslocação física (aquisição de direitos de uso temporário ou permanente) e o deslocação económica. A necessidade de reassentamento e compensação refere-se aos impactos do Projecto que causam a perda ou perda de acesso a ativos que crescem ou estão permanentemente afixados à terra, tais como abrigos, empresas, edifícios e plantações e também a impactos que causam perda ou acesso a uma base de recursos socioeconómicos ou meios de subsistência das comunidades locais. As perdas podem ser totais ou parciais.

De acordo com a política do Banco Mundial (OP 4.12), a ausência de título legal para usar e se beneficiar da terra não limita os direitos à indenização. O Banco também enfatiza que para as pessoas cuja afectação é baseada na terra prioriza-se-rá a compensação em espécie (atribuição de outro bem similar ao perdido para o projecto). Na inexistência de terra alternativa suficiente, outras opções baseadas em oportunidades de emprego ou auto-

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³ Deslocação física refere-se a perda de abrigo e bens em resultado da aquisição de terras para o projecto, que exige que a pessoa afectada mude-se para outro local.

⁴ Deslocação económica consiste na perda de bens ou acesso a bens que induza a perda de fontes de rendimento ou outros meios de sustento como resultado de aquisição de terra relacionada com o projecto e/ou restrições no uso da terra.

emprego podem ser fornecidas, além da compensação monetária pela perda de activos de subsistência.

Acções de Mitigação

Uma avaliação preliminar dos locais de implantação dos sub-projectos, realizada para a preparação deste Quadro de Política de Reassentamento, identificou necessidade de provável deslocamento físico nos centros urbanos e nas periferias em rápida expansão de Pemba, Tete, Moatize e Nacala. A geração de rendimento fez com que a população invadisse a faixa de reserva legal de muitas das estradas mais propensas a instalação de tubagens do Projecto para a construção de bancas, lojas e casas.

Os custos de reassentamento e de compensação desses activos a serem impactados podem adicionar valores significativos para os orçamentos dos sub-projectos e, sempre que possível, o reassentamento deve ser evitado. Quando não for possível escolher um outro local ou alinhamento das condutas de determinado sub-projecto, as actividades devem ser definidas de modo a que menor quantidade de pessoas sejam afectadas, desde que tal não torne o sub-projecto inviável.

Quando identificada alguma actividade com potencial de causar impactos de deslocamento físico, sempre que possível, deverá se optar por alternativas tecnológicas ou de localização para minimizar o impacto. Uma das alternativas tecnológicas a adoptar na construção das adutoras e rede de distribuição será o uso de trabalho manual ao invés de máquinas para reduzir o corredor de impacto da obra nos locais de maior ocupação, áreas urbanas e peri-urbanas das cidades dos sub-projectos. Esta opção, bem como a selecção de corredores de menor ocupação, serão duas das tácticas mais importantes. Além disso, a comunicação eficaz através de sinalização e de diálogo com as comunidades através dos líderes ou autoridades municipais locais podem ser utilizadas para assegurar que as áreas desejadas pelo projecto não sejam ocupadas pela população local. Em áreas de produção agrícola, a notificação verbal e monitoria física na época produtiva anterior às obras também poderá evitar perda de culturas.

Se as actividades realizadas no sub-projecto inevitavelmente causarem deslocamento ou requerem a aquisição de direitos de uso da terra, o FIPAG deve realizar uma concisa Avaliação de Aquisição de Terra como mecanismo de triagem para identificar se um plano de reassentamento será necessário. O processo de triagem é um mecanismo útil para um projecto em que a execução de direitos de uso de terra do Estado é susceptível de causar deslocamento da população local. Assim, nos locais do projecto onde terá havido ocupação ao longo dos últimos anos e se preveja o deslocamento físico e / ou económico, uma Avaliação de Aquisição de Terra simples será adoptada e incorporada no processo de selecção a ser usado para esse sub-projecto. Se este dispositivo de rastreio detecta a probabilidade de deslocamento, em seguida, ele deve ser submetido ao Banco Mundial para a identificação de que tipo de reassentamento e / ou plano de compensação será necessário. Este Quadro de Políticas de Reassentamento e a Política Operacional do Banco Mundial 4.12 serão usados para orientar o desenvolvimento de planos de reassentamento.

De acordo com a legislação Moçambicana todos os projectos de desenvolvimento de infraestrutura devem ser rastreados usando uma lista de verificação padrão para identificar se é necessária uma avaliação ambiental. Se a triagem (instrução do processo) no Ministério da

Terra, Ambiente e Desenvolvimento Rural identificar o provável deslocamento físico de qualquer pessoa afectada pelo projecto, o ministério categorizará o projecto como 'A', o que exige a realização de um Estudo de Impacto Ambiental completo. Um Estudo de Impacto Ambiental ou um Estudo Ambiental Simplificado será realizado de acordo com a natureza e a dimensão dos potenciais impactos ambientais e sociais. Em ambos os casos, uma fase de definição do âmbito para definir os termos de referência para o Estudo de Impacto Ambiental irá identificar a escala do deslocamento susceptível de ser causado pelo sub-projecto e os impactos gerais potenciais deste. O Estudo de Impacto Ambiental irá apresentar detalhes de impactos socioeconómicos prováveis sobre as pessoas da área de implantação de sub-projectos e quaisquer actividades associadas necessárias para a construção ou operação.

O Estudo do Impacto Ambiental, embora não use o termo 'social', irá incluir uma Avaliação do Impacto Social, que irá identificar e quantificar os impactos e os números de pessoas afectadas ou deslocadas pelo sub-projecto. Assim, neste documento usa-se o conceito Estudo de Impacto Ambiental e Social para melhor clarificar o âmbito. Um estudo de base socioeconómico, incluindo um censo de todas as pessoas deslocadas fornece a base para a estimativa dos impactos sobre a população. Os Estudos de Impacto Ambiental incluem o relatório de uma extensa consulta pública, de duas rondas. Os planos de acção de mitigação são também obrigatoriamente preparados como parte do Estudo do Impacto Ambiental e respectivo Plano de Gestão Ambiental.

As acções de mitigação patentes no Estudo do Impacto Ambiental e Social descrevem os procedimentos utilizados para minimizar os impactos negativos sobre a comunidade como um todo ou parte dela ou sobre as famílias individuais. Onde estes requerem reassentamento e / ou compensação, de acordo com os requisitos do Banco Mundial, esses procedimentos serão definidos em pormenor num Plano de Acção para o Reassentamento.

Um Plano de Acção para o Reassentamento pode ser substituído por um Plano de Reassentamento Abreviado, que é plano simplificado utilizado quando a escala de impacto é menor. Ou seja, um Plano de Reassentamento Abreviado é necessário caso menos de 200 pessoas são fisicamente reassentadas ou perdem menos de 10 por cento dos seus bens devido ao projecto e o reassentamento não é complexo. Um Plano de Reassentamento Abreviado é composto predominantemente por detalhes de compensação para deslocamento económico, mas pode incluir um pequeno número de famílias (menos de 200 pessoas) fisicamente deslocadas que precisam de reassentamento. Este descreve a actividade e acções para minimizar o reassentamento e / ou compensação; providencia um levantamento social oficialmente certificado das pessoas deslocadas, um inventário e avaliação de bens e, se apropriado, uma pesquisa socioeconómica. Ele descreve em detalhe a compensação e outra assistência ao reassentamento, incluindo, se apropriado, o direito a participação em actividades de desenvolvimento a serem providenciadas em alternativa aos meios de subsistência afectados. Descreve os resultados das consultas com as pessoas deslocadas acerca de alternativas aceitáveis. Deve identificar a responsabilidade institucional para a implementação e procedimentos de mecanismos de apresentação de queixas e reclamações e sua reparação, bem como as modalidades de implementação e monitoria. Um calendário de execução e orçamento detalhado são obrigatórios.

O âmbito e o nível de detalhe de um Plano de Acção para o Reassentamento varia com a magnitude e complexidade do reassentamento envolvido. Alguns dos sub-projectos planeados induzirão reassentamento involuntário e impactos negativos nos meios de subsistência a uma escala que requererá um Plano de Acção para o Reassentamento (PAR) completo e os outros vão causar impactos de deslocamento menores que exigirão um plano de reassentamento abreviado (PARA). A organização e o mínimo de conteúdo necessário para estes planos devem estar em conformidade com a legislação Moçambicana (Decreto nº 31/2012 e o Decreto Ministerial nº 156/2014) e os requisitos da política operacional do Banco Mundial sobre Reassentamento Involuntário 4.12.

Direitos

As categorias de pessoas que perdem bens incluirão as indicadas no quadro abaixo, porém, outras podem ser identificadas durante a elaboração de Plano de Acção do Reassentamento ou Plano de Reassentamento Abreviado dos sub-projectos. O número exacto das Pessoas Afectadas pelo Projecto e o grau do impacto nos meios de subsistência dos agregados familiares (suas perdas, estatuto de proprietário, estatuto de arrendamento, etc.) serão determinados durante a planificação e elaboração de planos de reassentamento.

Critérios para Avaliação dos Agregados Familiares (AF) Potencialmente Afectadas

Tipo de Impacto	Descrição
<i>I.</i> Deslocamento físico completo	<i>Afs vivendo na área do Projecto.</i> Afs que perderão somente as suas casas e outras estruturas.
Deslocamento físico completo e perdas económicas.	Afs que perderão suas casas, outras estruturas e parte das parcelas de terra agrícola, produção agrícola e fontes não agrícolas de subsistência.
<i>II.</i> Perdas económicas parciais permanentes	<i>Afs que pratiquem agricultura na área do Projecto.</i> Afs que perderão parte das parcelas de terra agrícola e produção na servidão. Afs que poderão somente perder árvores altas.
Perdas económicas parciais temporárias	Afs que temporariamente perderão parte das parcelas de terra agrícola e produção e poderão ter de se adaptar à produção de culturas baixas no futuro.
<i>III.</i> Perdas económicas parciais permanentes	<i>Afs que somente vivam e cultivem sazonalmente na área do Projecto.</i> Afs que perderão casas e/ou outras estruturas na área do Projecto. Afs que perderão casas e/ou outras estruturas e parte das parcelas de terra agrícola e produção agrícola na área do Projecto.
Perdas económicas parciais temporárias.	Afs que temporariamente perderão parte das parcelas de terra agrícola e produção e poderão ter de se adaptar à produção de culturas baixas no futuro.
<i>IV.</i> Perdas económicas parciais permanentes.	<i>Afs que fazem pequenos negócios (com estruturas permanentes ou temporárias) na área do Projecto.</i> Afs que perderão receitas pelo fecho de negócios e perderão estruturas construídas para a actividade na área do Projecto. Afs que perderão receitas pelo fecho de negócios e perderão estruturas construídas para a actividade.
Perdas económicas parciais temporárias.	
<i>V</i> Perdas económicas parciais temporárias.	<i>Afs vivendo em casas alugadas que estão localizadas na área do Projecto.</i> Afs que perderão a casa que alugam para viver, na área do Projecto.
<i>VI</i> Perdas económicas parciais permanentes.	<i>Afs vivendo e/ou trabalhando em casas / estruturas comerciais alugadas sazonalmente na área do Projecto</i> Afs que perderão a casa que eles alugam e ocasionalmente ocupam como abrigo, ou para fazer negócios na área do Projecto.
<i>VII</i>	<i>Afs que alugam sua casa a terceiros na área do Projecto</i>

Tipo de Impacto	Descrição
Perdas económicas parciais permanentes.	Afs que perderão a casa e/ou outras estruturas que eles alugam a outros por períodos de curto ou longo prazo, na área do Projecto.
<i>VIII</i>	<i>Afs ou comunidades com propriedade cultural na área do Projecto</i>
Perdas de culturas parciais.	Afs ou comunidades que poderão perder o acesso a sítios físicos de relevância cultural (lugares sagrados, cemitérios ou similares)

Os procedimentos para avaliar a elegibilidade relativa à compensação e outras formas de assistência, incluem o censo de todas as pessoas afectadas pelo sub-projecto, inventário dos activos físicos possuídos e potencialmente afectados pelo projecto, e o estudo socioeconómico das fontes de renda, a titularidade e o uso dos bens. A avaliação das famílias com reivindicações de deslocamento económico parciais deve ser sensível ao acesso e utilização de fontes de subsistência, de modo que possa ser estabelecido quais famílias vão realmente perder a utilização do, ou o rendimento, como resultado do desenvolvimento do projecto.

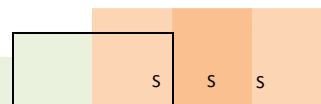
A figura abaixo mostra a forma como a localização da propriedade afectada influencia directamente o direito a compensação.

Situações de Propriedade e Estratégias para Compensação

SITUAÇÕES DE POSSE

Situação 1

O lote encontra-se parcialmente dentro da servidão, estando a outra parte não afectada. Estrutura inexistente.



Situação 2

O lote afectado encontra-se largamente na área da servidão e a restante parte fora da área afectada. Estrutura inexistente.



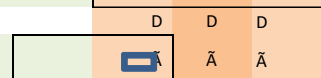
Situação 3

Lote afectado na sua totalidade encontra-se dentro dos limites da servidão. Estrutura inexistente.



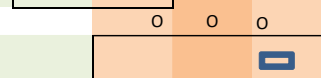
Situação 4

Existe uma casa na parte afectada do lote.



Situação 5

A totalidade do lote e a casa encontram-se afectadas.



Situação 6

Existe uma casa na parte não afectada do lote.



SITUAÇÕES PARA COMPENSAÇÃO

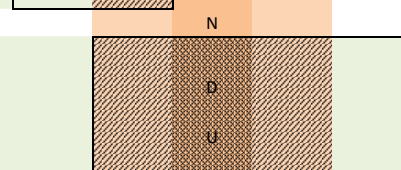
Situação 1

O cultivo pode decorrer dentro dos limites da servidão mas sujeito a limitações de altura. A perda de valor resultante desta restrição será indemnizada monetariamente.



Situação 2

A porção de solo dentro da servidão estará sujeita às mesmas limitações da Situação 1 e a perda do valor será indemnizada monetariamente. Todos os direitos sobre o solo dentro da servidão serão indemnizados uma vez que a área tinha sido destinada a expropriação. As culturas perenes nesta faixa também serão indemnizadas. Indemnizações de 'terra por terra' serão propostas como opção, no caso da restante área de terreno não ser suficiente para o sustento do agregado familiar.



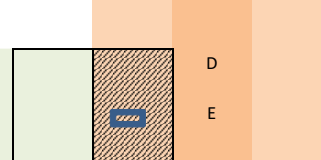
Situação 3

Tal como Situação 2. A indemnização de terra por terra será também proposta como opção se o agregado não possuir área de terra suficiente.



Situação 4

No que diz respeito à indemnização de terra, a Situação 4 é idêntica à Situação 2, mas neste caso a casa terá que ser trasladada. Se o agregado familiar tiver capacidade de a transferir para a parte não afectada do seu lote e a restante parte for sustentável, a situação é idêntica à situação 2, com o acréscimo de indemnização monetária ou em espécie da casa.



Situação 5

As PAP deverão sair do lote. Será oferecida indemnização de terra por terra e substituição da casa. As PAP poderão preferir indemnização monetária e proceder ao realojamento por conta própria caso haja condições propícias.



Situação 6

A casa não tem que ser removida. A situação 6 é idêntica à situação 2.



Legenda:

Restrições à Utilização do Solo

Servidão: limitações na utilização do solo (ausência de estruturas, árvores limitadas a 1,8m de altura)

Corredor de acesso: área que se deverá manter livre para acesso

PAP - Pessoas Afectadas pelo Projecto

Fonte: Adaptado do ESG/WS Atkins / G. Govannetti, citado no Manual para Preparação do Plano de Acção de Reassentamento da IFC

Organização Institucional

Triagem

A verificação/triagem de um sub-projecto que possa exigir a planificação do reassentamento é iniciada pela Área Operacional do FIPAG ou o Especialista Ambiental do FIPAG. Duas fichas de verificação deverão ser preenchidas, uma segue padrões do Banco Mundial (anexada ao QPR) e outra do Ministério da Terra, Ambiente e Desenvolvimento Rural (anexada ao Decreto 54/2015). Depois de concluído, o Especialista Ambiental irá assegurar que se for previsível

algum deslocamento, as fichas são enviadas para o Banco Mundial e para o Ministério da Terra Ambiente e Desenvolvimento Rural respectivamente.

Desenvolvimento do plano de reassentamento/compensação (PAR / PARA)

A responsabilidade por garantir a produção de um Plano de Acção de Reassentamento e um Plano de Reassentamento Abreviado é do Especialista Ambiental e Social, delegado pela Autoridade de Projecto, a Directora dos Serviços Centrais de Projectos e Investimentos do FIPAG.

As pessoas reassentadas pelo Projecto serão assistidas a melhorar ou restaurar seus meios de subsistência de modo que mantenham a sustentabilidade da sua interação com os recursos económicos de que dispunham. Nos casos de necessidade de reassentamento (deslocamento físico) extensivo com várias compensações, um consultor ou provedor de serviços será contratado para realizar estudos socioeconómicos, Estudo de Impacto Social e o Plano de Reassentamento.

Um projeto que cause deslocamento físico é automaticamente classificado como Categoria A, ou projeto A + segundo o regulamento de avaliação de impacto social e ambiental (ESIA) e uma licença ambiental para construção só pode ser concedida quando o proponente tiver um Plano de Acção de Reassentamento aprovado pelo Governo Distrital .

A aprovação envolve pareceres das Comissões Técnicas de Reassentamento, do nível central, provincial ou distrital conforme for relevante. O consultor do Estudo de Impacto Ambiental e Social é responsável pela consulta às partes interessadas, facilitar e supervisionar as negociações e acordos de compensação e produzir o plano de reassentamento. Se o local proposto para reassentamento for susceptível de causar impactos ambientais e sociais negativos significantes, em seguida, pode ser necessária uma avaliação ambiental do local de reassentamento, que pode adicionar tempo substancial para o processo de preparação do plano de reassentamento.

Um projeto que cause apenas deslocamento económico pode ser classificado como Categoria B se não causar um impacto de grande magnitude, conforme o regulamento da AIAS. Para estes projetos, a licença ambiental para construção pode ser concedida com base em um Plano de Compensação ou ARAP desenvolvido para lidar com os impactos de deslocamento económico desses projetos.

A planificação e execução do reassentamento terá lugar em áreas de jurisdição municipal e distrital. Esforços devem ser envidados para assegurar que a coordenação da planificação e implementação do reassentamento envolva as entidades mais eficazes possíveis em cada local.

Nos locais onde o número de pessoas por compensar é reduzido (menos de 200 pessoas), a equipe da Área Operacional do FIPAG pode realizar a consulta e planeamento com suporte do Especialista Ambiental e Social do FIPAG, ou mesmo com facilitadores sociais de alguma Organização Não Governamental local que pode apoiar na implementação.

Implementação de Reassentamento

A responsabilidade pela implementação do reassentamento recai sobre o FIPAG através da Direcção dos Serviços Centrais de Projectos e Investimentos, a Autoridade do Projecto, que irá encarregar à equipe da Área Operacional em conjunto com vários departamentos municipais, distritais ou serviços provinciais para a demarcação e, se necessário, na aquisição de direitos de uso de terra para o reassentamento. O FIPAG pode, em nome da Autoridade do Projecto, contratar assistência adicional para facilitar o reassentamento, tais como empreiteiros para o desenho e construção de casas, consultores para supervisionar o processo e um provedor de serviços com facilitadores sociais para conduzir a consulta, negociação de compensação e do processo implementação de reassentamento.

O Especialista Ambiental e Social do FIPAG é responsável pela supervisão e gestão dos dados sociais para o processo de reassentamento com assistência de cada área operacional e dos Oficiais de Salvaguarda das direcções regionais, ainda por contractar e trainar. O treinamento será direccionado às novas áreas de trabalho e implementação do Código de Conduta do Projecto, e a prevenção, mitigação e gestão da violência baseada em género e violência contra crianças. A supervisão e monitoria do processo de implementação do reassentamento será efectuada pelos Oficiais de Salvaguarda e Comissões Distritais de Reassentamento, que também serão responsáveis por receber queixas formais e, se possível, assegurar a sua resolução.

Onde for necessário implementar compensação ou reassentamento, os Oficiais de Salvaguardas das Áreas Operacionais terão suporte do Oficial de Salvaguardas Regional, que dedicará não menos do que 50% de seu tempo na organização e supervisão directa da implementação do reassentamento nos locais dos sub-projectos. Nas cidades por implementar reassentamento, poderá se contratar facilitadores sociais activos para conduzir os aspectos sociais e organizacionais. Os Planos de Acção de Reassentamento/ Planos de Reassentamento Abreviado serão elaborados por consultores quando a magnitude dos impactos for significativa, incluindo quando houver deslocamento físico e o provedor de serviço poderá ser contratado para implementar os PAR.

A nível comunitário um comité de reassentamento, com pelo menos 40% de mulheres, deve ser estabelecido para representar os interesses daqueles que serão afectados. O Comité Comunitário de Reassentamento irá incluir representantes das diferentes áreas afectadas, considerando as divisões administrativas das áreas dos sub-projectos, e pode ser subdividido em grupos de trabalho com propósitos de gestão. Este será um fórum chave para garantir a ligação dos assuntos do reassentamento e as reclamações da comunidade – com o facilitador social, O Comité Distrital de Reassentamento, as autoridades municipais, os Especialistas Ambientais e Sociais do FIPAG e será o primeiro passo na resolução de reclamações que, se não forem resolvidas, serão encaminhadas para o Comité Distrital de Reassentamento e ou representante da Área Comercial para transmissão para níveis mais elevados.

Deverá se treinar aos integrantes do Comité Comunitário de Reassentamento em questões sociais e de gestão e sempre que possível, ter apoio técnico de facilitadores sociais. Os representantes da Área Operacional, do Gabinete de Estudos e Projectos e do Departamento de Zonas de Fornecimento delegados para trabalhar com o Projecto em conjunto com os representantes do Comité Distrital de Reassentamento e as autoridades locais irão coordenar,

acompanhar e supervisionar a consulta e participação da comunidade na implementação do Plano de Acção de Reassentamento/Plano de Reassentamento Abreviado a nível local. As equipas da Área Operacional vão coordenar as actividades nas províncias e distritos e fornecer informações para o Especialista Ambiental e Social do FIPAG. O escritório da Área Operacional e Comercial deve garantir que uma cópia de todas as informações recolhidas localmente é enviada aos serviços centrais de projectos e investimentos no FIPAG Sede

O monitoramento do reassentamento será realizado através do Comité Distrital do Reassentamento, bem como internamente pelo pessoal de salvaguardas do FIPAG para avaliar a eficácia da aplicação do plano de reassentamento e que os direitos humanos e os padrões do FIPAG são respeitados. Para além do acompanhamento durante a implementação, o comité distrital deve fornecer um relatório de avaliação final do reassentamento e / ou actividades de compensação. Quando o reassentamento afecta grupos vulneráveis identificados, o seu bem-estar deverá ser acompanhado de perto e com maior atenção.

A coordenação será supervisionada pela Directora dos Serviços Centrais de Projectos e Investimentos e esta será também responsável por garantir o cumprimento relativo à consulta pública e divulgação.

Consulta pública e reclamações

O Quadro de Políticas de Reassentamento e preparação de plano de reassentamento é um processo participativo.

A Estrutura de Política de Reassentamento e os processos de planeamento de reassentamento são participativos. Durante a preparação do RPF, a consulta pública foi realizada com o objetivo de perceber as expectativas do público sobre os desenvolvimentos propostos. O processo de consulta incluiu dois métodos principais: (i) consultas individuais com os principais interessados (FIPAG, funcionários de ministérios relevantes, ONGs, Banco Mundial, etc.), e (ii) reuniões públicas.

A consulta pública para o WASIS II iniciou em 2015 durante a preparação QPR original. Para que a proposta financiamento adicional do WASIS II que incluísse Nacala, foram organizadas e realizadas reuniões de consulta pública a 15 e 16 de novembro de 2018 no distrito de Nacala-Velha, na EPC do Posto Administrativo de Barragem e na cidade de Nacala, no Thamole Lodge. As questões críticas levantadas e diretamente relacionadas ao reassentamento são resumidas abaixo:

- Há assuntos pendentes no reassentamento do compacto do Millennium Challenge Account (MCA). Ao terminar a reunião, foi apresentada uma lista de reclamações de 109 pessoas ao FIPAG / Consultores. Eles reclamaram da perda de árvores e plantações durante a instalação da adutora de água pelo empreiteiro anterior, sob o contrato do MCA. A questão não era do conhecimento das autoridades do distrito e da comissão que estava a monitorar o RAP. Isto requer mais investigação antes de qualquer nova intervenção. Se não for devidamente tratado pelo FIPAG, poderá afectar o actual projeto da água.

- As pessoas estavam preocupadas com o direito à compensação e o tipo de compensação a ser entregue pelo projeto. Elas queriam saber se as propriedades afetadas pelas vibrações durante as operações da máquina / veículos do projeto também seriam elegíveis para compensação e se seria uma compensação em dinheiro ou não.
- Os participantes estavam preocupados com a supervisão do processo de reassentamento. A falta de supervisão pode motivar as pessoas afetadas / compensadas a retornarem às áreas de impacto do projeto, criando problemas futuros para a manutenção da infraestrutura hídrica.

Um plano de comunicação salientando actividades de sensibilização sobre os sub-projectos e procedimentos e direitos de reassentamento/compensação deve ser elaborado e executado durante a planificação e implementação do reassentamento, a fim de promover o diálogo e reduzir mal-entendidos e queixas. A formação em gestão de conflitos por técnicos de comunicação e imagem aos oficiais de salvaguardas e aos membros do Comité Comunitário de Reassentamento e líderes comunitários vai ajudar minimizar os potenciais conflitos. Os facilitadores sociais irão envolver as comunidades em campanhas de sensibilização e formação sobre os seus direitos e obrigações; como obter aconselhamento e representação jurídica; e como buscar reparação para o que eles poderão considerar práticas desleais por parte de parceiros de investimento.

Potenciais conflitos e canais de comunicação para apresentação de reclamações a nível comunitário devem ser identificados através de consulta durante os estudos socioeconómicos e avaliações de impacto. O processo de consulta deve envolver todas as pessoas potencialmente deslocadas, ser devidamente registado e as contribuições dos interessados e afectados utilizados no plano de reassentamento. Durante e após a implementação do reassentamento e compensação, a consulta individual e em grupo deve continuar para verificar o progresso da adopção de novas actividades de subsistência e da restauração das vidas para os níveis em que os afectados estavam antes do reassentamento.

O processo de preparação do plano de reassentamento requer que estatutariamente se envolvam todas as partes interessadas e afectadas em quatro rodadas de reuniões integrantes do processo de consulta pública, a fim de marcar cada etapa de planeamento de actividades. O processo de consulta pública permite uma tomada de decisão participativa para a) selecção do local de reassentamento, b) desenho das casas de reassentamento, c) direitos a compensação, d) os pacotes de compensações e assistência, e e) estratégias de acções de mitigação para reduzir os impactos do reassentamento físico e de actividades económicas.

Com base na presente actualização do QPR, um Mecanismo de Gestão de Reclamações (MGR) será usado em todas as fases do ciclo de vida do WASIS II.

As reclamações das pessoas afectadas ou dos residentes do local de acolhimento, relativas aos arranjos para reassentamento propostos ou acordados, podem ser apresentadas aos líderes de influência local ou ao Comité de Reassentamento da Comunidade como um primeiro nível de audição e de resolução. Na ausência de resolução a nível comunitário, as questões podem ser apresentadas às autoridades municipais, provedores de serviços ou representante da Área Comercial do FIPAG, para a resolução ou transmissão à Autoridade

Projecto através dos Serviços Centrais de Projectos e Investimentos. Questões relevantes não resolvidas poderão ser formalmente encaminhadas do Comité Distrital de Reassentamento para a Comissão Distrital ou Provincial de Reassentamento e, na falta de resolução, à Comissão Técnica de Reassentamento a nível central, para investigar e coordenar soluções adequadas.

As queixas e reclamações podem também ser levadas ao facilitador social pertencente ao provedor de serviços que trabalha com a comunidade afectada. Este canal pode auxiliar na resolução local ou proporcionar um canal rápido para resolução atempada, envolvendo a Área Comercial e o Especialista Ambiental e Social dos Serviços Centrais de Projectos e Investimentos do FIPAG.

Na maioria das legislações sectoriais estão acauteladas provisões para recorrer e ou apresentar queixas aos níveis mais altos do governo, tais como Directores Nacionais e Ministros. Caso alguma parte não esteja satisfeita, o lesado pode levar a queixa ao tribunal onde será tratada conforme a legislação moçambicana.

Custos e monitoria

Os custos das actividades do reassentamento são de aproximadamente 8,742,313 dólares americanos (variação de 38% comparativamente QPR de 2015)⁵. A provisão orçamental considera a afectação física que induz a necessidade de reassentamento dado ser previsível na presente fase.

Description	Total US \$
Custo de preparação do reassentamento - média de um PAR + um ARAP	880,753
Organização e supervisão da gestão central	297,152
Custo de monitoria e avaliação	148,576
Desenvolvimento da capacidade da comunidade e facilitação do reassentamento (Prestador de Serviços)	587,168
Compensação e medidas de mitigação (aquisição de terras, preparação e habitação)	3,952,095
Medidas de compensação em dinheiro (activos, culturas e árvores)	1,693,755
Pequenos custos de resolução de conflitos	141,147
Contingência 12%	1,041,667
Total	8,742,313

A consulta e participação da comunidade no processo de planificação do plano de reassentamento permitirão identificar indicadores dos impactos e de progresso para a

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⁵ O incremento dos custos resulta da coleta de dados em Nacala que mostrou dois aspectos de risco significativos: grande invasão de áreas de reserva e aumento de preços. Juntamente com um aumento no número de famílias potencialmente afetadas de 1000 para 1430.

Esta mudança demonstra claramente os custos crescentes do reassentamento em Moçambique e a necessidade de gerir os direitos das servidões e áreas de reserva com muito maior atenção. Recomenda-se que o PAR / ARAPs façam todos os esforços para seguir os alinhamentos de reserva existentes e evitar que afetem as residências, causando deslocamento físico e a necessidade de reassentamento.

monitoria e avaliação. Estes serão utilizados para formular o plano de reassentamento se for necessário, e posteriormente para a monitoria ao longo da implementação e da auditoria externa. As comunidades também irão participar na avaliação externa dos resultados do reassentamento. O Comité Distrital de Reassentamento e a Comissão de Reassentamento provincial e central, são responsáveis pelo acompanhamento dos projectos de reassentamento em geral; enquanto os Comités Distritais de Reassentamento são responsáveis por monitorar os sub-projectos nas suas jurisdições.

As actividades definidas em quaisquer acordos escritos entre a Autoridade do Projecto e os representantes das comunidades serão monitoradas em conjunto e, quando possível, as organizações comunitárias serão responsáveis por garantir o cumprimento pelos membros da comunidade.

A Autoridade do Projecto será responsável por garantir o adequado desenho, desenvolvimento e supervisão do sistema interno de monitoria e avaliação do reassentamento.

PART II

EXECUTIVE SUMMARY

The Water Supply Assets and Investment Fund – FIPAG (the Project Authority and Proponent) benefited from support from the World Bank under the Water Services and Institutional Support (WASIS I)⁶ Project, which aimed at improving the performance, sustainability and coverage of water supply services in 11 cities in the Centre and North of Mozambique, namely Beira, Dondo, Quelimane, Nampula, Pemba, Chimoio, Gondola, Nacala, Angoche, Tete and Moatize cities.

Since there is a continuing and growing need for more safe water and therefore appropriate water infrastructure development, a second phase, the WASIS II Project (the Project) was prepared covering five (5) cities in the northern and central regions of the country, namely Pemba, Tete, Moatize, Beira and Dondo.

As part of the preparation of the WASIS II Project, a Resettlement Policy Framework (RPF) was developed in August 2015. The Government of Mozambique (GoM) received a credit from the International Development Association (IDA) toward the cost of the WASIS II, the IDA Credit P-149377.

Considering the rapid growing of Nacala City and the overload of its water supply infrastructure, FIPAG intends to extend WASIS II to include Nacala City under an Additional Financing (AF) agreement. Thus, the WASIS II Resettlement Policy Framework (RPF) is now being updated to include Nacala city within the scope of Additional Financing and also to reflect relevant changes in Mozambique’s environmental and social regulatory framework and World Bank guidelines that took place between 2015 and 2019. The updated RPF does not update data on the five cities covered in the 2015 version.

WASIS II (including its AF) comprises investment in three components, namely A - Water Supply Production System; B - Water Supply Distribution System and C - Technical Assistance for FIPAG. The main activities to be developed per city under the categories A and B, including Nacala, are summarized in the table below.

Overall is expected that the WASIS II Project and its AF will directly benefit health and the quality of life of households and communities (minimum of 339.200 persons) living within and around the six cities to be benefited by the project, namely Pemba, Nacala, Tete, Moatize, Beira and Dondo.

The objective of the RPF is to set out the policies, principles, institutional arrangements, schedules and indicative budget for any anticipated resettlement and other related social safeguards risks. These arrangements are also to ensure that there is a systematic process for the different stages of the implementation of a framework that assures participation of affected persons, involvement of relevant institutions and stakeholders, adherence to both World Bank and Mozambique procedures and requirements, and outline compensation for affected persons.

Key issues relating to community well-being implied in the design, development and implementation of the WASIS II project include a) involvement and participation of new and

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⁶ WASIS I included additional financing through an Amendment – nominally, WASIS I Amendment.

potential consumers in the planning process for identifying areas of highest demand with potential for supply; b) since it is the poor being targeted for domestic connections, open communication channels in parallel to contractual alignments are important so that new clients can choose affordable payment modes and levels, contributing to ensure the sustainability of client adherence; c) the quality of services must be adequate to meet with consumer satisfaction.

Nacala City is a city located in the northern province of Nampula, at a distance of about 200 km from the city of Nampula. Nacala City’s main water supply consists of a water treatment plant and a transmission main from the Nacala Dam. The existing Nacala Water Supply System is at an advanced stage of degradation. The Nacala Dam (administratively located at Nacala-a-Velha District) was rehabilitated by the Millennium Challenge Corporation in 2013. However, the losses between the existing intake and transmission systems are reportedly high, with the transmission system experiencing frequent breakages due to ageing (i.e. the transmission line is about 30 years old). Heavy rains tend to cause erosion in the areas where the transmission line has been installed. Therefore, urgent rehabilitation is required for both the treatment plant and the transmission main to secure efficient and good quality water to the residents of Nacala, once one of the fastest growing cities in the country.

Main Impacts associated with land use rights acquisition and creation of partial protection reserve

This Resettlement Policy Framework covers investment in improvements to the water supply production systems and the water supply distribution systems planned for the WASIS II project, including its Additional Financing.

Table below shows a summary of key civil works planned per city and organized by component. The works that are likely to cause impacts associated with land use acquisition are underlined.

Summary of potential key causes of displacement per component/city (underlined)

City	Sub-Component 1-a: Water Production	Sub-Component 1-b: Water Distribution
Pemba	<ul style="list-style-type: none"> Rehabilitation and construction of about <u>15 boreholes</u> <u>Pipelines</u> to connect new boreholes, <u>20 km</u>, diameter of 160 - 315 mm PVC Rehabilitation of the existing transmission main and <u>construction of new transmission main, 60 km</u>, diameter of 500 mm 	<ul style="list-style-type: none"> <u>160 km of Network construction in Pemba</u> (120 km expansion plus 40km rehabilitation including transference of connections) <u>Supply of 15 000 water meters</u> Construction of <u>new Distribution Centre</u> comprised of: ground reservoir (1.000 m³), water tower (250 m³), dosing equipment and pumping station People Served: 63 600

City	Sub-Component 1-a: Water Production	Sub-Component 1-b: Water Distribution
Nacala	<ul style="list-style-type: none"> • Raw water transmission main, <u>2 km, DN 750 mm</u> • New <u>water treatment plant with 25,000 m³/d</u> • <u>21 km transmission main DN 500 mm</u> • Replacement of <u>10 km of the existing transmission main</u> • New <u>booster pumping station EB2</u> 	<ul style="list-style-type: none"> • Construction of a <u>new Distribution Centres</u> composed of: two ground reservoirs with 4 000 m³/d each, 250 m³ elevated tower and pumping station EB3; • Construction of <u>12 km of main distribution lines</u>; • Construction of <u>150 km distribution network</u>. • People Served: 42 400
Tete/Moatize	<ul style="list-style-type: none"> • Rehabilitation and construction of about <u>21 boreholes</u> • <u>Pipelines</u> to connect new boreholes, <u>20 km</u>, diameter of 160 - 315 mm PVC • New <u>pipeline</u> from Nhartanda to WTP, <u>1 km</u>, diameter of 500 mm • <u>New transmission main</u> to connect Moatize to Tete boreholes, <u>25 km</u>, diameter of 350 mm 	<ul style="list-style-type: none"> • <u>175 km of network construction</u> in Tete and Moatize (135 km expansion and 40km rehabilitation including transference connections) • Two <u>new Distribution Centres</u>, each comprising: ground reservoir 2 000 m³ capacity, water tower 350 m³, dosing equipment and pumping station • Supply of <u>30 000 meters</u> and materials for connections • People Served: 127 200
Beira/Dondo		<ul style="list-style-type: none"> • <u>110 km of network</u> construction in Beira and Dondo (80 km expansion plus 30 km rehabilitation including transference of connections) • Supply of <u>25 000 water meters</u> and materials for connections • People Served: 106 000

Due to encroachment into public rights of way and other land with public use rights, some households may be affected particularly by civil works planned for the water production component namely, wellfield development and by the installation of transmission mains pipelines. Most transmission mains are constructed in or adjacent to road reserves. Their replacement and increment will mostly affect households that have encroached into primary and secondary road reserves or that live in congested unplanned areas of the cities. Property affected by these planned works will includes houses, businesses and other structures - some temporary others permanent, as well cultivation in open areas.

