

Annex P

Project Resettlement Policy Frameworks

Resettlement Policy Framework (RPF) –
Zimbabwe

Resettlement Policy Framework (RPF) –
Zambia



Zambezi River Authority (ZRA)

Resettlement Policy Framework (RPF) - Zimbabwe

Proposed Batoka Gorge Hydro-Electric Scheme (Zambia and Zimbabwe) on the Zambezi River

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Resettlement Policy Framework (RPF) - Zimbabwe

Proposed Batoka Gorge Hydro-Electric Scheme (Zambia and
Zimbabwe) on the Zambezi River



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DEFINITIONS

Affected Persons: Any individual, persons, family, household, group, or collective body that is affected by either physical or economic displacement and are deemed eligible to resettlement assistance and/or compensation under this RPF.

Asset Inventory: The investigation and measuring of all land, interest on and rights to that land, as well as any assets and unexhausted improvements on that land. The Asset Inventory forms the basis for the determination of resettlement assistance and/or compensation to be granted to Affected Persons.

Allowances: Cash compensation provided in addition to any resettlement assistance and/or compensation provided for the loss of assets, and generally provide transitional support while Affected Persons restore their living conditions and livelihoods after resettlement.

Communal Land: Communal land is land owned by the State, the management of which is seconded to the local rural authorities

Compensation: The forms or combination of cash or in-kind replacement assets to be provided to Affected Persons to compensate for the acquisition of land or the loss of assets. In most cases, compensation denotes cash only.

Cut-off Date: The date which establishes the deadlines for entitlement to Compensation and/or Entitlements in respect of Eligible Land, Crops, Trees and Structures. Persons occupying the project footprint after the cut-off date are not eligible for compensation and/or resettlement assistance. Similarly, fixed assets (such as built structures, crops, fruit trees, and woodlots) established after the cut-off date (usually the date of completion of the assets inventory, or an alternative mutually agreed on date), will not be compensated.

Economic Displacement: The loss of assets or access to assets that leads to loss of income sources or livelihoods but does NOT necessarily result in the direct loss of a place of residence.

Eligible Persons: See Affected Persons

Entitlement Framework: A framework that establishes the specific entitlements (i.e. forms of compensation) granted to Affected Persons who will lose affected assets, as determined during the Asset Inventory.

Household Census: The registration of Affected Persons and the collection of their details, which forms the basis for the confirmation of eligibility to resettlement entitlements.

Improvements: Anything resulting from expenditure of capital or labour - including carrying out of any building, engineering, clearing, improvement, or other operations - in, on, over, or under land, or the making of any material change in the use of any building or land and charges for services provided and other expenses incurred in the development or towards the development of land.

Livelihood Restoration: A range of measure and programmes that ensure that the existing livelihoods of Project-affected persons is restored, or ideally improved, during and after the land acquisition and/or resettlement process.

Livelihood Restoration Plan: A plan that establishes the entitlements (e.g., compensation, other assistance) of affected persons and/or communities economically displaced (no physical displacement) by a Project, in order to provide them with adequate opportunity to re-establish their livelihoods.

Livelihoods Restoration and Improvement Plan: A detailed plan which is developed with the goal of restoring and where possible improving previous levels of income, employment, and food security for Project-Affected Persons through provision of economic opportunities and income generating activities (i.e. agricultural production and processing, employment promotion, and enterprise development).

Physical Displacement: The displacement, loss, or destruction of the place of residence as a direct result of the development of the Project.

Resettlement assistance: Support provided to people who are physically displaced by a Project. Assistance may include transportation, food, shelter, and social services that are provided to affected people during their relocation. Assistance may also include cash allowances that compensate affected people for the inconvenience associated with resettlement and defray the expense of transition to a new locale, such as moving expenses and lost work days.

Replacement cost: The rate of compensation for lost assets calculated at full replacement value, that is, the market value of the assets (i.e. land, crops, structures) plus transaction costs (i.e. any registration costs, transfer taxes).

Resettlement Policy Framework: A framework document that defines the principles and steps to be adopted in the development of a Resettlement Action Plan. The framework is a precursor to the Resettlement Action Plan and does not replace it.

Resettlement Action Plan: is a plan prepared by the sponsor or other parties responsible for resettlement (such as government agencies), specifying the procedures it will follow and the actions it will take to properly resettle and compensate people and communities physically displaced by a Project.

Specially Gazetted Land: This is agricultural land, which has been identified for compulsory acquisition and has been gazetted for such acquisition.

State Land: This refers to any Land not deeded and land belonging to the State.

Wayleave: A right of way over another's ground or property usually associated with power lines.

ACRONYMS

Abbreviation	Full Definition
BGHES	Batoka Gorge-Hydro Electric Scheme
CAI	Census and Asset Inventory (CAS Census and Asset Survey)
CFF	Community Feedback Forums
FPIC	Free, Prior, and Informed Consent
GO	Grievance Officer
ICP	Informed Consultation and Participation
ICT	Information and Communication Technology
IDP	Internally Displaced Persons
IFC	International Finance Corporation
IFC PS	IFC Performance Standards
IP	Indigenous People
KPI	Key Performance Indicator
LRP	Livelihood Restoration Plan
LRIP	Livelihood Restoration and Improvement Plan
M&E	Monitoring and Evaluation
NLC	National Land Commission
PAH	Project-Affected Household
PAP	Project-Affected Person
RAP	Resettlement Action Plan
ROW	Right-of-way
RPF	Resettlement Policy Framework
RSC	Resettlement Steering Committee
RSLF	Resettlement Stakeholder Leadership Forum
SEP	Stakeholder Engagement Plan
VSP	Vulnerable Support Plan
ZRA	Zambezi River Authority

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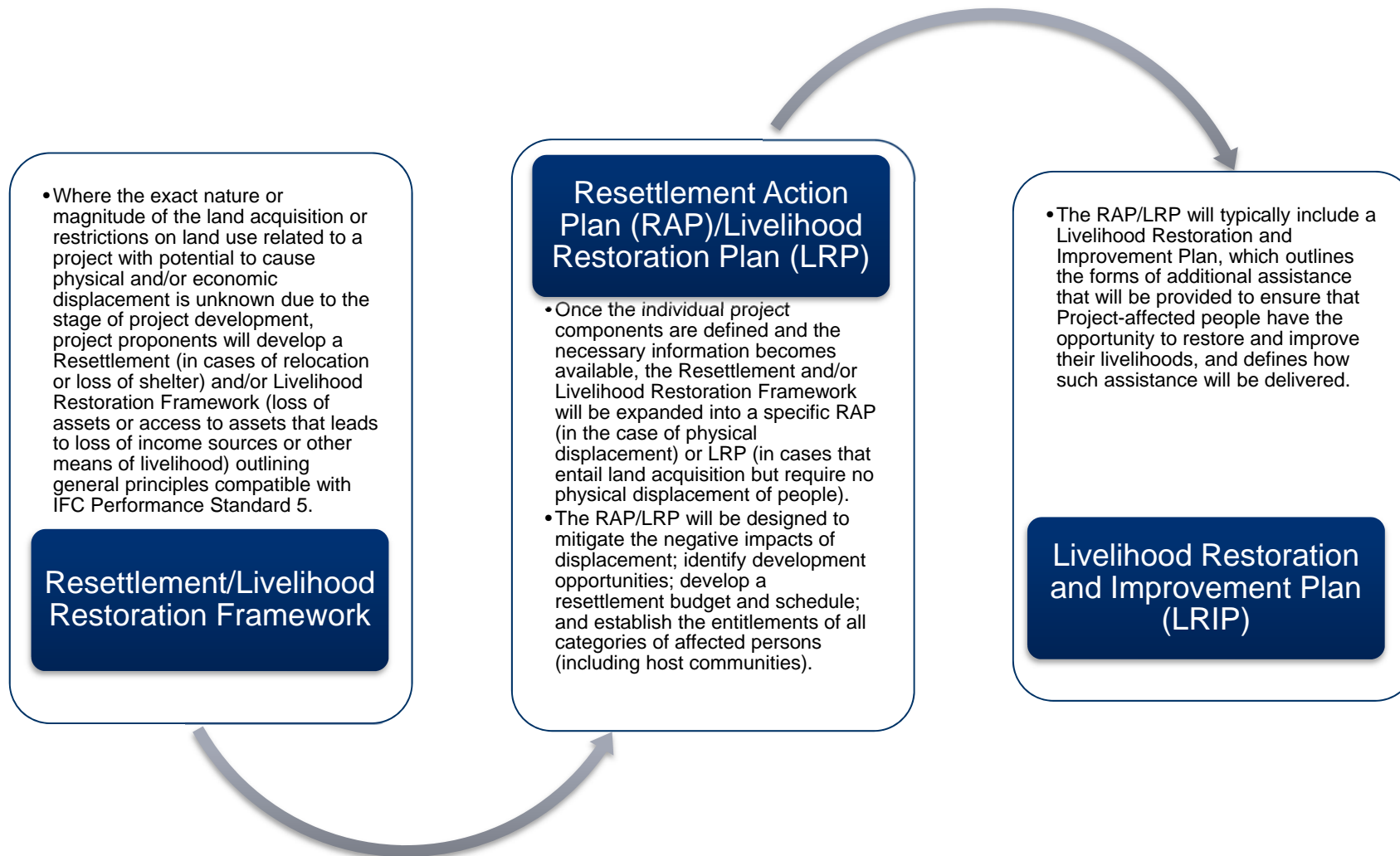
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1. INTRODUCTION

This Resettlement Policy Framework (RPF) sets out the guiding principles and procedures that will be followed in managing the impacts of acquiring land for the Batoka Gorge-Hydro Electric Scheme (BGHES) in Zimbabwe. It will guide the compensation of losses and mitigation of potentially adverse Project effects experienced by persons and/or communities through the construction and operation of all components of the hydropower project in this country. Following RPF approval, a detailed Resettlement Action Plan (RAP) or Livelihood Restoration Plan (LRP)¹ will be prepared that covers all project components following finalization of their specific location, boundaries and land area requirements. In the event that Project components will be developed in phases, separate RAPs/LRPs will be prepared.

