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Ministry of Environment, Water and Climate
Zimbabwe National Water Authority

ZIMBABWE NATIONAL WATER PROJECT

Resettlement Policy Framework

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Abbreviations

ESMP	Environment and Social Management Plan
OP	Operational Policy (World Bank)
PAP	Project Affected Person
PIT	Project Implementation Team
PIU	Project Implementation Unit
Project	Zimbabwe National Water Project
QAO	Quality Assurance Office (PIU safeguards office)
RAP	Resettlement Action Plan
RDC	Rural District Councils
RPF	Resettlement Policy Framework
ZINWA	Zimbabwe National Water Authority

Definition of Terms

- **“Associated projects”** means any subprojects or activities which are directly related to the World Bank project.
- **“Census”** means a field survey carried out to identify and determine the number of Project Affected Persons (PAPs), their assets, and potential impacts. The census will be carried out in accordance with the procedures, satisfactory to the relevant government authorities, and the World Bank Safeguard Policies. The meaning of the word shall also embrace the criteria for eligibility for compensation, resettlement and other measures, emanating from consultations with affected communities and the Local Leaders.
- **“Compensation”** means the payment in kind, cash or other assets given in exchange for the taking of land, or loss of other assets, including fixed assets thereon, in part or whole.
- **“Cut-off date”** is the date of commencement of the census of PAPs within the project area boundaries. This is the date on and beyond which any person whose land is occupied for project use, will not be eligible for compensation.
- **“Project affected persons (PAPs)”** means persons who as a result of Project activities, for reasons of the involuntary taking or voluntary contribution of their land and other assets, results in direct economic and or social adverse impacts, regardless of whether or not PAPs are required to physically relocate. These people may have their:
 - Standard of living adversely affected, whether or not the PAP must move to another location;
 - Right, title, interest in any house, land or any other fixed or movable asset acquired or possessed, temporarily or permanently, adversely affected;
 - Access to productive assets adversely affected, temporarily or permanently;
 - Business, occupation, work or place of residence or habitat adversely affected.
- **“Involuntary Displacement”** means the involuntary taking of land resulting in direct or indirect economic and social impacts caused by:
 - Loss of benefits from use of such land;
 - Relocation or loss of shelter;
 - Loss of assets or access to assets; or
 - Loss of income sources or means of livelihood, whether or not the project affected person has moved to another location.
- **“Involuntary Land Acquisition”** is the taking of land by government or other government agencies for compensation, for the purposes of a public project against the will of the landowner. The landowner may be left with the right to negotiate the amount of compensation proposed. This includes land or assets for which the owner enjoys uncontested customary rights.
- **“Land acquisition”** means the taking of or alienation of land, buildings or other assets thereon for purposes of the Project.
- **“Rehabilitation Assistance”** means the provision of development assistance in addition to compensation such as land preparation, credit facilities, training, or job opportunities, needed to enable project affected persons to improve their living standards, income earning capacity and production levels; or at least maintain them at pre-project levels.

- **“Resettlement Action Plan (RAP)”** is a resettlement instrument to be prepared when subproject locations are identified. In such cases, land acquisition leads to physical displacement of persons, and/or loss of shelter, and /or loss of livelihoods and/or loss, denial or restriction of access to economic resources. RAPs are prepared by the party impacting on PAPs and their livelihoods. RAPs contain specific and legally binding requirements to be abided by to resettle and compensate the affected party before implementation of the project activities causing adverse impacts.
- **“Replacement cost”** means replacement of assets with an amount sufficient to cover full replacement cost of lost assets and related transaction costs. In terms of land, this may be categorized as follows;
 - “Replacement cost for agricultural land” means the pre-project or pre-displacement, whichever is higher, value of land of equal productive potential or use located in the vicinity of the affected land, plus the costs of preparing the land to levels similar to those of the affected land, including any registration, transfer taxes and other associated fees;
 - “Replacement cost for houses and other structures” means the prevailing cost of replacing affected structures of the quality similar to or better than that of the affected structures. Such costs shall include: building materials, transporting building materials to site, any labor and contractors’ fees; and any registration costs.
- **“Vulnerable Groups”** refers to families and individuals whom, among other things are characterized by low nutrition levels, low or no education, lack of employment or revenues, old age or affected by gender bias. This may include:
 - Widows, the disabled, low income households and informal sector workers;
 - Households with chronic unemployment/underemployment;
 - Child headed households and street children,
 - Otherwise marginalized groups.

Executive Summary

This Resettlement Policy Framework (RPF) is prepared in accordance with standards of the Government's policy and legal framework, and the World Bank's Operational Policy 4.12 on Resettlement (OP4.12). The RPF establishes the procedures and compensation principles for resettlement impacts, as defined by OP4.12, that may occur in relation to Zimbabwe National Water Project (the Project) activities or Project associated activities. The RPF outlines the organizational arrangements and design criteria to be applied to meet the needs of the people who may be affected by the Project.

Potential resettlement impacts relate to investments under Component 1 which covers improvements to existing transmission routes, expansion of the distribution networks, treatment plants and ancillary works. The first phase of investments includes priority works in Guruve, Zimunya and Lupane. The second phase, expected to commence in 2018, will provide investments for Madziwa, Nembudziya, Gutu and Mataga.

At project appraisal, the project sites under both phases were screened in accordance with OP4.12 and no resettlement impacts were identified. OP4.12 was therefore not triggered. However, during initial project implementation small infrastructure, such as private pit latrines and septic tanks, were found to occupy some of the right of way for the transmission routes in Guruve. This RPF has therefore been prepared retroactively to guide current and forthcoming Project implementation, including associated projects, to ensure appropriate handling of any adverse resettlement impacts, and provide procedures for avoidance and mitigation. A remedial Resettlement Action Plan (RAP) will be prepared to guide the compensation and management of mitigation measures for existing impacts in Guruve.

The RPF is to be in keeping with policies and legislative framework of Zimbabwe, international best practice and the World Bank Operational Policies, specifically OP4.12. The primary objective of OP4.12 is to ensure that Project Affected Persons (PAPs) are assisted to improve, or as a very minimum restore, their former living standards, income earning capacity, and production levels.