Partial Protection Zone

The construction of water pipes implies the automatic establishment of a 50 m Partial Protection Zone (PPZ) each side of the water pipeline [Land Law - Law 19/1997, Art 8. (g)]. Land use rights within the PPZ cannot be acquired or will be extinct, and only specific activities can be developed under a Special Use License.

Whenever there is a restriction of the right to use the land, the public or private entity that restricts the rights should compensate the holder (formal or custom) of the right, in an amount

that represents the actual damage caused by the non-use of the affected part (Regulation of the Law of the Land - Decree nº 66/1998, Art 17).

The Land Law and its Regulation do not specify the width of the PPZ, depending on the dimension of the water conduit, which implies that the PPZ applies to all water pipes, from the transmission to water distribution.

WASIS II AF carried out a risk analysis of the establishment of the PPZ in the water transport and distribution pipelines to be built under the Project, from the dam to the city of Nacala and water distribution network in the city of Nacala itself.

The analysis revealed that it is not practicable to resettle all existing population within the 100 m confines of the pipeline and water distribution network, since the project is essentially aimed at delivering / supplying water to consumers' homes and would not be possible to do so if the distribution network cannot reach the consumer's residence if 100 m of PPZ is respected. In addition, it was found that the large majority of areas of interventions where the water supply network will be expanded, PPZ's have already been established due to the presence of road and electricity infrastructure.

The possibility of drawing up census and assigning special use licenses to all residents of the PPZ to be automatically created by the Project distribution network was then studied. This approach would be challenging due to the low capacity of many municipalities and districts in the massive allocation of DUAT as well as unfamiliarity with the principles of special use license. It was also considered the risk that holders of special use licenses will claim their resettlement for the withdrawal of PPZ by FIPAG without this resettlement being in the interest of FIPAG.

During the preparation of the RPF, informal consultations were held with different academics and professionals from sectors related to urban planning and visited different water distribution projects under construction or operation) and it was found that PPZ has not been applied to pipelines of transport or water distribution network in Mozambique.

Considering the risks associated with the establishment of the PPZ for water transport and distribution pipelines, the Project provides for the establishment Corridor of Impact (CoI) and resettlement / compensation only in the area technically required for the project, within the PPZ of the existing road, therefore, there is no need to create a new PPZ for the implementation of new water pipelines.

Given that Mozambican legislation defines that PPZ is automatically created when implementing / constructing water pipelines, this principle of exempting PPZ to the Project is only valid on condition that the Client provides acceptable solution to the World Bank, before initiating any work in areas where new PPZs will be created in the Nacala project area, with evidence that effective legal measures were taken to clarify/reduce/eliminate the application of PPZ to the proposed investments.

Table below summarizes estimates of possible impacts associated with land acquisition⁷.

Estimated Affected Assets	Estimated nº
Houses of permanent materials	209
Houses of temporary materials	175
Ancillary items (walls & gates)	722
Area crops (hectares)	44
Disturbed paved areas Nacala (hectares)	2.4

Planned expansion of the distribution network is not likely to cause physical displacement of any people occupying areas targeted for development. It may however affect small areas cultivated with annual and perennial crops or fences or boundary walls which would require compensation for losses and damages.

Resettlement instruments

As soon as any land use rights acquisition or impact is foreseen for a Project, but the details of involuntary resettlement and acquisition of land use rights are not known, a Resettlement Policy Framework (RPF) is prepared, that establishes the policy principles for the development of site-specific Resettlement Action Plans (RAPs) or Abbreviated Resettlement Action Plans (ARAPs) for public information and discussion. As, subsequent to the Resettlement Policy Framework, outlines of different initiatives are known in detail, if and when deemed necessary, a Resettlement Action Plan will be developed based on the framework agreed upon in this document.

Resettlement covers physical displacement (temporary or permanent land use rights acquisition) and economic displacement. The need for resettlement and compensation refers to Project impacts that cause the loss of assets, or loss of access to assets growing on or permanently affixed to the land, such as shelters, businesses, buildings and crops and also to impacts that cause loss of or access to a socio-economic resource base or local communities' means of livelihood. Losses may be total or partial.

According to World Bank policy (OP 4.12), the absence of legal title to use and benefit from the land does not limit rights to compensation. The Bank also emphasises that land-based resettlement strategies should be used for displaced people whose livelihoods are land-based. If alternative land is not available, other options built around opportunities for employment or self-employment should be provided in addition to cash compensation for assets lost.

Mitigation actions

A preliminary site assessment carried out for the preparation of this Resettlement Policy Framework has identified that displacement is likely in the urban centres and the rapidly expanding peripheries of Pemba, Tete, Moatize and Nacala. The income-generation driver has caused many existing rights of way and roadsides where mains pipelines are most likely to be installed, to be encroached by traders' stalls, shops and houses.

Aside from having potentially impoverishing effects, t resettlement and compensation costs can add significant amounts to project budgets and to Project planning time, as such, wherever possible resettlement should be avoided. Where it is not possible to choose another

1.1

⁷ The terminology land acquisition used in the RPF covers the acquisition of land use rights by the proponent as well as the automatic creation of partial protection reserves along pipelines constructed.

location or alignment of piping for a sub-project, activities should be defined so that the least amount of people is affected without affecting the viability of the sub-project.

When an activity that causes displacement is identified, alternative designs must be prepared to minimize the impact wherever possible. Reducing the construction impact corridor in urban and some peri-urban parts of the sub-project cities by using manual labour instead of machines to lay the pipes and selecting corridors of least occupation in which to build will be two of the most important tactics. In addition, land-use plans, effective communication through signage and dialogue with local communities may be used to ensure areas where future construction is planned, are not encroached by local people. If an area is already used for crop production, notifying verbally and physically in the season prior the works may also avoid unnecessary compensation payments.

If activities carried out in a sub-project unavoidably cause displacement or require the acquisition of land use rights, FIPAG will conduct a concise Land Acquisition Assessment (LAA) as a screening mechanism to identify if resettlement planning will be required. The screening process is a useful mechanism for a project where the enforcement of State land use rights is likely to cause displacement of local people, and it is an obligatory World Bank requirement. Thus, where encroachment over the past few years means that physical and/or economic displacement will occur, an adapted simple Land Acquisition Assessment can be incorporated into the screening process to be used for these projects. If this screening device detects the likelihood of displacement, then it will be necessary to develop a RAP/ARAP. This Resettlement Policy Framework, statutory requirements and World Bank policy OP 4.12 will be used to guide the development of a Resettlement Plan.

Under Mozambican law all infrastructure development projects must be screened using a standard checklist to identify whether an environmental assessment (EA) is necessary. Should screening identify the displacement of any people, this will necessitate project categorization as an 'A', and the realization of an Environmental Impact Assessment (EIA). A simple environmental assessment or more complex Environmental Impact Assessment may be undertaken depending on the nature and size of the potential environmental and social impacts. In both cases a scoping phase to define the terms of reference for the EIA will identify the scale of displacement likely to be caused by a sub-project and general potential impacts of this. The EIA will provide details of likely socio-economic impacts on people of sub-project development and any associated facilities required for construction or operation.

The statutory EIA, despite not using the term 'social', does include a social impact assessment (SIA) that will identify and quantify impacts and the numbers of people affected or displaced by the sub-project. As such, this document will refer to an Environmental and Social Impact Assessment from here on for purposes of clarity of scope. A socio-economic baseline survey would then include a census of all directly impacted people and provide the basis for estimation of impacts on the population. EIAs require extensive and reported public consultation during preparation. Mitigating action plans are also required to be prepared as part of the Environmental Impact Assessment.

Environmental and Social Impact Assessment mitigation plans should outline the procedures used to minimize the negative impacts on the community as whole or on part of it or on single households. Where these require resettlement and / or compensation, according to World Bank requirements, these procedures will be defined in detail in a Resettlement Action Plan.

An Abbreviated Resettlement Action Plan (ARAP) may be prepared rather than a Resettlement Action Plan if the scale of impact is low. That is, an ARAP is required if less than 200 people are physically displaced or lose less than 10 percent of their assets due to the project and

resettlement is not complex. An ARAP is comprised predominantly of compensation details for economic displacement but it may include small numbers (less than 200 people) of physically displaced households needing resettlement. It describes the project activity and actions to minimise resettlement and / or compensation; it provides an officially certified survey of displaced persons, an asset inventory and valuation and, a socio-economic survey and census. It describes in detail the compensation and other resettlement assistance including entitlement to participation in alternative livelihoods development activities to be provided. It also describes the results of consultations with displaced people about acceptable alternatives. It must identify institutional responsibility for implementation and procedures for grievance redress, as well as arrangements for implementation and monitoring. An implementation schedule and detailed budget are required.

The scope and level of detail of a resettlement plan varies with the magnitude and complexity of the resettlement involved. Some of the sub-projects planned will cause involuntary resettlement and negative impacts on people’s livelihoods of a scale that will require a full Resettlement Action Plan (RAP) prepared by FIPAG and others will cause minor displacement impacts requiring an ARAP. The organization and minimum of information required for these plans should conform to requirements in the Mozambican legislation (Decree nº. 31/2012 and Ministerial Decree nº. 156/2014) and the World Bank’s policy on Involuntary Resettlement OP 4.12 and this Framework.

Entitlements

Categories of project affected household (PAHs) who lose assets will include those indicated in the table below, however others may be identified during the development of Resettlement Plans and compensation plans for sub-projects that require them. The exact numbers of displaced people, the degree of impact on the household livelihoods (their losses, ownership status, tenancy status etc.) will be determined during the process of developing the Resettlement Plan.

Criteria for assessment of potentially affected households

Impact Type	Description
<i>I.</i> Full physical displacement. Full physical and economic displacement.	<i>PAHs living in sub-project site areas.</i> PAHs that will lose their houses and other structures only. PAHs that will lose their houses, other structures and part of their farm plots and produce.
<i>II.</i> Partial economic displacement	<i>PAHs living outside sub-project site areas, which practice agriculture in the project area.</i> PAHs that will lose part of their farm plots and produce.
<i>III.</i> Partial economic displacement. Partial economic displacement.	<i>PAHs who only live and cultivate in a sub-project area during the agricultural period.</i> PAHs that will lose houses and/or other structures. PAHs that will lose houses and/or other structures and part of their farm plots and produce
<i>IV.</i> Partial economic displacement.	<i>PAHs who carry out small businesses (with permanent or temporary structures) in a sub-project area</i> PAHs that will lose income from closure of business and who lose structures erected for this activity in the project area.
<i>V</i> Partial economic displacement	<i>PAHs living in rented houses that are located in the project area.</i> PAHs that will lose the house they rent to live in.

Impact Type	Description
<p>VI</p> <p>Partial economic displacement</p>	<p><i>PAHs living or working in rented houses in the sub-project area on a seasonal or occasional basis related to livelihood/income</i></p> <p>PAHs that will lose the house they rent and occasionally occupy as shelter or to carry out business.</p>
<p>VII</p> <p>Partial economic displacement</p>	<p><i>PAHs renting houses used by others located in the sub-project area</i></p> <p>PAHs that will lose the house they rent to others and/or other structures short or longer term.</p>

Procedures for assessing entitlement to compensation and other forms of assistance include a census of all people who will be affected by the sub-project, an inventory of physical assets owned and potentially affected by the project, and a socio-economic assessment of their livelihoods sources and asset ownership and use. Assessment of the PAHs with partial economic displacement claims must be sensitive to access to and use of livelihoods resources, so that it may be established which PAHs will genuinely lose use of, or income from these as a result of project development.

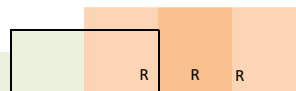
The Figure below shows how entitlement to compensation is directly related to the location of the assets lost.

Ownership Situations and Strategies for Compensation

OWNERSHIP SITUATIONS

Situation 1

The plot is partially within the ROW and the other part is not affected. No structure exists.



Situation 2

The affected plot is largely in the ROW and the remaining part outside the affected area. No structure exists.



Situation 3

Affected plot in its entirety is within the ROW. No structure exists.



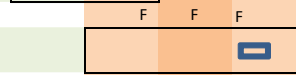
Situation 4

There is a house in the affected part of the plot.



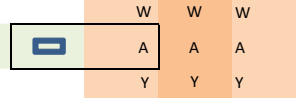
Situation 5

The entire plot and house are affected.



Situation 6

There is a house in the part of the plot that is not affected.



COMPENSATION SITUATIONS

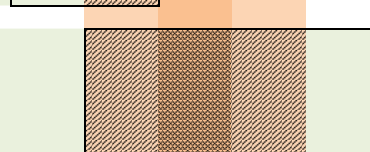
Situation 1

Cultivation may take place within the boundaries of the ROW subject to height limitations. The loss of value resulting from this restriction will be compensated monetarily.



Situation 2

The portion of land within the ROW shall be subject to the same limitations as Situation 1 and a loss of value will be compensated monetarily. All rights to land within the ROW shall be compensated as an area due for expropriation. The perennials in this area will also be compensated. Compensation of 'land for land' will be proposed as an option in the case of the remaining land area not being sufficient for household subsistence.



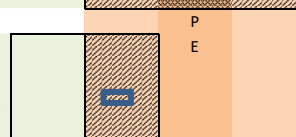
Situation 3

As in Situation 2. Compensation of land for land is also available as an option if the household does not have enough land area.



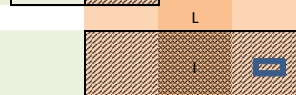
Situation 4

With regard to compensation of land, Situation 4 is identical to Situation 2, but in this case the house will have to be moved. If the household has the ability to transfer to the unaffected part of their plot and the remaining part is sustainable, the situation is identical to Scenario 2, with additional monetary or in-kind compensation for the house.



Situation 5

The PAPs should leave the plot. They will be offered land for land compensation and replacement of the house. The PAP may prefer monetary compensation and self-resettlement if conditions are propitious.



Situation 6

The house does not have to be removed. Situation 6 is identical to Situation 2.



Restrictions on Land Use

ROW: limitations on land use (no structures)

Access corridor: an area that should remain free to access

Legend:

PAP - Project Affected Person

ROW - Right of Way

Source: Adapted from ESG/WS Atkins / G. Govanneti, cited in IFC Handbook for Preparing a Resettlement Action Plan

Institutional organization

Screening

FIPAG's Operational Area or Environmental and Social Specialist from FIPAG's Central Services for Projects and Investments will initiate screening as sub-projects developed by them trigger resettlement planning activities. Two simple checklists must be completed, one for the World Bank (in appendix 16.4 of the RPF) and another standard checklist form for the Ministry of Land, Environment and Rural Development (MITADER). Once completed the Environmental and Social Specialist will ensure that if any displacement or land rights acquisition, whether

temporary or permanent, is registered, the checklists are submitted to the World Bank and MITADER respectively.

Resettlement Plan (RAP / ARAP) development

Should the need for resettlement or compensation be identified, responsibility for ensuring the production of a Resettlement Plan lies with the Environmental and Social Specialist delegated by the Project Authority, the General Director of FIPAG.

People displaced by Project developments will be assisted to improve or restore their livelihoods in a manner that maintains the sustainability of their interaction with the economic resources available to them. For resettlement or in the case of extensive compensation requirements, a consultant or service provider will be contracted to carry out socio-economic studies, a Social Impact Assessment and the Resettlement Plan.

A project causing physical displacement is automatically classified as a Category A, or A+ project under the environmental and social impact assessment (ESIA) regulation and an environmental license for construction can only be awarded once the proponent has a Resettlement Action Plan approved by the District Government. Approval involves opinions from the Resettlement Technical Commission at central, provincial or district level as relevant. The Environmental and Social Impact Assessment consultant is responsible for stakeholder consultation, facilitating and supervising compensation negotiations and agreements and producing the draft Resettlement Action Plan. If the location of a resettlement site is likely to cause negative environmental and social impacts then an environmental assessment of the resettlement site may be required, which may add substantial time to the resettlement plan preparation process.

A project causing only economic displacement may be classified as Category B if it does not cause a high magnitude of impact as per the ESIA regulation. For these projects, the environmental licence for construction can be awarded on the basis of an ARAP or a Compensation Plan developed to address the economic displacement impacts of these projects.

Resettlement planning and implementation will largely take place in municipalities, and efforts must be made to ensure coordination for resettlement planning and implementation involves the most effective structures possible in each location.

Where numbers of people requiring compensation are small (less than 200 people), the FIPAG Operational Area staff supported by the FIPAG Environmental and Social specialist and local safeguards officers may carry out the consultation and planning themselves, or with social facilitators from a local NGO that can assist with implementation as well.

Resettlement implementation

Responsibility for resettlement implementation lies with FIPAG's Director of Central Services of Projects and Investments and the Department of Projects and Environment, the Project Authority, who will task the Central Services of Projects and Investments to organise technical support from the Operational Area staff and various municipal departments or district and provincial services for site demarcation and acquisition of use rights for land for resettlement if necessary. FIPAG may on behalf of the Project Authority contract additional assistance to facilitate resettlement such as contractors for house design and/or construction, consultants to oversee the process and a Service Provider with social facilitators to carry out the consultation, compensation negotiation and resettlement implementation processes with the displaced people.

The Environmental and Social Specialist from FIPAG is responsible for supervision and management of the social inputs to the resettlement process during the Project with assistance in each operational area and the regional headquarters from safeguards officers to be recruited and trained. In addition, training will focus on the new areas of work around implementing the Project Code of Conduct, and the avoidance, mitigation and management of gender-based violence and violence against children. Supervision and monitoring of the resettlement implementation process will be provided by the Safeguard Officers and the District Resettlement Commission that will also be responsible for formally receiving grievances and managing their resolution where appropriate.

Where resettlement implementation is required, the Operational Area Safeguards Officer will have the support of a Regional Safeguards Officer who will provide no less than 50% of his/her time to organizing and directly supervising resettlement implementation at sub-project sites. Social facilitators active in the city where resettlement is implemented should be contracted to carry out the social and organizational aspects. RAPs will be prepared by the Environmental Impact Assessment consultant where the magnitude of impact is significant and includes physical displacement and a service provider may be contracted to implement the RAPs.

At community level a resettlement committee with at least 40% of members being women should be established to represent the interests of those who will be displaced. The Community Resettlement Committee will include representatives from the various affected areas according to their administrative divisions and may be sub-divided into working groups for the purpose of managing issues. The Community Resettlement Committee will be a key forum for linking community issues raised during resettlement implementation with the social facilitator, the District Resettlement Commission, the municipal authorities, the FIPAG Environmental and Social Specialist and will provide the first step in grievance resolution that if not resolved would be referred to the District Resettlement Commission and/or FIPAG Commercial Area representative for transmission to higher levels if not resolved there either.

CRCs should be trained in social and management issues and be supported by social facilitators where possible. FIPAG's Operational Area representatives from the Studies and Projects Office and Supply Zones Department delegated to work with the Project, the District Resettlement Commission representatives and the local authorities will coordinate, monitor and supervise community consultation and participation in resettlement plan implementation at local level. The Operational Area teams will coordinate activities in the provinces and districts and provide information to the Central Services of Projects and Investments Environmental and Social Specialist. The Operational and Commercial Area offices must ensure a copy of all information collected locally is deposited at FIPAG's Central Services of Projects and Investments offices

Resettlement monitoring will be carried out through the District Resettlement Commission as well as internally by FIPAG through its safeguards personnel to assess the effectiveness of resettlement plan implementation and ensure human rights and FIPAG standards are maintained. In addition to monitoring during implementation, the District Resettlement Commission should provide a final evaluation report of the resettlement and/or compensation activity. Where resettlement specifically affects identified vulnerable groups, their welfare will be closely monitored.

Coordination will be overseen by FIPAG's General Director. The General Director will also be responsible for ensuring compliance concerning public consultation and disclosure.

Public consultation and grievances

The Resettlement Policy Framework and resettlement planning processes are participatory.

During the RPF preparation, Public consultation was carried out with the objective of gathering public perceptions of the proposed developments. The consultation process comprised two main methods (i) consultation on a one-to-one basis with key stakeholders (FIPAG, officials of line ministries, national organizations, NGOs, the World Bank, local leaders, community members and PAPs, etc.), and (ii) public consultation meetings.

Consultation for WASIS II started in 2015 during the original RPF preparation. For the proposed WASIS II AF to include Nacala, public consultation meetings were organized and held in 15-16 of November 2018 in Nacala-a-Velha District, at the EPC of Barragem Administrative Post and in Nacala city, at Thamole Lodge. The critical issues raised and directly related to resettlement are summarized below:

- There are pending resettlement issues from Millennium Challenge Account (MCA) compact. As we finished the meeting, a list of Claims by 109 people was presented to FIPAG/Consultants. They complained about the loss of trees and crops during the installation of the water transmission mainly by the previous contractor, under MCA compact. The issue was not known by the district authorities and commission that were monitoring the RAP. It requires further investigation before any new intervention. If not properly dealt by FIPAG, it may affect the current water project.
- People were concerned of the compensation entitlement and the type of compensation to be delivered by the project. They wanted to know if properties affected by the vibrations during the project's machine/vehicles operations, would also be eligible for compensation or not and if it would be a cash or non-cash compensation.
- Participants were concerned about the supervision of the resettlement process. Lacking supervision may motivate affected/compensated people to return to the project impact areas creating future problems for water infrastructure maintenance.

A local communication plan stressing awareness-raising activities about the sub-project(s) and resettlement/compensation procedures and entitlements will be made and carried out during resettlement planning and implementation in order to promote dialogue and to reduce misunderstandings and grievances. Training in conflict management by technicians from the Communication and Image Office of members of the Safeguards Officers and Community Resettlement Committee and local leaders will also help minimize potential conflicts. Social facilitators will involve communities in awareness-raising and training concerning their rights and obligations; how to obtain legal advice and representation, and how to seek redress against what they regard as unfair practices.

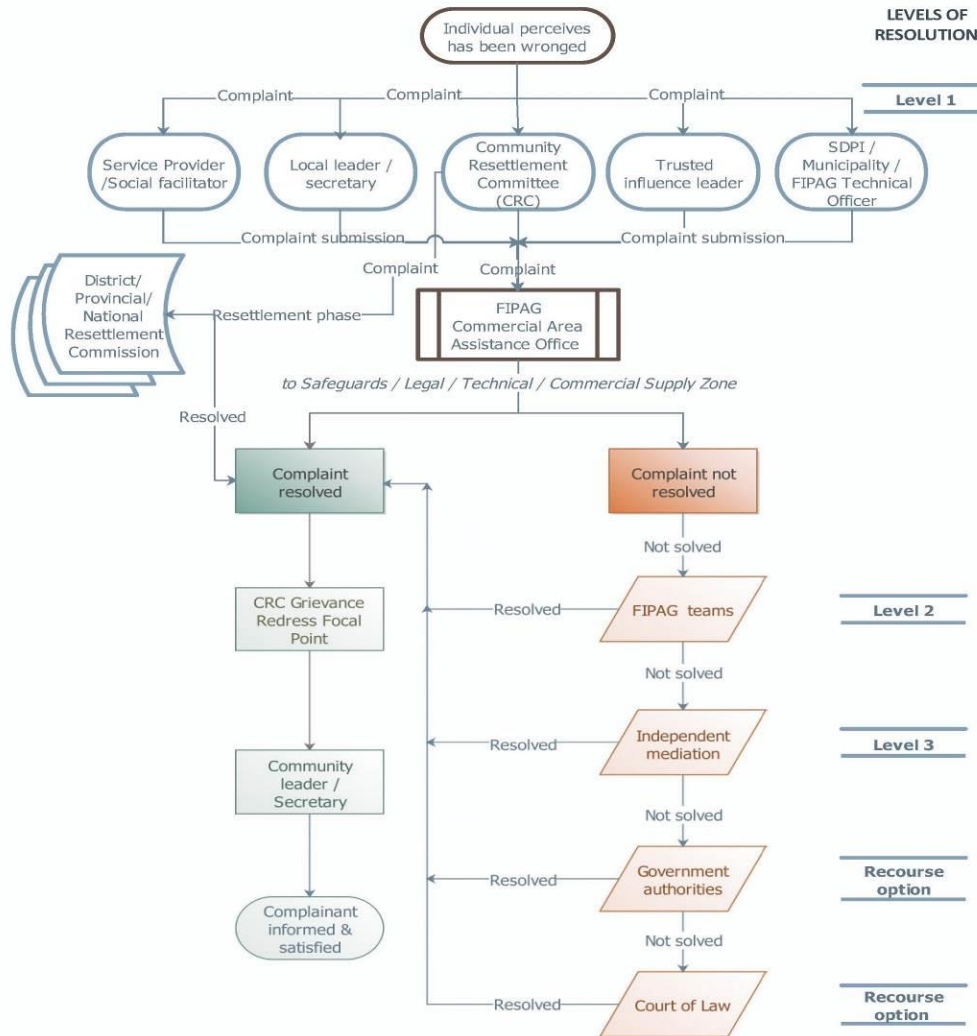
Potential conflicts and communication channels for presenting grievances at community level should be identified via consultation during the socio-economic studies and impact assessments. The consultation process must involve all potentially displaced people and be fully recorded with inputs from stakeholders being used in the Resettlement Plan. During and after resettlement and compensation, individual and group consultation should be continued by social facilitators to verify progress in people taking up new livelihoods activities and in restoring their lives to the levels they were prior to resettlement.

The RAP/ARAP preparation process involves all important local stakeholders in four statutorily required public consultation meeting rounds in order to mark each major planning step forward. The public consultation process should be used to drive participatory decision-making for a) resettlement site selection, b) resettlement housing design, c) entitlements to

compensation, d) design of appropriate compensation and assistance packages, and e) mitigation actions reducing the impacts of physical resettlement and livelihoods development strategies.

Based on the present updated RPF, a single Grievance and Redress Mechanism (GRM) will be used for the whole Project cycle of WASIS II by FIPAG. This is shown in the flow diagram below:

Grievances Management Flowchart



Displaced people’s and host community grievances concerning proposed or actual resettlement arrangements can initially be presented for local redress to local influence leaders or the Community Resettlement Committee. Failing resolution at community level, issues may be presented to the, municipal representatives, Service Provider or the FIPAG Commercial Area Assistance Office, for resolution or transmission via the Central Services of Projects and Investments to the Project Authority. A relevant unresolved issue may be formally taken by the Community Resettlement Committee to the District or Provincial Resettlement Commission and failing resolution, to the national Resettlement Technical Commission to investigate and coordinate appropriate solutions.

Grievances may also be taken to a social facilitator from the Service Provider working with the affected community. This channel may assist in local resolution or provide a rapid channel for timely resolution involving the FIPAG Commercial Area and the Safeguards Officers in

coordination with the Environmental and Social Specialist of the Central Services of Projects and Investments.

Provisions to appeal concerning sectoral grievances to higher levels of government such as National Directors and Ministers exist in most legislation. Should any party be dissatisfied, the grieved party may take the complaint to court where it will be dealt with under Mozambican law.

Costs Estimation

The estimated costs of resettlement activities are approximately US \$ 8,742,313 (change of 38% compared to the 2015 RPF)⁸. Budget provision is made in case of physical displacement requiring full resettlement since it is foreseen at this stage.

Description	Total US \$
Resettlement preparation cost – average one RAP + one ARAP	880,753
Core management organization and supervision	297,152
Monitoring and evaluation cost	148,576
Community capacity development and resettlement facilitation (Service Provider)	587,168
Compensation and mitigation measures (land acquisition, preparation and housing)	3,952,095
Cash compensation measures (assets, crops and trees)	1,693,755
conflict resolution costs	141,147
Contingency @ 12%	1,041,667
Total Costs	8,742,313

Note: The above estimated numbers (affected assets) refer to the technically required area or Corridor of Impact (CoI) as defined for other cities and not for the full PPZ (100 meters).

Community consultation and participation in the resettlement planning process will identify progress and impact indicators for monitoring and evaluation. These will be used to formulate the RAP/ARAP, and subsequently for monitoring and external audits during its implementation. Communities will also participate in external evaluation of resettlement outcomes. The District Resettlement Commission and the Resettlement Commission structure in general is responsible for monitoring resettlement projects; the District Resettlement Commission will be responsible for monitoring sub-projects in their jurisdictions.

The activities implied in any written agreements between the Project Authority and community representatives will be jointly monitored and where possible community organizations will be responsible for ensuring the compliance of community members.

1.1

⁸ The cost increment results of data collection in Nacala that showed two significant risk aspects: major encroachment into reserve areas and an increase in prices.

This change demonstrates clearly the rising costs of resettlement in Mozambique and the need to manage rights of way and reserve areas with much greater attention. It is recommended that RAP/ARAPs should make every effort to follow existing reserve alignments and avoid affecting residential houses causing physical displacement and the need for resettlement.

The Project Authority will be responsible for ensuring the adequate design, development and oversight of internal resettlement monitoring and evaluation systems.

PART III

MAIN DOCUMENT

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List of Abbreviations

AIDS	Acquired Immunodeficiency Syndrome
ARAP	Abbreviated Resettlement Action Plan
BP	Bank Policy
CBO	Community based organization
CRA	Water Supply Regulatory Council / <i>Conselho de Regulação de Abastecimento de Água</i>
CRC	Community Resettlement Committee
CP	Compensation Plan
CSO	Civil Society Organization
CTASR	Technical Commission for Monitoring and Supervision of Resettlement / <i>Comissão Técnica de Acompanhamento e Supervisão de Reassentamento</i>
DN	Nominal Diameter / <i>Diâmetro Nominal</i>
DPOPHRH	Provincial Directorate of Public Works, Housing and Water Resources / <i>Direcção Provincial de Obras Públicas, Habitação e Recursos Hídricos</i>
DRC	District Resettlement Commission
DZF	Department of Supply Zones / <i>Departamento de Zonas de Fornecimento</i>
EA	Environmental Assessment
EIA	Environmental Impact Assessment
ESS	Environmental and Social Specialist
FIPAG	Water Supply Assets and Investment Fund / <i>Fundo de Investimento e Património de Abastecimento de Água</i>
GEP	Studies and Projects Office / <i>Gabinete de Estudos e Projectos</i>
GIS	Geographic Information System
GMWSP	Greater Maputo Water Supply Project
GOM	Government of Mozambique
HIV	Human Immunodeficiency Virus
IDA	International Development Association
LAA	Land Acquisition Assessment
MCC	Millennium Challenge Corporation
MITADER	Ministry for Land, Environment and Rural Development / <i>Ministério de Terra, Ambiente e Desenvolvimento Rural</i>
MISAU	Ministry of Health / <i>Ministério de Saúde</i>
MOPHRH	Ministry of Public Works, Housing and Water Resources / <i>Ministério das Obras Públicas Habitação e Recursos Hídricos</i>
NGO	Non governmental organisation
OA	Operational Area
OP	Operational Policy
PAHs	Project Affected Households
PRC	Provincial Resettlement Commission
PVC	Polyvinyl Chloride / <i>Poli vinyl de Cloreto</i>
RAP	Resettlement Action Plan
RC	Resettlement Committee
RPF	Resettlement Policy Framework

SCPI	Central Services of Projects and Investments / <i>Serviços Centrais de Projectos e Investimentos</i>
UGF	Standpipe Management Unit / <i>Unidade de Gestão de Fontenários,</i>
UFW	Unaccounted for Water
US	United States
WASIS	Water Supply Services and Institutional Support project

Glossary

Affected community	A community with households that are directly impacted by a project causing physical or economic displacement and resettlement.
Asset inventory	Comprehensive, on-site inventory with photographic evidence and GPS coordinates to establish an accurate records of assets, including infrastructure, buildings, improvements, land use, equipment and annual and fruit tree crops.
Census	The systematic identification and recording of all people, households, and enterprises residing within a prescribed area.
Corridor of Impact	The area to be kept unoccupied and free of obstructions in order to guarantee the security of the infrastructure and the surrounding community, during works and the operation of the Project. In other words, it covers the area technically required to install the infrastructure, thus defining the limits of the census/area to be resettled by the Project.
Cut-off date	As OP 4.12 states, “Normally, this cut-off date is the date the census begins. The cut-off date could also be the date the project area was delineated, prior to the census, provided that there has been an effective public dissemination of information on the area delineated, and systematic and continuous dissemination subsequent to the delineation to prevent further population influx”..
Baseline Study	The collection and analysis of environmental and socio-economic information and data to enable identification of potential project caused impacts, displacement of communities and mitigation or compensation measures. Baseline study data is also used to inform the development of livelihood development interventions and to monitor and evaluate progress of compensation and resettlement of affected populations and impacts after completion of physical relocation.
Displacement	The loss of use or access to resources that provide a person with shelter and/or a means to sustain his or her family.
Economic displacement	The loss of assets or access to assets that leads to loss of income sources or other livelihoods means as a result of project-related land acquisition and/or restrictions on land use.

Expropriation	The compulsory dispossession of ownership or land rights and concomitant acquisition thereof by the expropriating entity by using the law in the public interest.
Host community	A community that agrees to the physical resettlement of displaced households within its jurisdiction or provides replacement resources to economically displaced households.
Involuntary Resettlement	Resettlement is considered involuntary when affected persons or communities do not have the right to refuse land acquisition or restrictions on land use that result in physical or economic displacement.
Land use rights	The right of use and benefit of land granted by the State.
Moratorium	The temporary suspension of identified activities by project affected people that would change their claims for compensation. This period is initiated with a formal declaration of a cut-off date after which no further registration of project affected assets will be made. The declaration should also state the proposed compensation and resettlement dates and affected parties must be previously informed if there are to be any changes to this period.
Physical displacement	The displacement of people from their homes due to the impacts of a project.
Partial protection reserve	<p>For the implementation of public infrastructure, a partial protection reserve is automatically created and where the right of use of land cannot be acquired except by individuals in urban settlements in national frontier areas. It includes "land occupied ... by aerial, surface, underground and submarine conductors of electricity, telecommunications, oil, gas and water, with a confining band of 50 meters on each side" [Land Law 19/1997, Article 8 (g)]. The exercise of activities in the partial protection zones can only be carried out under a license issued by the responsible entity.</p> <p>Extinguishing of previous established land use rights within the partial protection reserve is subject to resettlement.</p>

Resettlement	The process by which people who are physically or economically displaced by a project are provided with replacement housing, compensation and/or livelihoods activities.
Technical Commission for Resettlement Monitoring and Supervision	A multisectoral advisory body to the Minister which oversees the territorial planning sector, in charge of monitoring, supervising and providing methodological recommendations on the resettlement process.
Voluntary Land Donation	Process whereby an individual or collective owner agrees to provide land or property for project-related activities. It must be freely given, without coercion or duress, by people who are fully aware of other options available and their consequences.
Vulnerable groups	Individuals/groups within a project's area of influence that due to their disadvantaged position could experience adverse impacts from the proposed project more severely than others.

1 Introduction and Project Background

The Water Supply Assets and Investment Fund – FIPAG (the Project Authority and Proponent) benefited from support from the World Bank under the Water Services and Institutional Support (WASIS I)⁹, which aimed at improving the performance, sustainability and coverage of water supply services in Beira, Dondo, Quelimane, Nampula, Pemba, Chimoio, Gondola, Nacala, Angoche, Tete and Moatize cities. This also aimed to create the basis for poor families to benefit from clean water supply services.

The Additional Financing (AF) will enable the Government of Mozambique (GoM) to: (i) rehabilitate critical infrastructure damaged by the Idai Cyclone and restore the basic water supply services in the affected areas (Beira, Dondo, Tete, Moatize, Quelimane, Nampula, Mocuba and surrounding towns), including the replenishment of the funds used from the original WASIS II Project, as part of the IRM; (ii) scale-up the project activities to include water supply treatment transmission and distribution systems in the city of Nacala with co-financing from the government of the Netherlands, and thus increase the impact of the original project; and (iii) achieve the project development objectives of the original WASIS II project, as described in the Project Appraisal Document presented to the Board on March 29, 2016, by covering the financing gap and support the rehabilitation and expansion of water production and distribution in the cities of Tete and Moatize.