As illustrated in **Figure 1**, a Resettlement Policy Framework is prepared when the exact nature and magnitude of the land acquisition is unknown. Once individual project components are fully defined, and necessary information becomes available, then Resettlement Action Plan(s) can be prepared. Chapter 12 Implementation Arrangements outlines the detailed tasks and resources required to move from a Resettlement Policy Framework to an endorsed RAP(s).

¹ For projects involving economic displacement only, Livelihood Restoration Plans are required; those which involve **both** physical and economic displacement require a Resettlement Action Plan

Figure 1 Resettlement Policy Frameworks and Action Plans

As the Project straddles the international boundary between Zambia and Zimbabwe, with hydropower infrastructure components requiring access to land in both countries, two RPFs have been prepared. The principles and approach are similar; however, there are differences in the community context and legal framework governing land allocation and access in each country. This RPF focuses on land-related Project displacement impacts within Zimbabwe and aligns with both national laws and international standards governing involuntary land acquisition and resettlement.

1.1 Project Description

Geological investigations into a hydropower scheme on the Zambezi River first began in the early 1900s. In 1972, additional studies concluded that Batoka Gorge represents the best site for the development of a hydropower scheme. Further investigations conducted in 1981/82, 1983 and 1989 identified a specific site within the Batoka Gorge suitable for such a project, prompting a full feasibility study in 1993.

In 2014, the Zambezi River Authority (ZRA) appointed Studio Pietrangeli (SP) Consulting Engineers to update the engineering feasibility study for the scheme, and in parallel engaged Environmental Resources Management (ERM) South Africa to undertake an Environmental and Social Impact Assessment (ESIA), including the development of RPFs for each country.

The Project Proponent is the ZRA, a corporation jointly and equally owned by the governments of Zambia and Zimbabwe. The ZRA is governed by a four-person council, two of whom are Ministers in the Government of the Republic of Zambia and two of whom are Ministers in the Government of the Republic of Zimbabwe. Its primary responsibilities are the operation and maintenance of the Kariba Dam Complex, investigation and development of new dam sites on the Zambezi River and analysing and disseminating hydrological and environmental information pertaining to the Zambezi River and Lake Kariba.

The BGHES will be located in the central portion of the Zambezi river basin, upstream of the existing Kariba Dam and approximately 47 km downstream of Victoria Falls.

The Project includes the following components, as illustrated in **Figure 2**:

- Dam wall and impoundment, including spillway;
- Outdoor power houses, one on each side of the river;
- Transmission lines comprising of two 70 km 400 kV lines, running in parallel, and sharing a common right-of-way, to the existing Hwange substation. Each with a way-leave of 60 m;
- Access roads totally 63.5 km (of which 3.6 is new and 59.9 upgrades to existing roads);
- Project township/staff housing to accommodate workers and their families during construction and operations; and
- Quarry.

1.2 Land Acquisition and Resettlement Context

Involuntary resettlement processes present a high level of risk for both project proponents and for the people and communities being displaced.² For project proponents, resettlement can be controversial, costly and time-consuming, and if mismanaged can cause social unrest, delays to project development, and can damage the proponent's reputation and social license to operate. For displaced people and communities, resettlement processes can be confusing, stressful, and if mismanaged can result in long-term impoverishment. International experience indicates that the main characteristics of resettlement-induced impoverishment are:

- Landlessness: loss of land assets, including common property;
- Joblessness: loss of workplaces and markets;
- Homelessness: loss of shelter;
- General economic set-back or marginalisation;
- Social disorganisation: increased rates of crime, reduced influence of traditional leaders, loss of culture and negative social behaviour; and
- Impacts to health and safety: disease, mortality, food insecurity and malnutrition.

Displacement poses particular risks for people who may already be marginalized because of socio-economic status, gender, health/ability, ethnicity and/or age. However, when involuntary land acquisition and resettlement is well planned, properly managed, and carried out in conjunction with impacted persons and communities, the risks can be minimised and mitigated and the process can be used to create positive outcomes for project proponents and for local people, including the most vulnerable.

The risks identified above are particularly relevant in the context of this Project as the legacy of the Kariba Dam displacement in the late 1950's persists. Although the Kariba resettlement was undertaken in a very different time, when current governments were not in power and the Zambezi River Authority did not exist, some stakeholders in the Project area continue to raise their concerns that the mistakes of the past will be repeated. In an effort to understand and honour these concerns, it is useful to draw on the research undertaken by the World Commission on Dams.

In an effort to contribute to the global debate around the development effectiveness of large dams ongoing in the 1980/90's, the World Commission on Dams included the Kariba Dam as one of seven case studies worldwide. Close to 60,000 Tonga who inhabited both banks of the Zambezi Valley in 1957 were reported to have been forcibly moved, sparking resistance and violent confrontation causing eight deaths and numerous injuries.³

In their assessment of the dam's social impacts, particularly related to resettlement, the WCD found that affected people were neither adequately informed nor consulted:

Most of the new land (to which people were resettled) was of poor quality and easily erodible. In addition, as no recession agriculture was possible due to the far distance to the river, only one crop per year could be produced. Resettling too many people to areas too small aggravated the problem. It is therefore not surprising that food production decreased and famine occurred in the first years after resettlement.....There are a few things which are certainly better than in pre-Kariba times, such as the access roads to the area, schools and

² Resettlement is 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.

³ <https://cpb-us->

e1.wpmucdn.com/share.nanjingschool.com/dist/1/43/files/2013/05/World_Commission_on_Dams_2000_Case_Study_Kariba_Dam_Final_Report_November_2000-2etc5lv.pdf accessed 26 11 2018 page xi

medical facilities. But not all promises made during the resettlement campaign have been met. Most villages are still without electricity.⁴

It is these experiences and the lessons emanating from them that inform current national and international standards guiding land acquisition and resettlement, including International Finance Corporation (IFC) Performance Standard 5 (2013) and the World Bank Environmental and Social Framework (2016). And, it is these standards which will guide any physical and economic displacement as a result of the Batoka Gorge-Hydro Electric Scheme.

The objective of this document is to outline a framework for resettlement that seeks to avoid, and where avoidance is not possible mitigate the risks posed by displacement, through sound planning and resettlement implementation, and adherence to national laws and international standards of good practice. This document will guide all future land acquisition associated with the Project, and is grounded in the following principles:

- Avoid and minimise physical and economic displacement by exploring alternative project designs;
- Mitigate and compensate adverse impacts from land acquisition or restrictions;
- Improve, or at least restore, pre-Project livelihoods and standards of living for all Project-affected persons (PAPs);
- Improve the living conditions of physically displaced households through the provision of adequate housing with security of tenure and the provision of basic infrastructure and amenities;
- Establish standards of compensation that are transparent, consistent, and reflect the full replacement value of all impacted assets eligible for compensation;
- Guide the design of the resettlement process through free, open, transparent and informed engagement with PAPs;
- Establish grievance and conflict resolution mechanisms to address any grievances raised by PAPs or other stakeholders;
- Identify and bridge gaps between Zimbabwe legal requirements and the requirements of the World Bank Environment and Social Framework (2016);
- Give particular attention to vulnerable groups and if necessary implement measures to ensure that vulnerable groups have equitable access to opportunities and benefits; and
- Promote gender equity in all compensation, allowances and livelihood restoration measures.

1.3 Scope and Structure of the RPF

This Framework covers the full scope of the Project's planned land acquisition based on available information current to December 2018, and is organised as follows:

- **Chapter 1 Introduction:** provides an overall introduction, Project description and context for the Framework.
- **Chapter 2 Legal & Institutional Framework:** describes the institutional and legal framework that has guided the preparation of the Framework.

⁴ [https://cpb-us-e1.wpmucdn.com/share.nanjing-school.com/dist/1/43/files/2013/05/World Commission on Dams 2000 Case Study Kariba Dam Final Report November 2000-2etc5lv.pdf](https://cpb-us-e1.wpmucdn.com/share.nanjing-school.com/dist/1/43/files/2013/05/World_Commission_on_Dams_2000_Case_Study_Kariba_Dam_Final_Report_November_2000-2etc5lv.pdf) accessed 26_11_2018 page xii

- **Chapter 3 Overview of Project-affected Population:** presents the Project understanding of existing socio-economic conditions of the Project-affected persons and communities, based on available information.
- **Chapter 4 Stakeholder Engagement:** describes stakeholder participation and planned consultation activities throughout the resettlement planning process.
- **Chapter 5 Project Impacts:** provides an overview of impacts on Project-affected persons, households, and communities.
- **Chapter 6 Compensation Principles & Entitlements:** presents the policies guiding resettlement compensation and outlines the Project's strategy for compensation for all forms of ownership or use rights affected by the Project.
- **Chapter 7 Replacement Assets:** outlines the process for defining the replacement assets that will form part of the entitlements for PAPs.
- **Chapter 8 Livelihood Restoration & Improvement:** defines the planning process for livelihood restoration and enhancement initiatives to help Project-affected households re-establish existing livelihoods or develop new ones.
- **Chapter 9 Vulnerable Support:** describes the measures to be adopted by the Project to ensure that Vulnerable Persons are not disadvantaged in the resettlement process.
- **Chapter 10 Grievance Management:** describes the mechanisms available to Project-affected people for the processing and resolution of grievances or claims related to the Project's land acquisition process.
- **Chapter 11 Implementation Arrangements:** provides an overview of the implementation arrangements and the actions required to develop a detailed RAP(s), once the location of all components is known.
- **Chapter 12 Monitoring & Evaluation:** describes the monitoring and evaluation procedures required to ensure that proposed principles and objectives are met.

2. LEGAL AND INSTITUTIONAL FRAMEWORK

This chapter provides an overview of the legal and institutional framework guiding the preparation of this Resettlement Policy Framework. It provides a summary of international resettlement standards, and compares Zimbabwe national legislative requirements with those of the World Bank's Environmental and Social Framework (2016).

2.1 Procedure for Acquiring Land and Compensation for Land

The principle legislation setting out the procedure for the acquisition of land by the State in Zimbabwe, and for compensation for such land can be found in four Acts. They are listed below and described in subsequent sections:

- The Constitution of Zimbabwe Amendment Act (No.20) Act 1 of 2013;
- The Land Acquisition Act (Chapter 20:10) for agricultural land, rural land and other private land;
- The Communal Lands Act (Chapter 20:04) for communally held land; and,
- The Parks and Wildlife Act (Chapter 20:14),

There are three main types of land tenure in Zimbabwe; privately owned land (registered with the Deeds Registry), communal land (which local authorities and traditional leaders manage on behalf of the State) and State owned land.