Under the Project the key principles of OP4.12 should be applied regardless of stipulation in national law:

1. Infrastructure investments, such as works on existing transmission routes, expansion of the distribution network, treatment plants and ancillary works, should be planned to avoid or minimize disturbance and destruction of private property,
2. Where adverse impact is unavoidable, RAPs and associated activities should be seen and executed as development programs;
3. PAPs, as defined in the eligibility section, are entitled to compensation for the full replacement costs;
4. PAPs should be provided with sufficient investment resources and opportunities to share in Project benefits, specifically through improved access to water and sanitation.

Should the pre-construction screening identify resettlement impacts, the Project Implementation Unit (PIU) will either oversee redesign of project associated facilities or prepare a RAP to provide operational guidance on the mitigation of adverse impacts. The PIU will work in close consultation with the Rural District Council (RDC), RDC councilors

and affected households. The PIU will ensure through the relevant local Project Implementation Team (PIT) structures that the RDC, RDC councilors and the contractor engaged on specific projects are appraised of resettlement impact, should any remedial work be required during project implementation.

The PIU is piloting a grievance mechanism in Guruve in relation to the RPF implementation which will be accessible to all affected households as well as any concerned members of the community. In addition, ZINWA will establish a toll-free customer line where any grievance related to the project will be referred to the PIU for resolution. The grievance can be any issue, concern, problem, complaint or claim (perceived or actual) raised by an individual or a group within the community affected by the Project's operations that an individual or group wants the Project to address and resolve. The PIU has established target timeframes and procedures to handle any grievance to ensure that it is fully accessible, that grievances are adequately registered, assessed and responded to and ultimately resolved. The PIU will monitor the effectiveness of the grievance process to implement in all Project areas following the completion of the remedial RAP for Guruve.

The triggering of OP4.12 does not currently require additional budget for the PIU, but will be implemented along with existing supervision and monitoring of the ESMPs that were developed for all Project locations. ZINWA has seconded officials to address the immediate issues related to Guruve at no additional cost to the Project management. The remedial works required to address the resettlement impact in Guruve will be covered within the remaining budget allocated for the site. As part of the remedial work, investments will be made in upgrades of the sewerage system covering the Tsatse location which will benefit households that did not experience resettlement impact. A total budget of \$73,000 has been allocated for work.

As part of the preparation of the RPF key stakeholders were consulted. These include: ZINWA project officials, RDCs and PITs. In addition, affected households in Guruve were consulted specifically in relation to the remedial RAP. All Project officials in the PIU and PITs in Guruve, Lupane and Zimunya have been trained in screening Project sites for resettlement impact.

The RPF has been prepared as an instrument to be used throughout the life of the Project. The RPF will be publicly disclosed in all project areas through public meetings organized by the RDCs. In addition, printed copies will be available to the public at RDC offices and at the PIU in Harare. The RPF is also disclosed on the World Bank's external website and the ZINWA website. As the Project is operating in formally developed urban areas where all households are fluent in English, the document is going to be disclosed in English.

1. Project Overview

The Zimbabwe National Water Project (Project) development objective is to improve access and efficiency in water services in selected growth centers and to strengthen planning and regulation capacity for the water and sanitation sector. The Project will be implemented by the Zimbabwe National Water Authority (ZINWA) based on the seven national catchment boundaries corresponding to the seven major rivers in Zimbabwe. Seven priority water supply schemes, considered growth centers, one from each catchment out of a combined fifty assessed schemes were prioritized under the project. These are: Madziwa (Mazowe Catchment), Guruve (Manyame Catchment), Nembudziya (Sanyati Catchment), Gutu (Runde Catchment), Mataga (Mzingwane Catchment), Zimunya (Save Catchment) and Lupane (Gwayi Catchment).

The Project consists of three components:

- a. Component 1: Growth Center Water and Sanitation Improvements (\$14.04 million);
- b. Component 2: Technical Assistance (\$5.11 million) to: develop National Water Resources Master Plan, Establish a Water Services Regulator, TA to Local Authorities, Institutional strengthening of ZINWA and general training needs;
- c. Component 3: Project Management (\$0.85 million).

The RPF relates to investments under Component 1 which covers improvements to existing transmission routes, expansion of the distribution networks, treatment plants and ancillary works. The first phase of investments includes priority works in Guruve, Zimunya and Lupane. The second phase, expected to commence in 2018, will provide investments for Madziwa, Nembudziya, Gutu and Mataga. The targeted project interventions will be implemented in the Rural District Councils' (RDCs) high- and medium-density planned residential areas. In some cases, the planned areas are already occupied.

OP4.12 was not triggered at Project appraisal since physical inspections of the project areas at that time showed that the building lines were clear and there were no physical structures obstructing installation of water distribution networks. The land on which the project treatment plants and ancillary works will be located belongs to the RDCs and ZINWA. However, during initial work by the contractor in Guruve, 18 private structures were found to impede on planned building lines. These structures were built after the initial inspections took place and with permission to erect temporary sanitation facilities from the RDC or local councilors. The implicit understanding was that such facilities would be permitted until such time public provision of sanitation would be in place. The Project investments in Guruve did not include sanitation, but as part of the remedial works approximately half of the Tsatse households will be offered water borne sewerage services.

This RPF was prepared to guide Project management of any resettlement impact that may have appeared on in phase 1 or 2 communities following project appraisal. The areas targeted for investment have been subject to additional housing development since the inception of the project, and while the RDCs provide building guidelines in regards to right of way for transmission and connection pipelines, the experience in Guruve has shown that such guidance may not adequately follow planning stipulations and thus impede on planned water infrastructure. A remedial RAP was prepared separately to guide the mitigation actions needed in Guruve. The Project is expected to avoid any additional resettlement impact during phase 1 of the project, but given the time lag between phase 1 and 2, additional impact may be found in phase 2 communities that cannot be reasonably avoided.