WASIS II sub-projects within the six cities (including Nacala) will involve new water source construction, mains transmission pipeline laying and/or network extension. It is expected that this Project (including the AF) will directly benefit health and the quality of life of households and communities (minimum of 908.829 persons) within the target cities. Benefits are likely to include a reduction of the time that people, especially women and girls, spend looking for water.

However, it is also expected that some adverse environmental and social impacts may occur as a result of the Project. Given the experience of WASIS Phase I and the proposed project activities for the second phase there is likely to be a need for compensation for losses and damage to property, and some physical displacement requiring resettlement and compensation.

As part of the preparation of the WASIS II Project, a Resettlement Policy Framework (RPF) was developed in 2015, covering the cities of Beira, Dondo, Tete, Moatize and Pemba. The investments for the cities of Nampula and Quelimane are covered under the ESMF and RPF prepared as part of Immediate Response Mechanism (IRM), disclosed in-country and on the World Bank's website on April 17, 2019. Due to the additional financing request for Nacala city, the present RPF constitutes an update with a scope that includes:

- i) Integrating Nacala city;

1.1

⁹ WASIS I included additional financing through an Amendment – nominally, WASIS I Amendment which closed in 2015.

- ii) Reviewing the institutional capacity of FIPAG to implement the WB safeguards in all cities covered by the WASIS II, including the additional financing project for Nacala city;
- iii) Updating the grievance redress mechanism to become a Project instrument;
- iv) Adding a Project code of conduct, labour influx and the gender-based violence management guidance to the RPF.

The objective of the RPF is to set out the policies, principles, institutional arrangements, schedules and indicative budget for any anticipated resettlements. These arrangements are also to ensure that there is a systematic process (as opposed to an *ad hoc* one) for the different stages of the implementation of a framework that assures participation of affected persons, involvement of relevant institutions and stakeholders, adherence to both World Bank and Mozambique procedures and requirements, and outlines requirements for compensation of affected persons.

1.1 Project Description

FIPAG, the Water Supply Investment and Assets Fund is the entity managing urban water supply, responsible for 21 systems nationwide.

FIPAG benefited from support from the World Bank under the Water Services and Institutional Support (WASIS I) Project and its amendment for additional financing, to create the basis for poor families to also benefit from clean water supply services via improving the performance, sustainability and coverage of water supply services in Beira, Dondo, Quelimane, Nampula, Pemba, Chimoio, Gondola, Nacala, Angoche, Tete and Moatize cities up to 2015.

Since there is a continuing and growing need for more safe water and appropriate water infrastructure development, a second phase, WASIS II, was developed to assist in this regard outside the Greater Maputo area.

The WASIS II Project has five components which are being implemented by FIPAG and CRA, and can be summarized as follows:

Component 1 – Rehabilitation and Expansion of Water Supply Production and Distribution.

This was originally designed to increase production capacity (Sub-component 1-a) in the three systems serving the cities of Pemba, Beira and Dondo, and Tete and Moatize;¹⁰ as well as the rehabilitation and expansion of water supply distribution networks in those cities (Sub-component 1-b). Additional works for Nacala, include (i) electromechanical equipment for the existing raw water intake, (ii) Construction of a water treatment plant (to replace the old one)

1.1

¹⁰ Investments in Tete and Moatize to be undertaken once the financing gap was covered

with treatment capacity of 25,000 m³/day, (iii) Construction of a 33 km transmission main (to replace the old one) and (iv) Rehabilitation and expansion of 150 km of distribution network

Component 2 – Institutional Support. The institutional development support includes technical assistance and operational support for the decentralization of FIPAG operations through the establishment of three regional utilities, as well as actions intended to improve overall operational efficiency and project management support, which includes technical assistance for the design and supervision of the works’ packages under the Project. Under the AF, the project will also allocate funds for a small pilot to provide performance-based grants to finance service improvement activities for the FIPAG’s regional departments/utilities as part of the technical assistance support.

Component 3 – Output-Based Payments for Low-Income Household Connections. This Component builds on the successful experience of output-based payments implemented in WASIS-I and aims at increasing access to piped water connections for low income households in Maputo and in other cities of the central and northern regions.

Component 4: Contingent Emergency Response. This Component was designed to support potential disaster-recovery needs in FIPAG water systems by providing immediate response to an eligible crisis or emergency. The Component was activated on April 18, 2019, with US\$10 million allocated to it to provide immediate support to the disaster recovery of the Cyclone Idai in Beira, Dondo, Tete, Moatize, Quelimane, Nampula cities and surrounding towns.

Component 5 – Capacity Building and Operational Support to CRA. The objective of this component is to expand quality-of-service and financial regulatory mechanisms for urban water supply in Mozambique, including a detailed impact evaluation to measure and assess outcomes related to the project’s institutional and infrastructure investments.

Table 4.1 below, specifies the cities where each of the works listed above for the Component 1 will occur while Table 1.1. shows the administrative divisions covered by the Component 1.

1.2 Project Area and Administrative Divisions

WASIS II Project will be implemented in the provinces of Cabo Delgado, Tete, Manica, Nampula and Sofala. The project components (A and B) that may cause displacement, will only be implemented in Cabo Delgado, Tete, Nampula and Sofala provinces, crossing the following administrative divisions.

Table 1-1: Administrative divisions covered by the Project Component 1

Province	Municipality	Neighbourhood	Project Sub-component		District	Administrative post	Project Sub-component	
			1-a	1-b			1-a	1-b
Cabo Delgado	Pemba	Alto Gingone	x		Pemba	Cidade Pemba	x	x
		Mahate	x		Metuge	Metuge	x	
		Muchara	x			Mieze	x	
		Cimento	x					
		Cariacó	x	x				
		Chuiba	x	x				
		Eduardo		x				
		Mondlane		x				
		Natipe		x				
		Ingonane						
Tete	Tete	Samora Machel		x	Tete	Cidade de Tete	x	x
		Joxina Machel	x		Moatize	Benga	x	
		Mpádue		x		Vila de Moatize	x	x
		Matundo		x				
	Moatize	Xingodzi	x	x				
		25 de Setembro		x				
		1º de Maio		x				
		Liberdade		x				
		Bagamoio	x	x				
		Chitata	x					
Nampula	Nacala	Mucuipa		X	Nacala			
		Naherenque		X	Velha	Nacala Velha	X	
		Ribaue		X	Nacala	Cidade de Nacala		
		Nauiaia		X	Porto		X	X
		Matapue		X				
		Trianglo		X				
		Cidade Alta		X				
		Cidade Baixa		X				
		Ontupaia		X				
		Mutuizi	X					
		Mpaco	X					
		Teteriane	X					
		Muanona	X					
		Matola	X					
Sofala	Beira	Mutondo		x	Beira	Cidade da Beira		X
		Maraza		x	Dondo	Vila de Dondo		X
		Chota		x				
		Ndunda		x				
	Dondo	Inhamizua		x				
		Central		x				
		Mafarinha		x				
		Mandruzi		x				
		Kanhandula		x				
		Cerâmica		x				
		Nhamainga		x				
		Samora Machel		x				
		Consito		x				

1.3 Lessons Learnt from the Previous Project

FIPAG has concluded WASIS I and its amendment from which a number of lessons have been drawn to assist in developing the RPF for WASIS II. In addition, other projects with compensation and resettlement have also been implemented in the same cities with other financing over the past five years or more. Experiences in the cities where FIPAG is implementing the current Project (WASIS II) were captured during development of this RPF providing the following lessons:

System to prevent encroachment in Manica

In Manica Province, the transmission mains are publically indicated by markers and an access road to discourage encroachment into the rights of way (ROWS). FIPAG (Chimoio Operational Area - OA) conducts vegetation clearance of the ROW and its maintenance access road twice a year. The markers have helped local people to see where the pipe passes and they, as well as local leaders and authorities, have been informed that they cannot occupy the land. Any new occupation identified in the ROW, is proactively responded to, by FIPAG asking the person constructing there to leave the area or by notifying the municipalities or District Government, depending on the location, to ask them to remove the structure at an early stage. Chimoio OA is managing to avoid encroachment on property where it is licensed for pipeline passage thereby preventing compensation and resettlement for future operation, maintenance and rehabilitation.

Avoiding resettlement by focusing on a Construction Impact Corridor

In some areas of Beira and Gondola, transmission mains pipelines of 500 mm were constructed in a five meters corridor instead of the 50 m ROW to avoid expropriation impacts. The project generally tried to only use public land, passing just outside the boundary fences and structures of private owners. Focusing on clearing a ‘corridor of construction impact’ instead of the whole ROW reduced the total number of cases by more than half, saving time and money.

Use of RPF

The RPF was well used to guide preparation of resettlement and compensation plans for the transmission main pipeline and well field for Quelimane city.

Given that new legislation on resettlement now requires the RAP/ARAP to be presented before an environmental license may be issued, early availability of detailed designs will be required for pipeline routes that will cause displacement. Resettlement and compensation planning will become even more of a challenge to FIPAG in future and meeting both WB policy and national legislation requirements is not a clearly mapped path, as legislation is not yet aligned with World Bank policy.

Effective grievance mechanism adopted in Tete

In Tete, FIPAG has standpipe management committees organised by the Supply Zones Department which conducts community liaison. In addition, the Director and Heads of Departments have quarterly meetings with the municipality (Mayor, Councillors, Heads of neighbourhoods and, when required, local leaders). These two practices have ensured effective communication channels and functioned as part of a local grievance mechanism during the construction and operation phase of projects in the city. The positive lessons from Tete and other cities should be well documented in order to benefit FIPAG’s institutional development.

Planning

The importance of planning to avoid or mitigate compensation and resettlement cannot be underestimated. In Pemba City, for instance, people are aware that they will not receive compensation for crops in the wellfield area. However, as the whole area is not fenced the

community is continuing to cultivate crops in the area. If a claim is made in the future and if no previous agreement is evident, FIPAG will have to pay compensation.

Compensation processes initiated during project implementation to solve grievances should be foreseen in screening procedures at the start of the project. Compensation processes carried out during implementation should be avoided wherever possible.

As resettlement and compensation are becoming increasingly commonplace in the cities and districts where WASIS II will be implemented, and attitudes and expectations of residents potentially affected by displacement are being created with accumulated experience, the screening phase of a new sub-project to identify potential impacts is highly important. As soon as information is received, measures can be taken to reduce or avoid impacts wherever possible and thereby avoid the risks of delays later.

Repetitive compensation

FIPAG and the municipality have had to resettle people out of the Nhartanda wellfield area in Tete City more than once since boreholes were first constructed there. Currently FIPAG is managing compensation claims in the same area again. Improvements and increases in borehole numbers over time have resulted in localised fenced-off borehole sites, but not the whole wellfield. The land law provides rights to land occupiers after 10 years so that if they are not kept off catchment and safety areas FIPAG is obliged to compensate the same people more than once. Coordination with municipal and district authorities to maintain public use areas or partial protection reserves free of occupation is in the interests of all in the long term.

2 Principles and Objectives Governing Resettlement Preparation and Implementation

2.1 Overview

The development objective of the Project is an important focus of the RPF. A main mechanism to achieve the development goals will be the actual capacity of the institutional framework established. In keeping with the Project's development objectives the principles and objectives of the RPF are described below.

2.2 Resettlement Policy Framework Preparation and Objectives

When the details of land acquisition and involuntary resettlement are fully known, a Resettlement Action Plan (RAP) can be defined to provide an implementation guide for the activity. When, however, the details of land acquisition and involuntary resettlement are not fully known, a Resettlement Policy Framework (RPF) that establishes the policy principles for the preparation of specific and subsequent RAPs is developed for public information and discussion. After the RPF, as outlines of different initiatives causing displacement are known in sufficient detail, a full RAP or an Abbreviated Resettlement Action Plan (ARAP) will be developed as necessary based on the policy framework agreed upon in this RPF. An ARAP is likely to comprise predominantly of compensation details for economic displacement and may include small numbers of physically displaced households needing resettlement.

The principles outlined in the World Bank's Operational Policy OP 4.12 are used in preparing the RPF. These principles and the resettlement and compensation measures stemming from them will apply to all sub-projects of the WASIS II Project, whether or not the scale and complexity of displacement requires preparation of a full RAP.

The present RPF is being developed as part of the WASIS II extended scope since the Project involves improvements in physical water supply infrastructure in urban and peri-urban areas.

The objective of the Policy Framework is to ensure that screening of infrastructure improvements and changes in land-use, identifies:

- a) where acquisition of land use rights is inevitable,
- b) where resettlement and compensation for local people's losses is unavoidable, and
- c) permits design of mitigating activities to be carried out in a socially sustainable manner.

Mitigation activities will need provision of adequate resources to meet the needs of people displaced by Project activities whether they are physically or economically displaced, whether it is temporary or permanent. Mitigation planning also requires adequate consultation with the project affected people to ensure that they maintain or improve their livelihoods and standards of living after resettlement and/or compensation.

2.3 Key Principles

The World Bank's OP 4.12 on Involuntary Resettlement ensures that the population displaced by a project receives benefits from it. This covers those with benefits from or customary rights to use of land or other resources taken for the project. The OP is inclusive, ensuring that all those affected both directly and indirectly by project developments are compensated as part of the project.

Resettlement covers physical displacement and economic displacement, whether it is temporary or permanent. Thus the need for resettlement and compensation refers to the impact of Project's civil works causing:

- the loss of assets, or loss of access to, any assets growing on or permanently affixed to the land, such as shelters, buildings and crops and,
- to the impact causing loss of, or access to, an economic resource base or local communities' means of livelihood.

If the impacts include the need for physical relocation, measures must be taken to ensure that the displaced persons are provided assistance (such as moving allowances) during relocation and provided with residential housing, or housing sites, or, as required, agricultural sites. A combination of productive potential, locational advantages, and other factors is required so that replacement land is at least equivalent to the advantages of the old site.

Losses may be total or partial. World Bank policy emphasises that the absence of legal title to use and benefit of the land does not limit rights to compensation. Preference should be given to land-based resettlement strategies for displaced people whose livelihoods are land-based. If sufficient alternative land is not available, non-land-based options built around opportunities for employment or self-employment should be provided in addition to cash compensation for land and other assets lost. The lack of adequate land must be demonstrated and documented.

The need to involve displaced people in the planning and implementation of interventions that result from these policies is stressed. Displaced persons and their communities, and host communities receiving them, should be provided timely and relevant information about the Project and resettlement process, consulted on resettlement options, and offered opportunities to participate in planning, implementing, and monitoring resettlement. Patterns of community organization appropriate to the new resettlement circumstances should be based on choices made by the displaced persons. Appropriate and accessible grievance mechanisms that provide timely responses must be established for these groups. Particular attention must be paid to the needs of vulnerable groups, especially those living below the poverty line, the landless, the elderly or disabled, women and children.

Resettlement planning includes:

- a) Early screening (RPF),
- b) Scoping of key issues (RPF and Resettlement Action Plan - RAP),
- c) The choice of resettlement instrument (RAP or ARAP / compensation plan); and,
- d) The information required to prepare for the resettlement activity.

The scope and level of detail of the resettlement instruments vary with the magnitude and complexity of resettlement.

Acquisition of land use rights for the Project will be subject to a Land Acquisition Assessment to verify if communities are to be displaced or goods lost as a result of proposed development. This short document will identify the land, people occupying or using it, land uses and attitudes of the people towards the acquisition. Their signed agreement is necessary to assure World Bank agreement to their undertaking resettlement activities.

Implementation of resettlement activities must be linked to the implementation of the investment component of the project to ensure that displacement or restriction of access does not occur before necessary measures for resettlement are in place.

- Provision for compensation and other relocation assistance, and preparation and provision of resettlement sites with adequate facilities must be carried out before displacement.
- Taking land and related assets for the project may take place only after compensation has been paid and, where applicable, resettlement sites and moving allowances have been provided to the displaced persons.

Payment of cash compensation for lost assets may be appropriate when:

- livelihoods are not land-based or
- where they are, but the land taken for the project is a small fraction of the affected asset and the residual area is economically viable.
- If there are active markets for land use titles, housing, and labour, displaced persons use such markets, and there is sufficient supply of land and housing.

Compensation levels should be sufficient to replace the assets at full replacement cost in local markets.

It may be necessary to ensure that displaced persons are provided with 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. They may during this period be provided with development assistance in addition to compensation measures such as land preparation, credit facilities, training, or job opportunities.

Infrastructure and public services in settlement areas must be provided as necessary to improve, restore, or maintain accessibility and levels of service for the displaced persons and host communities. Alternative or similar resources should be provided to compensate for the loss of access to community resources such as agricultural areas and wood fuel resource areas.

Resettlement programmes must include adequate institutional arrangements to ensure effective and timely design, planning and implementation of resettlement and rehabilitation measures. Adequate arrangements for effective and timely internal and external monitoring will be made on implementation of all resettlement measures.

2.4 Methodology for Resettlement Policy Framework Preparation

A literature review was undertaken to provide background information as well as an overview of changes in the policy, legal and institutional framework for WASIS II in relation to its predecessor.

Meetings were held with FIPAG personnel in Maputo in order to obtain information on past experience with compensation and resettlement and expectations related to the second phase of WASIS. Site visits were made to all cities where WASIS II Project activities are expected to take place. Stakeholders were identified and semi-structured interviews were carried out with technical staff stakeholders involved in the safeguards implementation process and with households that had been part of a compensation or resettlement intervention by FIPAG. During site visits meetings were held. In Beira and Tete discussion groups were used to learn people's expectation from future projects.

Objectives of these site visits and stakeholder consultation were to:

- a) assess awareness and knowledge of land use rights acquisition processes and challenges;
- b) assess local institutional capacities to handle land rights acquisition and expropriation processes; and,

- c) to listen to suggestions and recommendations based on local experiences.

A qualitative approach was mainly employed to generate information for this RPF in the short time available for its preparation. Appropriate recommendations for the preparation of RAP/ARAPs and other social guidelines were then possible to draw up. FIPAG's records of past compensation and resettlement experiences, stakeholder experiences and expectations as well as observations provided the bases for the RPF.

After elaboration of the draft RPF, it was disclosed to stakeholders and public consultation meetings were carried out in Pemba and Tete in early August 2015 where feedback and further opinions and comments were obtained. Some from the stakeholders previously consulted came to these meetings together with others new participants. A list of stakeholders participating in these consultation meetings is included in [Appendix 16.2](#) as well as records of their contributions in the public meetings.

Following the consideration of the feedback of the public consultation process, the RPF will be finalized and submitted for clearance by the World Bank prior to disclosure locally in a language that stakeholders and PAPs understand (Portuguese) and also disclosed in the World bank external website.

The RPF update followed the same methodological flow used during the original RPF preparation in terms of data collection, analyses, report structure and updates consisted in revision of the relevant chapters of the original document.

This draft updated RPF was disclosed to the public in Nampula and Nacala cities and a public meeting held in Nacala District on November 15, 2018 at the Barragem full primary school (EPC), in Barragem Administrative Post, Nacala Velha District and on November 16, 2018, at Thamole Lodge, in the city of Nacala Porto. Under the preparation of the RPF update for WASIS II AF, two public consultation meetings held in Nacala Porto and Nacala Velha, a total of 134 PAP and community members attended. Out of 134 participants 24 were women and 110 men. A records of the meetings are provided in [Appendix 16.2](#) and comments received were taken into consideration in the preparation of the RPF update .

3 Legal Framework and World Bank policy requirements

3.1 Overview

This chapter presents the relevant legal framework in national law and the requirements of the World Bank's OP 4.12. It also compares national legislation and World Bank Policies and recommends measures to bridge gaps or differences identified.

3.2 Legal Framework

The Mozambican **Constitution** (2004) is the overall guide for all application of the legal framework. One of the fundamental principles of the Constitution is that natural resources

and means of production are public property of collective interest. Specifically, land belongs to the State, and use rights can only be awarded by the State. Art. 111 clarifies that with insofar as the State awards title to use rights of the land, it also recognises and protects acquired hereditary and occupation rights.

The Constitution provides the safeguards to any loss or violation of rights through the principle of compensation and of the right to present complaints to the appropriate authority to redress the situation for the benefit of the general interest.

The **National Land Policy** (Council of Ministers Resolution nº 10/1995) establishes that the State should provide land for every family to have or build their own house and that it is responsible for land use and physical planning, although plans may be made by the private sector. Urban land cannot be transferred when it has no buildings or other infrastructure investments on it. Its value rises when public infrastructure is provided. Urban expansion, and the consequent occupation of land previously under other uses, should take into account the people who are living on the land and the investments already made by them, unless they were in conflict with a previously existing land use plan.

Land Law, nº 19/1997 provides the basis for defining people's land use rights, providing the details of rights based on customary claims and the procedures for acquisition of title for use and benefits by communities and individuals. The law recommends a consultation-based process that recognizes customary rights as the means for identifying the claims of communities and individual members of communities without title. Art 24 identifies that in rural areas local communities participate in: a) the management of natural resources, b) the resolution of conflicts, c) the process of obtaining title as established in nº. 3, of Art. 13 of this law, and d) in the identification and definition of the boundaries of the land they occupy. In the first two activities (...) local communities use among others, customary practices.

The Law defines that the right to use and usufruct of the land may be acquired through occupation by Mozambican individuals who have been using the land in good faith for at least ten years, and by local communities whose right to use and benefit of the land will comply with the principles of co-titularity. Thus, the law recognises and protects the rights to use of land acquired through inheritance or occupation (customary tenure and good faith rights), except in legally defined reserves or areas where land has been legally transferred to another person or body. All citizens have equal rights and duties according to the law, women having equal rights with men in terms of access to land and housing.

The Land Law is clear that a community land use rights certificate or the title received after demarcation cannot be used as collateral in contracts with third parties.

Existing rights to use and benefit of the land may be terminated through revocation of such right for reasons of public interest and after the payment of fair compensation; in which case all non-removable improvements will revert to the State. The Law clarifies that "the loss of land use rights in the public interest will be carried out in parallel with the process of expropriation and preceded by payment of a just compensation".

The **Land Law Regulations (Decree 66/1998)** regulate the procedures to obtain land use rights. They are applicable to rural land and areas within municipalities but outside their cadastral services. The regulations also apply to unplanned peri-urban areas. They are rarely applied to urban areas. Relevant aspects of the regulations include: a) Where there is joint title, the title belongs to all the titleholders equally. When one of the titleholders dies, the others continue as the rightful titleholders; b) Consultations between the applicants for land and the local community are mandatory before a decision to grant is made by the provincial governor or higher authority; c) Good faith occupiers and local communities may apply for demarcation and title. The application procedure is simplified, and a single definitive authorisation is given instead of provisional authorisation; and d) Titleholders are required to pay a tax for authorisation of the right to use land, plus an annual tax. Family businesses and local communities are exempt from such taxes.

However, this regulation has undergone some changes in its articles 20 and 39 with the approval of Decree No. 1/2003. One of the relevant aspects of article 20 includes a) local communities can request to *Conservatório do Registo Predial* of the respective area to undertake the DUAT, easements relating to access roads, community and passage for livestock, as well as other rights recognized by law, by submitting the delimitation certificate, title or other supporting documents. However, their rights and easements are still protected from harm in the absence of registration.

The Land Law Regulations note that the approval of construction projects for public infrastructure including underground water pipelines (and of relevance, four lane highways) implies the automatic creation of a Partial Protection Reserve of 50m abutting this on either side. Also of relevance to this RPF is the partial protection reserve of 30 metres for primary and 15 metres for secondary and tertiary roads. The rights of use and benefit of this land cannot be acquired and activities cannot be performed on it without a license. The Land Law stipulates municipalities with their own cadastral services may authorise applications for the use of land in areas covered by urbanisation plans.

The urban land-use regulation (Decree nº 60/2006) covers all urban areas with a planning framework. It affirms that local municipal bodies may issue special licences for certain activities to be carried out within partial protection zones. Urban planning must be preceded by consultations with provincial sectors and civil society. Municipal public administration bodies are responsible for establishing a system to ensure that all potential stakeholders have the opportunity consult plans that impact upon the territory within their jurisdiction. Urban planning requires a participatory approach. A census taken of the occupants in a planning zone and characterisation of their legal status on the land they occupy are necessary. Occupants of land identified for urban improvement occupying it in good faith have a right of preference in the allocation of a new section or parcel if, having met the good faith requirement, the use of the urban land cannot be harmonised with the planning scheme. If a transfer is not possible, the occupant is entitled to fair compensation corresponding to the improvements they own on project land. If continued occupation in the area can be incorporated within the planning scheme the occupant can apply for title to the right of land use and benefit in respect of the area they occupy. The planning process includes obligatorily working with local leaders, recording and obtaining decisions on complaints and conflicts among rights holders to the use and benefit of urban land. The draft census survey report

may be formally endorsed by local leaders, it must pass through a process of disclosure and public consultation, be finally adjusted and then approved by the municipal authorities.

Rights to the use and benefit of land in urban zones may be acquired by the following means: a) Granted approval; b) Contract governed lottery or public auction; d) Private negotiation; and, e) Occupancy in good faith. Title holders have the right to receive compensation in the event of expropriation of the property for public utility purposes and for the creation of rights of way or servitudes. For servitudes the rights holder is compensated for the limitation of their right, in an amount that represents the actual loss resulting from the non-use of the part of the land affected by the servitude. Compensation for expropriation on the grounds of public utility of urban tenements must be fair and calculated on the basis of legally established criteria.

Basic urbanisation is classified as having off-site water supply and intermediate and completely urbanised areas are supplied through house or yard connections.

The **Territorial Planning Law nº 19/2007** is designed to promote the rational and sustainable use of natural resources and the preservation of the environment through providing instruments for area planning to promote the quality of life in rural and urban areas, improve housing, infrastructure and urban service systems, public safety and reduce vulnerability to natural disasters or accidents. It makes spatial planning mandatory in rural areas and identifies the mechanisms for legalizing the various territorial organization plans.

Principles of public participation, awareness-raising about rights to information and equal access to land, infrastructure and services complement the objective of sustainable resource use.

Where damage or degradation occurs in a territorial area that may affect environmental sustainability, the public or private entity responsible is required to repair such damage and pay compensation for damage to the quality of life of affected citizens. Article 20 of the Law states that when projects on urban or rural land are identified by the public sector for development require expropriation for public interest, necessity or use, these must be amply justified and fair compensation calculated and paid for the loss of tangible and intangible property, the breakdown of social cohesion and the loss of productive assets.

The law clarifies channels for appeal by citizens with justified claims against the use of spatial planning instruments, the rights of all citizens to information including planning cadastre and process details, as well as their rights to participation in production and implementation of plans.

The **Territorial Planning Regulations** (Decree No. 23/2008) specifies (Articles 70 to 72) that compensation must be paid before the transfer of property by expropriation. The process must ensure that the real value of expropriated property is applied taking into account indirect damages and resulting loss of earnings. The information provided to affected parties must include a copy of the project proponent's legal claim to the land area, the basis of the proposed calculation of compensation, how and when payment will be made, when the

proponent will take possession of the property and finally, the period in which any claims by the parties against the compensation proposal may be submitted.

Under the Territorial Planning Law **the Regulation for Resettlement Arising from Economic Activities** (Decree N.º 31/2012 of 08 August) determines the resettlement rights for people affected by a project. The Regulation endorses the Territorial Planning Regulations, approved by Resolution n.º. 18/2007, which defend the need to ensure communities' security in relation to land and natural resources rights acquisitions without prejudice the interests of possible proponents of development projects. The interests of local communities are based on Law n.º. 19/2007.

The Decree affirms that resettlement plans require full socio-economic study, spatial planning and replacement housing, facilities, and utilities designed so as to restore affected people's conditions to the same or a higher level than before. Regular consultation and four public meetings are required during the resettlement planning process and the minutes of meetings must be certified by affected people and different levels of government. The Regulation requires replacement of lost land used for livelihoods. It stipulates the importance of district level authorities in the approval of resettlement plans and in monitoring their implementation. The decree identifies two planning phases, a) to produce the Resettlement Plan with detailed site plan, house design and site Environmental Impact Assessment if necessary and b) an action plan for resettlement implementation with a budget and detailed compensation plan. Approval of the Resettlement Plan is a precondition for environmental licensing. Resettlement plans are approved by the District Government based on prior opinion of the Environment sector after technical opinions from Local Government, Agriculture and Food Security, and Public Works, Housing and Water Resources, as members of the Technical Committee for Supervision and Monitoring Resettlement.

The procedures for implementing the decree on resettlement resulting from economic activities have been clarified in a technical directive approved by Ministerial Diploma No. 156/2014. The technical guideline requires parallel reference by implementers when necessary to the Regulation on the Environmental Impact Evaluation, approved by Decree No. 45/2004 to guide social and environmental impact mitigation and management and the Directive on the Process of Expropriation for the Purpose of Territorial Planning, approved by Ministerial Decree n.º 181/2010 for compensation guidelines.

The joint Ministerial Decree N.º 181/2010 contains the principles and procedures for **expropriation** and the basis for calculation of compensation for loss of assets such as urban and rural housing, annual and perennial crops and includes consideration of compensation for the value of intangible losses. Compensation for houses is calculated including depreciation and may be paid in cash or if a house is residential, a house of the same value must be provided in substitution. Crop valuation takes into account the current market prices, productivity, age and intangible loss value for annual and permanent crops. The Decree clarifies that the declaration of an area for expropriation in the public interest and for the purpose of spatial planning is carried out by the Council of Ministers and shall be Gazetted.

The **Municipal Framework Law n.º 2/97**, makes municipalities responsible for urbanisation, housing and licensing construction, in accordance with their capacity, and in conjunction with

other state bodies. Municipalities are also given the competence to exercise powers given to them under the Land Law and Regulations.

The **Municipal Finance Law n° 11/97** gives municipalities the power to prepare and approve general and detailed land use plans, urban development programmes, and land development schemes, in collaboration with relevant central government bodies. Enforcement of such plans is subject to ratification by the government. Municipalities may also collect taxes on urban land and buildings, including unused land that has been provisionally allocated.

Art. 56 notes that appropriate regulation will be developed for the assessment of the values of urban property, however prior to the availability of this, that provisional evaluation will be made according to the norms for valuation of urban structures with the objective of their sale by the Administration for State Property (APIE). The Municipal Tax Code (Decree n° 52/2000) also refers to the use of APIE norms until the regulations that will facilitate implementation of the Municipal Finance Law are available.

The regulations of the Municipal Finance Law are supported by Law n° 9/2002, which creates the Financial Management System of the State (SISTAFE), applicable to municipalities. It is supported by Law n° 1/2008, which defines the financial, budgetary and patrimonial regime of municipalities and the Municipal Tax System; and by Decree n° 63/2008 that approves the Municipal Tax Code repealing Decree No. 52/2000.

The Property Registry is responsible for independently recording land use and property titles and transactions (Decree n° 01/2003). Its legal basis of operation is in the process of review and updating.

Decree 15/2000 describes the articulation of **local state authorities and community leadership** consultative councils and legitimises community leaders - traditional leaders and neighbourhood secretaries. The decree (15/2000) gives them powers under Article 24 of the Land Law to participate in conflict resolution, represent community opinions on applications for land, and identify and delimit community land.

Decree n° 51/2014 creates the **National Commission on Human Settlements**. The CNAH is a consultative and cross-sectoral coordination body for the implementation of Government policies and programs relating to planning, development and management of human settlements. It will have a multi-stakeholder Technical Council to oversee coordination of policies and programs related to planning, development, and management of human settlements and their implementation.

The **Family Law n° 10/2004**, stipulates that both partners may legitimately deal with property while safeguarding the other's rights. Immovable property, whether belonging to either spouse individually or as common property, may only be transferred to others with the express permission of both partners.

- Co-ownership of property, including houses, is the most common type and is associated with first marriages. In this case, all property brought into the marriage by both partners,

and the house and other items acquired by the couple during the marriage, including rights to use and benefit from land, belong to the husband and wife in equal shares.

- Communion of accrued property acquired under prior rights. This specifically includes property acquired through land occupation in good faith which started before a marriage, although compensation for loss may be payable as common property (Art. 1717, n° 2). A partner does not therefore gain a half share of land or other property acquired through occupation in good faith. The new law defines this type of property holding as the default for *de facto* unions and traditional marriages, or instances where none is specified. This is important as a woman may now retain ownership of her possessions prior to marriage, as well as automatically be owner of half the marital property.

Finally, under the separation of property mode, each party retains the ownership of their present and future assets and may dispose of them as they please.

The **National Heritage Protection Law n° 10/1988** aims to protect all national antiquities, historical and cultural heritage. Such protected areas are to be avoided in the selection of project sites. Where this is not possible, cultural heritage in rural areas should be dealt with under the chance finds process legislated, and graves for example, must be addressed with the involvement of local authorities, as determined by the Regulation of Funeral Activity in Decree no. 42/1990, or Municipal by-laws where these exist in urban areas.

Environmental Law n° 20/1997 and its regulations on **Environmental Impact Evaluation (EIA)** (Decree n° 54/2015) oblige a project proponent to carry out consultation and public participation with project affected people whose use of natural resources is restricted by a project or physical displacement is implied through the project preparation process. Environmental management for different types of activities is legislated separately.

The Directive for the **Public Participation** Process published as Ministerial Diploma 130/2006 of 19 July provides details on the public participation process during an environmental impact assessment, the permanent or temporary relocation of people or communities, and the displacement of goods or assets or restrictions on the use of or access to natural resources.

The importance of involving local authorities at (urban) district level and below in the process of consultation concerning any potential displacement is regulated under the Land Law, and its amendment Decree 43/2010 requiring the involvement of Consultative Councils in an investor's land acquisition consultation process, the Environmental and Territorial Planning Laws.

The provision of infrastructure and services for resettled populations would need to follow relevant national technical laws and regulations including:

- The Water Law (16/91), the updated National Water Policy (2007), through Resolution n° 46/2007, and Social and Technical Implementation Manuals (2002/3/6), Decree n° 43/2007 regulating water licensing and concessions, and Decree n° 30/2003 regulating public water supplies and drainage.
- Technical specifications for the construction of health units from GACOPI, the Office for Coordination of Public Investments of the Ministry of Health;

- Technical specifications from the Planning Department of the Ministry of Education and Human Development;
- Quality control for all other construction of public utilities should minimally follow standards used by the Provincial Directorates of Public Works, Housing and Water Resources.

While there are no specific legal guidelines for the social aspects of resettlement Mozambique’s ratification of the International Conventions of the Rights of the Child and Human Rights, Elimination of All Forms of Discrimination Against Women, Mozambique’s agenda on Human Settlement and the Labour law define specific rights based on equity and equal opportunity without discrimination to the benefits of private enterprise and investments.

World Bank Policy

Overview of World Bank Safeguard Policies

Of the World Bank’s ten Safeguard policies, the Social Safeguards Policies that apply to WASIS II can be seen in the table below:

Table 3-1: World Bank Safeguard Policy

World Bank Safeguard Policy	Triggered
<p>OP 4.01 Environmental Assessment The objective of this policy is to ensure that Bank-financed projects are environmentally sound and sustainable, and that decision-making is improved through appropriate analysis of actions and of their likely environmental impacts. This policy is triggered if a project is likely to have potential (adverse) environmental risks and impacts on its area of influence. OP 4.01 covers impacts on the natural environment (air, water and land); human health and safety; physical cultural resources; and trans-boundary and global environment concerns.</p>	<p>Yes. Category A - potential adverse impacts on human populations in some cities with a significant magnitude and complexity.</p>
<p>OP 4.11 Cultural Property The objective of this policy is to assist countries to avoid or mitigate adverse impacts of development projects on physical cultural resources. These may be located in urban or rural settings, and may be above ground, underground, or underwater. The cultural interest may be at local, provincial or national level, or within the international community. Trigger: This policy applies to all projects requiring a Category A or B Environmental Assessment under OP 4.01.</p>	<p>Possibly Yes. National requirements pertaining to chance finds will be followed.</p>
<p>OP 4.12 Involuntary Resettlement The objective of this policy is to (i) avoid or minimize involuntary resettlement where feasible, exploring all viable alternative project designs; (ii) assist displaced persons in improving their former living standards, income earning</p>	<p>Yes. This Resettlement Policy Framework presents the available mitigation instruments to be used for involuntary resettlement</p>

World Bank Safeguard Policy	Triggered
<p>capacity, and production levels, or at least in restoring them; (iii) encourage community participation in planning and implementing resettlement; and (iv) provide assistance to affected people regardless of the legality of land tenure. This policy is triggered by not only physical relocation, but any loss of land or other assets resulting in: (i) relocation or loss of shelter; (ii) loss of assets or access to assets; (iii) loss of income sources or means of livelihood, whether or not the affected people must move to another location. This policy also applies to the involuntary restriction of access to legally designated parks and protected areas resulting in adverse impacts on the livelihoods of the displaced persons.</p>	<p>and economic displacement requiring compensation.</p>
<p>OP 4.37 Safety of Dams The objective of this policy is to ensure that experienced and competent professionals design and supervise construction of bank-funded dams, and that the borrower adopts and implements dam safety measures through the project cycle. The policy also applies to existing dams where they influence the performance of a project. In this case, a dam safety assessment should be carried out and necessary additional dam safety measures implemented.</p>	<p>Yes. Although the project is only installing equipment for water intake within in an existing dam, it should ensure that all precautionary measures constituting dam safety programs are in place to avoid displacement.</p>

Comparison between Mozambique legislation relating to Resettlement, Land Tenure and Administration and the World Bank OP4.12.