The Communal Lands were borne from the Communal Land Act of 1981, formerly the Tribal Trust Lands and prior to that the Native Reserve Areas. Communal Lands are vested in the President of Zimbabwe who grants land use rights to the inhabitants of the Communal Lands in the form of a permit, consent or as prescribed by the Communal Lands Act. The President and the State hold Communal Lands in trust, and the Minister of Local Government or Rural and Urban Development or the Minister assigned, are in charge of delegating the traditional leaders working in tandem with the local authorities Rural District Councils (RDCs) on administering and use of land in accordance with the terms stipulated in the act.

The Communal Land Act grants authority to both the traditional leadership such as the chiefs, headman or village heads and to local authorities from the RDCs. The President or Minister can revoke or constrain the land rights of the users if there is a violation in relation to the terms specified by the permit or in accordance with the act. In the Communal Lands, the community allocates land amongst themselves for cultivation and grazing; and woodlands, rivers etc. are commonly owned and the traditional leadership via the community takes decisions regarding management and control of shared areas and resources.⁵

2.2 The Constitution of Zimbabwe Amendment (no. 20) Act 1 of 2013

Section 71(3) of the Constitution prohibits both compulsory deprivation and compulsory acquisition without compensation.

Section 71(3) sets the standards that a law of general application permitting compulsory deprivation of property must meet. Briefly, the requirements include that: the deprivation be inter alia in the interests of the community; the acquiring authority gives reasonable notice of intention to acquire; acquiring authority pays fair and adequate compensation; a court of law has jurisdiction in the event of dispute, etc.

Section 72(2) of the Constitution also specifically provides for the compulsory acquisition of agricultural land (especially Gazetted Land). In terms of the Constitution, agricultural land can be compulsorily acquired for any of the following purposes;

⁵ Communal Land Act Chapter 20:04

- i. Settlement for agricultural or other purposes;
- ii. Land re-organization, forestry, environmental conservation or the utilization of wild life or other natural resources; or
- iii. The relocation of persons dispossessed as a result of the utilization of land for (i) and (ii).

The Constitution provides that once such agricultural land identified for acquisition is Gazetted, it will be vested in the State from the date of the publication of such a notice in the Government Gazette.

It should also be noted that the Constitution further provides that there is no compensation for the compulsory acquisition of agricultural land save for improvements made on the land before its acquisition. The Act further restricts any court from entertaining any dispute regarding compensation for agricultural land acquired, save for improvements thereon.

2.3 The Land Acquisition Act

The Land Acquisition Act discussed below provides a more detailed procedure for the acquisition of Agricultural Land (Specially Gazetted Land). This Act also provides a detailed procedure for compensation for such land. Although the Constitution and Land Acquisition Act regarding the procedure for acquisition and compensation of agricultural land conflict in places, the provisions of the Land Acquisitions Act provides a more detailed (and comparatively fairer) procedure for compensation and acquisition of agricultural land.

2.4 Land Acquisition Procedure in terms of the Land Acquisition Act (Chapter 20:10)

As stated above, the provisions of the Land Acquisition Act will be considered when the State seeks to acquire agricultural land, rural land and other privately owned land. It is important to note that the Act provides not only the procedure for the acquisition of land by the State for purposes that are in the interests and benefit to the public, but also provides for the acquisition of land for resettlement purposes. The salient provisions having regard to the acquisition procedure are summarized below.

Section 5. Preliminary Notice of Compulsory Acquisition.

When land for acquisition is identified, and agreement for its acquisition cannot be reached with the holder of such land, a preliminary notice must be given.

The preliminary notice must be published in the Government Gazette. It must also be published for two consecutive weeks in a newspaper circulating in the area where the land that is being acquired is located, the first publication being the same day as the publication of the notice in the Government Gazette.

The preliminary notice should contain the following information:

- Nature and extent of the land, stating that a plan or map of such land is available for inspection at a specified place and at specified times;
- Set out the purpose for which the land is to be acquired for and;
- Calling upon the owner or occupier or any other person having an interest in the land who-
 - Wishes to contest the acquisition of the land, to lodge a written objection within thirty (30) days from the date of publication of the notice in the Gazette; or
 - Wishes to claim compensation to submit a claim within sixty (60) days of publication of the notice in the Gazette.

In addition to the Gazetted publication and the publications in the local newspaper, the Act also requires that a notice in writing be served personally to the owner or occupier of the property, if possible after investigation.

In respect of Specially Gazetted Land, there is no need for personal service -- the publication in the Government Gazette and local newspaper is deemed sufficient. Once a preliminary notice is published the owner of such land is restricted from dealing freely with such land, which includes disposing of the land or making permanent improvements on the land.

A preliminary notice will remain in force for a period of two years from the date of its publication in the Government Gazette. This period will however be interrupted pending any proceedings in a court regarding the acquisition of the land. In short, the period for which the matter is pending in any court will not be counted as part of the two year period.

A preliminary notice must be lodged with the registrar of deeds to prevent anyone from transferring the land to another party pending acquisition.

A preliminary notice may be withdrawn at any time. Any withdrawal must be published in the Government Gazette and served on the affected persons. The notice may at any time after withdrawal, be reissued.

If the preliminary notice lapses before the land is acquired (i.e. on the expiration of the two year period) the notice can only be reissued following a one year period from the date of the notice lapsing or at an earlier time with the agreement of the occupier.

Section 6. Owner may demand acquisition of whole property

This section stipulates that, if a portion of the owner's property is Gazetted in the preliminary notice, the owner may demand for the acquisition of the whole of his property if he believes that the acquisition of the portion will render the remainder of the property unsuitable for the purposes which it was being used.

If such a demand is made the acquiring authority may agree to the acquisition; however, if it rejects the demand then the matter will be referred to the administrative court for determination.

Section 6B of the Act further states that the owner may also request for subdivision of his property if the acquiring authority has sought to acquire the whole property. In requesting subdivision, the owner can agree to the acquisition of a portion of his property as opposed to the whole.

Section 7. Application for an order authorizing or confirming an acquisition following a Preliminary Notice, in cases where the acquisition is contested.

As stated the holder of property being acquired, may object to the preliminary notice within 30 days of the preliminary notice being Gazetted. If such an objection is made, the acquiring authority cannot acquire the property following the 30-day period, but must make an application to the Administrative Court for an order authorizing the acquisition.

The Act provides that once such an application is made the acquiring authority must give notice of the application personally to the holder of land. Although the period for serving such a notice is not stipulated, the Act does state that such notice must be served (personally) within a reasonable time. A reasonable time can be seen as any time before the Administrative Court sits to hear the application, unfortunately a period for when the hearing should take place is also not stipulated.

With respect to agricultural land required for resettlement purposes, the Act provides that notice of the said application in the Government Gazette is sufficient notice.

When determining whether to confirm or authorise the acquisition of land following an objection by the owner of such land the Administrative Court will consider the following;

- That the acquisition of the land is reasonably necessary in the interests of defence, public safety, public order, public morality, public health, town and country planning or the utilization of that or any other property for a purpose beneficial to the public generally or to any section of the public; or

- Where the acquisition relates to rural land, that the acquisition is reasonably necessary for the utilization of that or any other land—or settlement for agricultural or other purposes; or
 - For purposes of land reorganization, forestry, environmental conservation or the utilization of wild life or other natural resources; or
 - For the relocation of persons dispossessed in consequence of the utilization of land for the above-mentioned purposes.
- Where the acquisition relates to only part of a piece of land, that the acquisition will not render the remainder of that piece of land unsuitable for the purpose for which it was being used or was bona fide intended to be used immediately before the acquisition.
- The Administrative Court may after considering the application grant an order confirming or authorising the acquisition. The Administrative Court may also refuse to confirm or authorise the acquisition in which case the preliminary notice must be withdrawn by notice in the Government Gazette.

Section 8. Vesting of land

Subject to any opposition to the acquisition of land by the holder of land, the acquiring authority may acquire the land in question by a written order not less than thirty days after the Gazetting of the preliminary notice.

An order for the acquisition of land must be served on the holder personally, however if this is not possible this must be done by way of notice in the Government Gazette.

Section 9. Eviction of the Owner or Occupier

Absent landholder opposition to the acquisition of the land, the Act provides that the owner will have three months written notice to vacate the property. This only applies to the owner of non-agricultural land required for resettlement purposes, as there is no need for persons occupying land for resettlement purposes to move.

Should the holder fail to vacate the property at the expiration of said period, the acquiring authority may obtain an order from the High Court of Zimbabwe for their eviction.

The Act further imposes a criminal penalty of a fine and/or imprisonment for a period not exceeding two years for a holder who after ninety days (three months) from service of the order of acquisition, refuses to vacate his living quarters.

2.5 Compensation for Land as per the Land Acquisition Act (Chapter 20:10)

Compensation for land in terms of the Land Acquisition Act can be categorized as follows;

- Compensation for Specially Gazetted Land
- Compensation for Land Excluding Specially Gazetted Land

Compensation for Specially Gazetted Land

Compensation for Specially Gazetted Land is dealt with in Part VA of the Act.

The Act establishes a Compensation Committee to deal with compensation for Specially Gazetted Land.

The procedure for the assessment of compensation for Specially Gazetted Land can be summarized as follows;

- As soon as possible after any agricultural land has been specially Gazetted, a designated valuation officer will prepare a preliminary estimate of the compensation payable for improvements or the land. The designated valuation officer must then transmit his preliminary assessment to the Compensation Committee.

- On receiving the preliminary estimate of compensation payable the Committee will conduct its own investigation and prepare its own estimate of compensation payable.
- Notice will then be sent to the claimant/ affected person advising them of the estimate for compensation, and inviting the claimant/ affected person who has a dispute with the Committee's estimate to provide a counter estimate.
- After receiving the counter estimate, the Committee will fix the compensation to be paid for the land and or improvements on the land and inform the claimant.

Section 29C of the Act provides that compensation for Specially Gazetted Land will be paid for improvements to or on the land. The section also provides that compensation for the land itself will only be paid on the establishment of an adequate fund for the purpose.

The Act provides detailed principles for the assessment of compensation for Specially Gazetted Land (see Annexure A of the Act) and principles for the assessment of compensation for improvements to or on the land.