1.1 Expected Resettlement Impact under the Project

Based on the nature of the activities envisaged under the Project, involuntary resettlement may take place in the form of temporary loss of access to assets or taking of small-scale infrastructure, such as pit latrines or informal vending structures found to occupy the right of way for the transmission and distribution lines. It is not anticipated that any involuntary land acquisition will be required as the housing development areas that are receiving project investments have formal plans for right of way of water infrastructure. The construction in all communities are guided by RDC development plans and construction is subject to approval and inspection. It is not expected that there will be any impact on main household structures (homes/homesteads) as a result of Project or Project associated activities. However, the RPF provides procedures if acquisition cannot be reasonably avoided. Specifically, where sanitation facilities occupy the right of way, replacement will be provided for affected households prior to displacement. Where vending facilities are impacted, temporary relocation will be facilitated guided by the RPF principles.

It is expected that any temporary loss of access will be minor and managed through the RDC's community consultation processes. The project is not expected to lead to impact that would require livelihood restoration. However, provisions are provided in this document to address any such impact should it arise. The RDC and the RDC Councilors host monthly community meetings; or the duration of the Project the Project Implementation Team (PIT) in the respective project locations will participate in these meetings to address any community issues. The project is not expected to impact livelihoods strategies in the project communities, but the project will, through the investments will significantly enhance water service provision. Compensation for temporary impact is due to PAPs and the contractor will provide temporary facilities as well as replacement of the impacted facility upon completion of works.

2. Principles and Objectives of the Resettlement Policy Framework

This RPF applies to the geographic scope of the Project area and all components of the Project, including:

- Improvements to transmission routes;
- Expansion of distribution networks and household connections;
- Improvements and construction of treatment plants;
- Any Project associated works.

This document covers resettlement impacts and compensation of all impacted private, public, institutional and communal assets within the Project zone of influence. These are assets that can be readily identified and quantified. However, the loss of cultural heritage and resources, and of downstream impacts of transformed river flows on river resources, will be addressed separately through specialised studies and mitigation plans guided by the Environmental and Social Management Plan (ESMP) developed and disclosed for each Project area.

2.1 Policy Objectives and Principles

The primary goal of the RPF is to ensure that those negatively affected by Project activities, through temporary or permanent losses and impacts, are not worse off following implementation, that they are compensated in a participatory and timely way, and that any

mitigating activity is carried out in a systematic and beneficial manner. The following principles will apply to all activities under the Project:

- **Resettlement impacts will be avoided or minimized.** If any resettlement impact, as defined under OP4.12, is identified during screening of Project activities ZINWA will, as a guiding principle, explore feasible alternative project designs and/or configurations.
- **Affected people will be defined inclusively.** This means that PAPs are defined as those whose livelihoods and standards of living are adversely affected by project activities - whether through the loss of assets or access to assets, through being deprived of resources, through loss of income sources or means of livelihood, through physical relocation, or through other losses that may be identified during the process of resettlement planning.
- **Meaningful consultation with PAPs and communities.** PAPs and impacted communities have the right to:
 - Receive information on Project developments on an on-going basis;
 - Be consulted on issues pertaining to them, such as possible measures to restore their livelihoods, allowing participation in the final selection and design of such measures;
 - Right in time information of Project proposals and implementation schedules, such as land acquisition dates, sufficiently in advance of execution;
 - Have access to relevant Project documents at a place accessible to them in a form, manner, and language that are understandable to them.
- **All adverse Project impacts will be identified prior to implementation and losses properly recorded.** The following information should be recorded to facilitate planning, implementation and monitoring of impact:
 - Develop an inventory of impacted landholdings and immovable/non-retrievable improvements (buildings and structures) to determine fair and reasonable levels of compensation or mitigation;
 - A census detailing PAP composition and demography, and other relevant socio-economic characteristics.
- **PAPs are entitled to full compensation and rehabilitation measures on an equitable basis.** Compensation must be sufficient to, at a minimum, to maintain pre-project living standards. As a principle, the Project should seek to leave PAPs with improved conditions through inclusion of PAPs in project benefits. All PAPs will be equally eligible to the entitlement, irrespective of social or economic standing, tenure status, or any other discriminating factor.
- **Vulnerable groups will receive special attention.** Particular attention will be paid to adverse impacts on groups/social categories such as the elderly, the physically disabled, women-headed households, child/orphan-headed households, and households below the poverty line who, because of their social position, may be vulnerable to changes brought about by project activities or excluded from project benefits. Members of these groups are often not able to make their voices heard, and account will be taken of this in the consultation and planning process, and in the establishment of grievance procedures.
- **Cultural and religious practices will be respected.** Existing cultural and religious practices will be respected and, to the maximum extent practical, preserved. This extends to cultural heritage, tangible and intangible.

- **Resettlement planning, budgeting and implementation will be an integral part of the Project.** Any resettlement-associated cost is an upfront investment. All restorative activities and compensation identified as part of RPF process must be completed prior to Project implementation.
- **Grievance, monitoring and evaluation procedures will verify effectiveness of resettlement measures.** ZINWA is responsible for monitoring adequate implementation of this RPF as well as any associated RAPs. This requires that an effective and accessible grievance procedure be in place.
- **Project activities must be in accordance with policy and legislative framework.** All Project activities are to be carried out in compliance with all legal obligations, in accordance with international best practices and the World Bank OP 4.12 as defined in the Legal Framework section of this RPF.

3. Legal Framework

The RPF is to be in keeping with policies and legislative framework of Zimbabwe, international best practice and the World Bank Operational Policies, specifically OP4.12. The primary objective of OP4.12 is to ensure that PAPs are assisted to improve, or as a very minimum restore, their former living standards, income earning capacity, and production levels.

Under the Project the key principles of OP4.12 should be applied regardless of stipulation in national law:

- Infrastructure investments, such as works on existing transmission routes, expansion of the distribution network, treatment plants and ancillary works, should be planned to avoid or minimize disturbance and destruction of private property,
- Where adverse impact is unavoidable, RAPs and associated activities should be seen and executed as development programs;
- PAPs, as defined in the eligibility section, are entitled to compensation for the full replacement costs;
- PAPs should be provided with sufficient investment resources and opportunities to share in Project benefits, specifically through improved access to water and sanitation.

Any compensation or mitigation of impact due to PAPs under the project must be provided prior to commencement of civil works.