The legal framework relating to land administration in Mozambique is wide reaching and complex. Entitlements for payment of compensation are essentially based on the loss of right to use of and benefit from the land which is the property of the State as defined under statutory law.

The World Bank’s OP 4.12 states that all project affected people are entitled to some form of compensation whether or not they have legal title if they occupy the land up to a cut-off date. Recognition of this status is also provided by Mozambican legislation to communities and national individuals occupying and using land for over 10 years, however it does not cover encroachment onto rights of way, legally reserved or licensed areas.

The Bank Policy aims first and foremost to avoid or mitigate displacement impacts of a project. Although avoidance is not so clearly emphasised in Policy, mitigating social impacts is safeguarded by Mozambique’s environmental, spatial planning, land and urban land legislation and the growing body of related regulations and directives on consultation and participation of people affected by investor’s development activities.

For this Project Mozambican legislation will guide rights of tenure but in cases where project affected people have no rights of tenure according to Mozambique law, the provisions of the Bank OP 4.12 will apply in terms of their rights for compensation, consultation, and grievance mechanisms where they have been affected by this Project. Where there is conflict between

laws of Mozambique and the World Bank OP 4.12, the latter must take precedence if the Bank is to fund this project.

Sustainability requirements of OP 4.12 mean that local residents who are made to stop or reduce their livelihoods activities must be ensured of alternative sources of food or livelihoods. If they are not readily accessible, these conditions must be provided via the resettlement project. The Mozambican legal frameworks for Land, Planning and the Environment support this approach to sustainable human development and environmental management.

In cases where infrastructure development projects may involve involuntary resettlement, even when the exact scale of impacts and numbers of project affected people are not known, the Project implementing agency must screen sub-projects through the submission of a Resettlement Policy Framework prior to appraisal that conforms to OP 4.12. The framework estimates, to the extent feasible, the total population to be affected and overall resettlement costs.

If financial intermediary operations involve involuntary resettlement an RPF should also be submitted prior to appraisal. The RPF should include an assessment of the institutional capacity and procedures of each of the financial institutions that will be responsible for project financing. If resettlement is not foreseen prior to appraisal, but during design or implementation is found to be necessary, the legal agreements specify the obligation of the financial intermediaries to obtain a resettlement plan consistent with OP 4.12 from the Project proponent.

The tenor of Mozambican decentralization and de-concentration policies advocating greater involvement of citizens and local level government is one that proposes commitment to more transparent governance, participatory planning processes and consultation with communities as clients. Mozambique's new Directive on implementing the resettlement regulation also supports the decentralized and participatory approach, defining binding public consultation requirements and outputs. This basis of operations is endorsed completely by OP 4.12 which emphasises the need for consultation and joint planning in the resettlement process, as a fundamental means of encouraging trust and sustainable outcomes.

Mozambican legislation and guidelines on resettlement implementation are demanding and will be a challenge to implement. Meeting Mozambican requirements as well as the principles and procedures stipulated in the Bank's OP 4.12 will be costlier than previously as standards have been placed at a high level. The level of studies and planning required to comply with requirements is time and resource consuming and its continued preparation after the ESIA has been approved, means that the environmental license for a project is delayed until the resettlement planning is completed and approved. Although not specific in any policy, longer planning periods and higher preparation costs are two strong reasons for projects to be designed to avoid displacement impacts wherever possible. Where Mozambican legal guidance does not meet OP 4.12 requirements, the latter will prevail and supplement any gaps.

Table 3-2: Comparison of Mozambican Law and World Bank OP4.12 .

Category of People Impacted / Type of Lost Assets	Mozambican Law	World Bank OP4.12	Mitigation Measures
Land Use and Benefit Title Owners	Entitled to compensation at a fair rate for improvements on the land. This is based upon the type of rights they hold related to the use of the land under the law.	Recommends land-for-land compensation. Other compensation is at replacement cost.	Land-for-land compensation will be prioritized. Other compensation is at replacement cost.
Land Users	In some cases land users have secured tenure extended to them under the law based on period of occupation. In other cases land users are not entitled to compensation for land occupation or use, or to compensation for crops and any other economic assets.	Entitled to some form of compensation whatever the legal recognition of their occupancy. Entitled to compensation for improvements, crops, may be entitled to replacement land, and income must be restored to pre-project levels at least.	Whatever the legal recognition of their occupancy land users will be entitled to compensation so that they may maintain or raise their levels of well-being / income.
Owners of 'non permanent' buildings	Cash compensation based on market value or entitled to new housing on authorized land under government (state or local) housing programmes.	Entitled to in-kind compensation or cash compensation at full replacement cost including labour and relocation expenses, prior to project impact.	Entitlement to in-kind compensation or cash compensation will be at full replacement cost including labour and relocation expenses, prior to project impact.
Owners of 'permanent' buildings	Cash compensation is based on market value.	Entitled to in-kind compensation or cash compensation at full replacement cost including labour and relocation expenses, prior to project impact.	Entitlement to in-kind compensation or cash compensation will be at full replacement cost including labour and relocation expenses, prior to project impact.

Category of People Impacted / Type of Lost Assets	Mozambican Law	World Bank OP4.12	Mitigation Measures
Perennial and annual crops	Cash compensation based upon rates calculated as an average net agricultural income that takes into account location and productive factors.	As per section 12 of this RPF once approved by the Bank and disclosed in Mozambique and at the World Bank external website.	Will follow section 12 of this RPF once approved by the Bank and disclosed in Maputo and at the World Bank external website.
Grievance Redress Mechanism	Not explicitly described in Mozambican legislation.	Required under the OP 4.12. Integral part of resettlement process. Must be disseminated within the affected communities and PAPs	Project will establish and effective and functional GRM, that will be disseminated within the community and PAPs.
Cut-off Date	Not required under Mozambican Resettlement legislation	Required by OP 4.12, before the census survey or project area delineation, subject to dissemination in project area.	Will follow the OP 4.12. Declare and disseminate the Cut-off date before census survey.
Public Consultations	Required by the Mozambican legislation under the Decree 130/2006 Public Participation Process	Required under the OP 4.12. Communities must be involved in project design, preparation and implementation.	Community engagement, public participation process will be followed from the commencement of the project.

For all projects involving resettlement, a draft RAP or ARAP must be provided to the World Bank for approval before the project is accepted for World Bank financing

4 Potential Impacts of the Project associated with displacement

4.1 Overview

Project implementation is expected to directly benefit health and the quality of life of households and communities that are covered by the sub-projects. Quality of life benefits are likely to include a reduction of the time that people, especially women and girls, spend looking for water, their access to greater quantities at lower cost will provide more options on how to use both water and money.

However, it is also expected that some negative environmental and social impacts may occur as a result of the Project including the need for compensation for losses and damage to property, and possibly even physical displacement requiring resettlement (see [Appendix 16.3 Rapid Situation Assessment of the Cities Covered by the RPF](#), for profiles of each city).

This chapter provides an overview of Project impacts that may require resettlement and compensation. These are indicative as during the preparation of the RPF the location, nature and scope of the specific sub-projects were not yet known in detail. Information for planning is limited to types of impacts and magnitude can only be estimated at this stage.

Table below shows a summary of key civil works planned per city and organised by component. The works that are likely to cause displacement of people’s property are underlined.

Table 4-1: Summary of key activities per component/city with an indication of potential adverse social impacts

City	Component 1-a: Water Production	Component 1-b: Water Distribution
Pemba	<ul style="list-style-type: none"> Rehabilitation and construction of about <u>15 boreholes</u> Equipment of the boreholes including transformers <u>Pipelines</u> to connect new boreholes, <u>20 km</u>, DN 160 - 315 mm PVC Telemetry system for the boreholes Rehabilitation and expansion of the existing iron removal plant up to 30,000 m³/day, new pumping station, transformer, standby generator Rehabilitation of the existing transmission main and <u>construction of new transmission main, 60 km</u>, DN500 Refurbishment and expansion of pumping stations A and D including transformers and generators 	<ul style="list-style-type: none"> <u>140 km of network construction in Pemba</u> (100 km expansion plus 40 km rehabilitation including transference of connections) <u>Supply of 15,000 meters</u> Supply of network equipment to reduce UFW Rehabilitation of the existing Distribution Centres Construction of <u>new Distribution Centre</u> composed of: ground reservoir (1,000 m³), water tower (250 m³), dosing equipment and pumping station People Served: 63 600
Nacala	<ul style="list-style-type: none"> Electromechanical equipment for the existing raw water intake that was built at the time the Nacala Dam was rehabilitated, along with 2 km of raw water transmission main from the intake to the water treatment plant. Construction of a water treatment plant (to replace the old one) with treatment capacity of 25,000 m³/day, including the associated 	<ul style="list-style-type: none"> Rehabilitation and <u>construction of distribution centers</u>. Rehabilitation and <u>expansion of 150 km of distribution network</u>. Rehabilitation of 15 km of large distribution main.

	<p>electromechanical equipment, pumping stations and a 400 m³ reservoir.</p> <ul style="list-style-type: none"> • <u>Construction of a 33 km transmission main</u> (to replace the old one) with associated booster stations, rehabilitation of existing reservoirs.
Tete/Moatize	<ul style="list-style-type: none"> • Rehabilitation and construction of about <u>21 boreholes</u> • Equipment of the boreholes including transformers • Telemetry system for the boreholes • <u>Pipelines</u> to connect new boreholes, <u>20 km</u>, DN 160 - 315 mm PVC • New <u>pipeline</u> from Nhartanda to WTP, <u>1 km</u>, DN 500 mm • Rehabilitation of the iron removal plant (12,000 m³/day) and expansion for 10,000 m³/d, rehabilitation of the existing clear water reservoirs (4x500 m³), new pumping station • <u>New transmission main</u> to connect Moatize to Tete boreholes, <u>25 km</u>, DN 350 mm <ul style="list-style-type: none"> • <u>175 km of Network construction</u> in Tete and Moatize (135 km expansion and 40km rehabilitation including transference connections) • Two <u>new Distribution Centres</u>, each composed by: ground reservoir 2,000 m³ capacity, water tower 350 m³, dosing equipment and pumping station • Supply of <u>30,000 meters</u> and materials for connections • Supply of network equipment to reduce UFW • People Served: 127 200
Beira/Dondo	<ul style="list-style-type: none"> • Rehabilitation of the Dingue Dingue Water Intake (pumps and stabilization works) • Refurbishment existing treatment system, including ETA 1, ETA 3 and pre-treatment canal <ul style="list-style-type: none"> • <u>110 km of Network</u> construction in Beira and Dondo (80 km expansion plus 30km rehabilitation including transference of connections) • Supply of <u>25,000 meters</u> and materials for connections • Supply of network equipment to reduce UFW • People Served: 106 000
City/ Component	Component 2: Institutional Support
National	<ul style="list-style-type: none"> • Procurement, Contract Management, Electromechanical Advisors • Hydrogeological & Geophysical Studies • Support for creation and implementation of Water Utilities • Consultancy studies (Detailed Designs, Supervision and Master Plans) • Financial Audit 5 years • Training for 5 years
City/ Component	Component 3: Output-Based Payments for Low-Income Household Connections

National	<ul style="list-style-type: none"> • Supply of <u>meters</u> and materials for connections
City/ Component	Component 4: Contingency Emergency Response
Beira, Dondo, Tete, Moatize, Quelimane, Nampula and surrounding towns	<ul style="list-style-type: none"> • Rehabilitation of water treatment facilities and transmission • Rehabilitation of water supply <u>network</u> • Replacement of electromechanical equipment
City/ Component	Component 5: Capacity Building and Operational Support to CRA
National	<ul style="list-style-type: none"> • Procurement, Contract Management • Consultancy studies on regulatory issues • Financial Audit 5 years • Training for 5 years

4.2 Displacement impacts due to Project Component 1-a: Water Production

Project Component 1-a, (Investment in Water Supply Production System) consists civil works for the rehabilitation and expansion of existing facilities and construction of new boreholes and transmission mains.

The civil works for the rehabilitation of existing treatment plants, water intakes and pump stations facilities will take place on FIPAG properties, so that no social impact related to land acquisition is expected. However, for pipelines property encountered in ROWs will be subject to expropriation is expected. This is likely to take place in Pemba, Tete and Moatize.

To improve water production, the project will rehabilitate and construct boreholes in Pemba, Tete and Moatize. The areas around existing boreholes are currently being used by local communities for agriculture as shown in the pictures below. It is likely that new boreholes in these areas will cause crop damage in Tete especially where mains pipelines are in some places not buried, access constraints may also be an impact that requires attention.

Figure 4-1: Crops around boreholes in the Nhartanda Valley - North and South, Tete



Works on the boreholes to supply Pemba have already been started and the process for requesting the local authority for rights to use the area is being undertaken by FIPAG. However, the area is also being used for crops by local people who are aware the area has been reserved for FIPAG.

The new boreholes and pipelines to connect them with the production network will be constructed in areas presently covered with crops in the Nhartanda wellfield, Tete. Preparation for construction work will require access and full clearing of the area. Compensation for losses will be required.

New transmission mains will also be constructed to transport raw water from the production source to the treatment plant and distribution centres. The new transmission mains will in most cases (Tete, Nacala and Pemba) be parallel to existed transmission main pipelines and placed about 20 m from the road edge (in the case of main highways and primary arteries leading into the cities). These will require a construction or working corridor of about 15 m from each side of the pipeline. Partial protection reserves 50 m either side in Nacala, will be automatically created by the construction of pipelines and will require awareness and coordination with local authorities on future land use restrictions in them. Pictures below show similar work in Nampula that gives an idea of the space required for safe operation of equipment.

Figure 4-2: Civil works for a transmission main: Space required for safe operation of machines (top) and similar work in confined space using manual labour (bottom), Nampula City.





Transmission main pipelines will cross inner-urban, peri-urban and peripheral areas of Pemba, Pemba Metuge, Nacala, Tete and Moatize. Location organization varies from planned urbanised grids of plots with public access roads to areas of spontaneous settlement that have not been subject to municipal or district planning.

Although the project is planning to use land already attributed as public rights of way, as part of road reserves or existing transmission mains; due to encroachment, families and commercial activities are likely to be physically displaced by the Project, and as a result trigger the OP 4.12.

The pictures below show encroachment of permanent buildings along the edges of main roads.

Figure 4-3: Permanent buildings along main roads in Pemba and Moatize





4.3 Displacement impacts due to Project Component 1-b: Water Distribution

Project Component 1-b consists of civil works to improve the Water Supply Distribution System including construction of distribution network (expansion and rehabilitation),

distribution centres and additional storage capacity, and installation of equipment for new connections and to reduce water losses

Distribution coverage expansion is planned to focus on peri-urban areas of the cities of Beira, Dondo, Tete, Moatize, Nacala, Pemba and probably Chimoio and Manica, occupied largely by low and middle income households.

Most of the areas being considered for network expansion lie on the peripheries of existing network supplies or in areas where network coverage is thin and many residents do not have domestic connections. Most of the areas are urbanised in planned grids of plots with public access roads, but a few are characterised by spontaneous settlement and use of land that has not been subject to municipal planning.

Since civil works for the network expansion will comprise of trench excavations along public rights of way for the most part, laying of flexible pipes and accessories, and back-filling, it is unlikely that any of the sub-projects planned for network expansion will cause physical displacement of any residences from areas targeted for development.

The pictures below show distribution network under expansion and maintenance work in Chimoio and Pemba. The area required for distribution network is minimal.

Figure 4-4: Distribution network expansion and maintenance, respectively in Chimoio (left) and Pemba (right)



Network expansion for the WASIS II Project in the centre and peri-urban areas of the cities may however cause involuntary economic displacement. Encroachment onto roadsides and into previously unoccupied spaces means that some are now occupied by perimeter fences constructed from permanent and temporary materials, home-owners' pavement extensions some temporary others permanent, and tree and annual crop cultivation. Low-level enforcement by the Municipal Councils to maintain public land free of occupation and to avoid investor conflicts with new land use claims has meant that expanding settlement and cultivation has informally moved into road reserves and other public areas. Private property may therefore be affected in public rights of way and other land with public use rights. This may include crops, pavements, fences or boundary walls for example.

Network rehabilitation in Pemba, Tete and Beira, including substituting old for new pipes, is planned to take place in inner urban areas where network pipes are laid under paved areas

and roads (see pictures below). Public and private property may be damaged or access constraints may affect private business, and there is a risk that compensation might be required.

Figure 4-5: Paved areas and roads potentially to be degraded for pipes exchange in Pemba



In Moatize, FIPAG is currently close to obtaining the formal land use right for the DC. It is adjacent to an existing DC and FIPAG is controlling new occupations so that no encroachment is expected.

In Pemba, FIPAG has available space for the new DC in its property close to the airport already containing four tanks, internally called Area F. Although technically this high area provides good conditions for distribution due to proximity of Pemba Airport (the site is inside the airport runway perimeter fence) this available area may not be used for that purpose. If an alternative site is required, this may displace houses and commercial properties.

4.4 Displacement Impacts due to Project Component 2 & 5: Institutional Support & Capacity Building and Operational Support to CRA

No civil works or land acquisition is expected to be carried out by the Project in Component 2 & 5. This component will provide technical assistance to FIPAG.

4.5 Displacement Impacts due to Project Component 3: Output-Based Payments for Low-Income Household Connections

The increasing access to piped water connections for low income households will under component 3, will not induce, land acquisition, land use change or restriction of access to natural resources or resources of livelihoods for the beneficiaries.

4.6 Displacement Impacts due to Project Component 4: Contingent Emergency Response

The Component was activated on April 18, 2019, with US\$10 million allocated to it to provide immediate support to the disaster recovery of the Cyclone Idai in Beira, Dondo, Tete, Moatize, Quelimane, Nampula cities and surrounding towns. A standalone CERCE ESMF/RPF has been prepared for the emergency in Idai affected areas.

4.7 Estimated Losses Resulting in compensation or resettlement

Table 4-2 below summarizes the estimated number of assets that may be lost and requiring compensation or resettlement. The estimates are very high level. They are based on visits to the field, an understanding of the ways the civil works are to be carried out, and verifications using satellite imagery.

The number of affected assets is estimated based on possible least impact pipeline routing of the transmission mains as well as possible crop losses around well-fields. It is likely that the number of affected housing and ancillary assets indicates a similar number of affected households given the urban context where much of this exists. Here neighbours, particularly along roadsides, are very often not members of the same family.

The figures below will be used for budgetary purposes in Section 12.2 below.

Table 4-2: Estimated Affected Assets

Estimated Affected Assets	Estimated nº
Houses of permanent materials	209
Houses of temporary materials	175
Ancillary items (walls & gates)	722
Area crops (hectares)	44
Disturbed paved areas Nacala (hectares)	2.4

Note: The above estimated numbers (affected assets) refer to the technically required area or Corridor of Impact (CoI) as defined for other cities and not for full PPZ (100 meters).

If the time taken to implement the sub-projects is extensive (more than three years), further encroachment may occur and affect the level of financing required. In addition, with news of the works taking place, it is common for people to appear looking for employment and their presence raises the risks of ineligible people being registered and perhaps obtaining compensation. The new concentrations of men usually associated with unskilled labour availability, often create additional social impacts by obscuring equal opportunities for project affected women in particular, but also men, with compensatory entitlements to prioritization for employment. Recruitment of local labour can also encourage the misuse of hierarchical relationships in the process, for example by providing employment or continuing to employ some people when others are also asking for opportunities. While all project affected people are vulnerable to bribes, women often pay with sexual favours and at other times incur gender-based violence from men who seek to maintain control of such situations.

Indeed, entitlements to compensation may also result in property rights being transferred to men at the expense of women and their children if care is not taken to understand the cultural, social and legal context of this in Mozambique. In addition, compensation payments may also prejudice women and their children when paid into husband or male relative's bank accounts, opportunities for livelihoods restoration may also privilege men who are more publicly pro-active in engagement, tend to represent families formally and informally, and may be those most apt to benefit from technologically-oriented livelihoods opportunities that are often provided as solutions in order to ensure livelihoods are actually restored and possibly improved.

5 Reducing Impacts

5.1 Overview

Displacement causes changes in socio-economic relations and status that, without careful planning may cause serious disruption and undermines affected people's lives and well-being, especially women and their children. The most important principle for resettlement planning advocated by the World Bank OP 4.12, is to try to avoid resettlement wherever possible by altering project designs.

Where land is likely to be needed for use by the Project or property may be lost due to Project activities a short Land Acquisition Assessment (LAA) will be used to screen the potential impacts. This will help FIPAG and the World Bank to decide what type of resettlement planning tool is needed, a RAP or ARAP. Screening will be initiated by FIPAG's Regional Safeguards Officer. The screening process presented below is the first step to ensure that sub-projects presented for WASIS II funding apply appropriate planning processes to safeguard people living in the Project areas from displacement related negative impacts that comply with the requirements of OP 4.12 and Mozambican Law.

5.2 Planning to Avoid Resettlement

The WASIS II Project will continue to follow the good practice of systematically aligning pipelines to avoid wherever possible, installation that may cause physical and economic displacement.

On the rapidly expanding peripheries of Pemba, Tete, Moatize and Nacala, low and middle-income households and new immigrants occupy housing often in areas where they are illegal and where they have access to minimal if any public services. The income-generation driver has also caused many existing rights of way and roadsides where mains pipelines are most likely to be installed to be encroached by traders' stalls and shops.

Taking the road reserve into account, agreements with the National Roads Administration and where necessary with municipal authorities, transmission mains pipes should follow an existing practice of being placed no less than 20 m from the edge of a main road. The required corridor of construction impact should then be 30 m (15m for each side of the pipeline). The corridor of construction impact may be cleared and an access road for the works may be opened within it. Access for maintenance will be required in the future and need to be planned for. As a 30 m impact corridor will be impractical in urban and some peri-urban parts of the sub-project cities due to the risk of causing significant local disruption to houses and commercial structures, this has been successfully reduced in the past to 5 m using manual labour instead of machines to lay the pipes.

Thus, in highly congested peri-urban and urban areas where the road, pavement and buildings abut one another and other areas where works are required next to sensitive public service buildings that cannot be damaged for example, the corridor may be reduced to the narrowest practical option that complies with work and sector safety standards. Thus, the construction impact corridor may be reduced to around 5 m when the transmission main enters into the urban part of a city. Another way of reducing risks of physical displacement has been to reach agreement with the National Road Administration and municipalities to reduce the distance of the pipeline to the road edge where permissible, taking into account rehabilitation and possible expansion of the road in the future.

Transmission mains installation and network expansion will take place in roadsides. Spontaneous settlements without proper road alignment and encroachment onto roadsides may all cause the need for compensation and resettlement. In cities where there is a good relationship and coordination between FIPAG and the municipalities, pro-active help will be

asked from the municipality to make land-use plans to guide settlement prior to the works. If well managed, these can avoid the need for compensation by FIPAG. Planning for wellfields within municipal boundaries are a case in point. In addition to land-use plans, effective signage and communication with local communities must also be used to avoid use of the area. If it is already used for crop production, notifying verbally and physically in the season prior the works may also avoid unnecessary compensation payments.

Where the destruction of paved roads and paved walkways will be caused by pipeline construction and access impeded to the use of common or private resources, agreements with municipal authorities and other public services to permit access, destruction and repair at the Project's cost will become necessary. Impeded access or plans that will cause destruction of private property will require prior agreements concerning access and fair compensation for inconvenience and interruption of business as well as for the planned removal of property as necessary.

Working with municipal and district local leaders, FIPAG's Department of Supply Zones (DZF - *Departamento de Zonas de Fornecimento*), the Studies and Projects Offices (GEP), the Technical Department (DP – *Departamento Técnico*) and the OA Safeguards Officer in each city, most of whom have social intermediation skills, during planning and implementation of network expansion may help minimize the negative impacts by specifically identifying potentially affected vulnerable groups early on in the process. The DZF works directly with consumers and stakeholders, mainly receiving complaints and dealing with these on an individual basis.

The network expansion planning process will bring together technical information management and participatory planning methods (consultation and communication), that will mitigate as effectively as possible the adverse impacts of unavoidable acquisition of land use rights and involuntary resettlement. A key mitigating tool is the potential for effective communication via local leaders and DZF staff.

The costs of resettlement can add significant amounts to project budgets. Where it is not possible to choose another location; alignment of boundaries for project activities, adjusting siting criteria, or changing construction techniques to avoid pockets of settlement and reduce the surface area of impact respectively should be explored and adopted as long as the Project is still economically viable. Compensating many people for minor or partial land acquisition may cost far less than physically relocating a few affected households to an area close by and ensuring that their livelihoods are as little disrupted as possible or providing them with income-restoring alternatives. These potential impacts must be reviewed at the sub-project planning stage. Sub-project screening will identify appropriate resettlement and compensation planning procedures.

5.3 Partial Protection Zone

This section describes the implication of the Partial Protection Zone (PPZ), it's alternatives for the project and practical solutions to allow the project to go ahead.

In this context it is important to mention that this RPF has been updated to include Nacala area activities and therefore the implication of the PPZ will apply to Nacala activities. After consultations with the water team, the RAPs for the other cities has been already prepared and civil works are ongoing or awaiting procurement procedures to purchase the equipment and install it.

As per the Mozambican land regulation described above, the construction of water pipes implies the automatic establishment of a 50 m Partial Protection Zone (PPZ) each side of the water pipeline [Land Law - Law 19/1997, Art 8. (g)]. Land use rights within the PPZ cannot be acquired or will be extinct, and only specific activities can be developed under a Special Use License.

Whenever there is a restriction of the right to use the land, the public or private entity that restricts the rights should compensate the holder (formal or custom) of the right, in an amount that represents the actual damage caused by the non-use of the affected part (Regulation of the Law of the Land - Decree nº 66/1998, Art 17).

The Land Law and its Regulation do not specify the width of the PPZ, depending on the dimension of the water conduit, which implies that the PPZ applies to all water pipes, from the transmission to water distribution.

WASIS II AF carried out a risk analysis of the establishment of the PPZ in the water transport and distribution pipelines to be built under the Project, namely, the dam to the city of Nacala and water distribution network in the city of Nacala itself.

The analysis revealed that it is not practicable to resettle all existing population within the 100 m confines of the pipeline and water distribution network, since the project is essentially aimed at delivering / supplying water to consumers' homes and would not be possible to do so if the distribution network cannot reach the consumer's residence if 100 m of PPZ is respected. In addition, it was found that the large majority of areas of interventions where the water supply network will be expanded, PPZ's have already been established due to the presence of road and electricity infrastructure.

The possibility of drawing up census and assigning special use licenses to all residents of the PPZ to be automatically created by the Project distribution network was then studied. This approach would be challenging due to the low capacity of many municipalities and districts in the massive allocation of DUAT as well as unfamiliarity with the principles of special use license.

During the preparation of the RPF, informal consultations were held with different academics and professionals from sectors related to urban planning and visited different water distribution projects (under construction or operation) and it was found that PPZ has not been applied to pipelines of transport or water distribution network in Mozambique.

Considering the risks associated with the establishment of the PPZ for water transport and distribution pipelines, the Project provides for the establishment of Corridor of Impact (CoI) and resettlement / compensation only in the area technically required for the project, within the PPZ of the existing road, therefore, there is no need to acquire the land within the automatically established PPZ for the implementation of new water pipelines.

Given that Mozambican legislation defines that PPZ is automatically created when implementing / constructing water pipelines, this principle of exempting PPZ to the Project (including the Nacala area) is only valid on condition that the Client provides a solution in line with the Mozambican Land Law with regards to PPZ (reduction or clarification), acceptable to the World Bank, before initiating any work in areas where new PPZ will be created in the Nacala project area, with evidence that effective legal measures were taken to clarify/reduce/eliminate the application of PPZ to new investments under the WASIS II AF Project.

5.4 Sub-projects Screening

A preliminary review carried out for the preparation of this Resettlement Policy Framework has identified that all the new transmissions mains to be constructed are likely to cause physical displacement. Physical displacement is not likely at any of the distribution network development sites, but due to the sub-project details not yet being known, it may be possible that it is caused as a result of a sub-project, and resettlement may be required. Partial economic displacement will be caused by sub-project implementation in all cities. Figure 5-1 below shows graphically, possible displacement and types of responses that may be appropriate.

Figure 5-1: Ownership Situations and Strategies for Compensation

OWNERSHIP SITUATIONS					
<i>Situation 1</i>					
The plot is partially within the ROW and the other part is not affected. No structure exists.		R	R	R	
<i>Situation 2</i>		I	I	I	
The affected plot is largely in the ROW and the remaining part outside the affected area. No structure exists.		G	G	G	
<i>Situation 3</i>		H	H	H	
Affected plot in its entirety is within the ROW. No structure exists.		T	T	T	
<i>Situation 4</i>					
There is a house in the affected part of the plot.		☐	O	O	
<i>Situation 5</i>		F	F	F	
The entire plot and house are affected.				☐	
<i>Situation 6</i>					
There is a house in the part of the plot that is not affected.	☐	W	W	W	
		A	A	A	
		Y	Y	Y	
COMPENSATION SITUATIONS					
<i>Situation 1</i>					
Cultivation may take place within the boundaries of the ROW subject to height limitations. The loss of value resulting from this restriction will be compensated monetarily.					
<i>Situation 2</i>					
The portion of land within the ROW shall be subject to the same limitations as Situation 1 and a loss of value will be compensated monetarily. All rights to land within the ROW shall be compensated as an area due for expropriation. The perennials in this area will also be compensated. Compensation of 'land for land' will be proposed as an option in the case of the remaining land area not being sufficient for household subsistence.					
<i>Situation 3</i>			P		
As in Situation 2. Compensation of land for land is also available as an option if the household does not have enough land area.			I		
<i>Situation 4</i>			P		
With regard to compensation of land, Situation 4 is identical to Situation 2, but in this case the house will have to be moved. If the household has the ability to transfer to the unaffected part of their plot and the remaining part is sustainable, the situation is identical to Scenario 2, with additional monetary or in-kind compensation for the house.		☐	E		
<i>Situation 5</i>			L		
The PAPs should leave the plot. They will be offered land for land compensation and replacement of the house. The PAP may prefer monetary compensation and self-resettlement if conditions are propitious.			I	☐	
<i>Situation 6</i>			N		
The house does not have to be removed. Situation 6 is identical to Situation 2.	☐		E		
<i>Restrictions on Land Use</i>					
ROW: limitations on land use (no structures)					
Access corridor: an area that should remain free to access					
<i>Legend:</i>					
PAP - Project Affected Person					
ROW - Right of Way					

Source: Adapted from ESG/WS Atkins / G. Govanneti, cited in IFC Handbook for Preparing a Resettlement Action Plan

As the Project will cause displacement and require acquisition of land for use mainly for ROWs, FIPAG’s local Safeguard Officer should conduct a concise Land Acquisition Assessment (LAA) as a screening mechanism to identify what kind of resettlement planning will be required. The screening process is useful, and it is an obligatory World Bank requirement. Thus where encroachment over the past few years means that physical and/or economic

displacement will occur or land use rights will need to be acquired, an adapted simple LAA can be incorporated into the screening process to be used for these projects (See [Appendix 16.4](#)). This RPF and World Bank policy OP 4.12 will be used to guide the development of an action plan.

Under Mozambican law all projects must be screened using a standard checklist to identify whether an environmental assessment (EA) is necessary. Should screening identify the displacement of any people, this fact will demand sub-project categorisation as ‘A’ and a full Environmental Impact Assessment (EIA). A simple EA or more complex EIA may be undertaken depending on the nature and size of the potential environmental and social impacts. In all cases, a scoping phase to define the terms of reference for the EIA will identify the scale of displacement likely to be caused by a project and general potential impacts of this. Both screening methods will be carried out as part of sub-project development in the WASIS II Project.

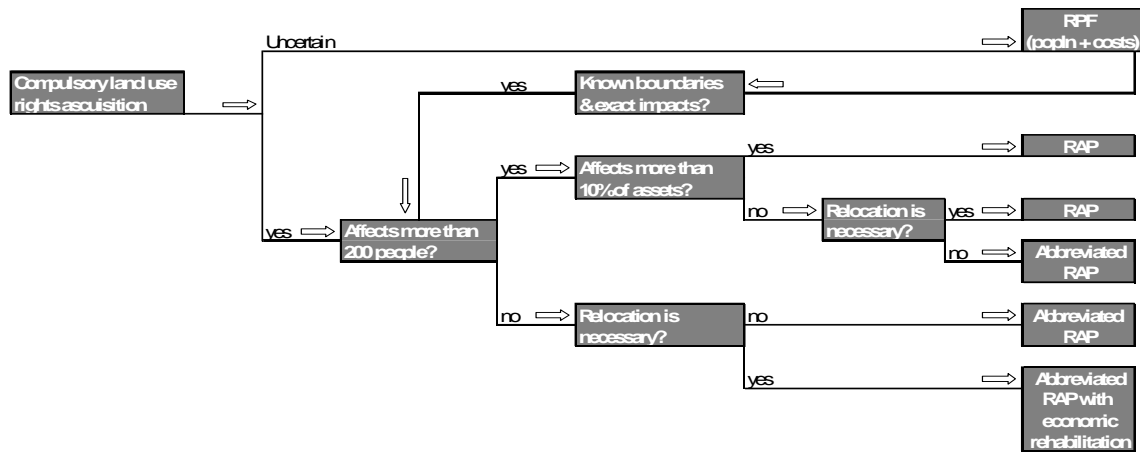
The EIA itself will include a social impact assessment (SIA) that will identify and quantify impacts and the numbers of people affected or displaced by the sub-project. A socio-economic baseline survey would then include a census of all displaced people and provide the basis for estimation of impacts on the population. EIAs require extensive and reported public consultation during preparation. Mitigating action plans are also required to be prepared as part of the EIA. EIA / ESIA mitigation plans should outline the procedures used to minimize the negative impacts on the community as whole or on part of it or on single households. Where these require resettlement and / or compensation, according to World Bank requirements, these procedures will be defined in detail in a RAP or ARAP.

5.5 Selection of the Resettlement Planning Instrument

When Project impacts mean that less than 200 people must be relocated or if these people are not physically displaced but lose less than 10 percent of their assets due to the project and resettlement is not complex, an ARAP may be prepared. When activities cause impacts of a greater magnitude than these (≥ 200 people affected) or resettlement is complex to plan and implement, a full RAP will be required. An ARAP is prepared when there is little or no physical relocation required but where compensation for damages, loss of property or loss of access to livelihoods resources needs to be planned and budgeted for.

Decision-making regarding the appropriate instrument will use the process identified in the diagram below:

Figure 5-2: Instrument Selection for Resettlement Planning



A RAP may be substituted with an ARAP which is used if the scale of impact is low and the impacts are not complex¹¹. It describes the project activity and actions to minimise resettlement and / or compensation; it provides an officially certified survey of displaced persons, an asset inventory and valuation and, if appropriate, a socio-economic survey. It describes in detail the compensation and other resettlement assistance to be provided including entitlement to participation in alternative livelihoods development activities. It also describes the results of consultations with displaced people about acceptable alternatives. It must identify institutional responsibility for implementation and procedures for grievance redress, as well as arrangements for implementation and monitoring. An implementation schedule and detailed budget are required.

5.6 Using the Results of Screening

In the case that proposed work sites are occupied, a date for a moratorium on occupiers' further construction activities and investments in permanent improvements on Project development land such as planting tree crops for example will be declared early in the planning process. A census of affected people and their property carried out at this time will identify those who are eligible for compensation, minimize the impacts of exclusive land use by the Project at a later date, and help avoid or manage encroachment.

A moratorium should not be maintained for a long period, as this creates antagonism among local people which may subsequently jeopardise the success of the Project and may negatively affect some people's livelihoods. A moratorium may not last more than a full agricultural cycle without livelihoods support being required. It should preferably be planned to occur during a period as long before the planting season as possible and be planned to cease at the time of the planting season whenever possible.