The Act further sets out the minimum threshold of compensation to be paid out for Gazetted Land at any particular time as follows;

- At least $\frac{1}{4}$ of the compensation payable shall be paid at the time the land concerned is acquired, or within a reasonable time thereafter; and
- A further $\frac{1}{4}$ of the compensation payable shall be paid within 2 years after the land concerned was acquired; and
- The balance of the compensation payable shall be paid within 5 years after the land concerned was acquired.

Note that payment for Gazetted Land (excluding improvements to land) will be dependent on the availability of the fund government has in place for payment of compensation for land. This leaves uncertainty as to when compensation for Gazetted Land will be given.

Lastly the Act provides that compensation shall not extend to any inconveniences or losses suffered by the landowner in the process of the acquisition process. In other words, compensation will exclusively be for improvements to or on the land and if possible (dependent on the availability of funds) the land itself.

Compensation for Land Excluding Specially Gazetted Land

Compensation for Land Excluding Specially Gazetted Land is dealt with in Part V of the Act. The procedure for making such compensation can be summarized as follows;

Any person who wishes to claim compensation for land (excluding Specially Gazetted Land) must submit a written claim for compensation specifying in detail—

- The nature of his loss or deprivation of rights; and
- The amount of compensation claimed by him and the basis on which he has calculated that amount and any actual expense or loss which has been or may reasonably be incurred or suffered directly as a result of the action taken by the acquiring authority.

It can be noted that there is no exact formula for doing so; thus, the claimant must quantify his loss which the acquiring authority can accept or reject.

The claimant must submit a written claim for compensation to the acquiring authority within at least 60 days of Gazetting of the preliminary notice in the Government Gazette.

Any disputes regarding compensation must be referred to the Administrative Court for determination only after a period of thirty days after an order is made regarding the acquisition of the land.

The Administrative Court is authorized to make a determination of fair compensation if there is a dispute.

The Act provides that where land that is not Specially Gazetted Land is acquired temporarily, compensation shall be assessed in terms of the rental value of the land.

Where only a portion of the land, other than Specially Gazetted Land, has been acquired, compensation for that part shall be assessed as the difference between the price or value of the whole piece of land, and the price or value so determined of the remainder of that piece of land.

If immediately before the date of publication of the preliminary notice in the Gazette, land that is not Specially Gazetted Land was used for a special purpose and adapted for that purpose in such a way that there is no general demand or market for the land, then compensation would include the cost of adapting replacement land. The goal being to ensure the claimant is restored as closely as possible to the position in which they were immediately prior to that date, or on any other basis that is considered fair.

2.6 Communal Lands Act (Chapter 20:04)

This Act provides the procedure for the compulsory acquisition of communal land. Having regard to this Act, there are three ways communal land can be acquired, these can be summarized as follows.

Section 6. Additions to or subtractions from Communal Land

This section authorizes the President after consultation with the rural district council under which the communal land falls to declare by way of a statutory instrument, that such land ceases to be communal land.

When the president takes such action, the land ceases to be communal land and becomes state land until it is sold or otherwise disposed of. This section gives the President very wide reaching powers as it does not provide opportunity for challenge by an affected party to the President's decision, nor does it oblige that he gives of a specific reason for the subtraction of such land from communal land.

Section 10. Setting aside of Land for Communal Purposes

This section authorizes the Minister of Local Government, Rural and Urban Development after consultation with the rural district council established for the area, to set aside any communal land for any purpose for which he considers in the interests of the people of that area or in the public interest.

In acquiring such land (setting aside such land) the Minister publishes a statutory instrument describing the land, the purpose for which the land is being set aside for, specifying the date on which the land will be set aside and ordering all persons occupying such land to permanently vacate the land with their belongings.

Section 11. Servitudes relating to water rights over communal land

In terms of this section the Administrative Court in terms of the provisions of the Water Act (Chapter 20:24) may grant a servitude over communal land, which servitude could lead to the inundation of an area of communal land. Such a servitude could result in the loss of land by certain occupants of the affected area. This section accordingly can also be seen as a way in which land can be acquired. This section does not provide any specific procedure as to procedure in relocation of affected persons. It furthermore does not provide an internal remedy for recourse against such a decision granting a servitude that would result in the inundation of communal land.

It is worth noting that the Communal Land Act of 1981 does not clearly detail the roles of the traditional leadership and the local authorities. Consequently, disputes may arise because of a lack of clarification on the roles and responsibilities of both parties in administering the communal areas. In some instances, the Rural District Councils (RDCs) may implement decisions based on strategic planning, whereas the traditional leadership claims ancestral rights as custodians of the land.

In essence, the communities residing on Communal Land are governed by their permit or the Act and thus lack formal documentation and land tenure. Misuse of the permit or violations of terms stipulated in the act can lead to the land use rights being revoked, thus leaving the inhabitants without a residential or arable plot.

The RDCs derive their roles and responsibilities from the Rural District Councils Act (Chapter 29:13). RDCs and traditional leaders work together to administer the communal lands. It is worth noting that the local authorities can, and in most cases do, override the functions and authority of the traditional leaders.

2.7 Compensation for Land as per the Communal Lands Act (Chapter 20:04)

In terms of this Act the primary relief for an affected person is, if possible, alternative land for use. If alternative land is not available and no agreement is reached with the affected persons the Act advises that the provisions of the Land Acquisition Act regarding compensation will apply. This however is vague as question arises around whether the procedure put in place for Specially Gazetted Land (agricultural land) will be used or whether the procedure relating to any other land will be used. Noting this vagueness, it will be the responsibility of the occupier of communal land to quantify his loss and submit the claim to the acquiring authority for payment. The Administrative Court will be the deciding body should there be a dispute.

The Act also provides that compensation will be made from the Consolidated Revenue Fund, presuming sufficient funds exist to provide the appropriate amount of compensation in a timely fashion.

2.8 The Parks and Wildlife Act (Chapter 20:24)

In light of BGHES being located within a national parks area, consideration must be given to the provisions of the Parks and Wildlife Act (Chapter 20:04). As stated the provisions regarding acquisition are generally aligned with the Land Acquisition Act and the Communal Lands Act, however there is a notification process to inform the Ministry of Environment and Tourism.

The procedure can be summarised as follows.

Section 117. Compulsory acquisition of land, etc., in national parks, etc

In terms of the Act where any person who is authorized in terms of any law (for instance the Land Acquisition Act or Communal lands Act) to acquire compulsorily land which may lie within a National Park, such authority must give the Minister of Environment and Tourism not less than thirty days' notice of the intention to exercise those rights.

Accordingly, if such acquisition is in terms of the Land Acquisition Act, it is the President or any Minister authorised by the President to acquire the land who must give the Minister of Environment and Tourism the 30 days' Notice. If such acquisition is in terms of the Communal Lands Act it is the Minister of Local Government, Rural and Urban Development or whichever Ministry the president may assign to administer the Act, that must give thirty days' notice to the Minister of Environment and Tourism.

The Act provides that the acquiring authority should also specify the date on which the acquisition will take place.

The Minister of Environment and Tourism is permitted to refer the matter to the President for determination before the proposed acquisition if he believes that the acquisition of such land will interfere with the purposes for which the National Park is constituted.

Where the President considers that, it is in the public interest for land within a National Park to be acquired he may assent to the proposed acquisition, despite the fact that the exercise will unduly

interfere with the purposes for which the National Park was constituted. In so doing, he may fix terms and conditions as necessary or desirable.

In the event that an acquisition is deemed unfair, a grievance can be lodged with the Administrative Court. The Administrative Court is also empowered to determine grievances where compensation is concerned. The Administrative Court is an organ for ensuring administrative actions and decisions are lawful, reasonable and procedurally fair.

2.9 Use of Land Affected by Transmission Lines

In Zimbabwe, Section 9(1) of The Electricity (Public Safety) Regulations 2018, Statutory Instrument 177 of 2018, prohibits any person from carrying on any business or activity, farming or erecting any structure within a prescribed wayleave distance (the area beneath the power line). The Act provides for a penalty for contravention in the form of a fine and/or imprisonment for a period lasting no less than six months.

Table 1 presents the wayleave distances prescribed by the regulations.

Table 1 Wayleave Clearances ⁶

Voltage Level	Wayleave Clearance (M) Either Side from the Outer Most Conductor
11kV	5
33kV	5
66kV	7.5
88kV	15
132kV	15
330kV	30
400kV	30

As the Project transmission lines will have a voltage level of 400 kV, the wayleave clearance will be 30 m either side from the outermost conductor.

2.10 International Resettlement Standards

The World Bank policy on involuntary resettlement is established under Operational Policy and Bank Practice 4.12 on Involuntary Resettlement (OP/BP 4.12), which is further defined through the Bank's Safeguard Policies. These policies were reviewed and updated, and the new Environmental and Social Framework (ESF) published in 2016.⁷

ESF's Environmental and Social Standard 5 (ESS5): Land Acquisition, Restrictions on Land Use and Involuntary Resettlement (see Annex 1) establishes the following objectives:

- To avoid involuntary resettlement or, when unavoidable, minimize involuntary resettlement by exploring project design alternatives.
- To avoid forced eviction.
- To mitigate unavoidable adverse social and economic impacts from land acquisition or restrictions on land use by: (a) providing timely compensation for loss of assets at replacement cost and (b) assisting displaced persons in their efforts to improve, or at least restore, their livelihoods and living standards, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.

⁶ Copied from Electricity Regulations Fourth Schedule (Section 9(1))

⁷ <https://www.worldbank.org/en/projects-operations/environmental-and-social-framework> accessed 05_12_2018

- To improve living conditions of poor or vulnerable persons who are physically displaced, through provision of adequate housing, access to services and facilities, and security of tenure.
- To conceive and execute resettlement activities as sustainable development programs, providing sufficient investment resources to enable displaced persons to benefit directly from the project, as the nature of the project may warrant.
- To ensure that resettlement activities are planned and implemented with appropriate disclosure of information, meaningful consultation, and the informed participation of those affected.⁸

Two principles of particular relevance to this Project are “replacement cost” and ‘security of tenure’.⁹

“Replacement cost” is defined by ESS5 as the method of valuation yielding compensation sufficient to replace assets, plus necessary transaction costs associated with asset replacement. Where functioning markets exist, replacement cost is the market value as established through independent and competent real estate valuation, plus transaction costs. Where functioning markets do not exist, replacement cost may be determined through alternative means, such as calculation of output value for land or productive assets, or the un-depreciated value of replacement material and labor for construction of structures or other fixed assets, plus transaction costs.