3.1 National Legal Framework

There are three categories of land ownership in Zimbabwe: i) private land, ii) state land and iii) communal land. Private land ownership is formalized through deeds and state land is any other land not deeded. However, while communal land is owned by the state the management is seconded to the local rural authorities. While communal land does not provide individual deeds, there is individual responsibility within the household boundaries. Depending on the development drive of the state or local authority, communal land may be used and the people staying on these lands may be relocated without compensation for the lost land but compensation of the structures on the land only. Usually the relocated people will be provided with alternative land and accompanying facilities where possible.

Constitution of Zimbabwe

Section 295 of the Constitution of Zimbabwe and the Land Acquisition Act sections 29 and 50 plus schedule Part I provide for compensation for acquired agricultural land. Farms protected by BIPPA and indigenously owned farms fully compensated for including land, others compensated for improvements only. Constitution of Zimbabwe section 72 (4), (7) (i) & (ii) place the responsibility for land compensation on the former colonial power. The Gazetted Lands (Consequential Provisions) Act Chapter 20:28 provides for eviction of those occupying state land without lawful authority. Beneficiaries with tenure documents and owners of private land can apply to court for eviction of squatters on their pieces of land.

Zimbabwe Land Commission in accordance with Constitution of Zimbabwe section 296 & 297 and the Compensation Committee according to the Land Acquisition Act section 29A (1) are the entities responsible for land acquisition. The Constitution of Zimbabwe Amendment (No. 20) Act 2013; Sections 72, 288 – 297 pronounce rights to agricultural land, principles for agricultural land and establishment of the Zimbabwe Land Commission.

Land Acquisition Act Chapter 20:10: provides guidelines for government acquisition of land, including guidelines for compensation.

The Rural Land Act Chapter 20:18: to be repealed by Land Commission Bill – guides management of rural land including acquisition and alienation.

The Agricultural Land Settlement Act Chapter 20:01: to be repealed by Land Commission Bill – provides for leasing of state land by individuals and corporate bodies.

The Gazetted Lands (Consequential Provisions) Act Chapter 20:28: states lawful authority to occupy and use state land through Offer Letter, Permit or Lease.

Statutory Instrument 53 of 2014: provides for issuance of Settlement Permits to Model A1 beneficiaries

Married Persons Properties Act Chapter 5:12: under the Act property acquired prior or during marriage is the property of the person(s) listed on the deed of property regardless of joint use of property.

Ombudsman Act Chapter 10:18: the ombudsman is tasked with investigating cases of administrative malpractice and alleged contravention of the Declaration of Rights by members of the defense forces, police, governmental departments and the prison service on civil society. It has the power to make recommendations to various arms of government.

Traditional Leaders Act Chapter 29:17

The Act provides for the appointment of the Chief, the Headmen and the Village Heads. The Act also outlines the duties and jurisdiction of the three traditional levels of leadership.

3.2 Comparison and Gaps between Zimbabwe and World Bank Policies Related to Resettlement

Policies of the World Bank on resettlement and of the Government of Zimbabwe have a

number of common aspects in management of resettlement. For example, both policies emphasise on minimisation of the extent of resettlement. Secondly, the policies recommend consideration of fair and adequate compensation to PAPs. However, there are some gaps which exists between the policies of the World Bank and Zimbabwe:

- **Compensation for loss of assets:** OP4.12 includes eligibility for compensation of illegally built structures, including those of squatters as long as the area was occupied or used prior to the established cut-off date. In Zimbabwe PAPs would not be entitled to compensation.
- **Compensation based on land status:** Zimbabwe may consider different value of land based on the status, i.e. whether a landholder has formal title and property is located in a commercial market versus land that is under traditional land tenure. The World Bank policy does not distinguish between such different aspects of land status.
- **Compensation of loss of land:** The World Bank policy has a preference of land for land compensation. In Zimbabwe the preference is for land for land compensation for customary land transaction, but cash compensation in urban areas.
- **Timing of compensation:** The World Bank policy requires resettlement as an upfront activity; resettlement compensation must be completed ahead of project impact. Zimbabwe does not clearly stipulate the timing of compensation.
- **Livelihood restoration:** World Bank policy requires adequate resettlement assistance and rehabilitation of livelihoods to restore socio-economic standard of PAPs. Zimbabwe does not define the extent of resettlement or livelihood restoration required.
- **Project inclusiveness:** The World Bank require that PAPs are integral to project design and are seen as project beneficiaries. Zimbabwe does not have similar requirements.

Under the Project, the PIU will follow the more restrictive policy, and that as a minimum adhere to World Bank principles. The following principles apply to any resettlement impact within the scope of or associated to the Project activities:

- Compensation of customary land will be made on market values, which would be equal to or greater than replacement values as opposed to seeing customary land as a free commodity;
- The Project will recognize entitlements of all PAPs who are adversely impacted by Project activities regardless of rights, title to structures or any other fixed or moveable assets or access to such assets. Eligible PAPs are entitled to full compensation for replacement cost and any associated rehabilitation assistance as defined in this RPF; the ombudsman office has legislative oversight of any grievances that may arise in regards to ZINWA's responsibilities under the Project;
- The RAP census will establish formal ownership where relevant as well as cohabitation to ensure that a gender-balanced approach is applied in accordance with the principle set out for attention to vulnerable groups;
- The project will ensure, as part of the consultation process, that all community leaders, whether traditional or government officials, are included and informed.

4. PAP Eligibility Criteria

Those who will be affected directly by the Project or Project associated activities are eligible to receive full replacement cost and rehabilitation assistance for impacts identified as part of the screening and census. The Project must assess impacts on all use of land and property, not only of formal landholders holding a deed to property. PAPs eligibility includes users of the resources, including people informally settled on the land, those with usufruct rights to the land, tenants, and those renting spaces in a homestead or business. In addition, agricultural wage labourers and employees of households and business enterprises need be regarded as eligible for assistance if directly impacted by the loss of assets.

PAP entitlements for compensation is determined and classified in the following manner:

- PAPs with formal legal rights to land or assets, including registered leasehold and customary/traditional rights national law are entitled to compensation of their choice, including cash compensation;
- PAPs who do not have recognizable legal rights or claims to the land or assets, but are eligible for compensation under the RPF stipulations, will be provided with resettlement assistance in lieu of compensation to achieve the objectives of OP4.12.