FIPAG has experience with linear projects and has used strategies to reduce the magnitude of impact on local residents requiring compensation and resettlement by agreeing to

1.1

¹¹ An ARAP is used when the magnitude of impacts is low and it comprises mainly of compensation details for economic displacement and may include small numbers of physically displaced households needing resettlement.

households shifting their houses to unaffected areas close to their original locations and using compensation for lost property plus alternative land, clearance and starter packs to re-establish themselves or agreeing to other forms of compensation from participation in development activities. FIPAG has up to now used compensation tables for annual and permanent crops from the Provincial Agricultural Directorates where a sub-project is located. FIPAG personnel will work with municipal and local government representatives and resettlement commissions to ensure fair assessment of values of losses requiring compensation.

Where applicable, the location of resettlement sites will be as close as possible to the originally occupied area. Resettled people will have access to services and to livelihoods sources, be these land for cultivation or markets for trading. The conditions of the new location must aim to be no worse, and preferably better for the resettled people than their previous conditions. Settlers' tenure in the new location will be secured formally to the extent possible.

In linear projects such as the transmission mains, the impact of resettlement on communities already living in the resettlement area, the 'host' communities, is usually very low because mostly small parts of people's property is affected the need to physically move minimized. However, displacement of people and their houses and fields in areas that may already be occupied by host communities means that impacts of resettlement on host communities must be taken into account.

People's preferences about where they would like to live and cultivate and how this can best be achieved must be considered during resettlement planning. Given that people differ in their capacity to manage their resources and the pressures of having to secure livelihoods often means that the weaker ones benefit less, a system for monitoring resettlement and the rehabilitation of resettled people must also be implemented. Monitoring will support rapid response to grievances and detected signs of negative impacts.

Since formal records are not changed for relocation in informal settlements, land tenure status will be assessed for every party affected by a Project activity. Every claim for compensation will be treated on a case by case basis. Individual consultation and verification with local leaders and neighbours will involve written records of all meetings and their results. Agreements signed by all relevant parties will identify the losses incurred and the terms of compensation and resettlement. This documentation will defend FIPAG against unjust claims as well as protect the rights of the affected party.

5.7 Vulnerable People

Vulnerable households may have different land needs from most households, or needs unrelated to the amount of land available to them. Vulnerable households include: (i) vulnerable women; (ii) children, especially orphans; (iii) young people; (iv) handicapped people; (v) the elderly; (vi) households affected and/or infected by HIV/AIDS, among others.

Given that it is common for the least well-off to gain their livelihoods from a variety of labour services and small trading activities, consideration of adequate affordable substitution of

livelihoods options will be discussed and implemented so that the most vulnerable people are not left worse off than they were before.

Work carried out by Service Providers/FIPAG to identify local people's relocation and compensation preferences and priorities during pipeline route design planning and later during resettlement and compensation planning and even during implementation provides the opportunity to specifically identify potentially vulnerable groups early on in the process. These may be people who may benefit less from compensation actions due to their social status (women and/or youth and/or the elderly). It may also include households for whom the social and/or economic costs of development improvements may be unexpectedly high such as in the case of loss of prime property or access to main income sources or resources.

5.8 Reducing other social impacts associated with displacement and resettlement

In addition, compensation payment and livelihoods opportunities may be more equitably managed by a man and a woman co-signing asset summaries and Project compensation agreements. Also, by encouraging payment of cash compensation to those women who lose their use and benefit from impacted assets, families may be more able to maintain viable sources of subsistence and restore livelihoods.

Recruitment procedures must also be developed that provide equal opportunities for employment to women and youth and encourage their participation with appropriate pre-employment and on-the-job training. The project will require that all employees, including labour recruited locally, especially those who obtained priority consideration due to their being directly affected by the Project and those for whom this may contribute to the restoration of their livelihoods, understand and sign a code of conduct. The code of conduct obliges employees to maintain respectful, non-discriminatory, healthy and appropriate relationships with co-workers and other community members.

The Project's Social Facilitators will be supported to promote awareness about these conditions among community members, and employers will be responsible for maintaining awareness among their personnel. The Grievance Redress Mechanism will be promoted as the means by which complaints may be made confidentially by community members when these behavioural norms are not correctly observed and they have suffered as a consequence.

6 Preparation and Approval of Resettlement Action Plans

6.1 Overview

FIPAG is responsible for water supply infrastructure development in the project cities. The management of new projects within those cities is conducted at central level by the Central Services of Project and Investment (SCPI – *Serviços Centrais de Projecto e Investimento*). The SCPI has environmental and social safeguard expertise provided by Environmental and Social Specialists.

The processes for preparing and approving RAPs and ARAPs are discussed in below.

6.2 Resettlement Action Plans Preparation

The RPF will guide sub-project specific RAPs or ARAPs, which will be prepared by FIPAG in consultation with other parties responsible for resettlement. The Plans will define the actions to be taken to properly resettle and compensate affected people and communities as they are identified.

Public consultations in relation to the RAP/ARAP are prescribed by national legislation to take place at key decision points in the planning process, starting with inception and planning when the potential replacement lands and alternative sites are being considered, compensation package alternatives and in order to review the Draft RAP/ARAP. A participatory approach is to be adopted as an on-going strategy throughout the entire project cycle starting with RAP/ARAP preparation.

A stakeholders analysis shall be prepared identifying the stakeholders based on their interests, powers and impact of the project on them. Consultations will need to be meaningful, informed and inclusive of all groups of PAPs and stakeholders (women, men youth, vulnerable groups, institutional stakeholders, NGOs/CBOs, etc.) and the RAP will need to document the issues raised by participants and responses provided along with their incorporation into the project design and in the mitigation measures. Details can be in an annex.

The Central Services of Projects and Investments will be responsible for the development of public information, discussion and agreement of a draft RAP or ARAP developed in accordance with the principles and procedures of this RPF. Each draft RAP or ARAP will be submitted to the District Government and the World Bank for approval prior to implementing the compensation process and the start of civil works. Approval of the RAP/ARAP by the District Government will allow the Environmental License for the sub-project to be secured and thereby, permission to advance with resettlement site preparation. If the location of a resettlement site is likely to cause negative environmental and social impacts then an environmental assessment of the resettlement project may be required, which may add substantial time to the RAP/ARAP preparation process.

The scope and level of detail of a RAP varies with the magnitude and complexity of the resettlement involved. Assessment for the ESMF and RPF indicates that Project activities will

result in involuntary resettlement impacts scattered along the transmission mains requiring a full RAP or ARAP in localised areas.

A RAP will minimally present:

- A description of the project activity and actions to minimise resettlement;
- An officially certified survey of project affected persons (census), asset inventory and valuation;
- Socio-economic survey;
- Impacts (quantified)
- A detailed description of compensation and other resettlement assistance including entitlement to participation in alternative livelihoods development activities to be provided;
- Results of consultations with project affected people about acceptable alternatives;
- A description of institutional responsibility for implementation and procedures for grievance redress;
- Arrangements for implementation and monitoring; and
- A timetable and budget detailing all costs, including relocation, compensation, administrative costs and monitoring fees.

The indicative content required to be presented in a RAP is found in Appendix 16.5. A RAP is more detailed than an ARAP and includes a socio-economic baseline survey with at least 25 percent of households to help provide the baseline and indicators for livelihoods restoration monitoring. Both the ARAP and RAP require a census and household asset inventory and valuation with 100 percent of affected households.

6.3 Institutional and Organization and Responsibility

FIPAG has an Environment and Social Specialist (ESS) at the Central Projects and Investments Services (SCPI), in Maputo, responsible for environmental and social issues planning, management and supervision. Each Operational Area responsible for the Project cities has a Standpipe Management Unit (UGF – *Unidade de Gestão de Fontanários*), under the Supply Zones Department (DZF - *Departamento de Zonas de Fornecimento*) which is responsible for community liaison and an Office of Studies and Projects (GEP – *Gabinete de Estudos e Projectos*) under the Technical Department (DP – *Departamento Técnico*) responsible for operational projects. Each Commercial Area responsible for the Project Cities has an Office of Assistance (GA – *Gabinete de Apoio*) responsible for complaints registration and management on commercial issues. Together they are responsible for local strategic planning, communication mechanisms, customer relations and complaints. Compensation and resettlement issues will be centrally managed by the ESS with local support of the DZF, GEP / DT.

The ESS from FIPAG is responsible for the supervision and management of the social inputs to the resettlement process during the Project with assistance in each operational area and the regional headquarters from safeguards officers to be recruited and trained. In addition, training of new and existing staff in the FIPAG OAs will focus on the new areas of work around

the use of the Project Code of Conduct, avoidance, mitigation and management of gender-based violence and violence against children.

The Operational Area Safeguards Officer with the support of a Regional Safeguards Officer who will provide no less than 50% of his/her time to organizing and directly supervising resettlement implementation at local level, and where necessary will be provided with field facilitators. One or more service providers may be contracted to facilitate the social and organisational aspects of resettlement implementation. Although participation of these service providers in the consultation process required to prepare the RAP/ARAP would be advantageous, it is likely that due to the resettlement legislation, the RAP/ARAP will be prepared by the ESIA consultant.

An environmental license can only be provided for a project once the proponent has a RAP/ARAP approved by the District Government after securing the opinion of the Resettlement Technical Commission. The ESIA consultant is responsible for stakeholder consultation, facilitating and supervising compensation negotiations and agreements and producing the draft RAP/ARAP.

A major challenge for linear resettlement is managing the problems that frequently arise when resettlement actions have to be coordinated across multiple administrative jurisdictions or different cultural and linguistic areas. Administratively each district and city are the base levels for planning. The multi-stakeholder District Resettlement Commission (DRC) should be established in each district affected by the sub-project if it has not already been for other resettlement projects. The DRC will supervise and monitor all resettlement planning and implementation in its administrative area. The District Government must approve all RAP/ARAP after the opinions of the central Technical Commission for Resettlement Supervision and Monitoring and the Provincial Resettlement Commission have been obtained. The DRC must participate in all four mandatory public consultation meetings required at specific stages of the resettlement planning process.

The National Directorate of Territorial Planning and Resettlement and Provincial Directorate for Environmental Coordination are responsible for leading the Resettlement Commissions at central and provincial levels and the District Administrator at district level. They are charged with ensuring compliance with the resettlement and territorial planning legislation as well as supervision and monitoring of all resettlement planning and implementation. The Resettlement Commissions at central and provincial levels involve other government institutions in the supervision and monitoring process as well as the project proponent, and the DRC includes representatives of project affected people – usually drawn from the Community Resettlement Committees, representatives of civil society, private sector and the project proponent.

The Provincial Directorate for Public Works Housing and Water Resources (DPOPHRH) will be responsible for assessing the value of structural assets for compensation or replacement, and the Provincial Directorate of Agriculture and Food Security (DPASA) for assessing agricultural assets. These responsibilities may be delegated to the District Services where there is capacity installed to perform them. Municipalities will also be involved in asset evaluation as well as in communication and identifying alternative land areas to resettle Project affected people.

Participation in resettlement planning begins at the local level. Local leaders and representatives from local communities affected by the Project will be included in the Community Resettlement Committees in a given area containing households due to be displaced. [Appendix 16.6](#) shows the integration of the multiple entities involved in the resettlement process and the institutional organization for preparing a RAP/ARAP.

The involvement of the above entities will be solicited by FIPAG or its Service Provider.

6.4 Approval and Disclosure of Resettlement Action Plans

FIPAG will engage a consultant to prepare a RAP /ARAP giving details of all the Project displacement impacts in terms of the numbers of all Project Affected Persons plus their properties and values, details of the resettlement site and house design as well as an EIA of this area if necessary. A draft RAP/ARAP should be submitted to FIPAG's General Director for disclosure and the World Bank for review and clearance . During the disclosure period, the RAP/ARAP should be presented and be made available for public consultation in an abbreviated and/or full form as appropriate for the audience and at accessible locations in an appropriate language in or close to the sub-project area. Feedback obtained from disclosure must be incorporated in the final document.

National legislation requires that the RAP/ARAP is approved by the District Government after the opinions of the central Technical Commission for Resettlement Supervision and Monitoring and the Provincial Resettlement Commission have been obtained.

It should be stressed however, that a RAP is essentially a working document, and as the situation on the ground changes, amendments may be needed, and these may be annexed to the original RAP following a similar disclosure and clearance procedure.

7 Eligibility Criteria and Displacement Procedures

7.1 Overview

Determination of the eligibility of the occupants or users of the properties to be compensated by the Project shall be done through a transparent and legal process, taking into consideration existing laws of Mozambique, policies of the World Bank and local customs.

7.2 Categories of People Affected by Project

Implantation of infrastructure development projects may involve the physical relocation of people resulting in their loss of shelter, productive assets and access to productive assets to various degrees. The World Bank considers this physical displacement. In addition to physical displacement, PAHs may also be affected by economic displacement, the results of actions which interrupt or eliminate their access to and use of productive assets, although they themselves will not be physically relocated.

The World Bank’s involuntary resettlement policy is designed to ensure that people who are physically or economically displaced as a result of development projects are no worse off than they were before displacement. The Project proponent has the additional opportunity to provide means of re-establishing livelihoods aiming to ensure resettled PAHs become better off than they were before.

Assessment of the degree of impact on livelihoods should take place for all sub-projects causing potential displacement revealed by the sub-project screening process. It is likely that the scale of displacement impacts will be very low for network development and expansion of household connections but for transmission mains pipelines and water production areas displacement impacts will be greater.

Categories of people who lose assets will be likely to include those indicated in the table below, however others may be identified during the development of RAPs/ARAPs and compensation plans for sub-projects that require them. Households in which single members are affected by the sub-project are considered affected family units. The exact numbers of displaced people, the degree of impact on the PAHs’ livelihoods (their losses, ownership status, tenancy status etc.) will be determined during the process of developing the RAP/ARAP.

Table 7-1: Criteria for assessment of potentially affected households

Impact Type	Description
<p><i>I.</i></p> <p>Full physical displacement.</p> <p>Full physical and economic displacement.</p>	<p><i>PAHs living in sub-project site areas.</i></p> <p>PAHs that will lose their houses and other structures only.</p> <p>PAHs that will lose their houses, other structures and part of their farm plots and produce.</p>
<p><i>II.</i></p> <p>Partial economic displacement</p>	<p><i>PAHs living outside sub-project site areas, which practice agriculture in the project area.</i></p> <p>PAHs that will lose part of their farm plots and produce.</p>
<p><i>III.</i></p> <p>Partial economic displacement.</p> <p>Partial economic displacement.</p>	<p><i>PAHs who only live and cultivate in a sub-project area during the agricultural period.</i></p> <p>PAHs that will lose houses and/or other structures.</p> <p>PAHs that will lose houses and/or other structures and part of their farm plots and produce</p>
<p><i>IV.</i></p> <p>Partial economic displacement.</p>	<p><i>PAHs who carry out small businesses (with permanent or temporary structures) in a sub-project area</i></p> <p>PAHs that will lose income from closure of business and who lose structures erected for this activity in the project area.</p>
<p><i>V</i></p> <p>Partial economic displacement</p>	<p><i>PAHs living in rented houses that are located in the project area.</i></p> <p>PAHs that will lose the house they rent to live in.</p>

Impact Type	Description
<p>VI</p> <p>Partial economic displacement</p>	<p><i>PAHs living or working in rented houses in the sub-project area on a seasonal or occasional basis related to livelihood/income</i></p> <p>PAHs that will lose the house they rent and occasionally occupy as shelter or to carry out business.</p>
<p>VII</p> <p>Partial economic displacement</p>	<p><i>PAHs renting houses used by others located in the sub-project area</i></p> <p>PAHs that will lose the house they rent to others and/or other structures short or longer term.</p>

7.3 Land acquisition and Expected Categories of People Affected by Project

The expected economically or physically displaced persons can be categorized into three groups, namely; Affected Individual, Affected Household and Vulnerable Groups (which may include, HIV/AIDS affected persons, orphans, the elderly, disabled, women headed households, etc).

Households are usually the unit of survey for property impacts. However, where formal or informal commercial enterprises are affected by a sub-project, these may be activities of individuals whose households may not be in or near the sub-project’s impact zone.

Vulnerable groups are identified as early in the process as possible so that special attention can be paid to them. Thus their needs can be identified from the socio-economic baseline study and census so that (i) they are individually consulted and given the opportunity (i.e. not left out) to participate in the sub-project activities, (ii) that their resettlement and compensation is designed to improve their pre-project livelihoods (iii) special attention is paid to monitor them to ensure that their pre-project livelihoods are indeed improved upon, (iv) they are given technical and financial assistance if they wish to make use of the sub-project grievance mechanisms, and (v) decisions concerning them are made in the shortest possible time.

7.4 Eligibility for Community Compensation

Communities permanently losing use of land and/or access to assets and or resources under statutory rights are eligible for compensation. The rationale for this is to ensure that the pre-project socio-economic status of communities where adversely impacted, is restored.

However, when public use assets include public toilets, a market place, taxi parks, schools or health units for example, agreements for avoiding impacts or substitution of these are made with the relevant government sectors or municipalities. It is highly unlikely that compensation for community assets will be required within this Project.

7.5 Procedure for the Assessment of Rights to Compensation

Procedures for assessing entitlement to compensation and other forms of assistance should be organized along the following lines:

- A census of all people who will be affected by the sub-project should be carried out in its early planning stages. This will identify those eligible for assistance and discourage an inflow of people ineligible for assistance. Names of all family members and their relationship to the head of the household, details of resource use and location and household location must be registered;
- Together with the local authority (neighbourhood secretary or similar), local influence leaders and a representative from the municipality the sub-project developer must investigate the basis of each claim of the identified PAHs. Information should be cross-checked through initial interviews with the local leaders on their own, followed up with visits to each affected family to make a detailed register of all affected assets;
 - The inventory should record numbers of houses, the area they occupy, age, and condition, as well as the types of crops, their age, productivity and quantity and size of land areas taken and all other non-farm livelihoods sources;
 - Assessment of the PAHs with partial economic displacement claims should be sensitive to the complexity of obtaining access to and using livelihoods resources, so that it may be established which PAHs will genuinely lose use of, or income from these as a result of project development.
- The decision about entitlement will be made by the Project Authority following analysis of all claims. Each family eligible for compensation or other assistance must then be informed of the basis of the decision and the options for assistance they have;
- This process must be fully documented for the RAP/ARAP, including the decisions taken and their reasons at every step of the way. Should complaints be lodged against decisions about eligibility, these must be dealt with through the established procedures for communicating grievances described;
- Agreements on compensation types, location for resettlement and amounts must be signed by each family and witnessed by a local leader and government officer. The document will serve to clarify the rights of affected households and defend the Project developer in the case of any claims against it.

7.6 Cut-off date

In accordance with OP 4.12 and the expropriation legislation, for each sub-project under WASIS II that entails displacement impacts, a cut-off date will be determined, taking into account the likely implementation schedule of the sub-project. In line with OP 4.12, the following categories of affected people will be eligible to resettlement assistance:

- Those who have formal legal rights to land (including customary and traditional rights recognized under the laws of the country);
- Those who do not have formal legal rights to land at the time of the cut-off date but have a claim to such land or assets-provided that such claims are recognized under

the laws of Mozambique or become recognized through a process identified in the resettlement plan.

If people must be displaced from a location, a date for a moratorium on occupiers' construction activities and investments in permanent improvements on the land such as new tree crops for example should be declared by the Project Authority. Establishing a cut-off date as early as possible in the planning process will prevent people who encroach on the area after the cut-off date, from obtaining compensation or any other form of resettlement assistance to which they are not eligible.

The cut-off date for each site should be chosen by the Project developer in close consultation with the Local Authorities and other agencies responsible for land administration, together with the traditional and local influence leaders, as soon as possible after the affected people are identified. This process must be in full compliance with the conflict resolution mechanisms in this RPF and this date must be communicated effectively to the potential project affected people and surrounding local communities. The local communities and traditional leaders will play a crucial role in identifying land users.

To prevent claims from people arriving after the cut-off date, a census of displaced people and their property will be carried out at this time to identify those who are eligible for compensation. This is required for the development of the RAP/ARAP. The census will identify eligible occupants and establish the size and quality of structures, current land use, and other relevant information.

The census should be carried out in the initial stages of project identification and as soon as tentative location and physical boundaries of the project can be established. It may be carried out as part of the socio-economic baseline study for the ESIA carried out by independent consultants if a full baseline study is implemented at this early stage of sub-project planning.

The census should be accompanied by a photographic record which can assist in later verifications of the land-use and livelihoods activities at that time, and form part of the baseline records of displaced people.

8 Method for Valuing Affected Assets

8.1 Overview

The World Bank emphasises the importance of establishing methodologies for calculating compensation that should be applied consistently to all people affected by the Project in order to protect the Project developer from unjustified and exaggerated claims.

8.2 Calculation of Compensation

Although the basic formula provided through the Mozambican legal framework for valuation of houses used for living and business purposes is referred to in the expropriation decree (n.º 181/2010), in order to comply with World Bank requirements the final assessment value

must be made using full un-depreciated replacement costs. Monetary compensation for a house or ancillary structure will be the full un-depreciated value of replacing the original house / structure.

The reason for adopting World Bank recommendations is that the expropriation formula take the value of the building when new (area of construction, factoring in location, importance, and quality of construction) subtracting the loss due to depreciation (annual percentage taking into account age, conservation and antiquity of the building) as the current market value.

The valuation of tree crops and annual standing crops is made by Provincial or District Agriculture and Food Security technicians based on a standard formula referred to in the expropriation decree and referred for use by the Government and according to the principles of this RPF will be adjusted to account for present market values. Calculation of fruit tree values account for the type of tree, its age, health, years of production, annual production and the estimated current market value of this.

8.3 Preparation

As a first step an information sheet explaining eligibility, compensation rates and other entitlements, a timetable for implementation and information about grievance procedures should be produced in the local languages and in a clear easy to understand format. Information about the sub-project and progress in the resettlement process will be regularly updated and provided to the project affected people.

Basic principles of the compensation process should be presented to project affected people with the aim of securing their agreement with them. These would include the following:

- That the affected households agree with methods of assessment and valuation, deeming them fair and adequate. This should be established at the start of the process through consultation at community level;
- The compensation level will be sufficient to enable people to restore their productivity and standards of living after compensation / resettlement;
- Compensation for all assets have to be made before takeover of assets for the development project;
- Compensation payments will not be made in any way that puts the receiver in a position of insecurity. It is preferable to make payments through a post office, bank or other recognized institution;
- Local currency payments should take local currency fluctuations and inflation into account using a correction index.

8.4 Inventory and Evaluation of Assets Value

The second step, valuation of affected assets, is carried out by facilitators through a consultative process with the asset owners or users during the preparation of the RAP/ARAP. The objective of the consultation process is to (a) carry out an objective assessment of the assets, and (b) arrive at an agreement on the form and amount of compensation due for them.

All shelter assets should be carefully examined and measured so that it is ensured that houses constructed in substitution are of better quality than the original ones. The materials and quality of construction of substitute houses should be carefully monitored so that these houses are well built and durable.

After the valuation of assets is calculated, the resulting figures must be verified with the affected family in a process of discussion with the heads of households owning the assets. The procedures for realizing the valuation of assets is outlined below.

8.5 Valuation procedures

- a) A mixed team with representatives from the local authorities, local leaders, Provincial Directorate of Agriculture and Food Security / District Agricultural and Economic Services and the Provincial Directorate of Public Works Housing and Water Resources / District Planning and Infrastructure and the Municipality Services should be assembled to carry out an inventory of assets that will be lost.
- An inventory must be made of the assets that will be lost by each family, including physical structures: houses, latrines, stalls for sales of goods, shops, workshops, warehouses, wells and corrals; crops in the ground, land area for cultivation, residence, business; tree crops and income generating activities. It is important at this stage to gather enough information to be able to identify the total income per family and the proportion that will be interrupted or lost due to sub-project activity.

Follow-up to verify compensation procedures and dues with each family will identify any with high proportions of land / crops / livelihoods sources lost.

- Procedures for calculation of compensation values will involve:
 - Identification of all shelter assets with the objective of the Project developer replacing these with buildings of a better quality in locations chosen by the resettling households;
 - Attribution of monetary values or materials at agreed-to rates equivalent to current full replacement costs excluding depreciation for shelter assets owned by PAHs who only come to use their shelters in the Project area in the agricultural season or for occasional trade;
 - Attributing monetary values to the crop assets affected by the sub-project according to rates per crop calculated by the government agricultural sector and agreed on by the affected households;
 - Attribution of assistance to find suitable alternative accommodation to rent to PAHs renting and living in houses that will be lost;
 - Attributing monetary values and/or alternative livelihood opportunities to cover the period of interrupted income receipt for those with businesses wholly or partially affected by Project development.
- All compensation agreements should be recorded and signed with local witnesses as well as the signed verification of the local authorities. Copies of these documents should be held by the affected family and the Project Authority (FIPAG);

- Any productive land areas provided under the World Bank’s ‘land-for-land’ compensation policy should be of equivalent or better productive potential in relation to the original land cultivated. They should be in an area of preference of the people being displaced as close as possible to the original land area, and they should be clearly identified prior to resettlement. Compensation for land that originally had standing crops should be provided already cleared and prepared for seeding. This may be done using local labour;
- If it is expected that resettlement will significantly disrupt the lives of affected individuals and/or PAHs; PAHs who are being resettled should be offered alternative livelihood source options. Resettling individuals and/or PAHs should have access to learning about alternative appropriate income generation;

A summary matrix that shows probable categories of displaced people, how these may be entitled to various types of compensation and other benefits from the Project.

Table 8-1: Entitlement Matrix

Category of Project Affected People	Type of Loss	Compensation for loss of Structures	Compensation for loss of Assets	Other assistance
<i>PAHs living in the development project area.</i>	Loss of physical assets and loss of livelihood sources (agricultural, trading locations)	Replacement of all structures	Cash compensation for lost standing crops and provision of alternative land for cultivation. Cash compensation for loss of property according to un-depreciated replacement costs	Assistance with food subsidies or employment until livelihood re-established; moving assistance; fruit tree seedling package; post-resettlement support; cash compensation for period of interrupted trade, livelihoods and income generation development support.
<i>PAHs living outside the development project area who practice agriculture in the area targeted for construction.</i>	Loss of standing crops and use of land for agriculture		Cash compensation for lost standing crops and provision of alternative land for cultivation	If alternative land is not provided with time to guarantee the next harvest and if the subsequent losses represent more than 50% of family livelihoods source, a food subsidy may be necessary.
<i>PAHs who only live and cultivate in the project area during the</i>	Loss of physical assets and loss of use of land for agriculture	Cash or (construction) material compensation for lost structures	Cash compensation for loss of crops and provision of alternative land for cultivation	

Category of Project Affected People	Type of Loss	Compensation for loss of Structures	Compensation for loss of Assets	Other assistance
<i>agricultural period.</i>				
<i>PAHs living outside of project area, & only cultivate there in agricultural period.</i>	Loss of standing crops and use of land for agriculture		Cash compensation for loss of crops and provision of alternative land for cultivation	
<i>PAHs who rent houses in the project area.</i>	Loss of rented shelter			Assistance to find alternative rented accommodation. Transport allowance.
<i>Individuals or PAHs with a house / market stall / shop in the project area as livelihoods source.</i>	Loss of structure and interruption of income	Replacement of structure, construction materials or cash compensation	Cash compensation for loss of property according to undepreciated replacement costs.	Cash compensation for period of interrupted trade. Assistance to develop alternative comparable income generating activity.
<i>PAHs who own property in the project area rented to or used by others</i>	Loss of property	Replacement of structure, construction materials or cash compensation	Cash compensation for loss of property according to undepreciated replacement costs.	
<i>PAHs living adjacent to areas where construction will take place.</i>	Damage to physical assets and loss of livelihood sources (agricultural resources)	Compensation paid by the contractor according to undepreciated replacement costs.	Cash compensation paid by the contractor for lost standing crops and damages to property according to official unit values.	None.
<i>Vulnerable households (headed by elderly, children, disabled, etc.).</i>	Damage to physical assets and loss of livelihood sources (agricultural resources).	Replacement of asset and alternative livelihood source.	Replacement of any asset that may be affected.	Assistance with food subsidies or employment until livelihood re-established; moving assistance; post-resettlement support; cash compensation for period of interrupted trade, livelihoods and income generation development support.

Category of Project Affected People	Type of Loss	Compensation for loss of Structures	Compensation for loss of Assets	Other assistance
				Assistance to reach medical services.

9 Organizational Procedures for Delivery of Entitlements

9.1 Overview

The World Bank and Mozambican legislation (decrees nº. 23/2008, 181/2010 and 31/2012) identify organizational procedures for compensation delivery. Those procedures should be applied consistently to all people affected by a sub-project, as shown below.

9.2 Organizational Procedures for Meeting Resettlement Requirements

At the resettlement planning stage, FIPAG in consultation with local authorities and leaders will use the guiding principles presented in this RPF and identify the land required for the Project including areas designated for resettlement. Site identification is a responsibility of the DRC in collaboration with the Project Authority implemented via its Operational Area GEP staff and local technical staff from SDAE (District Service of Economic Activities). Resettlement areas must be acquired, demarcated and adequate access to public amenities ensured prior to house construction and resettlement.

This will involve payments for land acquisition, plot surveying and planning according to the Land Law and Regulations and municipal physical planning norms. The design of houses will be based on locally approved designs. Preferred construction materials will be those that permit rapid good quality construction since this activity is usually carried out under time constraints.

Once a site for resettling has been selected and agreed to, FIPAG's local Operational Area Safeguards staff and the DRC will lead the process for the land to be officially allocated to the affected person. If the replacement land is in an area where land issues are governed by customary norms and practices suitable allocation arrangements will be made with the local administrative and traditional leadership. If the replacement land is in an area where land issues are not governed by customary norms and practices allocation will need to follow the legal procedures for registering and possibly, issuing title in terms of the Land Law and Regulations. The procedure requires an application to be made through the District Government to the Provincial Services of Geography and Cadastre or the Municipal Cadastre Services and may take between two to 12 months.

9.3 Assistance Procedures and Compensation Payment

- After agreement is reached and amounts documented on compensations forms, different types of compensation must be delivered.

- Monetary compensation must be organized and payments made to project affected people before resettlement through a bank or other authorized institution.
 - Compensation for lost crops is best paid at a time that is directly related to the preparation of substitute areas for cultivation. When these have been identified and attributed to each family, and are ready for planting compensation may be paid, as long as it is not after resettlement. This is to ensure the best chance of this money being used to ensure the longer-term benefits of from agricultural livelihoods activities;
 - Compensation paid for interrupted business should be calculated to cover the period of time until the business is re-established. This can be minimized by the provision of alternative formalized small business facilities in appropriate areas to which people's economic activities can be relocated. Assistance may be provided to people to successfully develop their activities in the new conditions;
 - Cash compensation may be paid as a single lump sum, but for amounts over US \$450 or thereabouts PAHs could be given the option of receiving payments in instalments. This will permit people to use the money for its intended purpose of re-establishing livelihoods and is a useful security measure;
 - All receipts of payment should be adequately witnessed, documented and receipts acquired;
 - Wherever possible payments should be made directly to recipients via a bank or other authorized entity. A coupon made out in the name of the beneficiary would be appropriate. This could be cashed in a prearranged system with a bank or at another reputable location of convenience.
- Moving assistance for relocating PAHs must be provided to permit the transfer of all assets to the new location, giving special attention to any vulnerable households;
- A start-up kit could be provided to each resettling family that is based on the basic livelihoods and health needs of the target group.

10 Implementation Process

10.1 Overview

The resettlement process should be guided by principles and mechanisms established by the World Bank's policy and the Mozambican legislation (degree n^o. 31/2012 and the Ministerial Decree no. 156/2014) in order to ensure appropriate assistance to Project affected people.

10.2 Preparation of the Resettlement Site

The Project Authority will ensure implementation of resettlement and compensation plans by tasking the Environmental and Social Specialist of FIPAG with this responsibility ([Appendix 16.1](#)). The Project Authority may assist with strategic decisions concerning resettlement site location and development, and implementation resources and procedures.

District Governments through local authority chiefs and traditional leaders will provide land where compensation shall include land, or where land use rights shall be acquired for infrastructural development. The DRC will take a lead role in supervising and monitoring this process, usually with assistance from a consultant, NGO/CSO or service provider. The relevant municipality or district will be responsible for detailed land-use planning, cadastre, delimitation and demarcation of sites for resettlement. Where there is no capacity in the municipality or the district, the Provincial Directorate of Agriculture and Food Security's Cadastre Services should be asked to assist.

At the beginning of the implementation process the Environmental and Social Specialist will organize technical support from the Operational Area Safeguards staff and the district or municipality as relevant for site demarcation and acquisition of land-use rights where necessary for resettlement and installation of other social and / or commercial facilities as necessary.

On behalf of the Project Authority, FIPAG's Environmental and Social Specialist of the SCPI will contract additional assistance to facilitate resettlement such as contractors for house construction, consultants to oversee the construction process and social facilitators to organise implementation of the resettlement process with the project affected people. The use of the same facilitators that facilitated the consultation process required to prepare the RAP/ARAP would be advantageous to promote trust and a sense of continuity among the project affected people. If this is not possible in the case of the RAP/ARAP being elaborated as part of and ESIA securing an environmental license for the sub-project, then other local service providers should be sourced.

10.3 Organization for Resettlement

If resettlement or compensation are undertaken, the process begins with awareness raising at community level about procedures and timing of resettlement/compensation implementation and project development. Coordination should also be established with the DRC. The Terms of Reference for a Service Provider should be drawn up and tendered if the scale of resettlement requires it. Initial communication planning and preparation must be organized by the Environment Specialist from FIPAG together with the DZF and Safeguards staff from FIPAG's Operational Areas.

The tender process for the Service Provider needs to ensure that candidates have the capacity to manage involuntary resettlement as needed using Social Facilitators and are prepared to abide by the Project's Code of Conduct and social safeguards requirements. They must be supported with the means to carry out the social and organisational aspects of resettlement implementation at Project sites.

At the start of the resettlement implementation process, if the number of affected households in a sub-project area reaches 40 or more, a Community Resettlement Committee (CRC) will be established to represent the interests of those who will be displaced. The CRC will include representatives from the various affected areas according to their administrative divisions and may be sub-divided into working groups for the purpose of managing issues. Steps will be taken to ensure committees have gender balanced representation and that

women will be active participants in decision-making. Committee members should comprise of at least 30% women, though preferably more than this, in order that their representation is adequate. The Social Facilitators will organise the creation and capacity development of the committees. The CRC will be a key forum for linking community issues, raised during resettlement implementation with the social facilitator, the DRC, the municipal authorities, and the Commercial Area Assistance Office will provide the first steps in grievance resolution that if not resolved would be referred ultimately to the DRC/PRC and/or Director of Central Services of Projects and Investments.

CRCs should be trained in social and management issues and be supported by social facilitators where possible. FIPAG's GEP and DZF representatives delegated to work with the Project, the DRC representatives and the local authorities will coordinate, monitor and supervise community consultation and participation in RAP/ARAP implementation at local level. The Operational Area Safeguards and technical teams and the Regional Safeguards Officers will coordinate activities in the provinces and districts and provide information to the Environmental and Social Specialist at FIPAG. The Operational Area office must ensure a copy of all information collected locally is deposited at FIPAG's central SCPI offices.

Social facilitators would be engaged via FIPAG's SCPI to focus on community capacity development and give support to CRCs during and after resettlement. Since resettlement planning and implementation is statutorily required to be district based, but in this Project will largely take place in municipalities, efforts should be made to keep the number of structures created for management to as few and as effective as possible. Any needed specialist technicians or representatives of other communities with experiences to share would be contacted by the social facilitators to support resettlement implementation.

Resettlement monitoring will be carried out through the DRC to objectively assess the effectiveness of RAP/ARAP implementation. In addition to monitoring during implementation, the DRC should provide a final evaluation report of the resettlement and/or compensation activity. Where resettlement specifically affects identified vulnerable groups, their assistance support to their welfare should be closely monitored.

10.4 Awareness, Compensation and/or Physical Resettlement

The social facilitators will work with sub-project affected people so that they are aware of their rights and responsibilities, mechanisms for grievance presentation and redress, and the procedures that will be undertaken to implement their compensation and resettlement.

The facilitators will verify that cash compensation paid by the Project Authority is carried out transparently before economic displacement or physical resettlement of affected households. They will inform the Environmental and Social Specialist concerning progress with house construction and any other facilities required for the resettlement area to effectively support incoming PAHs.

The facilitators will work with people physically displaced by a sub-project to ensure that they select houses to live in and areas to cultivate or conduct commerce and other livelihood activities that are socially acceptable to all of them, the local leaders and surrounding

communities. The facilitators must ensure there is widespread understanding about the rights and responsibilities of Project affected people and that potential misunderstandings are minimized.

The FIPAG Environmental and Social Specialist will ensure houses are constructed, inspected and handed over to the municipality to hand-over to incoming households.