In all instances where physical displacement results in loss of shelter, replacement cost must at least be sufficient to enable purchase or construction of housing that meets acceptable minimum community standards of quality and safety. The valuation method for determining replacement cost should be documented and included in relevant resettlement planning documents. Transaction costs include administrative charges, registration or title fees, reasonable moving expenses, and any similar costs imposed on affected persons. To ensure compensation at replacement cost, existing (or planned) compensation rates may require updating in project areas where inflation is high or the period of time between calculation of compensation rates and delivery of compensation is extensive.

“Security of tenure” means resettled individuals or communities are resettled to a site that they can legally occupy, where they are protected from the risk of eviction and where the tenure rights provided to them are socially and culturally appropriate. In no event will resettled persons be provided tenure rights that are in effect weaker than the rights they had to the land or assets from which they have been displaced.

Other pertinent points in ESS5 include:

- The proponent will engage directly with affected communities and persons through a process of stakeholder engagement through the planning, implementation, monitoring, and evaluation of the resettlement process.
- The proponent will establish a grievance mechanism to receive and address specific concerns about compensation and relocation raised by displaced persons or members of host communities in a timely fashion.
- In the development of the RAP or LRP, the proponent will be required to conduct a census to determine eligible peoples and an inventory of their assets as a basis of determining their asset holdings. Both will be linked to a suitable development moratorium (i.e. eligibility cut-off date).
- Where affected persons are required to be relocated, the proponent will offer feasible resettlement options, including adequate replacement housing or cash compensation where appropriate.

⁸ Guidance Note – ESS5: Land Acquisition, Restrictions on Land Use and Involuntary Resettlement page 1

⁹ Guidance Note – ESS5 page 2/3

- Documentation of ownership or occupancy and compensation payments should be issued in the names of both spouses or single heads of households, and other resettlement assistance, such as skills training, access to credit, and job opportunities, should be equally available to women and adapted to their needs. Where national law and tenure systems do not recognize the rights of women to hold or contract in property, measures should be considered to provide women as much protection as possible with the objective to achieve equity with men”.¹⁰
- The mitigation of economic displacement will be considered complete when the completion audit concludes the affected persons or communities have received all of the assistance for which they are eligible, and have been provided with adequate opportunity to re-establish their livelihoods.¹¹

Critical to the above requirements is the recognition of affected persons with different land tenure status. Displaced persons, under the World Bank include persons:

- 1) With formal legal rights to the land or assets they occupy or use;
- 2) With no formal legal rights to land or assets but have a claim to land that is recognized or recognizable under national customary law; or
- 3) With no recognizable legal right or claim to the land or assets they occupy or use.

Affected persons who fall into the third category are considered eligible for compensation for any lost assets other than land (such as crops, irrigation infrastructure and other improvements to the land) at replacement cost. ESS5 also stipulates that the Borrower provide assistance in ‘lieu of land compensation sufficient to provide such persons with an opportunity to re-establish livelihoods elsewhere’.¹²

2.11 Governance and Administrative Structure

The Government of Zimbabwe works as a Presidential Republic. Administratively, the country is divided into 10 provinces, with presidentially appointed provincial ministers administering each province assisted by district administrators. The provinces are further divided into 59 districts and then 1200 wards. The nation’s parliament holds legislative and rule-making power. Additionally, the country has a judicial branch for matters of the court.

Zimbabwe adopted a new constitution in 2013 (Constitution of Zimbabwe) which, among other things recognises the role of the institution of traditional leadership. They operate alongside modern state structures. In parts of the country where the State has a limited presence, traditional leaders deliver various government responsibilities. Their legitimacy, control and influence in rural areas remain widespread.¹³ **Figure 3** illustrates the existing political and traditional governance structure within Zimbabwe.

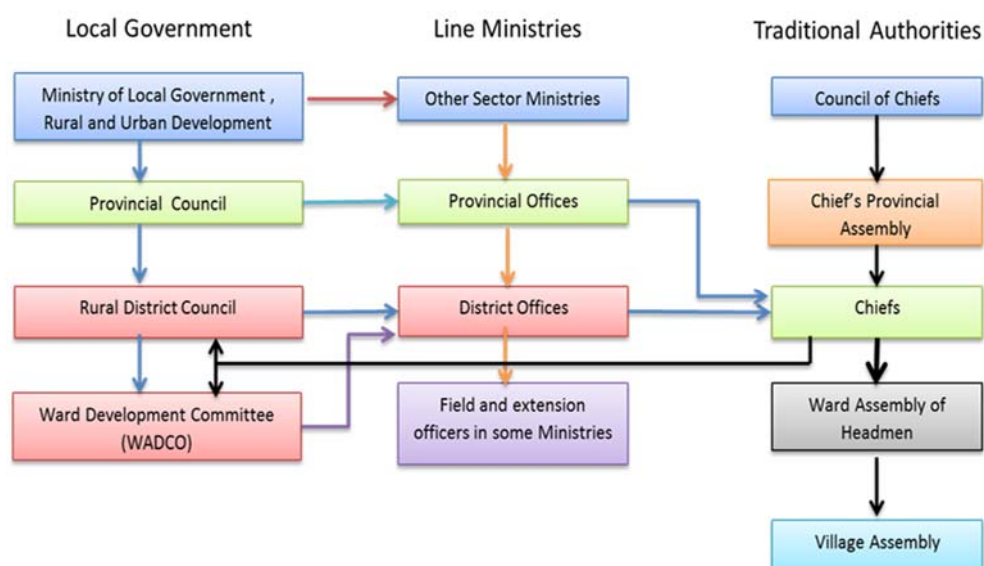
¹⁰ Environmental and Social Framework (2016) page 57

¹¹ Ibid page 59

¹² Ibid page 59

¹³ http://www.scielo.org.za/scielo.php?script=sci_arttext&pid=S2077-49072016000100003 accessed 03_12_2018

Figure 3 Governance Structure



There are three main bodies with responsibility for the development and implementation of the RAP(s): the ZRA; local government and traditional leaders in the Project area; and the Government of Zimbabwe.

The ZRA will be the primary responsible party in terms of adherence to this RPF, and the development and implementation of the RAP(s), consistent with its legal obligations under current environmental regulations. This will include the management and financing of all required studies, negotiation on entitlements, stakeholder engagement, provision of resettlement assistance, and payment of compensation.

The financing for the Project and the resettlement will however be sourced from a range of international private and public financiers (i.e. World Bank, African Development Bank). The conditions for securing international financing includes ensuring that the resettlement process conforms to international good practice (as framed in the World Bank Environmental and Social Standards, 2016).

2.12 Gaps Analysis between National Laws and International Standards

Table 1 compares national laws in Zimbabwe with World Bank standards pertinent to land acquisition and resettlement. The compensation entitlements, livelihood restoration and vulnerable support measures outlined in further chapters of this RFP are designed to address the gaps between international standards and regulations governing land acquisition and distribution in Zimbabwe.

Table 2 Comparison between National and International Standards Related to Land Acquisition and Resettlement

Project impact/component	Zimbabwe Legislation	World Bank Environmental and Social Standard 5	Measures to address gaps
Compensation for 'squatters'	No mention in national legislation of 'squatters' being eligible for compensation	Affected persons include those with no recognizable legal right or claim to the land or assets they occupy or use; they will be compensated for assets other than land (such as crops, irrigation infrastructure and other improvements made to the land) at replacement cost. Additionally, they will be provided with assistance in lieu of land compensation sufficient to provide such persons with an opportunity to re-establish livelihoods elsewhere. (Note: people who encroach on the project area after the cut-off date for eligibility are not entitled to compensation or assistance)	See Chapter 6 Compensation Principles; Table 7 Eligible Persons includes de-facto occupant or user
Compensation rates	Land Acquisition Act establishes a Compensation Committee (made up of key government officials) to deal with compensation for Specially Gazetted Land. It includes retaining a designated valuation officer to prepare an estimate of compensation. The Act also sets out the minimum threshold of compensation to be paid out in specific instalments. Land Acquisition Act provides that compensation will not extend to any 'inconveniences or losses' suffered by the land owner in the process of the acquisition. Compensation is for improvements to or on the land, and if possible , the land itself.	Affected persons are entitled to compensation at replacement cost, and other assistance as may be necessary to help them improve or at least restore their standards of living or livelihoods Land will be accessed only after compensation in accordance with Environmental Social Standard 5 has been made available, and where applicable, displaced people have been resettled and moving allowances have been provided to the displaced persons, in addition to compensation.	See Chapter 6 Compensation Principles Table 8 Entitlement Matrix

Project impact/component	Zimbabwe Legislation	World Bank Environmental and Social Standard 5	Measures to address gaps
Compensation for agricultural land	<p>S72 of the Constitution of Zimbabwe Amendment (no. 20) Act 1 (2013) provides that there is no compensation for agricultural land, except for improvements effected on it before its acquisition.</p> <p>Land Acquisition Act stipulates that payment for Gazetted Land will be dependent on the availability of the Fund government have in place for payment of compensation for land.</p>	<p>When land acquisition or restriction on land use (whether permanent or temporary) cannot be avoided, affected persons will be offered compensation at replacement cost, and other assistance as may be necessary to help them improve or at least restore their standards of living or livelihood</p>	<p>See Chapter 6 Compensation Principles Table 8 Entitlement Matrix</p>
Compensation for communal land	<p>S12 (1) of the Communal Lands Act (Chapter 20:14) provides for provision of alternative land for communal use. If alternative land is not available the provisions of the Land Acquisition Act regarding compensation to apply (i.e. land occupiers to give quantification for loss suffered and expert valuation to be undertaken)</p>	<p>In cases where affecting persons with legal rights or claims to land that are recognized or recognizable under national law, replacement property (e.g. agricultural or commercial sites) of equal or greater value will be provided, or where appropriate, cash compensation at replacement cost</p> <p>Economically displaced persons who are without legally recognisable claims to land will be compensated for lost assets other than land (i.e. crops, irrigation infrastructure and improvements to land) at replacement cost. Additionally, the borrower will provide assistance in lieu of land compensation sufficient to provide such persons with an opportunity to re-establish livelihoods elsewhere.</p>	<p>See Chapter 6 Compensation Principles Table 8 Entitlement Matrix</p>
Livelihood restoration	<p>No specific provisions for forms of additional livelihood assistance beyond compensation.</p>	<p>Economically displaced persons will be provided with opportunities to improve (or at least restore) their means of income-earning capacity, production levels, and standards of living. Recommends provision of support to displaced persons for a transition period.</p>	<p>Chapter 8 Livelihood Restoration and Improvement outlines approach and possible program types</p>