4.1 Unit of Entitlement

The program may impact on a wide range of households, business operators, institutions and community members. These impacts, however, manifest at individual and group level. A definition of the unit of entitlement is required:

- For compensation against the loss of arable land (fields and gardens): the landholder and those with usufruct rights;
- For privately held assets and resources: the owner(s). If the owner is married but the spouse is not recognized on, the distribution of compensation will be determined following the principles for vulnerable groups;
- For loss of employment: the individual directly affected;
- For livelihood restoration assistance: the individual directly affected;
- For loss of communal assets (pastureland, medicinal plants, thatching grass, trees, river sand, etc.) and impeded/constrained access: the affected community through the RDC;
- For affected gravesites: the affected household/family;
- For impacts on vulnerable groups such as those living with HIV/AIDS, female headed households, disabled, young children and the elderly.

Entitlement Matrix

Type of loss	Entitled person	Description of entitlement	Guideline
Loss of arable land	Landholder/owner or persons with usufruct rights	<p>Permanent loss: Cash compensation at full replacement cost, or assistance with the identification and allocation of suitable replacement cultivation land if available.</p> <p>Temporary loss: (a) Compensation for crop losses for the duration of temporary occupation. (b) Compensation for other disturbance or damages caused to property.</p>	<ul style="list-style-type: none"> - Notice to vacate will be served at least 120 days prior to acquisition date and timed to allow owner to harvest any standing crops. - Compensation for all losses payable prior to impact. - Any transfer costs the responsibility of the project.
Privately held assets and resources	Landholder/owner	<p>Permanent loss: Replacement of assets or compensation at full replacement cost.</p> <p>Temporary loss: Compensation for other disturbance or damages caused to property.</p>	<ul style="list-style-type: none"> - Notice of impact to be served at least 120 days prior to impact. - Compensation or replacement of assets is due prior to impact. - Any transfer costs the responsibility of the project.
Loss of employment/livelihood	Individual affected	Project will develop livelihood restoration plans consummate with impact.	PIU to work with social agencies and NGOs active in the area to develop effective livelihood alternatives and training, as well as any additional compensation based consummate with impact.
Livelihood restoration	Individual affected	Project will develop livelihood restoration plans consummate with impact.	PIU to work with social agencies and NGOs active in the area to develop effective livelihood alternatives and training, as well as any additional compensation based consummate with impact.
Communal asset	Affected community through RDC	The loss of communal assets, such as	Determined through close consultation

		medicinal plans, grazing lands or thatching grass will be mitigated through agreed programs to replace resource utilization.	with the concerned community and with participation of relevant authorities, including traditional authorities.
Gravesite	Family/household	Affected graves will be treated in accordance with the wishes of the relatives of the deceased. The cost of exhumation of graves will be borne by the Project.	Affected graves will be identified and confirmed with the affected communities and families.
Vulnerable households	Individual/household affected	Based on impact identified as described in this table, should a household be identified, as vulnerable additional assistance will be provided by the Project.	- Advice on alternative subsistence and livelihood strategies as offered by the project, including skills/ training enhancement; and - Assistance to gain access to government poverty alleviation/social welfare programs.

4.2 Cut-Off Date to Entitlements

It is necessary to publicly declare a cut-off date to determine eligibility and thus entitlements to resettlement and compensation for each component of the Project as it enters the implementation stage. The PIU must ensure that the cut-off date is known by PAPs as well as the broader community that lives in the sphere of project impact. A public notice of the cut-off date shall be displayed at the RDCs notice board(s), and the local ZINWA offices following completion of the adjudication exercise on affected land and assets. A notice with the cut-off date will be provided in letters to PAPs and announced through community meetings which will be organized by the RDC or the local councilor. The PIT will be required to be present at any community meetings related to resettlement.

Compensation cannot be claimed for structures constructed after the cut-off date has been publicized. The onus will be on a person who is not recorded in the verification studies to prove that s/he qualifies for project entitlements utilizing the established grievance procedures described in this RPF.

5. Valuation Methods

The objective of compensation and other rehabilitation measures is to mitigate and manage, the negative impacts of the involuntary resettlement aspects of the Project. However, the overall aim is to:

- At a minimum restore, but preferably improve, the pre-project living standards of affected people;
- PAPs should be given appropriate options to choose a form of impact compensation which best suits their needs;
- Offer development opportunities for PAPs;
- PAP should benefit from Projects benefits.

The following will guide valuation for:

- **Agricultural fields and food gardens:**

1. Landholders will be compensated for permanent land loss, either through the provision (identification, allocation and preparation) of replacement land, with assistance in registration of that land or in the form of cash compensation.
2. For temporary acquisition of land, PAPs should receive: (i) compensation equivalent to the net average income/value of agricultural production that would have been obtained from the land during the period of temporary acquisition; and (ii) restoration of the land to its original productive use or full compensation for the cost of restoration.
3. Owners of trees located in areas required by the Project will be given advance notice to remove their trees if they so wish, and will have rights to all resources from the trees. Productive fruit and timber/fuel trees will be compensated as follows:
 1. Compensation will be paid for future production losses, at net present value calculated for the productive life of the various fruit and timber tree species.
 2. PAPs will be provided with three (3) replacement saplings per tree, in addition to compensation for production losses as defined above.
 3. The PAPs will have rights to all other resources (timber, firewood) from privately owned trees that are felled.
4. Cash compensation will be paid for the loss of crops to the crop cultivator/s, whether landholder or not. Where land was cultivated according to a rent, leasehold or sharecropping arrangement at the time of acquisition, compensation for the lost crops will be apportioned according to the arrangement.

- **Permanent structures and other improvements:**

1. Replacement value for building structures or other improvements is defined as the market cost of the materials to build a replacement structure with an area and quality similar to or better than those of the affected structure, or to repair a partially affected structure; plus the cost of transporting building materials to the construction site; plus the cost of any labour and contractor's fees; plus the cost of any registration fees and/or transfer duties for the land.
2. Provision of replacement housing structure, latrines and business enterprise structures at a location agreed with the PAP or cash compensation at full replacement value for those electing to carry out replacement construction;
3. Cash compensation for the full or partial loss of other structures not provided in the resettlement option, such as fencing, cattle kraals.