The SCPI Environmental and Social Specialist will be responsible for arranging appropriate moving assistance to displaced people and further assistance during the transition or adjustment period. Such assistance may include administering material grants such as food and building materials where necessary and providing guidance on identification and development of alternative livelihood strategies. This assistance may be provided by contracted NGOs or from the public sector and should be sourced locally.

The Project Authority will ensure instructions are made to project contractors so that they do not begin works on occupied project sites until the occupants have been compensated and where necessary physically relocated to another area.

Directly supported by the FIPAG Environmental and Social Specialist, an officer from the Operational Area should be designated and attributed no less than 50% of his/her time tasked with organizing and directly supervising resettlement implementation at sub-project sites and be provided with contracted field facilitators to facilitate the social and organizational aspects of resettlement and compensation implementation.

10.5 Institutional Capacity Building

FIPAG as an institution has many years of experience with implementing involuntary resettlement according to World Bank policy however Operational Areas will receive new Safeguards personnel, one Officer per Operational Area being targeted by WASIS II and one at regional level. These staff will require support and training to learn about the requirements of the work, as well as the new social requirements related to the Code of Conduct and gender-based violence and child violence. In addition, safeguards staff at FIPAG's central level are mainly Environmental and Social Specialists. Implementing the resettlement legislation is complex and linear projects such as constructing water mains pipelines in the WASIS II Project that are likely to be the main causes of displacement, are not easily accommodated in the framework.

Capacity development will not be required to support resettlement and compensation planning as this is likely to be carried out by EIA consultants. Should ARAPs consist only of compensation for minor losses of assets and it is unlikely that an EIA will be necessary, then compensation planning may require expertise from FIPAG. In practice, most of the areas likely to be affected in this way will be in municipal territory and collaboration from the municipalities will be a useful addition to local capacity. Pemba Metuge is the only District affected without a municipal component in the territory. A full RAP may be necessary here and for this, an ESIA consultant is likely to carry out resettlement planning and a Service Provider, implementation.

Although FIPAG’s Environmental and Social Specialists have experience with implementing compensation processes, supervising decision-making about options for organisation of resettlement implementation and rehabilitation of displaced people is not a skill area that these officers or their Operational Area colleagues are usually called upon to realize. It will therefore be in the interests of the Project that Safeguards Officers are recruited as soon as possible, the DRCs are established as soon as resettlement planning is initiated, and that FIPAG maintains close coordination with these and their provincial counterparts in order to manage supervision with scarce resources. Depending on the implementation plan for the Project works, it will be important to have at least 70% of one Safeguards Officer available to supervise and coordinate per RAP, and in the case of ARAPs, if these are minor with no livelihoods restoration requirements, various could be supervised at the same time as they might only require approximately 20 – 30% of an Officer’s time.

10.6 Post-Resettlement

After physical resettlement and payment of compensation the social facilitators with support from the Safeguards Officer will monitor and provide follow-up support when situations are detected where people may not be adapting or managing to take up the opportunities for adequate rehabilitation of their livelihoods.

The municipalities may be involved in rehabilitation of Project affected people's livelihoods and promotion of small enterprise development. Technicians from the SDAE may also assist in agricultural development with resettled people as necessary.

The National Directorate of Water and Sanitation, FIPAG and CRA would be responsible for ensuring the availability of adequate potable water sources for resettlers and host communities where necessary and for advising on community management models for the facilities.

Municipal Education and Health Departments should coordinate with the relevant Provincial Directorates to provide teachers and health workers respectively, if needed by resettling and host communities.

FIPAG’s Director General will have oversight responsibility for intra- and interdepartmental coordination and will be responsible for ensuring compliance concerning public consultation and disclosure.

11 Grievance Management Mechanisms

11.1 Overview

Grievance management mechanisms provide a way to reduce risk concerning reaching Project outcomes in a timely fashion and maintaining a positive community attitude towards the Project proponent. They provide an effective avenue for expressing concerns and achieving remedies for communities and promote mutually constructive relationships. Grievance mechanisms are increasingly important for development projects where ongoing risks or adverse impacts are anticipated. They serve as a way to meet requirements, prevent

and address community concerns, reduce risk, and assist larger processes that create positive social change.

Many years of national and international experience endorse an approach of open dialogue and collaborative grievance resolution to provide good business practice both in managing social and environmental risk and in furthering the developer's and community's development objectives.

11.2 Grievances

Complaints and conflicts arising from the resettlement planning and implementation process generally arise from poor communication, inadequate or lack of consultation, inadequate flow of accurate information, or restrictions that may be imposed on Project affected people. In practice, grievances and disputes that arise during the course of implementation of a resettlement and compensation program may be related to:

- Disagreement on plot boundaries, either between the affected person and the expropriation agency or between two or more neighbours;
- Disputed ownership of a given asset (two or more affected people claim that the affected asset is theirs);
- Disagreement on plot/asset valuation, especially concerning intangible value;
- With affected people involved in a resettlement-based option, disagreement on the resettlement package (the location of the resettlement site does not suit them, proposed housing or resettlement plot characteristics/agricultural potential are not adequate in their view);
- Disputed ownership of businesses and business-related assets (quite often the owner and the operator of a business may be distinct individuals, which give rise to disputes in the event of compensation); and,
- Gender and violence against women or girls including sexual abuse or exploitation complaints made by community members and project affected people employed on the Project.

Grievances may arise concerned with compensation entitlements (whether or not affected assets or their owners or users were correctly identified (if at all) or valued, etc.), as well as concerns regarding process or transparency of implementation (for example, whether households were consulted adequately regarding compensation options, or whether equal opportunities were provided to men and women to benefit from participation in livelihoods restoration activities).

All resettlement and compensation activities must incorporate a Grievance Redress Mechanism to be compliant with OP 4.12 – which is accessible, free, easily understood, transparent, responsive and effective, 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.

The Grievance Redress Mechanism to be followed under the Project will:

- Respond to the complaints of PAPs in a fast and transparent manner

- Register and address various grievances;
- Provide a mechanism for appeal;
- Provide provisions for approaching civil courts if other options fail.

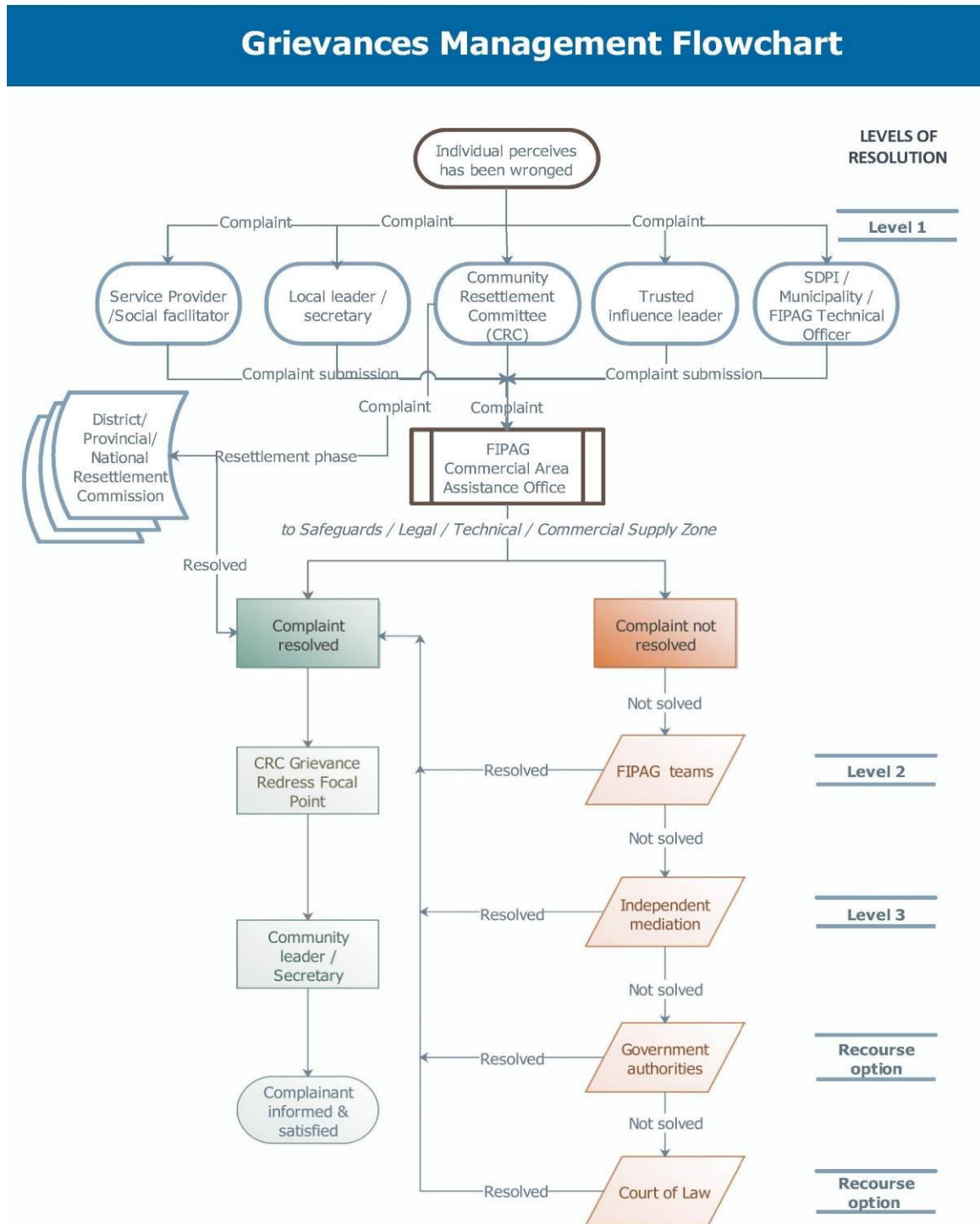
Grievances of different types will be made directly by PAPs, or through literate leaders, committees or household interest groups, or FIPAG's representation locally, a service provider. Other interested and/or affected parties such as local NGOs or civil society representatives may represent local PAPs in the presentation of grievances during all phases of the project.

- At the planning stages grievances related with non-fulfilment of contracts, levels of compensation, or seizure of assets without compensation should be brought to the attention of relevant officers within the local authorities at District and community and neighbourhood levels, to be dealt with.
- All grievances related to project contracts and/or contractors carrying out construction that may negatively affect community neighbours, (excluding labour issues which are dealt with in their own forum) causing displacement and other social, environmental and physical impacts.
- Grievances related to project operations, after the construction phase is concluded when the operator may negatively affect community neighbours, (excluding labour issues which are dealt with in their own forum) causing displacement and other social, environmental and physical impacts.

Communication should be done in relevant local languages and Portuguese. General grievance forms to be used should be prepared by the Environment and Social Specialist (ESS) at the Central Projects and Investments Services (SCPI) in Maputo and made known and available to all potential users, although people should also feel free to use their own grievance documents if they wish.

A single Grievance and Redress Mechanism (GRM) will be used for the whole Project cycle of WASIS II by FIPAG from 2019 onwards. A manual of procedures and a communication strategy will be prepared and an IT platform will be designed to register and monitor the reported cases. This mechanism will be discussed with key stakeholders, including local communities, and then be tested during WASIS II to validate and refine its procedures. The GRM will be tested in Pemba and then operationalized in all Project areas. If it is evaluated as successful at project level, it may be extended to other FIPAG World Bank projects in the future. An outline of the overall process can be seen in the diagram below:

Figure 11-1: Grievance resolution process outline according to the GRM



Level 1

Any person or group of people who has a relationship with the project or is affected by its activities may submit a question or complaint. In general, households and their members will be most affected by project activities, but service providers, NGOs, local governments and any individual or group affected by the project may be involved.

Anonymous complaints may be accepted, although the resolution process will be different. Complaints at community level will be received by first level recipients through locally identified and trusted communication channels. Local receptors should present the grievances to FIPAG's Commercial Area Assistance Office or place a phone call to the same via a publicised free *Green line* for grievances. The complainant will receive a text message or email receipt so that they can follow up on their complaint.

The District Resettlement Commission (DRC) has a formal mandate to receive and manage grievances redress in its district. This is the route formally prioritised for the CRC to appeal to when issues are beyond its competency. Grievances should be presented formally in writing. The DRC may indicate District Services or any other stakeholders at district or municipal level to participate in resolution, including FIPAG representatives, contractors or others.

Level 2

Should the Assistance Office require technical support from FIPAG Social Safeguards Specialists or decisions from FIPAG management these may be sought as a second level resolution support.

Assistance Office technicians, community officials, service providers, NGO staff and local government / or FIPAG / DZF technicians will be able to assist people with difficulties writing or without access to phones to complete the forms, submit complaints and then deliver complaint registration number to the complainant. Assistance Office technicians must take a proactive role in facilitating access for the most vulnerable groups in the communities to make their complaints by raising awareness among communities and beneficiaries of the Project.

The Assistance Office technician will organise complaints and record information on all complaints and classify it in the GRM system on an IT platform and send to the Safeguards team, Legal team, Technical Department or Commercial Supply Zone to resolve as necessary.

Complaints may include environmental issues, social complaints regarding the impact of project activities on neighbours and/or community life i.e. restrictions on access to natural resources, protection of sacred sites, boundary disputes related to land use rights, increased prevalence of diseases including HIV, camps and work places causing invasion into domestic lives of neighbours, discriminatory treatment, lack of protection of vulnerable groups, local labour recruitment, use of child labour, gender, etc. Complaints about compliance or violations of law and contracts and agreements and about the performance of the project and its staff.

If complaints are inappropriate the Assistance Office technician will inform the applicant within 5 working days of receipt of the complaint about the reasons for the disqualification, and if pertinent, will lead or suggest other channels of redress. Regarding complaints, the technician will inform the applicant that their case has been registered and convene a meeting with the parties involved to investigate and document the elements of the complaint and seek a friendly solution or set up a review process at another level. This information must be sent to the applicant within 5 working days of receipt of the complaint and the meeting must take place within 5 working days from the notification.

The Assistance Office technician together with the complainant and the other parties involved (service provider, contractors, project coordination) will investigate the validity of the complaint and to seek a solution. The Assistance Office technician must record the occurrence and its solution and next steps in the on-line system.

Complaints should, as far as possible, be resolved in a friendly manner and locally wherever possible. If it is necessary to consider significant additional compensation, complex corrective measures or sanctions, it should be in line with the Project's operational rules, national legal framework, and World Bank policies.

Where a complaint cannot be solved by the Assistance Office within 15 days, this will be documented, and technical assistance will be sought from FIPAG's safeguards specialist or other relevant departments. At the request of the complainant or if it deems it necessary, the officer responsible for the case will arrange a site visit to hear the parties involved and propose a solution. The FIPAG officer responsible for the case will have a maximum of 20 days to issue its conclusions and gain written agreement or request to pursue to Level 3.

Level 3

Finally, should a case not be resolvable internally it may be referred by FIPAG (in agreement with the complainant) to an independent mediator for resolution. Most complaints are expected to be closed with a friendly solution before reaching this level.

The independent mediator will have a maximum of 20 working days to rule. The Assistance Office technician informs the complainant of the solution, and if this is not accepted, he / she is informed of his / her rights and the means of appeal against the decision of the independent mediator by using legal provisions to appeal to a higher level, such as National Directors and Ministers.

Legal Recourse

In addition, should either party be dissatisfied, the affected party may take the complaint to court, where it will be treated in accordance with Mozambican law. In principle, a community may take a Company to court for failing to comply with the terms of an environmental management plan. All citizens have the right to submit complaints to the Public Prosecutor's Office, which is responsible for ensuring the correct application of the law, particularly in the development of territorial management instruments and their implementation.

Anonymous complaints are accepted and investigated with representatives of key stakeholders and / or independent experts if necessary and the results publicised.

Implementation

Upon completion of the process at each level, the Assistance Office technician and the FIPAG safeguards officers shall take the necessary actions to implement the agreements reached within 15 working days of the signature of the agreement unless otherwise agreed. FIPAG will ensure that a "Complaints Register" is maintained at city level. In all cases where complaints are made about the implementation of Project activities, FIPAG is obliged to investigate the complaint and resolve it internally by applying the Resettlement Policy Framework and

returning the response within a period of less than 15 days. GBV complaints will be received following same procedures as well as with proactive interaction local hospitals and police.

Monitoring

Monitoring of grievances will focus on use, efficiency and effectiveness (level of satisfaction of users and the community in general). At community level, local authorities and leaders will be the main points of support involved in participatory monitoring. Any other community management structures linked to local authorities should listen to, verify and respond to grievances at local level wherever possible.

The Safeguard specialist will ensure the status of vulnerable groups is monitored through consultation, and where necessary follow-up work with communities and individuals to identify activities and sources of income that can improve their well-being.

Alternatives

Finally, communities and individuals affected by the Project may submit complaints for rapid review to the World Bank Grievance Redress Service (GRS). For information on how to submit complaints to the World Bank's corporate Grievance Redress Service (GRS), please visit <http://www.worldbank.org/en/projects-operations/products-and-services/grievance-redress-service>.

Project affected communities and individuals may also submit a complaint to the World Bank's independent Inspection Panel which determines whether harm occurred, or could occur, as a result of non-compliance with its policies and procedures. Complaints may be submitted at any time after concerns have been brought directly to the World Bank's attention, and Bank Management has been given an opportunity to respond. For information on how to submit complaints to the World Bank Inspection Panel, please visit www.inspectionpanel.org.

11.3 Conflict Negotiation Capacity, Celerity and Legal Solution

Whenever misunderstandings and disputes arise between implementing parties, project contractors, local government bodies and affected parties involved in the resettlement and compensation process, the preferred means of settling these will be at the level closest to the conflict as possible. The involvement of communities in awareness-raising and training concerning their rights and obligations carried out by the Service Provider; also on how to obtain legal advice and representation, and how to seek redress against what they regard as unfair practices will help equip them and their leaders to defuse situations before they turn into full conflicts. Training for technical personnel from the FIPAG Operational/Commercial Areas, including technicians from the Communication and Image Office, members of the Community Resettlement Committee, safeguards personnel, municipalities and local leaders in conflict management can assist in minimizing the negative impact of conflicts.

11.4 Language

Although written material, including the form for presenting complaints, will be in Portuguese¹² this should not be a barrier for people making complaints. The Social Facilitators must be able to work in Portuguese and the other relevant local languages spoken in the city where subprojects are being implemented (eg. Nyungue in Tete).

11.5 Registration of Grievances

If a sub-project entails resettlement or compensation, the implementation agencies will establish a register of resettlement and compensation related grievances and disputes. The existence and conditions of access to this register (where, when, how) shall be widely disseminated within the affected area of the city or district as part of the consultation undertaken for the sub-project in general. Any grievance that may arise from the RAP/ARAP will be filed in the first instance upon presentation to the CRC, from which, if not resolved it will pass to the DRC or the FIPAG representative, and will be registered by the Commercial Area Assistance Office for further action locally or by the Environmental and Social Specialist from FIPAG

12 Arrangements for Funding Resettlement

12.1 Overview

This section outlines the arrangements to fund resettlement. Estimations have been calculated for resettlement and compensation based on present costs, factoring in the likelihood that the construction phase will be implemented over the next three years.

Estimated costs presented in this RPF will be updated as RAP/ARAPs are produced and implemented. It will be important that the RAP/ARAPs elaborated in the detailed design phase can show that all efforts were made to avoid sites where the sub-project will affect private structures or crops. This may also be achieved by reducing the ROW from 30 to 5m wherever possible.

12.2 Cost Estimate

The cost estimate for the implementation of resettlement is based on an approximate cost per family of US \$6,105. This value has increased by 12% since 2015 reflecting the results of data collection in Nacala that showed two significant risk aspects: major encroachment into reserve areas and an increase in prices. Together with an increase in the number of potentially affected households to approximately 1,430 this has resulted in a total budget change of 38% compared to the 2015 RPF.

1.1

¹² Usually, people who can read and write in local languages also know Portuguese (the language of instruction).

This change demonstrates clearly the rising costs of resettlement in Mozambique and the need to manage rights of way and reserve areas with much greater attention. It is recommended that RAP/ARAPs should make every effort to follow existing reserve alignments and avoid affecting residential houses causing physical displacement and the need for resettlement. The RAPs and ARAPs be grouped in a way consistent with civil works contracts that are defined by the Project. This will ensure consistency in timing and approach.

Table 12-1 below shows the total estimated value of \$8,665,280 for resettlement and compensation for partial socio-economic impacts for the estimated losses following guidelines in this RPF. It should be noted that 65% of the total value is attributed to direct compensation and mitigation measures.

Many cases will be compensation for crops and minor property losses due to construction of boreholes in the Project's distribution component, however, higher costs due transmission mains construction for water production causing physical displacement and requiring full RAPs will have to be carefully managed to impact as few residential buildings as possible.

The calculations are based on consideration of the costs of a Service Provider preparing resettlement action plans for sub-project sections (line A). Overall management of the planning and implementation process by the proponent (line B) is included. The estimate covers the costs of RAP implementation by a Service Provider with Social Facilitators responsible for community liaison, information management and community capacity development activities (line D). The figures provide for measures to reduce negative impact including estimated monetary compensation for losses including crops and business activities, as well as replacement of houses in-kind and alternative arrangements for lost access to use of land (lines E and F). The value of lines E and F will vary per RAP depending on the real distribution of assets and livelihoods that will be lost and require compensation but for the purposes of calculation an estimate has been made of an equal division between the ten contracts mentioned above. An estimated amount for internal and external monitoring is provided (line C) as well as local costs of resolutions of minor conflicts (line G). A contingency of 12% of the total value is included (line H) for management of social risks related to the resettlement process (eg. GBV, VAC, SEA etc.).

Table 12-1: Resettlement Policy Framework - Cost Estimate - FIPAG WASIS II and AF Project

Description		Total US \$
A	Resettlement preparation cost – average one RAP + one ARP/ARAP	880,753
B	Core management organization and supervision	297,152
C	Monitoring and evaluation cost	148,576
D	Community capacity development and resettlement facilitation (Service Provider)	587,168
E	Compensation and mitigation measures (land acquisition, preparation and housing)	3,952,095
F	Cash compensation measures (assets, crops and trees)	1,693,755
G	conflict resolution costs	141,147
H	Contingency @ 12%	1,041,667
Total		8,742,313
Estimated number of households that may be affected by WASIS II		1,432

The cost summary is estimated on the grounds of approximate knowledge of planned activities in the WASIS II Project, and it is expected that it will apply when screening reveals displacement or partial economic losses. The number of affected households is an estimate. Given that the majority will be compensated for ancillary items and houses constructed of temporary materials, it may be more than this number.

The budget is weighted by the need for construction of replacement houses, when they are used as primary residences, that have a minimum of three bedrooms as required by the resettlement legislation (Decree nº 31/2012). This generous standard is the main reason for line E being a high figure and is based on an estimated value of a replacement house at US \$ 15,500.

The cost estimates for two RAPs likely to be necessary in Pemba, Tete and Nacala, and for three ARAPs in Moatize and Metuge (x2) as can be seen in Table 12-2 below.

Table 12-2: Estimated costs per location and resettlement plan

DESCRIPTION	Tete RAP	Pemba RAP	Moatize ARAP	Metuge x 2 ARAPs	Nacala RAP	Total
Core management organization, and supervision	76,465	53,210	26,589	49,882	91,006	297,152
RAP + Serv. Prov.contract for impelmentation	377,737	262,854	131,348	246,416	449,567	1,467,921
Compensation and mitigation measures	1,452,834	1,010,977	505,183	947,752	1,729,103	5,645,850
Conflict resolution solutions	36,321	25,275	12,630	23,694	43,228	141,147
Monitoring	38,233	26,605	13,294	24,941	45,503	148,576
Contingency @ 12%	268,050	186,527	93,207	174,862	319,022	1,041,667
SUB-TOTAL PER LOCATION	\$ 2,249,640	\$ 1,565,447	\$ 782,250	\$ 1,467,546	\$ 2,677,429	\$ 8,742,313

Of note is that the market for house replacement costing purposes is highest in Pemba, Nacala and Tete where there are influential private sector precedents. Although they will be a challenge to manage, the cost estimates are based on averages from urban and rural resettlement in the country.

12.3 Source of Funding and Currency

World Bank funds may be used for RAP / ARAP elaboration, management and supervision costs, and for facilitators of resettlement implementation, monitoring and all compensation and mitigation measures except for the payment of cash compensation. Cash compensation must be sourced from FIPAG funds. The payment of compensation to project affected people will be made in local currency Meticais based on current dollar values that may be used in communication with the World Bank. Payments may be in cash or direct transfers to bank account as appropriate and secure.

13 Public Consultation

13.1 Overview

Consultation with, and participation by, the affected communities and individuals is an essential element of the land acquisition, compensation and resettlement process. Throughout the process, and particularly during screening, there must be adequate consultation and involvement of the local communities and the affected persons.

13.2 Preparation of RPF

Preparation of this Resettlement Policy Framework has initiated the process of public consultation, comprising three phases, namely:

- Public consultation preparation and identification of relevant stakeholders to be consulted;
- Stakeholders consultation in each project city, to obtain relevant information to the RPF;
- Disclosure of draft RPF and public meetings in one strategic city per region.

Public consultation preparation

Through meetings with the main stakeholders from FIPAG responsible for infrastructure planning and development, management of information and programme implementation in each city it was possible to gather information to create the list of stakeholders, that included the following entities at central, provincial, district and municipal levels:

- FIPAG and its delegations, especially the planning and environmental/social personnel;
- People directly affected by previous FIPAG projects and the PAPs and communities potentially affected by the project impacts in Nacala area;
- NGOs involved in resettlement processes;
- Provincial or District Land and Environmental planning officers;
- Provincial or District Public Works, Housing and Water Resources officers;
- Provincial or District Agriculture and Food Security officers;
- Municipal planning services and administration;
- Resettlement Commission and Committee representatives.

A list of potential stakeholders is available in [Annex 1 of Appendix 16.2](#)

Initial stakeholder consultation

During preparation of the draft RPF visits were carried out to all project cities and districts, where the technical sector stakeholders involved in the safeguards implementation process were consulted to learn about their perceptions of the first phase of the WASIS Project, its benefits, challenges and lessons learnt that may be taken into consideration for the WASIS II RPF through semi-structured interviews and public meetings in Tete and Beira. A list of stakeholders consulted is available in [Annex 2 of Appendix 16.2](#).

Households that had been part of a compensation or resettlement intervention by FIPAG and local leaders in these areas were also consulted in a rapid assessment of the engagement processes they had experienced and results of mitigation. Semi-structured interviews were carried out for key stakeholders.

Public meetings

After preliminary comments from FIPAG and the World Bank, the Draft RPF was disclosed to the stakeholders of all cities scheduled for Project implementation (please refer to [Annex 3 of Appendix 16.2](#)) and a public meetings held per project city (minutes are available in [Annex 5 of Appendix 16.2](#)).

Key stakeholders that had been consulted on initial visits were invited from all cities with potential resettlement or compensation and were assisted to travel to these two cities. Their participation in the meetings was encouraged in order a) for them to verify how their opinions and experiences had been incorporated into preparation of the RPF in order to help validate its content, and b) to also identify gaps and errors for correction. Apart from phone calls and sms, invitation letters and newspaper advertisement were used to invite the public (please refer to [Annex 4 of Appendix 16.2](#)).

Summary of the whole stakeholder engagement and public participation process during the RPF preparation is available in [Appendix 16.2](#).

The critical issues raised and addressed by the consultation in Nacala¹³ for AF amendment are summarized below:

1.1 _____

¹³ For the proposed WASIS II AF to include Nacala, public consultation meetings were organized and held in 15-16 of November 2018 in Nacala-a-Velha District, at the EPC of Barragem Administrative Post and in Nacala city, at Thamole Lodge.

Nr.	Nacala-a-Velha District	Nacala City
1	Participants of at the public meeting welcomed the water supply project as they believed it will have a positive impact in terms of water supply to the local communities and the growing businesses. They wished the water project would go to the end.	The participants welcomed the water project and congratulated FIPAG as the water project will address the water shortage in new and old areas/neighbourhoods of Nacala city.
2	Participants were concerned about the job opportunities and clean water access. They argued the previous project (MCA compact) did not offer enough job opportunities to local community and the job selection criteria were not clear and local leaders were not involved in the selection process. There are peoples/communities near the dam without drink water, which is according to them unacceptable. In some communities there are just one public water source and the water tariff is considered expensive for the local communities (20 Mts). They expect the water project to solve the above problems.	Soil Erosion was pointed out as an important issue that the water project will have to deal with. Following the installation of water pipes it was recommended to cover the furrows and replace the soil so as to minimise the impact of erosion over the water infrastructures.
3	There are pending resettlement issues from MCA compact. If not properly dealt by FIPAG, it may affect the current water project. As we finished the meeting, a list of Claims by 109 people was presented to FIPAG/Consultants. They complained about the loss of trees and crops during the installation of the water transmission mainly by the previous contractor, under MCA compact.	Participant were concerned about the supervision of the resettlement process. Lacking supervision may motivate affected/compensated people to return to the project impact areas creating future problems for water infrastructure maintenance.
4	People were concerned of the compensation entitlement and the type of compensation to be delivered by the project. They wanted to know if properties affected by the vibrations during the project's machine/vehicles operations, would also be eligible for compensation or not and if it would be a cash or non-cash compensation.	It was pointed out the need for coordination between the water entity and the municipality as there are new municipal areas that will soon need clean water.
5	They expressed concern about the lacking illumination in the dam infra-structure. Because of darkness the dam has been used for criminal purposed and participants asked FIPAG for the illumination.	Other concerns presented were related to job creation to local community, management of rainfall waters so as to avoid flooding the local communities and concerns

Nr.	Nacala-a-Velha District	Nacala City
		over management of solid waste generated by the water project.

13.3 Resettlement Action Plan / ARAP Preparation

The RAP/ARAP preparation process is participatory and consultation during the socio-economic studies and impact assessments local social organization and communication channels for grievances should be identified. The consultation process must involve all potentially affected people. During and after implementation individual and group consultation should continue to verify resettled people’s progress in taking up new livelihoods activities and in restoring their lives to the levels they were prior to resettlement.

Socio-economic baseline studies are required for developing a RAP/ARAP. These include questions on issues that are further developed during the participatory planning process. Thus, facilitators employed to assist with the development of resettlement plans will consult with displaced people, local leaders and local authorities during this phase in order to identify among others:

- Acceptable resettlement and compensation alternatives and solutions, and
- Indicators for monitoring recuperation of livelihoods after resettlement.

These important steps will be arrived at through a process that involves all the important local stakeholders in four statutorily required public consultation meeting rounds so that agreement on acceptable ways forward is reached. The public consultation process should be used to drive participatory decision-making for resettlement site selection, resettlement housing design, entitlements to compensation, design of appropriate compensation and assistance packages, and mitigation actions reducing the impacts of physical resettlement and livelihoods development strategies.

Following opinions from the Resettlement Commissions at all levels, the District Government, and then the World Bank must approve a draft RAP/ARAP prior to its implementation. FIPAG is responsible for making the draft RAP/ARAP available at a place accessible to displaced persons and local community-based organizations, in a form, manner, and language that are understandable to them for consultation. The RAP/ARAP will be provided to the World Bank, which in turn makes it available to the public through its external website. Following disclosure and incorporation of feedback into the RAP/ARAP and the District Government’s approval any pending Environmental License associated with the sub-project can be emitted. The World Bank’s approval of the final RAP/ARAP will enable resettlement implementation to be undertaken. Any RAP/ARAP that does not provide a report of public consultation carried out or does not fully integrate local issues and recommendations will not be approved.

13.4 Resettlement Implementation and Follow-up

A communication plan stressing awareness-raising activities about the sub-project and resettlement procedures and entitlements should be developed by the Proponent to promote

dialogue and to reduce misunderstandings and grievances. This communication plan should stress the importance of ensuring women are equally consulted and actively participate in sub-project decisions. A planned communication approach to resettlement implementation should be developed by the Proponent together with the Service Provider. The communication plan needs to consider written and oral mechanisms.

Consultation with, and participation by, the affected communities and individuals is an essential element of the land acquisition, compensation and resettlement process. Throughout the process, and particularly during screening, there must be adequate consultation and involvement of local communities and the affected persons.

14 Social specifications for resettlement planning and implementation

The PIU and its Service Providers involved in RAP/ARAP writing and implementation, including local NGO, CBO, contractors and subcontractors involved in hosting houses construction, should comply with the ESMF and RPF requirements as well as the ESMP to be elaborated. Within their tasks the service providers should aim for environmental protection, occupational and community health and safety, gender, equality, child protection, care for vulnerable people (including those with disabilities), prevent labour influx, gender-based violence (GBV), violence against children (VAC), HIV/AIDS and include stakeholder engagement in the planning processes, programs, and activities of the parties involved in the execution of the resettlement activities. The providers have to:

1. protect the health and safety of local communities and users, with particular concern for those who are disabled, elderly, or otherwise vulnerable;
2. be intolerant of and enforce disciplinary measures for illegal activities. To be intolerant of, and enforce disciplinary measures for GBV, child sacrifice, child defilement, and sexual harassment;
3. incorporate a gender perspective and provide an enabling environment where women and men have equal opportunity to participate in, and benefit from, planning and development of the resettlement;
4. work co-operatively, including with end users of the Works, relevant authorities, contractors and local communities;
5. engage with and listen to affected persons and organizations and be responsive to their concerns, with special regard for vulnerable, disabled, and elderly people;
6. provide an environment that fosters the exchange of information, views, and ideas that is free of any fear of retaliation;
7. minimize the risk of HIV transmission and to mitigate the effects of HIV/AIDS associated with the execution of the assignment;

14.1 Labour influx

Social impacts are critical to address. Pre-existing social issues in the host community can easily be exacerbated even by a modest influx of labour. The influx may lead to risks related to spread of communicable diseases, sexual harassment, gender-based violence, local inflation of prices, illicit behaviour and crime, etc. In order to prevent those impacts related to influx, reduce costs to mitigate social impacts like HIV, and enhance social local positive impacts, the services providers and contractors shall:

- Define the recruitment process, which shall be transparent and non-discriminatory (e.g. on the basis of family status, ethnicity, race, gender, religion, language, marital status, birth, age, disability or political convictions). Recruitment of women shall be promoted.
- Provide priority for local workers (minimum of 90 % of Mozambicans, including 75% of residents from affected cities) especially for the semiskilled (enumerators, facilitators, etc.) and prioritising as a subset, people directly affected by the project for unskilled positions (construction contract labour) The employment of women shall be promoted (minimum of 30% employees).
- Conduct the transparent recruitment process in coordination with the local leader and linked to the Stakeholder Engagement and Grievance Redress Mechanism.

14.2 Code of Conduct and Gender Based Violence

A satisfactory code of conduct shall contain obligations on all project staff (including service providers for resettlement planning and implementation, contractors for house construction, etc.) that are suitable to address the following issues, as a minimum. Additional obligations may be added to respond to particular concerns of the region, the location and the project sector or to specific project requirements. The issues to be addressed include:

- Compliance with applicable laws, rules and regulations
- Compliance with applicable health and safety requirements (including wearing prescribed personal protective equipment, preventing avoidable accidents and a duty to report conditions or practices that pose a safety hazard or threaten the environment)
- The use of illegal substances
- Non-Discrimination (for example on the basis of family status, ethnicity, race, gender, religion, language, marital status, birth, age, disability, or political conviction)
- Interactions with community members (for example to convey an attitude of respect and non-discrimination)
- Sexual harassment (for example to prohibit use of language or behaviour, in particular towards women or children, that is inappropriate, harassing, abusive, sexually provocative, demeaning or culturally inappropriate)
- Violence or exploitation (for example the prohibition of the exchange of money employment, goods, or services for sex, including sexual favours or other forms of humiliating, degrading or exploitative behaviour)

- Protection of children (including prohibitions against abuse, defilement, or otherwise unacceptable behaviour with children, limiting interactions with children, and ensuring their safety in project areas)
- Sanitation requirements (for example, to ensure workers use specified sanitary facilities provided by their Employer/accommodation and not open areas)
- Avoidance of conflicts of interest (such that benefits, contracts, or employment, or any sort of preferential treatment or favours, are not provided to any person with whom there is a financial, family, or personal connection)
- Respecting reasonable work instructions (including regarding environmental and social norms)
- Protection and proper use of property (for example, to prohibit theft, carelessness or waste)
- Duty to report violations of this Code
- Non-retaliation against workers who report violations of the Code, if that report is made in good faith.

The Code of Conduct shall be a succinct document, written in plain language, and translated to local languages where applicable, and signed by each worker to indicate that they have:

- Received a copy of the code;
- Had the code explained to them;
- Acknowledged that adherence to this Code of Conduct is a condition of Employment; and
- Understood that violations of the Code can result in serious consequences, up to and including dismissal, or referral to legal authorities.

A code of conduct to prevent gender-based violence (GBV) as well as violence against children (VAC) is proposed in [Appendix 16.7](#). A second code of conduct shall be prepared to address all other general requirements described above.