Project impact/component	Zimbabwe Legislation	World Bank Environmental and Social Standard 5	Measures to address gaps
Valuation methods	Asset valuation practice does not make mention of depreciation, but does indicate that compensation does not extend to any 'inconveniences or losses', although the nature of these is not clarified.	Full replacement cost does not take depreciation into consideration.	See Chapter 6 Compensation Principles Table 8 Entitlement Matrix
Stakeholder engagement and consultation	Reference to gazetting and notification, but no specific provisions for stakeholder engagement and consultation.	Ensure that resettlement activities are planned and implemented with appropriate disclosure of information, meaningful consultation, and the informed participation of those affected	Chapter 4 outlines the Project approach to stakeholder engagement and participation
Vulnerable groups	No specific provisions for vulnerable groups	Where the environmental and social assessment of the project identifies specific individuals or groups as disadvantaged or vulnerable ¹⁴ , the borrower will propose and implement differentiated measures so that adverse impacts do not fall disproportionately on the disadvantaged or vulnerable, and they are not disadvantaged in sharing any development benefits and opportunities resulting from the project.	Chapter 9 outlines the Project approach to identifying and providing support to PAP deemed 'vulnerable'

¹⁴ Disadvantaged or vulnerable refers to those who may be more likely to be adversely affected by the project impacts and/or more limited than others in their ability to take advantage of a project's benefits. Such an individual/group is also more likely to be excluded from/unable to participate fully in the mainstream consultation process and as such may require specific measures and/or assistance to do so. This will take into account considerations relating to age, including the elderly and minors, and including in circumstances where they may be separated from their family, the community or other individuals upon which they depend.

3. OVERVIEW OF PROJECT-AFFECTED POPULATION

This chapter provides an overview of the baseline socio-economic conditions in those communities that will be affected by the Project's requirement to access land. Information was drawn primarily from household survey and qualitative data gathered in the Project area for the updated ESIA (2016). Preparation of the RAP(s) will require a full census and asset inventory of all affected households and collection of up to date socio-economic data to establish a baseline for outcome monitoring, and to inform livelihood restoration programming and support for affected households deemed vulnerable.

The BGHES falls into the province of Matabeleland North in Western Zimbabwe close to the borders of Botswana and the Republic of Zambia. It is the country's second least populous province, and home to the famous Victoria Falls and Hwange National Park. All Project components will be located within Hwange district.

3.1 Governance Structure of the Project-impacted Area

Land required for the development of the Project is located in the following nine wards: Matetsi, Chidobe, Katchecheti, Nemanhanga, Mbizha, Jambezi, Sidinda, Mashala and Chinkandukubi. The affected chiefdoms are Hwange, Mvutu and Shana. The Ministry of Local Government, Rural and Urban Development (MLGRUD) oversees local government in Zimbabwe, administered through urban and rural district councils. The role of the rural district councils includes planning and implementing local development; providing and managing basic services, including health, education, social welfare, refuse removal, water, roads and sanitation.

Policymaking in rural areas takes place in village and ward assemblies, and the full District Council in ascending order. The Ward Assembly is composed of all headmen, village heads within that particular ward, and the elected councillor for that area. Wards are further divided into villages, each of which has a Village Development Committee chaired by the Village Head.

The Traditional Leadership Act (1998) provides for the appointment and duties of Chiefs, headmen and village heads. Each plays an important role at the grassroots level in both the distribution and documentation of land access and the resolution of land related disputes. The President appoints chiefs to preside over communities inhabiting communal land and resettlement areas. Their responsibilities include:

- Promoting and upholding cultural values among members of the community under his jurisdiction, particularly the preservation of the extended family and the promotion of traditional family life;
- Supervising headmen and village heads in the performance of their duties; and discharging any functions conferred upon him in terms of the Customary Law and Local Courts Act;
- Overseeing the collection of levies, taxes, rates and charges payable in terms of the Rural District Councils Act by village heads;
- Ensuring that Communal Land is allocated in accordance to the Communal Land Act;
- Ensuring that the land and its natural resources are used and exploited within legal boundaries;
- Protection of public infrastructure and services;
- Adjudicating in and resolving disputes related to land in his area; and,
- Maintaining up-to-date registers with all villages' names, their inhabitants and copies of land certificates.

The Chief nominates a person to serve as Headman, who presides over the ward council. Key responsibilities of the Headman include assisting in the maintenance of law and order; overseeing the disposal of settlement rights in Communal Land and the admission of new settlers in the area;

mediating local disputes over customary law; and keeping up-to-date village records. Village heads assist the Headman in the administration of their duties, and are nominated by the Headmen with approval from the area Chief and the Secretary of the Minister of Local Government.

The Hwange Rural District Council (HRDC) is responsible for setting development priorities in the district and outlining budgets and approaches to meeting set targets. It is the HRDC, through the District Administrator's office and in collaboration with the Ministry of Lands, who will identify suitable resettlement land for those displaced by the BGHES, and assist in resettlement planning and implementation.

3.2 Demographics

As part of the ESIA undertaken in 2016, primary and secondary data was collected in order to establish an updated social baseline for the Project as a whole. It involved identifying the geographic area of influence for the Project; see **Figure 4 Social Area of Influence**. It also included a household survey involving a sample of 1000 households drawn randomly from all villages within the Project-affected area.

Based on this data, the following sections provide insight into the population of people whose land and livelihood will be affected by the development of the Project.

3.2.1 Population Size

Hwange Rural District, which incorporates Hwange Urban and Hwange Rural, as well as the town of Victoria Falls, has the largest land area in comparison to other districts in the province and has a total population of 62,670 (or 14,893 households). The population density in the district is 2.3 people per km², with an average household size of 4.2 persons.¹ The ESIA household survey indicated that the household size in the Project-affected area is closer to 5 persons.

Migration patterns in most countries tends to be associated with economic opportunities, which has been particularly challenging in Zimbabwe over the past two decades in light of the country's economic crisis. It is estimated between three and four million Zimbabweans left the country between 2000 and 2009.²

Similarly, Hwange Rural District experienced a wave of urban to rural migration in part attributed to the demise of the Hwange Colliery Company, which retrenched thousands of workers in 2002.¹⁵ In the Project area, most village heads report that there were population increases in previous years. The reasons include increasing birth rates, a decrease in mortality rates and people moving to villages as a result of retirements and retrenchments. The village head in Chisuma reported that since 2008, many companies that were based in the regional economic capital Bulawayo were closed. As a result, retrenched employees who had rural homes in Hwange Rural District, or who could not afford to sustain urban lifestyles, moved to the rural communities. The village heads of Jambezi and Sizinda noted that portions of their village had left to move to identified 'resettlement' areas in Kasibo and Matetsi where land was more available and fertile.

³ <http://www.radiodialogue.com/urban-rural-migration-increases-zimbabwe/>. Accessed 02.12.2014

3.2.2 Ethnicity, Religion and Language

Zimbabwe has three official languages: English, Ndebele, and Shona, which are also the most commonly spoken languages in the country. In the Project area, the household survey found Ndebele the predominant ethnicity, accounting for 41 % of households, followed by Nambiyas (31 %) and Tongas (17 %). Primary languages spoken by surveyed households align with the ethnic distribution; 42 % speak Ndebele, 33 % Nymba and 17 % Tonga. The majority (92 %) of household survey respondents identify as Christian, 7 % follow 'traditional religion' and 1 % Islam.

3.3 Gender Roles

Zimbabwean society continues to have clearly defined gender roles in domestic, productive, and community settings. Women and girls fetch water, cook, clean and take care of children, the sick and elderly. Men tend to dominate both household and community decision-making.

With respect to the Gender Inequality Index (GII), which reflects gender-based inequalities in reproductive health, empowerment, and economic activity, Zimbabwe ranks 116 out of 148 countries. Women hold only 18% of the seats in parliament, and have lower labour force participation rates compared to men. Health facilities report higher rates of women with HIV/AIDS compared with men.¹⁶

In 2005, Zimbabwe established the Ministry of Women Affairs, Gender and Community Development with the goal of spearheading women's empowerment and gender equality. The ministry has established co-ordinators and development officers at the ward, district and provincial levels throughout the country.

In the Project area, men are generally responsible for the more demanding physical labour associated with farming (i.e. ploughing), whereas women plant, weed, water and harvest crops. Men also fish and carve curios for sale to tourists. Although women do not carve the curios, they help with the polishing so that they are more presentable for sale. Women are also engaged in trading activities. During the baseline study focus groups, women reported playing a limited role in community decision-making, local leadership and politics with men generally controlling income from the sale of any crops and/or curios.

3.4 Land Tenure | Land Reform

As indicated in Chapter 2, the Land Reform Programme in Zimbabwe was part of a government initiative to promote more equitable access to land for all Zimbabweans. After independence in 1980, over 40% of land was owned by white farmers who constituted just 3% of the national population. Land redistribution commenced in the early 1980s, where a "willing seller – willing buyer" approach was initially enacted, but from 2000 to 2002, the fast track land distribution was applied, which saw many white commercial farmers being forcibly removed from their farms and land being transferred to over 160,000 households.

In the Project area, Matetsi Ward land was acquired by the State as part of the land reform programme. Resettled farmers allocated land by the State enter into agreements with the government that stipulates that they can own the land for 99 years. In practice, communal land is regarded as belonging to an individual after they have used it for many years however there are no formal contracts or deeds. Communal land can be inherited by a male or female heir, but cannot be sold. Land seekers in communal areas go through chiefs and headmen for a plot allocation. A senior headman in the study area at the time noted that informal land transfer arrangements and the sale of land between village heads and beneficiaries is rampant in Chidobe Ward. The baseline household survey found that the vast majority of households live on communal land; only one household reported to have title to the land that they occupy.