- **Business or residential tenants:**
 1. Relocation assistance should they be required to move. Relocation assistance should cover:
 1. Locating replacement housing;
 2. Packing and moving;
 3. Financial payment for the cost of the move and possibly for refitting the new residence;
 4. Compensation for any immovable assets;
 5. Loss of income during transition;
 6. Reasonable follow-up services for the individuals in their new locations.

- **Workers and employees, including farm labourers and informal sector workers:**
 1. Temporary loss of employment requires compensation for wages during the transition;
 2. In case of permanent job loss, for those who are unlikely to have a reasonable opportunity for re-employment (at equal or higher wages), the Project will make a good effort to identify alternative jobs or take other rehabilitation measures to allow them to restore their incomes. Workers not assured of alternative employment will be given the equivalent of one year's wages.
 3. If employment disruption, whether permanent or temporary as a result of Project impact, is assessed to result in workers to be unlikely to be re-employed the Project should assist with a transition allowance equivalent to lost wages for the assessed duration of unemployment.

- **Access to services and essential resources:**

Impeded access is defined as barriers caused by Project components that obstruct local people's usual movements, across rivers or along pathways, thus curtailing their economic and social interactions and access to services and facilities.

 1. If access to water, other natural resources or services is disrupted as a result of Project activities, alternative sources/access will be facilitated by the Contractor whether on a temporary or permanent basis;
 2. If community buildings/facilities, such as schools or clinics, are affected by a project, they will be repaired to at least their previous condition, or replaced in areas identified in consultation with affected communities and the relevant authorities. Consultation and coordination will occur between government ministries regarding any impacts that a project may have on government assets.

6. Consultation Procedures

Project consultation should follow the existing practice, as well as the citizen engagement and gender mainstreaming principles outlined in the Project's Gender Mainstreaming and Citizen Engagement Action Plan. The aim of citizen engagement is to ensure that the Project activities, including activities with resettlement impact, does not maintain or exacerbate existing inequities.

Specifically, the PIU, through PITs and RDCs, is responsible for ensuring that meaningful consultation happens in a timely and accessible manner with communities and potential PAPs. This consultation will ensure that Project communities:

- Receive information on project developments on an on-going basis;
- Are consulted on issues pertaining to them, such as possible measures to restore their livelihoods, allowing participation in the final selection and design of such measures;
- Are provided with right in time information of project proposals and implementation schedules, such as land acquisition dates, sufficiently in advance of execution;
- Have access to relevant project documents at a place accessible to them in a form, manner, and language that are understandable to them.

On all project sites, consultation in regards to project activities have been ongoing. The PITs have worked with the respective councillors to ensure that communities were informed of project schedule and relative impact. In Guruve, following the identification of resettlement impact, the consultation with PAPs has been in person and led by PIT representatives since September 2017. The consultations have focused on adequate assessment of impact and identification of remedial options. The PAPs have been informed of grievance procedures. Following the informed discussions with PAPs, a PIT representative signs an agreement with each PAP in regards to the remedial works chosen. Where sanitation facilities are still standing, the agreement includes a timeframe for removal of such facilities.

Training and consultation on RPF procedures and requirements was completed on all Project sites in December 2017. PIT officers were trained to identify adverse impact and report on social safeguards and screening took place subsequently. The stakeholders consulted in each project location appreciated the enhanced requirements for avoidance and compensation. Consultation and screening at the forthcoming Project sites, Gutu, Mataga, Nembidziya and Madziwa, is expected to take place in March 2018.

7. Organizational and Implementation Responsibilities

The Project PIU has the overarching responsibility to ensure that the delivery of entitlements takes place in accordance with the principles set out in this RPF and must therefore put in place adequate monitoring and evaluation procedures. This includes disclosure, citizen engagement activities and ensuring that all grievances lodged are adequately resolved.

The PITs have received training in order to conduct the screening as set out in appendix 1 to assess any potential resettlement impact. The PITs will liaise directly with the PIU and respective contractors to seek impact avoidance. The RDCs are responsible for local consultations and information disclosure, but PITs will participate in all public consultations and ensure that information provided is timely, accurate and adequate.

In all instances, ZINWA will seek to avoid potential impacts through identification of alternate sites or routes. ZINWA is responsible for any resettlement planning and ensuring that the RPF requirements are adhered to by any contracting agency or consultant engaged under the Project. Should a resettlement impact be identified that requires the development of RAP, the PIU may identify an entity, possibly an individual contractor or consultant, to carry out the necessary work to assess the impact and mitigation. The PIU, through the PITs,

will provide the day-to-day monitoring of RAP implementation and ensure compensation ahead of any civil works.

The civil works is guided by standard contracts that include procedures on how to avoid adverse impact, but also how deal with and consult with any inadvertent, temporary impact, such as cracks in walls of households located next to construction sites. Any inadvertent damage caused by the contractor will be reported to ZINWA, repaired to the satisfaction of the homeowner and verified by the respective PIT.

7.1 Monitoring and Evaluation

The PIU's Quality Assurance Office (QAO), which oversees safeguard implementation, will monitor, evaluate and report on the implementation of the RPF. Specifically, QAO will ensure environmental and social compliance of all Project activities.

The PIT provides monthly reports to the PIU and the progress will be assessed and updates provided by the QAO to the World Bank in Quarterly Reports. The report should include the status of the overall implementation of the RPF, including status of:

- Ongoing avoidance of resettlement impact;
- Complete household information for affected households, Resident Engineer's assessment;
- Consultations, public and with individual affected households;
- Agreements with affected households,
- Costing/procurement;
- Compensation/implementation of mitigating actions.