15 Monitoring and Evaluation Arrangements

15.1 Overview

The monitoring and evaluation will be the main mechanism to alert FIPAG of any delays and problems and these activities will help measure the extent to which the main objectives of the RPF have been achieved. Monitoring aims at correcting implementation methods during the course of the Project, as required, while evaluation is intended at checking whether policies have been complied with and providing lessons learnt for amending strategies and implementation in a longer-term perspective. Monitoring will be internal and evaluation external.

15.2 Principles

The overall objective for monitoring resettlement and compensation is to make an evaluation of the process in order to determine: (i) if affected people have been paid in full and before implementation of the Project activities, and (ii) if the people who were affected by the project have been affected in such a way that they are now living a higher standard than before, living at the same standard as before, or they are actually poorer than before.

A number of indicators would be used to determine the status of affected people (land being used compared to before, standard of house compared to before, household income levels after resettlement compared to before, how many children are in school compared to before, health standards, etc). Therefore, the resettlement and compensation plans will set two major socio-economic goals by which to evaluate its success:

- Affected individuals, households, and communities are able to maintain their pre-project standard of living, and even improve on it;
- The local communities remain supportive of the project.

Another important indicator is the absence or prevalence of conflicts which may be used, though the type of conflicts is also important to the evaluation of the indicator. In order to assess whether these goals are met, the resettlement and compensation plans will indicate parameters to be monitored, institute monitoring milestones and provide resources necessary to carry out the monitoring activities.

15.3 Monitoring Process

To ensure that the implementation of resettlement is executed in line with the RAP/ARAP, activities will be monitored by the DRC on ground at the district and cities level. The Provincial Resettlement Commission may join FIPAG in routine internal monitoring and evaluation of implementation of the resettlement process. The Operational Areas will be responsible for the internal monitoring and supervision of resettlement action plan implementation on behalf of FIPAG (SCPI). They will maintain a record of RAP/ARAP monitoring information. The Social Facilitators will regularly monitor the status of vulnerable groups and households through on-going consultation reporting directly to the Safeguards Officers.

Activities addressed in any written agreements between FIPAG and community representatives will be jointly monitored. Communities will assist in identifying indicators for the RAP/ARAPs that will permit the early identification of vulnerable groups or households so that redress or assistance can be provided. Communities will participate in the external evaluation of resettlement outcomes.

At community level, the CRCs will be the main local structure involved in monitoring. The Social Facilitators will collect, verify with the resettlement committees, local leaders and authorities and, where possible ensure a direct response to local issues revealed through the monitoring process and/or pass the information on to the Operational Areas.

The Operational Areas will also carry out at minimum monthly monitoring visits jointly with the DRC and CRC members or local leadership structures to verify progress.

Evaluations of process and impact can be useful mechanisms for learning lessons, improving resettlement and compensation practices and ensuring compliance. Internally, the quality of monitoring processes should be regularly reviewed and improved, at least on a quarterly basis. Issues such as leadership, representation, equity, and treatment of individuals vulnerable to specific hardships must be addressed through these monitoring reviews. The use of monitoring and evaluation for adaptive management decisions and for good communication flow is important. Monitoring should be structured so that it not only measures compliance with the RAP/ARAP but is also iterative so that lessons provided can amend implementation strategies, especially in the longer term.

A final external audit of resettlement outcomes is an important source of information to ensure the resettlement process is concluded and livelihoods adequately restored.

15.4 Indicators

The RAP/ARAPs will indicate parameters to be monitored, institute monitoring milestones and identify resources necessary to carry out the monitoring activities. They will reflect two major socio-economic goals by which to evaluate success:

- Whether affected individuals, households, and communities are able to maintain their pre-project standard of living, and even improve on it;
- Whether local communities remain supportive of the Project.

Various indicators should be used to determine the status of affected people before and after the resettlement interventions including land being used, housing standard, household income levels, number of children in school, health standards, etc. Other important indicators that should be used are the absence or prevalence of conflicts and the type of conflicts.

See the table below for a list of process indicators for resettlement monitoring. For each item, for instance census and social facilitator mobilisation, issues such as timeliness, quality, and accuracy will need to be used to assess performance. The existence *per se* will not be sufficient to suggest that resettlement implementation is effective and efficient.

Table 15-1: Suggested indicators to guide resettlement monitoring

Activity	Suggested Milestones / Indicators	Sources of information	Agency responsible
Performance Monitoring	<ul style="list-style-type: none"> Local Resettlement Committee established and operating 	<ul style="list-style-type: none"> Resettlement Committee 	<ul style="list-style-type: none"> Project Resettlement
	<ul style="list-style-type: none"> Resettlement Monitoring Commission established and operating 	<ul style="list-style-type: none"> Reports 	<ul style="list-style-type: none"> Committee / local
	<ul style="list-style-type: none"> Public meetings held 	<ul style="list-style-type: none"> Consultation records 	<ul style="list-style-type: none"> authorities
	<ul style="list-style-type: none"> Census complete 	<ul style="list-style-type: none"> Facilitators field reports 	<ul style="list-style-type: none"> Service Provider
	<ul style="list-style-type: none"> Settlement land demarcated 	<ul style="list-style-type: none"> Six monthly and Annual progress and financial reports 	<ul style="list-style-type: none"> Resettlement Monitoring Commission
	<ul style="list-style-type: none"> Social Facilitators indicated / recruited / seconded 	<ul style="list-style-type: none"> Initial support from 	<ul style="list-style-type: none"> Resettlement or Environment Specialist
	<ul style="list-style-type: none"> Communication campaign for awareness raising about resettlement 	<ul style="list-style-type: none"> Evaluation reports 	<ul style="list-style-type: none"> Resettlement or Environment Specialist
	<ul style="list-style-type: none"> Project affected people verified 	<ul style="list-style-type: none"> Final report of Resettlement Monitoring Commission 	<ul style="list-style-type: none"> Resettlement or Environment Specialist
	<ul style="list-style-type: none"> Assets inventories complete 	<ul style="list-style-type: none"> Final report of Resettlement Monitoring Commission 	<ul style="list-style-type: none"> Resettlement or Environment Specialist
	<ul style="list-style-type: none"> Grievance redress system in place and operating 	<ul style="list-style-type: none"> Final report of Resettlement Monitoring Commission 	<ul style="list-style-type: none"> Resettlement or Environment Specialist
	<ul style="list-style-type: none"> Monitoring systems operational 	<ul style="list-style-type: none"> Final report of Resettlement Monitoring Commission 	<ul style="list-style-type: none"> Resettlement or Environment Specialist
	<ul style="list-style-type: none"> Settlement sites and land area chosen 	<ul style="list-style-type: none"> Final report of Resettlement Monitoring Commission 	<ul style="list-style-type: none"> Resettlement or Environment Specialist
	<ul style="list-style-type: none"> Housing and related infrastructure complete 	<ul style="list-style-type: none"> Final report of Resettlement Monitoring Commission 	<ul style="list-style-type: none"> Resettlement or Environment Specialist
	<ul style="list-style-type: none"> Compensation paid 	<ul style="list-style-type: none"> Final report of Resettlement Monitoring Commission 	<ul style="list-style-type: none"> Resettlement or Environment Specialist
	<ul style="list-style-type: none"> Timely reporting 	<ul style="list-style-type: none"> Final report of Resettlement Monitoring Commission 	<ul style="list-style-type: none"> Resettlement or Environment Specialist
	<ul style="list-style-type: none"> External evaluations carried out & reports submitted 	<ul style="list-style-type: none"> Final report of Resettlement Monitoring Commission 	<ul style="list-style-type: none"> Resettlement or Environment Specialist
	<ul style="list-style-type: none"> Timely refinements made to the resettlement programme in response to M & E reports 	<ul style="list-style-type: none"> Final report of Resettlement Monitoring Commission 	<ul style="list-style-type: none"> Resettlement or Environment Specialist
	<ul style="list-style-type: none"> All grievances responded to / redressed within stipulated time 	<ul style="list-style-type: none"> Final report of Resettlement Monitoring Commission 	<ul style="list-style-type: none"> Resettlement or Environment Specialist
	<ul style="list-style-type: none"> Approval of Final Report of Resettlement Monitoring Commission giving go-ahead to initiate works at previously occupied sites 	<ul style="list-style-type: none"> Final report of Resettlement Monitoring Commission 	<ul style="list-style-type: none"> Resettlement or Environment Specialist

15.5 Frequency of monitoring

The RAP/ARAP will identify the frequency of monitoring, that may be:

Table 15-2: Frequency of monitoring

Type of Verification	Frequency	Responsible
Internal monitoring	Monthly	Proponent
External Evaluation	Biannual to annual	MITADER, independent evaluator (consultant)

16 Apêndices

16.1 List of functions of the Safeguards Officer responsible for resettlement (FIPAG)

Functions of the Regional and Operational Area Safeguards Officer responsible for Resettlement

These should include but not be limited to:

The Officer will promote resettlement planning principles endorsed by FIPAG and the World Bank in its Operational Policy 4.12 on Involuntary Resettlement. This will include the involvement of communities in the planning and implementation of interventions that result from these policies and the use of acceptable conflict resolution mechanisms.

The Officer will ensure particular attention is paid to the needs of vulnerable groups, especially those below the poverty line, the landless, the elderly, women and children.

The Officer must ensure that displacement, economic impacts or restriction of access do not occur before necessary measures for resettlement are in place, including provision of compensation and of other assistance required for relocation, and preparation and provision of resettlement sites with adequate facilities.

It is highly desirable that displaced persons and their communities, and host communities receiving them, are provided timely and relevant information, consulted on resettlement options, and offered opportunities to participate in planning, implementing, and monitoring resettlement. The Officer should use all means to ensure that these take place and that appropriate and accessible grievance mechanisms are established for these groups.

The Officer will together with the District Resettlement Commission and relevant sector and municipal departments contribute to ensuring the quality and accessibility of infrastructure and public services for the displaced persons and host communities.

RAP/ARAP Implementation:

Ensure the:

- Adequate design of awareness raising materials about the process of resettlement, development and implementation of a communication strategy.
- Adequately trained field facilitators for all resettlement programmes.
- Situation assessments, planning and implementation of communication strategies are carried out.
- FIPAG Operational Area supervision of resettlement and compensation payment and that the whole process is documented adequately and is carried out as transparently as possible.
- A Community Resettlement Committee is created at each resettlement site to coordinate activities, participate in resettlement monitoring, grievances reception and channelling to the FIPAG Operational Area, provide help to PAHs in discussion and

selecting appropriate livelihoods development alternatives and ensure justice and equity at local level.

- Public meetings are carried out to raise and continue to update project affected groups and host communities on procedures and progress of implementation of the resettlement plan.
- The transparent realisation of compensation payment prior to resettlement.
- All public consultation is documented and retained as required by FIPAG.
- Monitoring and follow-up is carried out with all impacted individuals and/or PAHs (and host communities where relevant) verifying with them their participation in activities that promote their rapid recuperation of livelihoods and social networks.
 - needs analysis and support to vulnerable PAHs
 - training in alternative livelihood skills
 - basic health, hygiene and nutrition training
 - community organisation and leadership training support
- Coordinating with the FIPAG Director General to ensure a capable Service Provider is contracted to provide community capacity support and resettlement facilitation as needed.
- Ensuring the social facilitators monitor the use of grievance channels and facilitate their effective use by project affected people, and that redress by FIPAG or other indicated parties is timely.

Appendix

16.2 Stakeholders engagement during RPF preparation

Appendix 16.2 is presented in a standalone file due to be a large sized file.

Minutes of meetings held in Nacala, in November 2018, for the Additional Financing RPF amendment are provided bellow in English.

A full Stakeholders engagement and Public Participation Process in Portuguese is provided in a standalone appendix in order to be disclosed to the public.



REPUBLIC OF MOZAMBIQUE

**MINISTRY OF PUBLIC WORKS, HOUSING AND WATER RESOURCES
INVESTMENT FUND AND WATER SUPPLY ASSET (FIPAG)**

WATER SUPPLY AND INSTITUTIONAL SUPPORT PROJECT (WASIS II)

**ENVIRONMENTAL AND SOCIAL MANAGEMENT FRAMEWORK (ESMF) AND RESETTLEMENT
POLICY FRAMEWORK (RPF)**

MINUTES OF THE PUBLIC CONSULTATION MEETING

Site	Date
15/11/2018	
Nacala Porto city (Tamole Lodge)	16/11/2018

Introduction

The Public Consultation Meeting took place from 14h-16h on November 15, 2018, at the Barragem primary school (EPC), in Barragem Administrative Post, Nacala-a-Velha District and on November 16, 2018, from 9 -11 AM at Thamole Lodge, in the city of Nacala Port. The meeting was concerning the review of Environmental and Social Management Framework (ESMF) and Resettlement Policy Framework (RPF) under the additional funding for the Water Supply and Institutional Support Project (WASIS II). The objectives of the consultation were to:

- Inform the public about WASIS II and the need for developing ESMF and RPF in the context of additional funding to Nacala city.
- Disseminate the outline of the environmental and social safeguards instruments guiding WASIS II (ESMF and RPF)
- Gathering contributions from stakeholders, affected/interested people to enhance this instruments.

The documents will guide the formulation of EIA / ESMP and RAPs.

A total of 134 people attended the public consultation meetings as displayed in the table below:

Site	Number of Participants
Barragem Administrative Post, Nacala-a-Velha district	Men
	99
Nacala city	11
Total	110

The Consultant presented the ESMF and RPF instruments for WASIS II review, following the structure as stated bellow:

- Objectives of the meeting
- WASIS II Project overview
- Current Nacala Porto Water Supply System
- Water infrastructures covered by Additional Financing
- Projects initiated under the MCA
- Description of Areas covered by additional funding
- Potential positive and negative impacts of the project
- The objectives of the ESMF and the RPF

- Legal Framework and
- Potential Environmental Impacts

After the Presentation, the Nacala Director of FIPAG took the floor to explain that the water supply project is well-known at Barragem Administrative Post and Nacala area in general as it was initiated with Millennium Challenge Account (MCA) and then stopped. He expressed a great satisfaction for the good news according to which the water supply project to Nacala will be reactivated and this time it is really to be completed. He added that there is enough water in the Dam, however the city and its surroundings remain without drinking water. This is a unique opportunity for both people of Nacala and business to get access to clean water and at this time nothing will fail.

The table below presents the questions/contributions made by the participants in each site as well as the answers/comments from the consultants.

District: Nacala-a-Velha

Date: 15/11/18

Site: Barragem Primary School (EPC), Barragem Administrative Post, Nacala-a-Velha District

Participants: See the attached list of participants

Summary of questions and discussions

I&AP	Comments/Question	Answer	Response by
<p>Juma Talmino</p>	<p>Started by welcoming the water project to Nacala. Then he explained that the previous project opened a temporary access road. The population on the right side of the opened road did not receive any compensation for the lost crops and trees. Compensations were only paid to people losing their goods in the left side of the road. At the end of the meeting a list of 109 people was presented to FIPAG officials and to the consultants. He explained that the local community was informed that the missing compensations will be paid by the next contractor as the project starts since the water transmission main has been installed.</p> <p>[The displayed list by the claimants was signed at Barragem Administrative Post level and it dated November 2013, after the suspension of MCA compact. The claimants admitted they did not share their concern with the District Resettlement Committee, created under MCA compact.</p>	<p>Mr Malauene (the consultant) questioned the lack of communication of this group with the Nacala-a-Velha district government. He nevertheless recommended the group to interact with the district government since the current resettlement supervision commission was established under the MCA compact and may have something to say about the water project’s negative impacts.</p> <p>Malauene also clarified that according to SDAE people contacted before the public meeting, the affected MCA project’s affected people have been fully compensated and the process was supervised by the District Resettlement Commission. He recommended FIPAG to undertake investigations in a timely and transparent manner so as not to affect the start of the new phase.</p> <p>Macuácuá explained that by the national law any compensation must be paid before the removal of the affected goods. Once the goods have been removed it will always be challenging to prove that the listed goods have been in fact affected or have not been compensated.</p>	<p>David Malauene</p>

I&AP	Comments/Question	Answer	Response by
<p>Shabade Salimo</p>	<p>He thanked the return of the water Project, adding that the Public Consultation meeting is signalling good promises.</p> <p>The water project should preferable hire local labour, especially women who can do the cleaning job, he recommended.</p> <p>In resettlement projects, land tittle (DUAT) is always easily attributed to resettled people. However, MCA Compact did not assign any DUAT to the affected people. He added that they would be grateful if the second project’s phase consider assigning DUATs to the resettled people.</p> <p>The project should also consider supplying water to the local community currently unserved, especially the population of Muereque area which is located 3 km upstream the dam.</p>	<p>Macuácu explained that there is usually a public tender for hiring contractors who are enforced to comply with the EMP that will be developed based on this ESMF, which place precedence for hiring local labour. What is most important is the contractors to publish the existing vacancies and candidate profiles even if they are at the local level it is important for the sake of transparency during recruitment. Resettlement supervision commissions to be established under this project should also be responsible for overseeing the implementation of social issues including the creation of local jobs.</p> <p>The new resettlement legislation in force recommends the transfer of new land with DUAT. Land title can be attributed whenever necessary as longer as the land is available.</p> <p>The project includes the construction of a 400 m3 water reservoir next to the Future Treatment Plant at Barragem area, in order to benefit with clean water to local community. The most needy neighbourhoods should be prioritized in the distribution of clean water under this project.</p>	<p>Eduardo Macuácu</p>

I&AP	Comments/Question	Answer	Response by
Daniel Selemane	Local manpower should be employed. The previous project (MAC Compact) did not employ local labour.	<p>The local community will be privileged in the process of supplying manpower to the water project. The contractor must comply with FIPAG requirements, including the EMP that specifies the need for local staffing recruitment. Of course, it will not recruit the entire local workforce.</p> <p>Malauene added that the current water project will not have the same contracting capacity as did the MCA compact.</p>	Eduardo Macuácuá and David Malauiene
Sr. Carlos Naquidi, camponês	The dam is old as it was built in 1975. It is quite large, but in the region there is only one public water source where the community must pay 20 Mts for accessing drinking water. We appreciate better access to the water as was said.	Comment noted and thank you.	Eduardo Macuácuá

I&AP	Comments/Question	Answer	Response by
<p>Belito Felix, Youth Secretariat (OJM).</p>	<p>He congratulated the water project and wished it would be better than the previous one which did not go to the end. The community is in need for drinking water.</p> <p>In the previous project the collection of documents for employment application was not done by the Government. It was done by the contractor. This time we would like to see involvement the local government authority in the recruitment of local labour.</p>	<p>Recommendation noted and will be considered in the report.</p>	<p>Eduardo Macuácuá</p>
<p>Manarino da Luz, responsible for the local Health center</p>	<p>The project intends to transport water to Nacala City. However Nahavala that is just 7-12 km away from the Dam have no drinking water. Could you please include this neighbourhood in your water distribution plan?</p>	<p>We have recorded the name of the site so that FIPAG as the project proponent evaluate and take a decision about supplying water to this neighbourhood.</p>	<p>Eduardo Macuácuá</p>

I&AP	Comments/Question	Answer	Response by
Génito Assane	Water kind of compensations is entitled to someone loosing goods due to the water project? Cash or non-cash compensation?	<p>The national legislation recommends that the compensation should be in kind. However, the beneficiary may choose to receive cash compensation instead of non-cash compensation. If cash compensation is the preference of the affected people, then he/she must present a reason why cash compensation is demanded. So our answer would be the type of compensation will be subject to case-by-case analysis and it will also consider the type of loss as well as the preferences of the affected people, etc.</p> <p>In the case of losing a house, compensation in kind is recommended so as to avoid misuse of the amount in acquiring goods rather than building a new house (e.g. purchase of motorcycle). Losing goods such as crops and fruit trees that generate incomes, cash compensation is recommended.</p> <p>Trees replenishment program should be implemented in parallel through the distribution of seedlings to the affected families</p>	Eduardo Macuácu e David Malauene

I&AP	Comments/Question	Answer	Response by
Soares Ali Francisco, Resident at Barragem headquarter	<p>What is the starting date of the project?</p> <p>How will houses damaged by machine vibration be handled? As much as we see, local houses are precarious and take no pillars in their construction structure.</p>	<p>The project starting date has not yet been defined. It may take some while. At this stage preparatory documents (RPF and ESMF) are underway in order to secure funding.</p> <p>Supervising engineer will monitor the implementation of the EMP. If any house is affected by vibrations the contractor has the responsibility to repair</p>	David Malauene. And Eduardo Macuácuá
Pacre Teteco Omar, local resident	The MCA compact built a new bridge which as no lighting along it. The previous one was fully illuminated. Troublemakers take advantage of the darkness to commit criminal acts. Would this project address this problem?	We took note and the matter will be forwarded to FIPAG, infrastructure manager, for proper analysis and correction.	Eduardo Macuácuá

I&AP	Comments/Question	Answer	Response by
<p>Eduardo Macuácuca</p>	<p>At the end of the meeting, the Consultant thanked all the participants for their presence and valuable contributions. He said that this was one of several meetings that will be organized until the project become a reality. It called for the participation of the institutions, affected and interested people in the project meetings.</p> <p>The consultant made available his contacts so that any additional comments and contributions would be forwarded for consideration in the document under preparation.</p> <p>In the end the Consultant invited all the participants for refreshment.</p>		

Photographs taken during the Public Meeting at the EPC of Barragem



City: Nacala Porto

Date: 16/11/18

Local: Thamole Lodge, Nacala Porto

Participants: See the list of participants

Summary of discussed issues

PI&A	Comments/Questions	Answers	Response by
<p>Buque, from Portos do Norte</p>	<p>Nacala always faced water supply shortage. However, I am concerned about the low turnout for this meeting. The Project's relevant impacts are well identified by the consultants and others may be identified during the implementation phase. Hence, he added that Erosion is a topographical problem of the city and deserves more attention.</p> <p>Once the ditches have been opened for the installation of water pipes, care must always be taken to cover the furrows and replace the soil, otherwise it will cause erosion to the project.</p> <p>It is important that the resettlement committee is active in order to prevent the resettled and compensated people from returning to the infrastructure protection areas.</p> <p>It is necessary to clearly identify the Project right of way so that the potentially affected communities/business are not caught in surprise, without any preparation. Otherwise the project is welcome. FIPAG is to be congratulated.</p>	<p>The meeting was publicized in the national gazette (Jornal Notícias) and additionally invitation letters were delivered to the key institutions. The meeting held on November 15, 2018 (the previous day) at the Barragem Administrative Post was attended by more than 100 participants.</p> <p>The level of interest to attend public meetings in urban areas has been decreasing, which probably explain the low turnout in this meeting.</p> <p>We took note of the comments and suggestions made, we will consider them in the final report.</p>	<p>Eduardo Macuácuá and David Malauene</p>

PI&A	Comments/Questions	Answers	Response by
<p>Adelino Cobre, from Nacala Municipality</p>	<p>In the Dam area a water reservoir will be built to serve the surrounding communities and this is very important. Between EB1 and EB2 is there provision of water supply to the local communities? This interval, in the near future, will be densely populated, being it a municipal expansion zone. The area around the EN712 Road, which links Nacala-a-Velha, there are already many people. In addition to using workers who can manage to swim during the construction of the pumping station, we suggest that small barges (motor or canoes) be acquired and used for rescue in case of an incident. With regard to medical care (first aid) there has been a lack of appropriate medicines that have to do with local diseases. For example where the water transmission main will be installed, there are risks of snake bites and snake venom antidotes availability is mandatory.</p>	<p>The location of the water treatment plant near the water source aims to benefit the local communities living though out the right of way . Although engineering drawings are not yet available, we believe that the water project will consider "off-take" to transmit water to Nacala Velha and future needs for the expansion and industrial zones. This requires greater interaction / coordination of institutions at all project development phases. With regard to health, it is in fact concerned about the first aid services and not really a health post. Research will be done on the most likely diseases and risks, including those of biting stray dogs and snakes. Notes on comments and suggestions have been taken and will be considered in the report.</p>	<p>Eduardo Macuácuá</p>

PI&A	Comments/Questions	Answers	Response by
Rufino Trinta, EDM maintenance area	We have several ongoing projects aiming to produce and transport water, which can bring marvels to the city. However, at the moment there are neighbourhoods in the center of Nacala city facing serious water shortage. The problem is caused by the deficiencies or insufficiency of the water distribution network. Does the planed water project include the expiation of water distribution network in addition to investments in the water production and transmission main?	The water project includes the construction of 150 km of water distribution network for the old and new neighbourhoods. Additionally, there will be 12 km of primary distribution network to the industrial zone at the entrance of Nacala city.	Eduardo Macuácu e David Malauene
Allia, Nacala Municipality	Regarding the drainage of rainfall waters, the final destination should be treated in a way that is not a problems for the communities living nearby.	Thanks, the comment and suggestions will be considered in the report.	Eduardo Macuácu e

PI&A	Comments/Questions	Answers	Response by
<p>Samarés, SDAE at Nacala Porto</p>	<p>He recommended the hiring of local workforce, so that the community get involved and hence support the water project.</p> <p>Asked if the project would consider the construction of a landfill for disposal of trash that will be generated by the water project?</p>	<p>Tenders are usually launched for the engagement of contractors who should have clear labour selection criteria, not with the aim of limiting the employability of local staff, but for the sake of transparency in selection as the vacancies may be limited in relation to the labour supply</p> <p>Our experience shows that Landfill involves high costs that cannot be supported by the water project. It is recommended the implementation of a sound waste management plan.</p>	<p>Eduardo Macuácuá</p>

PI&A	Comments/Questions	Answers	Response by
Eduardo Macuácuá	<p>At the end of the meeting, the Consultant thanked all participants for their presence and contributions. He added that the public meeting is one of several meetings that will be organized until the project is implemented. He called for the participation of the institutions, people and communities affected / beneficiaries.</p> <p>Personal consultant’s contacts were made available to the participants in the public meeting so that additional inputs could be delivered for consideration in the document under preparation.</p> <p>At the end, the consultant thanked participants and invited them for refreshment.</p>		

Photographs taken during the Public Meeting held in Nacala Porto





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Lista de Presenças em Reunião Pública

Local NACALA PORTO, H. ThavaleData 15-11-2018

Nº	NOME	INSTITUIÇÃO	FUNÇÃO	TELEMÓVEL	E-MAIL
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Local NACAZA PORTO H. Tlaxandale

Data 15 + 11 - 2018

Nº	NOME	INSTITUIÇÃO	FUNÇÃO	TELEMÓVEL	E-MAIL
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Lista de pessoas consultadas

Local *Nacala Porto e Nacala-A-Velha*

Data *13 - 11 2018*

Nº	NOME	INSTITUIÇÃO	FUNÇÃO	TELEMÓVEL	E-MAIL
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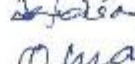
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Nº	NOME	INSTITUIÇÃO	FUNÇÃO	TELEMÓVEL	E-MAIL
01	Maiate Ali Sumete	Educação	Professor	844030193	
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06	AVELINO SEVERINO			841879234	
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09	MARQUINA AMARAL				
10	ESTRELA MUSA				
11	Mosé Ali			846725540	
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Nº	DMAR	NOME	INSTITUIÇÃO	FUNÇÃO	TELEMÓVEL	E-MAIL
28		AFILTO Sacuate	ARA		845643630	
26		Martinho Pereira			865545896	
27		Duval Afonso			260109011	
28		Fagundes Antonio Shi			84570512	
29		MUGGO Josepe			875987029	
30		Diamond Motyl G.				
31		Martinho Manuel Inacio			843642231 Tecnico	843642231
32		Francisco Manuel A			84710004 pedreiro	84710004
33		Costi Antonio				
34		ABRAMADA LURCO			847465500	
35		Alu Naburabano			874385264	
36		Francisco João Hultmann				

Anatércia Francisco - Serralheiro - 84710004
Elza Armando - Serralheiro - 844618947
Virgílio Manuel Araújo - Ferreiro - 84710004
Calisto Manuel Araújo - Serralheiro - 84710004
Artur Buonamade - Canalizador - 896910399
Martinho (Mário) Manuel Araújo - Função Técnico de Segurança - 84564
Mussaq Tobati Al 846391751
Cipriano Buonamade

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Local Nacala Porto e P.A. da Barragem

Data 13 de 11 2018

Nº	NOME	INSTITUIÇÃO	FUNÇÃO	TELEMÓVEL	E-MAIL
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	Ana Joao Barata			841879446	Ana J Barata
	Satuma Abdala		840128591		Satuma Abdala
	Felizardo Madal	-	-	850121233	Felizardo
	Ali tamayahi	-	-	84633735	Ali tamayahi
	Joacuin ALUBAI	-	MORISTA	84751544	JOACUIM ALUBAI
	João Alameda	-	-		João Alameda
	Paulo Valerina	-	colaborador	848252479	Paulo Valerina
	CARLITO ANTONIO	-	-	848252479	CARLITO ANTONIO



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Nº	NOME	INSTITUIÇÃO	FUNÇÃO	TELEMÓVEL	E-MAIL
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46	Francisco Manuel Araújo	Doméstico	campones	847340006	
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48	Jusaba Abacar	Doméstico	campones	846827360	

carlitos Antonio Viagem
empresas 866654287

Manuel Pasante Mutange Domestico Campos 849363096

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Data 14-11-2018

Nº	NOME	INSTITUIÇÃO	FUNÇÃO	TELEMÓVEL	E-MAIL
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3	Albino M. Adelo	PRTP	chefe do pelop.	84257210	
4	Marlene Maria Anjo	Sede Partido	1ª Secretária G.	848828628	
5	Margarita Fernandes	Campo de Saúde (S.A.M.S)	responsável do Campo de Saúde	847183667	
6	Marcos Lourenço Almeida Fandi	Escola	Professor	847884883	
	Alicia Almeida				
	Francisco João Cunha				
	ANTONIO Juma	Notário	Escrivão	861346902	
	Pompeu Manuel				
	ABIZIA Mariana				



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Nº	NOME	INSTITUIÇÃO	FUNÇÃO	TELEMÓVEL	E-MAIL
13	Gaidate Alfredo			84 49105157	
14	Agostinho António			84 6040616	
15	Albino Joaquin			86 9722730	
16	AMRS FELIPE			81 7019648	
17	CARILITO MARCELA				
18	Jacaria Taúto				
19	NALAS FEARMO			86 8780949	
20	Marrugo Teófilo		Servente		
21	Martinho Manuel Araújo		Técnico de Soc	84 3642231	84 3642231
22	Chelva Marrudo		Camponês		
23	EVARISIO ALCOME		Camponês		
24	S. Aguiar Miguel				



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Local EPC da Barragem, no P.A. da Barragem

Data 14 - 11 - 2018

Nº	NOME	INSTITUIÇÃO	FUNÇÃO	TELEMÓVEL	E-MAIL
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3	Amílcar Marcelino	FIPAG	8794 22775	892454719	
4	António Geronimo				
5	malde			86645277	
6	Carista Massiala				
7	DA MATA ALMIR		877606813		
8	Carlos Lima		Electricista	866744012	
9	LILDA castro		84258268		
10	INICHAND ALBERTO			841873437	INICHAND ALBERTO
11	Lizere David		Motorista	845121924	Lizere David
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PROJECTO DE ABASTECIMENTO DE ÁGUA E APOIO INSTITUCIONAL (WASIS II)

Quadro de Políticas de Gestão Ambiental e Social

Quadro de Política de Reassentamento

Lista de Presenças em Reunião Pública

Local *EPC da Barragem e PT Barragem Nacala Velha*

Data *14-11-2018*

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PROJECTO DE ABASTECIMENTO DE ÁGUA E APOIO INSTITUCIONAL (WASIS II)

Quadro de Políticas de Gestão Ambiental e Social

Quadro de Política de Reassentamento

Lista de pessoas consultadas

Local *Reunioes Publicas - EPC da Barragem*

Data *14 - Nov. 2018*

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	<i>Luís Almeida</i>				
	<i>Margarida Lima</i>				

Appendix

16.3 Rapid Situation Assessment of the Cities Covered by the RPF

WASIS II PROJECT - RAPID SITUATION ASSESSMENT IN THE CITIES COVERED BY THE RESETTLEMENT POLICY FRAMEWORK					
Rapid Assessment	Beira and Dondo	Chimoio, Manica and Gondola	Pemba	Tete/Moatize	Nacala
<i>Sub-project Description</i>					
Scope of Works	Network extension for 106 000 beneficiaries with pipelines laid in the road edges, in the road reserve. Where these cross paved areas and roads, restoration will be rapid. Please visit table 4.1 for detailed scope of work.	Supply of materials for connections and other goods. Please visit table 4.1 for detailed scope of work. This RPF consider also the possibility of extension of 105km of distribution network.	Boreholes, transmission main, distribution centre and network extension for 63 600 beneficiaries with pipelines laid in the road edges, in the road reserve. Where these cross paved areas and roads, restoration will be rapid. Please visit table 4.1 for detailed scope of work.	Boreholes, transmission main, distribution centre and network extension for 127 200 beneficiaries with pipelines laid in the road edges, in the road reserve. Where these cross paved areas and roads, restoration will be rapid. Please visit table 4.1 for detailed scope of work.	Boreholes, transmission main, distribution centre and network extension for 42 400 beneficiaries with pipelines laid in the road edges, in the road reserve. Where these cross paved areas and roads, restoration will be rapid. Please visit table 4.1 for detailed scope of work.
Works equipment & materials.	Construction: Local contractor with manual labour to install pipes & connections, generators, vehicles. Use of chlorinate flush out to clean PVC pipes, thinners & glue for fixing. Operation: Same, without generators.	Construction: Local contractor with manual labour to install goods. Use of chlorinate flush out to clean PVC pipes, thinners & glue for fixing. Operation: Same, without generators.	Construction: Contractor with manual labour, crane, vehicles and generators to install pipes & connections. Use of chlorinate flush out to clean PVC pipes, thinners & glue for fixing. Operation: Same, without generators and crane.	Construction: Contractor with manual labour, crane, vehicles and generators to install pipes & connections. Use of chlorinate flush out to clean PVC pipes, thinners & glue for fixing. Operation: Same, without generators and crane.	Construction: Contractor with manual labour, crane, vehicles and generators to install pipes & connections. Use of chlorinate flush out to clean PVC pipes, thinners & glue for fixing. Operation: Same, without generators and crane.
Labour	Maximum of 100 casual labourers & supervision.	Approximately 30 casual labourers per zone & supervision.	Depends on contractor's proposal.	Depends on contractor's proposal.	Depends on contractor's proposal.
Equipment / material storage	Existing warehouses.	Existing warehouses.	Warehouses to be rented	Warehouses to be rented	Warehouses to be rented
Infrastructure in the project area	Schools & health units, electricity, road access, paved areas	Schools, electricity and road access	Schools & health units, electricity, road access	Schools & health units, electricity, road access	Schools & health units, electricity, road access

Rapid Assessment	Beira and Dondo	Chimoio, Manica and Gondola	Pemba	Tete/Moatize	Nacala
<i>Land Use, Resettlement, and/or Land Acquisition</i>					
Land use plans may be negatively	No	No	No	No	No
Densely populated areas in or near the sub-	Yes, positive impact of water supply connections.	Yes, positive impact of water supply connections.	Yes, positive impact of water supply connections.	Yes, positive impact of water supply connections.	Yes, positive impact of water supply connections.
Sensitive land uses.	None to manual labour works.	None to manual labour works.	None to manual labour works.	Yes, the transmission main may cross a cemitere	None to manual labour works.
Loss of	No	No	Yes, some quiosques may be disturbed	Yes, some quiosques may be disturbed	No
Loss of access to natural resources	Yes, few firewood trees	No	No	No	No
Additional demands on	No	No	No	No	No
Affect quality of natural resources	No	No	No	No	No
Resettlement	No	No	No	No	No
Sub-project labour influx to	Minimal since most labour will be recruited locally.	Minimal since most labour will be recruited locally.	Minimal since most labour will be recruited locally.	Minimal since most labour will be recruited locally.	Minimal since most labour will be recruited locally.
Property ownership & land use rights	Areas are all residential and comertial private ownership of structures, most without formally registered occupation rights.	Areas are all residential, private ownership of houses & structures, and most without formally registered occupation rights.	Areas are all residential and comertial private ownership of structures, most without formally registered occupation rights. Experience of compensation from Municipal Council for house loss.	Areas are all residential, private ownership of houses & structures, and most without formally registered occupation rights.	Areas are all residential, private ownership of houses & structures, and most without formally registered occupation rights.