¹⁶ Zimbabwe Statistics (Zimstat), 2011 Zimbabwe Demographic and Health Survey 2010-11, Zimstat, Harare, Zimbabwe

3.5 Livelihoods and Local Economy

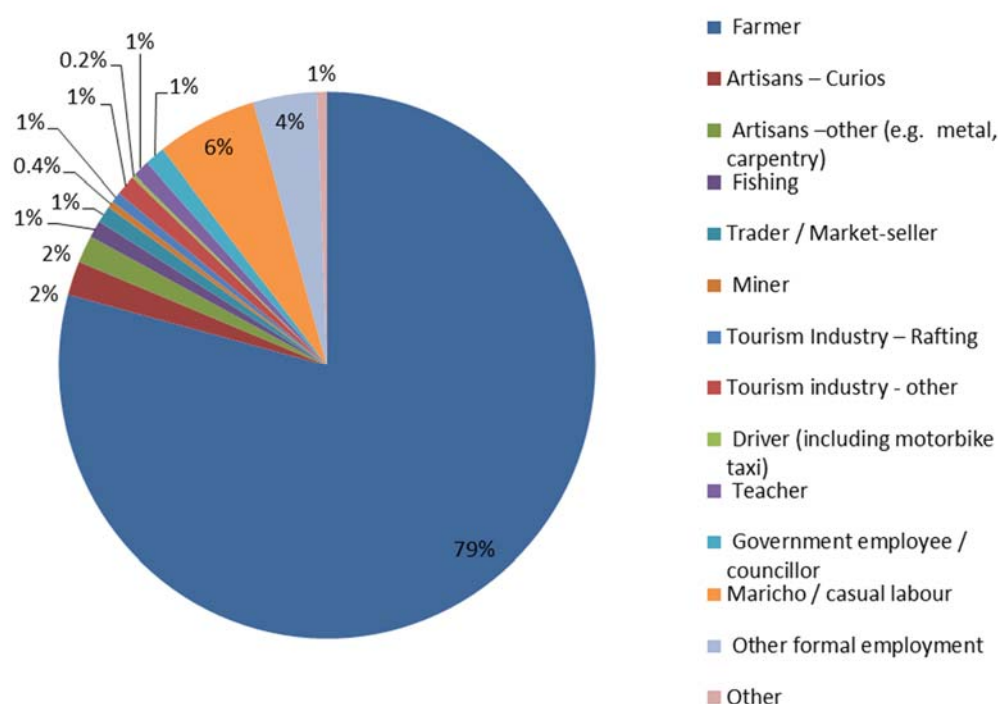
As a province, tourism and mining (coal) are important contributors to the economy of Matabeleland North. The tourist sector relies heavily on the presence of Victoria Falls, the Zambezi River and Hwange National Park. The World Travel and Tourism Council (WTTC) estimate that Zimbabwe's Travel and Tourism trade contribute US\$ 87.9 million or 11.4 % of the country's GDP.

The Zimbabwe Vulnerability Assessment Committee (ZIMVAC) 2014 Rural Livelihoods Assessment Results indicates that for the country as a whole, the poverty incidence rate is 62.6 %. In spite of the wealth generated by mining and tourism in the province, Matabeleland North has the highest poverty incidence rate of 81.7 % against the lowest rate of 34.5 % for Bulawayo.¹⁷

3.5.1 Agriculture

As with much of the broader region, and similar to communities on the Zambian side of the riverbank, there is a high reliance in the Project area on agriculture and animal husbandry. Farming as a primary livelihood was reported by 79% of those surveyed during the ESIA baseline study (see **Figure 5**). The highest percentage of farmers was reported in Kasibo (Mashala Ward), undertaken by 90 % of households, and the lowest in Jambezi, at 65 %. The main crops grown include sorghum, millet and maize and an assortment of vegetables, nuts and fruits.

Figure 5 Livelihoods in the Project-affected Area



Although the size of land holdings was not captured during the household survey, key informants reported during a fieldwork exercise undertaken in November 2018, that in traditional rural communities, households generally farm plots of approximately 6 hectares.

¹⁷ ZimVac (2014). Zimbabwe Vulnerability Assessment Committee, 2014 Rural Livelihoods Report, Harare, Zimbabwe

3.5.2 Livestock Rearing

Livestock rearing represents an important component of peoples' livelihood. More than 90% of surveyed households report rearing livestock. The majority (90%) raise poultry, followed by goats (65%), cattle (62%) and pigs (11%). The average number of poultry a household owns is 17, while for goats it is eight and cattle seven.

Livestock is primarily reared for household consumption, particularly poultry. Owning cattle however represents a sign of wealth. Cattle is typically used as a form of savings, sold during times of drought when harvests have been poor or to help pay for education fees or a marriage dowry. They are also used for ploughing and by-products (i.e. manure and milk). Stakeholders described growing concern with cattle rustling, from people illegally crossing the border via the Zambezi River, which they believe may only increase with a possible rise in water levels as a result of BGHES.

3.5.3 Trading (Curios)

Trading contributes to the livelihoods of 10% of surveyed households. Goods traded include clothing, goods made from thatch (i.e. baskets and mats) and curios. Curios include intricately carved wooden animals, bowls, utensils, baskets and jewellery. Traders undertake their business within the local communities and report generating a monthly income of on average US\$ 125.

Although curio trading was reported as a primary livelihood by only 2% of all surveyed households, it was cited as one of the most important livelihoods activities for men during focus groups in Katchecheti Ward. Additionally, 10% of people in Simakade and 8% in Jabula identify curio carving as their primary livelihood activity. Informal conversations with local wildlife experts revealed that the cutting of trees to make curios poses a serious threat to the forest areas. Trees cut tend to be hardwood varieties, such as Zimbabwean / Zambia teak; known locally as mukusi (*Baikiaea plurijuga*), mopane; known locally also as mopane or mopani (*Colophospermum mopane*) and afrormosia; known locally as mubanga (*Pericopsis angolensis*). These trees take a long time to grow (about 100 years) and as a result, some species are now under threat. Markets for the sale of curios are found in key tourist areas, like Victoria Falls.

3.5.4 Fishing and Hunting

Fishing in the Zambezi River is a supplementary livelihood activity undertaken by just over 12% of surveyed households. It is a male dominated activity with the majority of the catch used for household consumption. Average monthly incomes from the sale of the remaining fish amount to approximately US\$50, though some households reported incomes as high as US\$100. Types of fish caught include tiger fish, bream, salmon, chaser, pink lad and conjeet. Women typically process the fish, either via drying, frying or salting.

In Hwange Rural District big game trophy hunting generates significant income for the area, although revenues (like the species hunted) are on the decline. Key species hunted include elephant, buffalo, lion and leopard. It provides some employment opportunities for local people and game meat, with revenue generated split into dividends for each ward.

3.5.5 Tourism

As noted in **Figure 5**, approximately 5% of households surveyed reported being formally employed and receiving cash incomes from their job in the tourist industry (i.e. drivers, guides, or casual labourers with safari or white water rafting companies, as caterers or house cleaners at hotels and lodges or, as staff at retail outlets). In Chisuma, it is considered an important livelihood amongst male youth, and in Chisuma, Dibu Dibu and Sizinda, the impact of BGHES to the white water rafting trade was expressed as a key concern in their communities.

Community members reported that their engagement in the rafting industry was predominately as casual labourers tasked with carrying rafting equipment from the riverbed to the top of the canyon. As

rafting is seasonal, average earnings during peak seasons was reported to be approximately US\$50 per month.

Other activities in the gorge with the potential of being impacted by the Project include birding, angling, hiking and Jet Extreme Boating. Although these activities employ fewer people than the rafting industry, they are nonetheless very popular activities amongst nature- and adventure-based tourists that are visiting the area specifically for a high quality birding, angling or hiking experience and contribute to direct tourism expenditure.¹⁸

The impacts of BGHES on the tourist industry on both sides of the Zambezi River, including up and downstream from the location of the dam has been examined in great detail as part of a specialist economic assessment study for the ESIA. The findings and their implications are being addressed separate from this RPF.

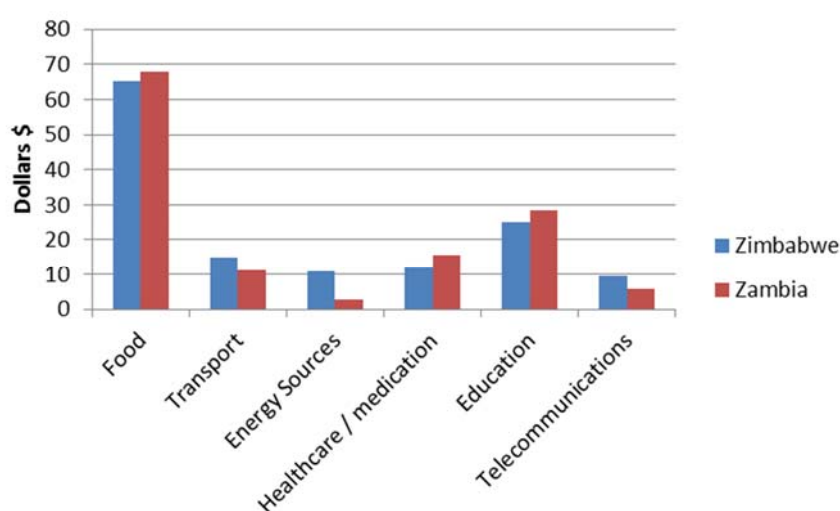
3.6 Household Income and Expenditure

As previous sections suggest, people in the Project-affected area are principally subsistence farmers, selling what additional crops they produce to generate limited cash income. There is also an active market in curios and trading of forest products (i.e. firewood, grass and forest fruits). Livestock is reared for household consumption and sold, when necessary.

Establishing an accurate picture of household income and expenditure is a challenging task. Less than 10% of the households surveyed in 2016 reported a monthly income figure. From those who did, figures ranged from less than US\$10/month to \$600/month. The average amount reported amounted to US \$2/day.

Figure 6 illustrates the monthly household expenditure reported by survey respondents. Food accounts for between 48 - 52 % of the monthly household spend (or US\$67.78). Items purchased are typically that which cannot be produced or grown by the household (e.g. salt, sugar and oil) however maize is also purchased when harvests have been depleted.