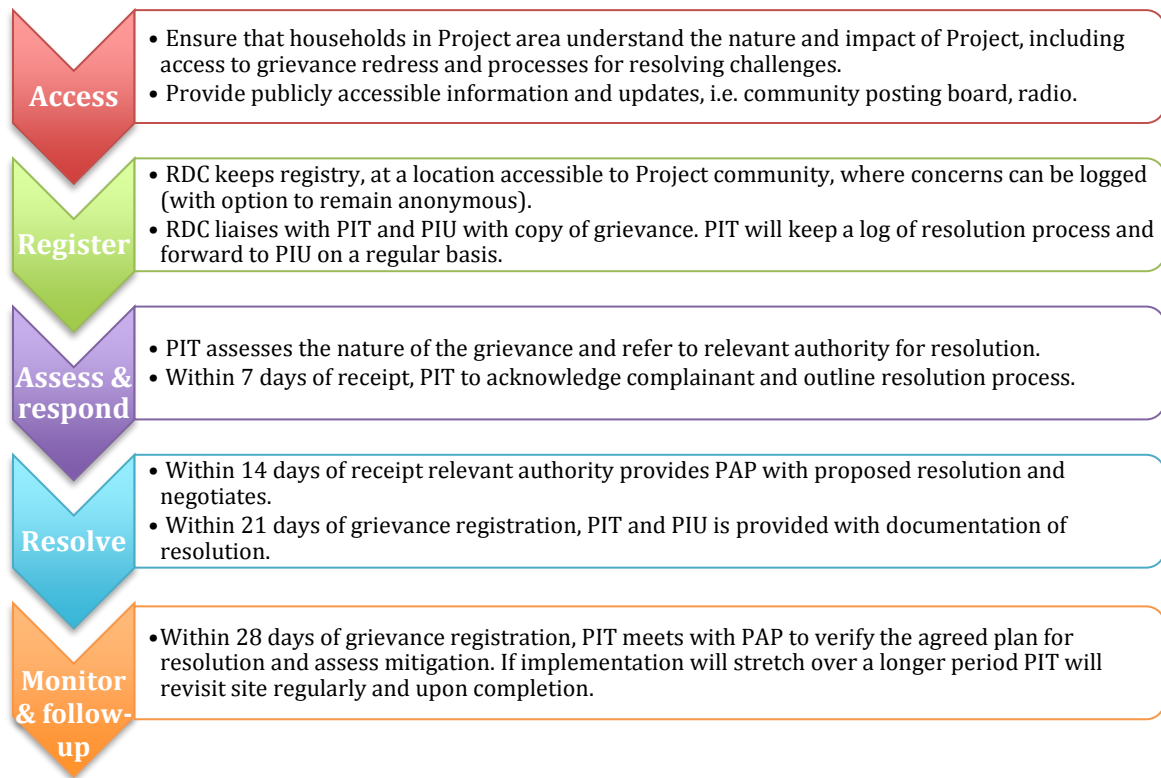
Upon completion of any remedial works program a final report shall be produced and submitted by the PIU Manager to the World Bank Social Safeguards Specialist.

8. Grievance Redress Mechanism

A grievance is defined as an issue, concern, problem, complaint or claim (perceived or actual) raised by an individual or a group within the community affected by the Project's operations that an individual or group wants the Project to address and resolve. PAPs may complain or raise a grievance for a variety of reasons, including but not limited to:

- Disagreement in the identification of affected land and associated assets within the Project area;
- Disagreement concerning the ownership/responsibility for the land and associated assets;
- Disagreement on valuation of land or associated assets;
- Disagreement on other compensation allowances;
- Issues concerning the time and manner of compensation payments;
- Issues concerning the conduct of Project staff/representatives, or their methods in dealing with compensation.

The PIU will ensure that the following grievance procedure is accessible, adequately registered and tracked, and resolution is affirmed within one month of registration as outlines in the figure below.



RDC and councilor led consultation is critical in ensuring that all stakeholders in the communities are informed about project impact, benefits and timeframes. The RDC offices are located closely to all Project sites and are therefore easily accessible to all households in the Project area. When a grievance is logged, the RDC engineer, who is part of the PIT, will liaise with additional members of the PIT to seek resolution of the issue. The PIT will acknowledge the complaint, unless the issue is logged anonymously. If the issue is registered anonymously it will be automatically referred to the PIU. The PIT may need to involve the PIU in resolution of other issues if they are unable to provide redress or resolution. The aim is to resolve all grievances within four weeks. Any grievance which is not resolved within that timeframe will be reported in detail in monthly PIT report and quarterly reports to the World Bank. All other grievances will be aggregated to track trends for managerial response.

In addition to the grievance procedure accessible to the Project sites, ZINWA has established a national Call Centre for customers. The Centre has a 24 hour toll-free number (+26334200200), WhatsApp lines (+263774614277 and +263774333), mobile numbers (+263778198191; +263778198191 and +2638677004339) and email (callcentre@zinwa.co.zw). When a submission is made to the call centre, the client details (optional) and the nature of the complaint or grievance is logged at the centre. If the request is related to the National Water Project, request will be forwarded to the project focal person responsible for social safeguards in the PIU.

The Call Centre provides a response within two days and seeks to provide resolution of a given issue within five days. Logs of all grievances are collected from the Call Centre at the end of the month and consolidated by the PIU in liaison with the PIT and RDC.

In the event that the PAPs are not satisfied with the PIU/PIT in handling their grievances, the PAPs should seek legal recourse through the Magistrate Court as a Civil case.

9. Preparation of Resettlement Action Plans

A full RAP is required when screening indicates land acquisition affects more than 200 people, takes more than 10 percent of any holding, and involves physical relocation. An abbreviated RAP is acceptable if fewer than 200 people are impacted.

The PIU will prepare RAPs required and supervise implementation, but may choose to engage an independent consultant. If a consultant is engaged, the terms of references for the assignment will be submitted to the World Bank for a 'No Objection'. The RAP development, as well as monitoring and implementation, will be done in close collaboration with all impacted households, affected community members, chiefs, council members, RDCs and other interested and affected parties. The consultations will be ongoing and an integral part of the project as set out in this RPF.

A critical part of the RAP is the census, which is carried out to identify and determine the number of PAPs, their assets, and potential impacts. A template for the census is provided in appendix 3. The required content of a RAP is listed in appendix 2. The RAP must be consistent with Zimbabwe policy and laws, regulations and procedures and the World Bank operational policy on resettlement covering displacement, resettlement and livelihood restoration as defined in the RPF. In addition, the RAP will adapt the grievance mechanism defined in the RPF to ensure that it is appropriate to the context.