Rapid Assessment Category	Beira and Dondo	Chimoio, Manica and Gondola	Pemba	Tete/Moatize	Nacala
<i>Loss of Crops, Fruit Trees, and Household Infrastructure</i>					
Permanent or temporary loss of	Yes, annual crops planted in road reserve.	No	Yes, annual crops planted in road reserve.	Yes, annual crops planted in road reserve.	Yes, annual crops planted in road reserve.
Permanent or temporary loss of	Yes, some fruit trees in road reserve.	Yes, some fruit trees in road reserve.	Yes, some fruit trees in road reserve.	Yes, some fruit trees in road reserve.	Yes, some fruit trees in road reserve.
Permanent or temporary loss of household structures	Yes, walls around plots, steps and pavement encroaching on pavements, vegetative materials used as perimeter fencing.	No	Yes, houses, walls around plots, steps and pavement encroaching on pavements, vegetative materials used as perimeter fencing.	Yes, walls around plots, steps and pavement encroaching on pavements, vegetative materials used as perimeter fencing.	Yes, walls around plots, steps and pavement encroaching on pavements, vegetative materials used as perimeter fencing.
<i>Occupation health & safety</i>					
Occupation health & safety	Will be safeguarded by normal company & state regulations & benefits.	Will be safeguarded by normal company & state regulations & benefits.	Will be safeguarded by normal company & state regulations & benefits.	Will be safeguarded by normal company & state regulations & benefits.	Will be safeguarded by normal company & state regulations & benefits.
Accidents at	Protection via the labour law.	Protection via the labour law.	Protection via the labour law.	Protection via the labour law.	Protection via the labour law.
Local labour opportunities	Yes local labour will be recruited but unlikely to be women due to strength demanded.	Yes local labour will be recruited.	Yes local labour will be recruited but unlikely to be women due to strength demanded.	Yes local labour will be recruited including women following positive experiences in the past.	Yes local labour will be recruited including women following positive experiences in the past.
<i>Historical, Archaeological, & Cultural Heritage</i>					
Affect historical, archaeological, or cultural heritage	No	No	No	Yes, sacred baobab trees used for supplication to ancestors & graves in a cemetery.	No
<i>Additional observations:</i>					
- new access roads	No	No	Yes, new access road will be required for the works in the distribution main	No, but improvement of existing ones, some reduced to paths with crops on necessary to gain access to some areas.	No, but improvement of existing ones, some reduced to paths with crops on necessary to gain access to some areas.
- institutional capacity & relations	Municipal council of Beira performs most community liaison the city. In Dondo collaboration between the municipality & FIPAG is good.	Municipal council performs most community liaison in municipal/FIPAG construction activities. Good relations and close collaboration is allowing to prevent encroachment on the transmission main and its ROW.	Municipal council performs most community liaison in municipal area/FIPAG construction activities. Good relations. FIPAG's ES, UGF/DZF and GEP/DT sections needs support.	Municipal council performs most community liaison in municipal area/FIPAG construction activities. Good relations. FIPAG's ES, UGF/DZF and GEP/DT sections needs support.	Municipal council performs most community liaison in municipal area/FIPAG construction activities. Good relations. FIPAG's ES, UGF/DZF and GEP/DT sections needs support.

Rapid Assessment	Beira and Dondo	Chimoio, Manica and Gondola	Pemba	Tete/Moatize	Nacala
<i>Recommendations:</i>					
<p>Compensation for lost property will be required. Advice one season in advance to cease cropping in road reserve areas to be used by the project.</p> <p>A compensation plan made by FIPAG and or a consultant that includes municipal council and involvement of local authorities for communication purposes.</p> <p>In principle there should be no need for resettlement planning, and pipe laying should be designed to avoid all housing structures. Compensation plan implementation would need additional training for local FIPAG staff.</p> <p>Consider the involvement of women in the labour groups & spread the benefits of this practice to women-headed households.</p> <p>Capacity building of UGF/DZF and GEP/DT for consultation and communication.</p>	<p>Compensation for lost property will be required. Advice one season in advance to cease cropping in road reserve areas to be used by the project.</p> <p>A compensation plan developed by FIPAG (communication & image section), a consultant, municipal council & CRA & includes involvement of local authorities for communication purposes. Monitoring via municipality & support from CRA.</p> <p>In principle there should be no need for resettlement planning as no significant civil work is expected</p> <p>Consider the involvement of women in the labour groups & spread the benefits of this practice to women-headed households.</p> <p>Capacity building of UGF/DZF and GEP/DT for consultation and communication.</p>	<p>Resettlement for lost property will be required. Advice one season in advance to cease cropping in areas to be used by the project.</p> <p>Capacity building of ES for ARP preparation and implementation or a consultants should be engaged for RAP preparation and implementation, depending on the magnitude of impact.</p> <p>Resettlement plan implementation and monitoring would need additional training for local FIPAG staff.</p> <p>Consider the involvement of women in the labour groups & spread the benefits of this practice to women-headed households.</p> <p>Capacity building of UGF/DZF and GEP/DT for consultation, communication and RAP implementation</p>	<p>Resettlement for lost property will be required. Advice one season in advance to cease cropping in areas to be used by the project.</p> <p>Capacity building of ES for ARP preparation and implementation or a consultants should be engaged for RAP preparation and implementation, depending on the magnitude of impact.</p> <p>Resettlement plan implementation and monitoring would need additional training for local FIPAG staff.</p> <p>Consider the involvement of women in the labour groups & spread the benefits of this practice to women-headed households.</p> <p>Capacity building of UGF/DZF and GEP/DT for consultation, communication and RAP implementation</p>	<p>Resettlement for lost property will be required. Advice one season in advance to cease cropping in areas to be used by the project.</p> <p>Capacity building of ES for ARP preparation and implementation or a consultants should be engaged for RAP preparation and implementation, depending on the magnitude of impact.</p> <p>Resettlement plan implementation and monitoring would need additional training for local FIPAG staff.</p> <p>Consider the involvement of women in the labour groups & spread the benefits of this practice to women-headed households.</p> <p>Capacity building of UGF/DZF and GEP/DT for consultation, communication and RAP implementation</p>	

Appendix

16.4 Land Use Assessment Form (for Land Use Acquisition)

MINISTÉRIO DE OBRAS PÚBLICAS, HABITAÇÃO E RECURSOS HÍDRICOS

AVALIAÇÃO DE TITULARIDADE DE USO DA TERRA			F-1/1
A.T.U.T.			
CIDADE :	PROVINCIA :	DATA:	Nº
I - OBRA A SER EXECUTADA			
Descrição :			
Área de construção (m2):		Área total do terreno (m ²) :	
II - LOCALIZAÇÃO DO TERRENO			
Localização do terreno :			
Localidade :		Bairro :	
Posto Administrativo :		Zona:	
Coordenadas do terreno (por GPS) :			
III – TITULAR DO TERRENO			
Direito de Uso e Aproveitamento da Terra : Público () Privado ()			
Nome :		Nº do título :	
Endereço :			
Data de emissão do título : :		Validade :	

Outras informações :

IV – UTILIZAÇÃO ACTUAL DA TERRA

USO ACTUAL : Sem uso () Agricultura () Comércio () Outros _____

V - PARECER

- A) O local está disponível para concessão do direito de uso e aproveitamento. ()
- B) O Titular do terreno existe mas não foi localizado. ()
- C) Será necessário montar um processo de titulação do direito de uso. ()
- D) Será necessário montar um processo somente para cadastro. ()
- E) Será necessário revogar direito de uso por motivos de interesse público. ()
- F) O perímetro do terreno não está definido. . ()
- G) Outros . ()

OBSERVAÇÕES :

Elaborado por :

Assinatura :

Data :

Aprovado por :

Assinatura :

Data :

Appendix

16.5 Structure for Preparation of RAP/ARAP

Full RAP Outline

Introduction

- Brief description of the project with a list of project components including associated facilities. Description of project components requiring land use rights acquisition and resettlement with overall estimates of land rights acquisition and resettlement necessary.

Minimizing Resettlement

- Efforts made to minimize displacement, the results expected by these and the mechanisms used to minimize displacement during implementation.

Census and Socioeconomic Surveys

- The results of the census, assets inventories, natural resource assessments, and socioeconomic surveys should be presented. All categories of impacts and people affected should be identified and a summary of consultations on the results of the various surveys with affected people. If there is a need for updates to the census, assets inventories, resource assessments, and socioeconomic surveys, this should be mentioned and planned for as part of RAP monitoring and evaluation.
- All impacts quantified

Legal Framework

- All relevant Mozambican laws and customs that apply to resettlement and the gaps between the Mozambican laws and World Bank policies should be identified. Project specific legal mechanisms to address conflicts may be covered here.

Entitlements

- Describe entitlement policies for each category of impact and specify that resettlement implementation will be based on specific provisions of agreed RAP.
- Describe method of valuation used for affected structures, land, trees, and other assets. Prepare entitlement matrix.

Resettlement Measures and Income Restoration

- Are the compensation entitlements sufficient to restore income streams for each category of impact? What additional economic rehabilitation measures are necessary?
- Briefly spell out the compensation packages and restoration strategies for each category of impact and describe their institutional, financial, and technical aspects.
- Describe the process of consultation with affected populations and their participation in finalizing strategies for income restoration.
- How do these strategies vary with the area of impact?
- Does income restoration require change in livelihoods, development of alternative farmlands or some other activities that require a substantial amount of training, time for preparation, and implementation.
- How are the risks of impoverishment to be addressed?

- What are the main institutional and other risks for the smooth implementation of the resettlement programs?
- Describe the process for monitoring the effectiveness of the income restoration measures.
- Describe any social or community development programs currently operating in or around the project area. If programs exist, do they meet the development priorities of their target communities? Are there opportunities for the project proponent to support new programs or expand existing programs to meet the development priorities of communities in the project area?

Resettlement Sites

- Does the project require community relocation sites? Have affected people been involved in a participatory process to identify sites, assess advantages and disadvantages of each site, and select preferred sites?
- Have the affected people been involved in developing an acceptable strategy for housing replacement? Will new housing be constructed/allocated?
- Does the project involve allocation of agricultural land or pasture/rangeland?
- Have the individual households that will be allocated lands been involved in identifying potential new sites, and have they explicitly accepted the selected sites?
- Describe the specific process of involving affected populations in identifying potential housing sites, assessing advantages and disadvantages, and selecting sites.
- Describe the feasibility studies conducted to determine the suitability of the proposed sites, including natural resource assessments (soils and land use capability, vegetation and livestock carrying capacity, water resource surveys) and environmental and social impact assessments of the sites.
- Demonstrate that the land quality and area are adequate for allocation to all of the people eligible for allocation of agricultural land. Provide data on land quality and capability, productive potential, and quantity.
- Give calculations relating to site requirements and availability.
- Describe mechanisms for: 1) procuring, 2) developing and 3) allotting resettlement sites, including the awarding of title or use rights to allotted lands.
- Provide detailed description of the arrangements for site development for agriculture, including funding of development costs.
- Have the host communities been consulted about the RAP? Have they participated in the identification of likely impacts on their communities, appropriate mitigation measures, and preparation of the RAP? Do the host communities have a share of the resettlement benefits?

Housing, Infrastructure and Social Services

- Describe plans to provide or to finance resettlers' provision of housing, water supply and access roads infrastructure, and social services such as schools and health services;
- Describe plans to ensure comparable services to host populations;
- Provide information about any necessary site development, engineering, and architectural designs for these facilities.

Environmental protection and management

- Describe the boundaries of the relocation area;
- Assess the environmental impacts of the proposed resettlement and measures to mitigate and manage these impacts (coordinated as appropriate with the environmental assessment of the main investment requiring the resettlement).

Participation and Consultation

- Describe the various stakeholders.
- Describe the process of promoting consultation/participation of affected populations and stakeholders in resettlement preparation and planning.
- Describe the involvement of resettlers and host communities in preparing the RAP, a summary of their views and choices made regarding resettlement sites and organization of settlement, compensation and assistance, access to cultural property.
- Describe the process of involving affected populations and other stakeholders in implementation and monitoring.
- Describe the plan for disseminating RAP information to affected populations and stakeholders, including information about compensation for lost assets, eligibility for compensation, resettlement assistance, and grievance redress.

Measures to mitigate the impact of resettlement on host communities

- Describe and report on consultations with host communities and local governments;
- Describe arrangements for prompt tendering of any payment due the hosts for land or other assets provided to resettlers; arrangements for addressing conflicts that may arise between resettlers and host communities; and measures necessary to augment services in host communities to make them at least comparable to services available to resettlers.

Institutional Arrangements

- Describe the institution(s) responsible for delivery of each item/activity in the entitlement policy; implementation of income restoration programs; and coordination of the activities associated with and described in the resettlement action plan.
- State how coordination issues will be addressed in cases where resettlement is spread over a number of jurisdictions or where resettlement will be implemented in stages over a long period of time.
- Identify the agency that will coordinate all implementing agencies. Does it have the necessary mandate and resources?
- Describe the external (non-project) institutions involved in the process of income restoration (land development, land allocation, credit, training) and the mechanisms to ensure adequate performance of these institutions.
- Discuss institutional capacity for and commitment to resettlement.
- Describe mechanisms for ensuring independent monitoring, evaluation, and audit of the RAP and for ensuring that corrective measures are carried out in a timely fashion.

Grievance Redress

- Describe the step-by-step process for registering and addressing grievances and provide specific details regarding a cost-free process for registering complaints, response time, and communication modes.
- Describe the mechanism for appeal.

- Describe the provisions for approaching civil courts if other options fail.

Implementation Schedule

- List the chronological steps in implementation of the RAP, including identification of agencies responsible for each activity and with a brief explanation of each activity.
- Prepare a month-by-month implementation schedule (using a Gantt chart, for example) of activities to be undertaken as part of resettlement implementation.
- Describe the linkage between resettlement implementation and initiation of civil works for each of the project components.

Costs and Budgets

- Provide a clear statement of financial responsibility and authority.
- List the sources of funds for resettlement and describe the flow of funds.
- Ensure that the budget for resettlement is sufficient and included in the overall project budget.
- Identify resettlement costs to be funded by the government and the mechanisms that will be established to ensure coordination of disbursements with the RAP and the project schedule.
- Prepare an estimated budget, by cost and by item, for all resettlement costs including planning and implementation, management and administration, monitoring and evaluation, and contingencies.
- Describe the specific mechanisms to adjust cost estimates and compensation payments for inflation and currency fluctuations.
- Describe the provisions to account for physical and price contingencies.
- Describe the financial arrangements for external monitoring and evaluation including the process for awarding and maintenance of contracts for the entire duration of resettlement.

Monitoring and Evaluation

- Describe the internal/performance monitoring process.
- Define key monitoring indicators derived from baseline survey. Provide a list of monitoring indicators that will be used for internal monitoring.
- Describe institutional (including financial) arrangements.
- Describe frequency of reporting and content for internal monitoring.
- Describe process for integrating feedback from internal monitoring into implementation.
- Define methodology for external monitoring.
- Define key indicators for external monitoring.
- Describe frequency of reporting and content for external monitoring.
- Describe process for integrating feedback from external monitoring into implementation.
- Describe arrangements for final external evaluation.

Annexes

- Copies of census and survey instruments, interview formats, and any other research tools.
- Information on all public consultation including announcements and schedules of public meetings, meeting minutes, and lists of attendees.

Content of ARAP/Compensation Plan

The draft ARAP/Compensation Plan must include at least the following elements:

Elements to be included in the Compensation Plan	Details of elements to be included in the Compensation Plan
A <u>census</u> of affected persons and a <u>survey of affected assets</u> with a valuation of affected assets;	Census results – number of PAPs and a description of households: profile of the family (n ^o members, sex, age, education, activity, chronic illnesses), the main source of income, monthly income, ownership of affected and unaffected assets, access to services, etc. List and description of affected assets.
<u>Description of compensation and other assistance</u> to be provided	Should indicate the formula/criteria used and the prices considered (as well as how the values were determined) indicating the chosen compensation option (where applicable).
<u>Consultations</u> with displaced persons on acceptable alternatives;	Report on consultations with PAPs and other stakeholders, the subjects discussed and the results. The agreements discussed and signed with the PAPs, minutes of meetings with lists of participants, individual agreements signed, etc. must be mentioned in the Compensation Plan and attached.
<u>Institutional responsibility</u> for implementation and procedures for grievances, procedures for appeals and resolving complaints;	Include the responsibilities, the individuals (name, contact and function) and the structure authorised to implement the Plan. Indicate the composition and articulation of the system for Grievances and Complaints Redress.
<u>Monitoring and implementation arrangements</u>	Identify the tasks of the Focal Points and other institutions and persons to be involved and their responsibilities. Present the chronology for monitoring activities compared to the Project schedule.
<u>Schedule and budget</u>	The budget must indicate the total compensation amounts and all costs implied in implementation, in detail.

Elements to be included in the Compensation Plan	Details of elements to be included in the Compensation Plan
	The schedule must show the planned date for handing over compensation to each affected person and the monitoring period considered.
Annex I	Minutes of consultations and the reports on them can be attached as an annex.
Annex II	The list of PAPs (including place of residence and telephone contact), losses and status with regard to the agreement signed on losses.

Appendix

16.6 Institutional Organization and Overview of Responsibilities

Institutional Organization and Overview of Responsibilities for Resettlement		
WASIS II		
Screening		
Activity Phase	Institution / Agency	Responsibilities
Project planning	FIPAG, Environmental Specialist of Central Projects and Investments Services (SCPI) and Regional Safeguards Officer	Ensure project planning and design TOR includes measures to avoid or minimize need for compensation or resettlement (ESMF/RPF).
	FIPAG Op. Area, Studies and Projects Office (GEP), Technical Department (DT) and Supply Zones Department (DZF) and Safeguards Officers	Identify needs for compensation or resettlement for specific sector projects. Carry out screening assessments.
	FIPAG Environmental Specialist (SCPI) and Regional Safeguards Officer	Assist with screening assessments.

RAP Preparation		
Activity Phase	Institution / Agency	Responsibilities
Socio-economic baseline & impact assessment with mitigation actions.	ESIA Consultant or Environmental Officer from Consulting Engineer team	Community consultation, field survey, identification of income and livelihoods data and potential impacts of project. Ensure mitigation recommendations identify if a RAP is necessary and describes level of complexity and potential numbers affected.
RAP Preparation	FIPAG General Director	Project Authority. Strategic and oversight responsibilities for inter-institutional relationships and communication mechanisms. Ensuring compliance concerning public consultation and disclosure. Declares the cut-off date.
RAP Preparation	FIPAG Environmental Specialist (SCPI)	Ensure EIA scoping of planned project identifies if resettlement required and potential scale. Ensure EIA of a project includes a RAP if identified in the scoping. Present this intention formally to the District Resettlement Commission.
RAP/ARP Preparation	ESIA/RAP Consultant	Community consultation, census, inventory of losses, family income-flow, resettlement site and conditions, consultation with host community, leaders and other stakeholders, establishment of resettlement and compensation agreements, develop draft RAP/ARP.
ARP or Compensation Plan preparation	ESIA/RAP Consultant or Municipal Council/District Services/NGO service provision	Community consultation, census, inventory of losses, family income-flow, resettlement site and conditions, consultation with host community, leaders and other stakeholders, establishment of resettlement and compensation agreements, develop draft ARP/Compensation Plan.
RAP / ARP Preparation	District Resettlement Commission (DRC)	Declare initiation of resettlement planning process to affected communities, accompany all 4 community consultation meetings for RAP, resettlement site identification and use rights acquisition. Provide technical opinions on all stages of resettlement planning and the draft and final RAP /ARP.
RAP / ARP Preparation	Municipal Urbanisation and Planning departments / District Economic Area Services	Resettlement site identification with displaced people. Ensure acquisition of use rights. Accompany ESIA/RAP consultant if contracted, if not, accompany FIPAG OA- DEP carrying out social facilitation to collect information and negotiation for RAP/ARP, and develop the document according to the RPF.
RAP/ARP / Compensation Plan Preparation	FIPAG Regional and OA Safeguards Officers, Municipal Urbanisation and Planning departments / District Economic Area Services	Resettlement site verification, acquisition of use rights, physical planning and supervision.
RAP/ARP / Compensation Plan Preparation	FIPAG OA Safeguards Officers, Municipal Council Urbanisation and Financial Planning Depts./District Services of Infrastructure and Public Works (SDPI)	Assist in the inventory and evaluation of displaced people's structural assets.
RAP/ARP / Compensation Plan Preparation	FIPAG OA Safeguards Officers, Municipal Council Urbanisation and Financial Planning Depts./District Services of Economic Activities (SDAE)	Assist in the inventory and evaluation of displaced people's crops.
RAP / ARP Preparation	Municipal local authorities, Heads of Administrative Posts and Localities	Assist with resettlement site location together with Neighbourhood Secretaries and community leaders
	Provincial Resettlement Commission (PRC)	Support the DRC technically, and ensure services and decisions required from provincial level are timely and efficiently provided. Participate in public consultation meetings where necessary.
	Technical Commission for Monitoring and Supervision	Ensure resettlement planning process is compliant with legislation, support the PRC with technical material and advice. Participate in 4 public consultation meetings.
	District Government	Approves the RAP/ARP.

Resettlement implementation

Activity Phase	Institution / Agency	Responsibilities
Resettlement implementation	FIPAG General Director	Project Authority. Strategic and oversight responsibilities for inter-institutional relationships and communication mechanisms. Ensuring compliance concerning public consultation and disclosure.
	FIPAG, Central Projects and Investments Services (SCPI) FIPAG Environmental Specialist (SCPI), Regional and Operation Area Safeguards Officers	Financial management of project funds, compensation payment and registration. Supervision of the resettlement process via contracted or in-house facilitators.
	Municipal Council Services/District Services/NGO service provision	Facilitate the social and technical resettlement processes ensuring continuity of consultation through the RAP/ARP development phase. As members of the District Resettlement Commission support the Community Resettlement Committees and provide information to the Provincial Resettlement Commission and FIPAG SCPI.
	District Resettlement Commission (DRC)	Responsible for supervising and monitoring the development of the RAP and its implementation via a Service Provider and community Resettlement Committees.
	Environmental Councillor of affected Municipal area	Participate in the District Resettlement Commission and provide the link between this and Municipal Council services involved in implementation.
	Cadastral section of Urban Planning Services or SDAE	Resettlement site planning and demarcation for resettlement. Provide tenure legalization services.
	Cadastral section of Urban Planning Services or SDAE	Substitute agricultural areas site selection and legalization.
	FIPAG SCPI / FIPAG AO GEP	Ensure appropriate house design in consultation with affected people, and tender for construction contractor for houses and social infrastructure, supervise construction and hand-over.
	Municipal / District Economic Activities services	Assist in agricultural development in resettlement areas.
	Municipal / District Economic Activities services	Assist in displaced people's livelihood rehabilitation and promotion of small enterprise development etc.
	Municipal and District local authorities	Ensure public participation in consultation via the Service Provider and the District Resettlement Commission. Support coordination and supervise community consultation and participation in resettlement implementation at Bairro / Administrative Post levels and support monitoring.
	Provincial Resettlement Commission (PRC)	Support the DRC technically, and ensure services required from provincial level are provided in a timely and efficient way.
	FIPAG and DPOPHRH/SDPI	Develop adequate potable water sources for resettlers and host communities
	Municipal Education and Health Departments and the relevant Provincial Directorates	Provide teachers and health workers respectively, if needed by resettling and host communities
	Technical Commission for Monitoring and Supervision	Ensure resettlement process is compliant with legislation, support the PRC with technical material and advice.

Grievance communication & response

Activity Phase	Institution / Agency	Responsibilities
Grievance communication & response	Community Resettlement Committee (CRC)	Forum for linking community resettlement and compensation grievances to the Municipal or District services, the District Resettlement Commission and the Service Provider.
	Local leaders Neighbourhood / Bairro secretary or local authorities (Locality or Administrative Post Chief	Social, land and other resource-use based grievance resolution. Local conflict resolution.
	Service Provider (Social Facilitator)	Local conflict register, support to CRC to register grievances, referral of relevant grievances to the Project Authority for direct resolution in a timely fashion of resettlement and compensation issues.
	District Resettlement Commission (DRC)	Grievance and conflict resolution requiring district level authority. Resolution of issues relating to resettlement process misunderstandings or errors. Promote timely resolution of relevant issues by District / Municipal services or Project Authority.
	Provincial Resettlement Commission (PCR)	Resolution of issues referred on by District Resettlement Commission. Promote timely resolution of relevant issues by Provincial Services or Project Authority.
	Project Authority (FIPAG) through its OAs and Commercial Area Assistance Offices	Receive records of grievances from the Service Provider or DRC, categorise and direct responsibility to agencies, ensure timely responses, report on and archive closed cases.
	OA Safeguards Officers and Regional Safeguards Officers	Follow up cases referred to them by the Assistance Offices to reach an amicable solution in a participatory and appropriate way.
	Independent mediator	Nominated and agreed NGO, service provider, community representatives or similar to hear, investigate and respond to issues on request.
	Municipal <i>Provedor</i>	Hearing and investigation of unresolved issues and instructions for resolution to Municipal Services
	Mayor	Resolution of questions relating to issues outside of the Municipal Council.
Civil or Administrative Courts	Resolution of litigation brought by aggrieved parties.	

Monitoring and Evaluation

Activity Phase	Institution / Agency	Responsibilities
RAP/APR implementation and post-resettlement	ESIA/RAP/APR Consultant	Identification of indicators and M&E system for resettlement.
	District Resettlement Commission (DRC)	Monitor the resettlement process and the indicators identified in the RAP/ARP. Consult with CRC and if necessary, affected people and others. Manage collection of information via meetings and requests and channel relevant information to the Provincial Resettlement Commission. Produce reports of every meeting and final report at conclusion of resettlement for approval so main project works can be initiated.
	Provincial Resettlement Commission (PRC)	Provide technical and oversight support to the DRC and the Project Authority with monitoring and record-keeping. Provide monitoring reports to the CTASR.
	External auditor	Process and impact audit of resettlement if required as a means to learn lessons for future improvements.
	Project Authority (FIPAG GD)	Oversight of development and implementation of M&E system for resettlement.
	FIPAG Environmental Specialist (SCPI), Regional and Operational Area Safeguards Officers	Maintenance of monitoring records for every RAP / ARP and Compensation Plan and their implementation. Pass relevant disclosure information to the Communication and Image Office.
	Community Resettlement Committee	Participate in monitoring and evaluation.
Resettled people and host communities	Participate in monitoring and evaluation.	

Appendix

16.7 Individual Code of Conduct Preventing Gender Based Violence and Violence Against Children

I, _____, acknowledge that preventing gender-based violence (GBV) and violence against children (VAC) is important. The company considers that GBV or VAC activities constitute acts of gross misconduct and are therefore grounds for sanctions, penalties or potential termination of Employment. All forms of GBV or VAC are unacceptable be it on the work site, the work site surroundings, or at worker’s camps. Prosecution of those who commit GBV or VAC may be pursued if appropriate.

I agree that while working on the project I will:

- Consent to police background check.
- Treat women, children (persons under the age of 18), and men with respect regardless of race, colour, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status.
- Not use language or behaviour towards women, children or men that is inappropriate, harassing, abusive, sexually provocative, demeaning or culturally inappropriate.
- Not participate in sexual contact or activity with children—including grooming, or contact through digital media. Mistaken belief regarding the age of a child is not a defense. Consent from the child is also not a defense or excuse.
- Not engage in sexual favours—for instance, making promises or favourable treatment dependent on sexual acts—or other forms of humiliating, degrading or exploitative behaviour.
- Unless there is the full consent¹⁴ by all parties involved, I will not have sexual interactions with members of the surrounding communities. This includes relationships involving the withholding or promise of actual provision of benefit (monetary or non-monetary) to community members in exchange for sex—such sexual activity is considered “non-consensual” within the scope of this Code.
- Attend and actively partake in training courses related to HIV/AIDS, GBV and VAC as requested by my Employer.
- Consider reporting through the GRM or to my manager any suspected or actual GBV or VAC by a fellow worker, whether Employed by my company or not, or any breaches of this Code of Conduct.

1.1 _____

¹⁴ **Consent** is defined as the informed choice underlying an individual’s free and voluntary intention, acceptance or agreement to do something. No consent can be found when such acceptance or agreement is obtained through the use of threats, force or other forms of coercion, abduction, fraud, deception, or misrepresentation. In accordance with the United Nations Convention on the Rights of the Child, the World Bank considers that consent cannot be given by children under the age of 18, even in the event that national legislation of the country into which the Code of Conduct is introduced has a lower age. Mistaken belief regarding the age of the child and consent from the child is not a defense.

With regard to children under the age of 18:

- Wherever possible, ensure that another adult is present when working in the proximity of children.
- Not invite unaccompanied children unrelated to my family into my home, unless they are at immediate risk of injury or in physical danger.
- Not sleep close to unsupervised children unless absolutely necessary, in which case I must obtain my supervisor's permission, and ensure that another adult is present if possible.
- Use any computers, mobile phones, or video and digital cameras appropriately, and never to exploit or harass children or to access child pornography through any medium (see also "Use of children's images for work related purposes" below).
- Refrain from physical punishment or discipline of children.
- Refrain from hiring children for domestic or other labour which is inappropriate given their age or developmental stage, which interferes with their time available for education and recreational activities, or which places them at significant risk of injury.
- Comply with all relevant local legislation, including labour laws in relation to child labour.

Use of children's images for work related purposes

When photographing or filming a child for work related purposes, I must:

- Before photographing or filming a child, assess and endeavour to comply with local traditions or restrictions for reproducing personal images.
- Before photographing or filming a child, obtain informed consent from the child and a parent or guardian of the child. As part of this I must explain how the photograph or film will be used.
- Ensure photographs, films, videos and DVDs present children in a dignified and respectful manner and not in a vulnerable or submissive manner. Children should be adequately clothed and not in poses that could be seen as sexually suggestive.
- Ensure images are honest representations of the context and the facts.
- Ensure file labels do not reveal identifying information about a child when sending images electronically.

Sanctions

I understand that if I breach this Individual Code of Conduct, my Employer will take disciplinary action which could include:

- Informal warning.
- Formal warning.

- Additional Training.
- Loss of up to one week's salary.
- Suspension of Employment (without payment of salary), for a minimum period of 1 month up to a maximum of 6 months.
- Termination of Employment.
- Report to the police if warranted.

I understand that it is my responsibility to avoid actions or behaviours that could be construed as GBV or VAC or breach this Individual Code of Conduct. I do hereby acknowledge that I have read the foregoing Individual Code of Conduct, do agree to comply with the standards contained therein and understand my roles and responsibilities to prevent and respond to GBV and VAC. I understand that any action inconsistent with this Individual Code of Conduct or failure to take action mandated by this Individual Code of Conduct may result in disciplinary action and may affect my ongoing Employment.

Signature: _____

Printed Name: _____

Title: _____

Date: _____

16.8 Property Identification Form

Name of Project:			
Identification Record of Upgraded Property:			
District:	Province:	Date	N°.
I- Work to be done			
Description:			
II- Location of the Land			
Location of the Land:			
Locality:		Neighbourhood:	
Administrative Post:		Zone:	
Coordinates of the land (GPS):			
III – Title Holder of the Land			
Right to Use and Benefit from the Land : Public () Private ()			
Name:		Title N°:	
Address:			
Identification document:		Validity:	
Other Information:			
IV - Current Land Use			
Current Use: No use () Agriculture () Trade () Housing ()			
Other ()			
V - Opinion			

Prepared by:		
Institution:	Signature:	Date:
Approved by:		
Institution:	Signature:	Date:
Signature of Land Title Holder:		

CHARACTERISTICS OF AFFECTED ASSETS

IN CASH					
DESCRIPTION	Quantity	Age (years)	Area (m ²)	Price	VALUE (MT)
Total					

16.9 Voluntary Land Donation Form

The Voluntary Land Donation can be used for linear projects, including water and energy networks. The following details how these scenarios should be managed. Land acquisitions within the Corridor of Impact (CoI) are subject to compensation as described in the entitlement matrix. In addition, land can also be acquired through a Voluntary Land Donation (VLD). The VLD is applicable if the PAPs do not lose more than 10% of their land and if the PAPs’ livelihoods are not affected.

This protocol will apply in limited situations, such as land needed to establish a camp, borrow pits etc. As land in Mozambique belongs to the State, PAPs have the Land Use Rights. All assets on the land are subject to compensation based on the eligible criteria identified.

Province/Region:	
District:	
Community:	
Subproject ID:	

Name of land owner:	ID number:	Project Beneficiary: Yes/No		
Sex:	Age:	Occupation:		
Address:				
Description of the land that will be used for the project:	Affected Area:	Total area of land held by the PAP:	Affected land as a proportion of the total land held:	Map Code, if it exists:
Description of annual crops that exist now in the ground and the project’s impacts:				
	Details		Number	
– Trees that will be removed				
– Fruit trees				
– Trees used for other economic and domestic purposes				
– Fully grown forest trees				
– Others				

Describe any other assets that will be lost or must be moved to implement the project:
Value of assets granted:
Land rights -
Other assets -

The user or donor of the land confirms that he/she has received information on the project and understands that the above assets will be transferred (permanently or temporarily) and that he/she will not have access to the land or assets (specify the restricted time or use).

If the user or owner of the land does not wish to contribute his/her assets to the project, he/she must refuse to sign or provide a fingerprint and, instead, request compensation.

Date:

Date:

Signature of the Community Leader

Signature of the affected person

(both, husband and his wife)

16.10 Compensation Agreement Form

**FORM FOR COMPENSATION AGREEMENT
WITH PROJECT AFFECTED PERSONS (PAPs)**

<i>Full name of the project affected person (photo to be attached to this form)</i>		<i>Number of identification document</i>	
<i>Village or Municipality</i>	<i>Administrative Post</i>	<i>District</i>	
<i>Address</i>	<i>Mobile phone (if available)</i>	<i>PAP N° in the database</i>	<i>Numbers of assets in the database (if applicable)</i>

1. **Total value of compensation for crops, trees, associated infrastructure, business and other allowances:**
 MT.

2. **Value of payment for crops and trees:**

<i>Type</i>	<i>Crops (Ha)</i>	<i>Trees (No)</i>	<i>Value (MT)</i>
Total			

3. **Payment for affected infrastructure and associated**

<i>Type</i>	<i>Infrastructure or Associated</i>	<i>Size (m²)</i>	<i>Value (MT)</i>
Total			

4. **Payment for affected business revenue and assets**

Type	Business	Monthly income (MT)	Value (MT)
Total			

5. Land replacement

Type	Size (area)	Current use	Replacement in kind/replacement allowance in MT

6. Compensation agreement:

(a) Direct cash payment (Only valid for crops and trees)

..... **Total Value:**

(b) Formal allocation of ----- ha of agricultural/commercial land replaced by ----- District Administration (other part), in a replacement location identified by the District Services for Economic Activities and accepted by the PAP, with a DUAT title (or land replacement allowance): **Total Value:.....]**

(c) Direct cash payment (infrastructure and associated assets)

Total Value:.....

7. Information on bank accounts.

(a) Bank account:

<i>Name of bank</i>	<i>Branch</i>	<i>Full name of account holder</i>	<i>Account number</i>	<i>BIC (NIB) nº.</i>

(b) Mobile account:

<i>Name of telephone operator</i>	<i>Commercial name of mobile account service</i> <i>e.g. M-pesa</i>	<i>Mobile phone number</i>	<i>Full name of mobile account holder</i>

I prefer to receive monetary amounts in the above-mentioned account

_____.

8. I agree to vacate the site on [x Days/Months] after the compensation in kind has been provided and all monetary payments have been concluded.

9. Tenants: Yes / No.

If yes, depending on the tenure, the tenant receives compensation for crops and an allowance for disturbance, including all transitional losses. The owner receives land, lost perennial trees, structures, and an allowance for disturbance (lost rent). Both the tenant and the owner sign the compensation contract.

10. Applicable allowances

(a) Name or reason for allowance:
 Value:

(b) Name or reason for allowance:
 Value:

(c) Name or reason for allowance:
..... Value:

Sum Total of all allowances MT

11. Signature of beneficiary and spouse

I..... confirm that I have read and understood the information in this form and accept, without claims, the compensation amount and additional benefits. I understand that the calculation of my entitlement to restitution in kind and monetary compensation was done impartially, based on good practices and considering the full restitution value (market value plus transaction costs). I also agree to take with me the assets on the land or my property in line with the project’s security procedures and to vacate the place in....days/month(s) after compensation in kind has been provided and all monetary compensation paid and while actions to restore livelihoods are ongoing.

The beneficiary (head of family)

Name:..... Signature:..... Date:/...../.....

Spouse of (a) beneficiary (a)

Name:..... Signature:..... Date:/...../.....

12. Other Signatures

Name:.....Signature:.....Date:...../...../.....

District Administration/District Economic Activities Service:

Name:.....Signature:.....Date: /...../.....

District Administration/ District Planning and Infrastructure Service :

Name:..... Signature:..... Date:/...../.....

Representative of consultant/Service Provider

Name:..... Signature:..... Date:/...../.....

Local community leader

Name:.....Signature:..... Date:/...../.....

Witness (e.g. neighbour, friend etc.)

Name:.....Signature:..... Date:/...../.....