The RAP will be submitted to the World Bank for a 'No Objection.' The PIU will subsequently disclose the RAP in the project area through a public meeting to be organized with the RDC and the councilors from the impacted area. A printed version of RAP will be available to the public in the RDC and PIU offices. The executive summary will be posted on the RDC's public board. Upon disclosure in the project area, the RAP will also be disclosed on the World Bank's external website.

10. Budget

Any cost associated with resettlement is an upfront investment and integral to the Project management. All restorative activities and compensation identified as part of RPF process must be completed prior to commencement of civil works and will be borne by the contractors as part of the contract.

ZINWA will ensure budget for all screening, management and supervision associated with RPF and RAP implementation. It is assessed that the screening activities required under this RPF may be carried out by the PITs as part of existing budget allocation. Supervision of the implementation will be carried out by the PIU as part of ongoing supervision and monitoring already budgeted as part of the ESMP implementation. No civil works will commence till such a time that resettlement impact has been screened and fully compensated.

In Guruve, remedial work has been assessed at \$73,000. The budget includes upgrades to the sewer pond and piped sewerage network in Tsetse which will benefit approximately half of the Tsetse community directly as households will be offered improved sanitation as part of the remedial plan. ZINWA has seconded an officer to oversee the implementation of the remedial RAP on a full-time basis without additional cost to the project.

The Guruve Remedial RAP was disclosed on the 15th March 2018, through a stakeholder meeting held at the Guruve People's Market. The document was subsequently disclosed on the ZINWA's website.

Appendix 1: Screening Tool to Identify Resettlement Impact

- The reviewer should physically inspect, in person, all locations to be developed, including all areas where temporary disturbances may take place.
- The reviewer must assess whether land that is currently occupied or used for productive purposes (e.g. gardening, farming, pasture, fishing locations, forests), will be impacted on a permanent or temporary basis. The reviewer should assess whether any displacement will take place whether of individuals, families or businesses. The reviewer should include an assessment of temporary or permanent loss of crops, trees or smaller household infrastructure such as granaries, pit latrines and kitchens.
- The reviewer must assess all direct impact from Project implementation and associated works.
- Reviewer should record detailed contact information for all people consulted and/or affected by the project. This includes: address, email, cell phone number.

Name of reviewer:		Date of screening	
Project location screened			
RDC Focal Point (Name and contact details)			
People consulted during screening (Attach list of attendants if larger consultations took place)			
Describe changes to existing land use as a result of Project.			
Provide a description of the land use and the nature of impact (temporary or permanent).			
What are the main issues associated with community benefits and impact?			
What is the status of the affected land? (lease, community land, private owned)			
Describe the nature of any land disputes in the Project area.			
Provide an assessment of changes to livelihoods as result of Project (i.e.			

employment)?	
Describe restrictions or loss of access to using natural resources and services.	
Describe how community has been consulted.	
Identify constraints that may limit participation from specific groups or individuals.	
Provide an outline of consultations required (w. community/ individuals)	
List cultural heritage/sacred sites in Project area.	
Describe the extent of vulnerability of population in the Project area (elderly, poor, disabled, child headed households)	
How will workers, engaged by the Contractor, be housed during construction? At what distance from the project site? Will accommodation be built or are workers housed in the community?	
Describe the existing grievance process assess the adequacy.	
Provide preliminary assessment of mitigation activities required.	

Appendix 2: RAP Content Format

- **Introduction:** project background, aim and scope of RAP, summary of impact.
- **Project description:** brief description of project, project components, associated resettlement impact and efforts to minimize resettlement impact.
- **Methodology:** Site visits, literature review, consultations, census/surveys, approach to minimizing impacts.
- **Socio-economic environment:** local context and profile such as demography; homesteads, household composition including age, gender, education, residential and employment status; livelihood activities; income; land use and ownership, resource use; service provision; health; movement and access; vulnerability.
- **Impacts:** result of census with individual impact and compensation. Quantify the positive and negative impacts, including the distributional impacts – in particular in distributional impact in relation to vulnerable groups.
- **Implementation schedule:** description of the chronological steps in implementation, including linkages between resettlement implementation and initiation of civil works.
- **Organizational framework:** staffing and functions for delivering RAP.
- **Consultation and disclosure of information:** consultation methods, detailed listings of consultations undertaken, dissemination of information and ongoing plans, attitudes and views that have influenced the Project.
- **Budget and funding arrangements.**
- **Monitoring and evaluation arrangements:** methodological framework and reporting, including indicators. Process for integrating feedback.

Appendix 3: Socio-Economic Census Format

- As part of census, seek to verify property registration records (deed) of the PAP and the RDC if relevant.
- Record date of census

Basic information

PAP ID# (assigned)		Location (RDC/block/plot)	
Head of household (full name)	1.		Age 1.
Names of other eligible household members (spouse or other, include explanatory note)	2.		Age 2.
	3.		3.
	4.		4.
Other members of household (residing at property)	5.		Age 5.
	6.		6.
	7.		7.
	8.		8.
	9.		9.
Total number of household members (residing at property)			
Type of ownership (deed, cession, communal right, tenant, employee,			

squatting - describe and-explain)			
Description of main property features (size of landholding, use of land, structures on land)			
Primary source of cash income		Estimated monthly income	
Other sources of cash income	1. 2. 3. 4.	Estimated monthly income	1. 2. 3. 4.

Distances to the source that the household primarily utilizes for:

Drinking water	School	Clinic	Transport	Work site

Other household characteristics

No cash income		Pensioners	
Below poverty line		Disability	
Widow headed		Permanent illness	
Female headed		Low nutritional status	
Child headed		Otherwise marginalized	

Assessed project impact

<i>Description of impact</i> (main residency, other buildings, fields, trees, gardens, communal land, grave, employment or other)	<i>Likely duration of impact (permanent/ temporary)</i>	<i>Proposed mitigation</i>	<i>Assessed cost of mitigation</i>	<i>PAP consultation and timeframe of re (describe current and planned)</i>	<i>Timeframe for resolution</i>