Figure 6 Household Expenditures



¹⁸ Batoka Gorge Hydro-Electric Scheme; Economic Assessment Specialist Report, Anchor Environmental

3.7 Housing and Infrastructure

In light of the fact that some households will be physically displaced, particularly within the transmission line route, it is important to understand current housing and infrastructure services. Once specific boundaries of land take and the land use restrictions within the required area are known, affected structures and facilities and their owners/users will be inventoried and valued as part of the RAP census and asset inventory.

3.7.1 Housing

Housing in rural settlements on both sides of the Zambezi River is typically constructed using local materials (i.e. mud walls and grass thatched roofing). A few brick houses with asbestos roofs were observed, typically located close to the chief's residences. Headmen reported that most households own three to five structures, including a main house for sleeping, a kitchen for preparing food and storing cooking utensils, a grain store and a kraal for livestock.

Housing constructed with local materials requires regular maintenance and periodic replacement as they are subject to inclement weather and termites. This requires labour and access to resources. Health representatives indicate that much of the local housing is of poor quality with inadequate ventilation, and generally overcrowded conditions, contributing to health problems, such as tuberculosis.

3.7.2 Water

The majority (90%) of households obtain water for their drinking, cooking and washing purposes from wells with pumps/boreholes. A small number (3%) use water sourced from rivers and streams and approximately four percent of households, most of whom are located in Sizinda, use piped water. In Kasikiri and Dibu Dibi it was reported that some households also use water sourced from unprotected wells. Livestock rely on water from rivers.

Boreholes in the Project area have been constructed by non-profit organizations and also by local government when they are able to access the District Development Fund (DDF). DDF is located within the Ministry of Rural Resources and Water Development and tasked with the responsibility of providing and maintaining rural infrastructure. With the exception of the village of Mununa where water from hand pumps/boreholes was reported to be salty, the quality of water in the Project area is considered satisfactory. The quantity of water available however varies in the dry season and in a number of villages (eg Mununa, Kasibo, Borehole 126 and Chisuma), survey respondents reported boreholes being unevenly distributed in the area, requiring longer travel distances for some households, and susceptible to breakdowns (i.e. Borehole 126).

3.7.3 Sources of Power

Firewood is a popular source of energy for cooking and used by most households. The majority collect it from the areas surrounding the villages. Households often use more than one energy source, with paraffin being the most common secondary source for cooking. Increasingly households report using solar panels to generate power for lighting, radios, televisions and charging mobile phones.

3.7.4 Sanitation

Over half the household survey respondents noted that they had access to a latrine: 43 % to a built latrine and 15 % to an improved latrine. However, village heads reported that few households actually have their own toilets and it is still common practice to defecate in the bush. In Dibu Dibu and in Borehole 126, Mvuramanzi, an NGO has donated bags of cement for the construction of toilets. NGOs helping other villages in this regard include DANIDA and CADEC.

3.7.5 Waste Removal

The majority of surveyed households (97 %) bury their waste in a pit, with a very small percentage (2 %) who reported burning waste.

3.7.6 Telecommunications

The majority of households (82 %) own at least one mobile phone; however, telephone reception is poor in all Project-area communities.

3.8 Education

UNESCO indicated that in 2015 the literacy rate in Zimbabwe for those 15 years of age and older, was 89%.¹⁹ Literacy amongst Project-affected households surveyed is significantly lower at 76%. Almost half of households surveyed report receiving a secondary school education; however, 8% lack any formal education and just 1% have had tertiary level education.

School facilities in the Project area are scattered across a wide geography, and include Jabula Primary School, Jabula Secondary School (which is still undergoing construction), Kasibo Primary School, Mununa Primary School, Simakade Primary School, Sizinda Secondary School and the Sacred Heart Mission School. There is also Vhulindlela Secondary school, located 7 km from Borehole 126, under construction. There are no vocation centres in the area. On average, children walk 5 to 10 km to reach a primary school and up to 20 km to access a secondary school. Focus group participants in the village of Kasibo reported that the 25 km distance to the nearest secondary school presents a major barrier to school attendance. In an effort to address this issue, Lubancho (an NGO) provided bicycles to 563 schoolchildren.

3.9 Health

The World Health Organization (WHO) reports that life expectancy in Zimbabwe is significantly lower (61 years of age) than the global average of 70 years.²⁰ The healthcare sector was severely affected by the economic crisis and associated high levels of inflation that afflicted the country throughout early 2000. During this time, public spending on healthcare was dramatically reduced, with limited funds to purchase medication and equipment, pay for wages, and support other activities that would allow for better health service provision. Per capita spending on healthcare in 2010 was US\$ 9, more than four times below the recommended amount of US\$34 by the WHO.²¹

There are four hospitals that serve Hwange Rural District, including the hospital in Victoria Falls and a private hospital located at Hwange Colliery. Most surveyed households (98 %) report accessing community health posts for their health needs; however the distance they travel is at least an hour by foot.

Matabeleland North has the second highest rate of HIV/AIDS in the country (20% for females and 18% for males). The existence of major tourist attractions coupled with active mining areas in the province are contributing factors. Health workers in the Project area report that diarrhoea, respiratory infections, skin disease and HIV/AIDS are the most common health issues, with HIV/AIDS and diarrhoea cited as the most common cause of death. The household survey suggest that 8% of households in the Project area have a least one household member testing positive for HIV/AIDS.

3.10 Vulnerable People

Vulnerable groups includes people who, by virtue of gender, sexuality, ethnicity, age, physical or mental disability, economic disadvantage or social status may be more adversely affected by a project

¹⁹ <http://uis.unesco.org/country/ZW> accessed 29_11_2018

²⁰ ibid

²¹ http://www.unicef.org/esaro/5440_investment_in_health.html. Accessed 12.12.2014.

than others, and who may be limited in their ability to take advantage of a project's development benefits.

In reviewing data collected as part of the baseline household survey, the groups below were identified as being at a higher risk of experiencing hardship as a result of the land access requirements of the Project. Their needs will be considered in resettlement planning and implementation, and an assessment made regarding additional forms of support they may require.

Chapter 9 describes how vulnerable groups listed below will be identified from amongst the Project-affected population and assessed.

- **Elderly:** The elderly within a village, particularly those who may be frail, have physical disabilities and/or chronic illnesses, and/or are socially isolated, or with limited family support.
- **Female headed-households:** Due to the nature of domestic relations and traditional practices, women's control over resources (physical and financial) is more restricted. Female-headed households may be particularly vulnerable as they face reduced access to income generating opportunities and typically suffer from higher levels of food insecurity. The household survey results indicate that 41 % households in the Project area are female-headed. There is also a higher rate of HIV/AIDS reported amongst women, which has the potential of posing further hardship for a female-headed household.
- **Households with a high number of dependants (i.e. caring for orphaned children):** Households with a high number of dependent children and/or elderly members may be less able to adapt to change associated with land acquisition and displacement.
- **Households with members who have physical / mental health disabilities, who suffer from a chronic disease and/or have tested positive for HIV/AIDS:** People that lack physical mobility or who have mental health issues are less likely to adapt to changes within their environment. They may not be able to contribute to the financial well-being of the household, and may be reliant on others to care for them straining a household's resources. More than 6% of households surveyed in the Project area report having a household member who suffers from a physical or mental disability. Households with members who have HIV/AIDS are also particularly vulnerable; they may be socially isolated/stigmatized and lack a support system and resources. Those household with heads who have tested positive for HIV/AIDS are at an even higher risk..

4. STAKEHOLDER ENGAGEMENT

This Chapter describes stakeholder engagement activities planned for the BGHES. It highlights the Project's approach to ensuring free, prior and informed consultation of stakeholders and their representative institutions in Project planning and implementation as it pertains to land acquisition and resettlement. The Chapter is divided into three sections:

- **Stakeholder Engagement Approach:** Description of the overall approach to stakeholder engagement, and the specific goals and objectives of the engagement strategy.
- **Stakeholder Identification and Engagement Methods:** Identification of key stakeholder groups and individuals at the affected community, local, district and provincial level, and how they will be involved in resettlement discussions and planning.
- **Future Engagement Activities:** Description of planned engagement strategies moving forward.

4.1 Stakeholder Engagement Approach

The Project's Environmental and Social Impact Assessment (ESIA) team established a Project stakeholder database, which identifies and registers all interested and affected individuals, groups and organizations. General information about the Project generated by the ESIA process has been widely distributed to stakeholders in person, by regular mail and where feasible, via email. In 2016, notices were published in newspapers with a wide readership in Matabeleland North, and information meetings were held with traditional leaders, including headman and village heads, to further encourage the involvement of stakeholders in Project impact discussions. Through recent field visits to the area, stakeholders expressed concern with the lack of information on the status and timeline of the Project and the anxiety this has generated amongst communities within the Project area.

Resettlement stakeholder engagement is the broad, inclusive, and continuous process of relationship building between a Project proponent and its resettlement stakeholders.

The objectives of the land acquisition and resettlement engagement strategy include the following:

- Establish and maintain a constructive, ongoing relationship with those to be displaced, as well as other resettlement stakeholders, based on mutual understanding, respect and trust;
- Ensure that engagement activities are undertaken in a manner that is inclusive, culturally appropriate, and tailored to the language preferences and decision-making processes of those displaced, and the needs of vulnerable groups therein;
- Engage with those displaced as a group – via an informed, structured consultation and participation process – to establish the general terms and conditions that will guide the resettlement and livelihood restoration process;
- Undertake good faith negotiations with individual affected households on the basis of the general terms and conditions established through the group engagement described above;
- Mitigate the risks of asymmetry of information and bargaining power in the engagement / negotiations process through effective disclosure of timely, relevant and understandable, information, capacity building, and third party appointments;
- Ensure that all engagement activities are free of intimidation or coercion, and all participants are fully aware of their rights according to national law and international standards;
- Work towards creating broad community support for the resettlement and Project as a whole.

Land acquisition and resettlement typically involves collective negotiations with key stakeholders and/or their representatives to determine compensation entitlements and eligibility, and plan for resettlement. Once all necessary data is collected and analysed, and each component of the resettlement process is fully discussed and agreed upon with affected people, their leadership and

other relevant government bodies, the Project prepares for resettlement implementation. This includes the individual household sign-off process, where each directly affected household reviews and signs off on the compensation entitlements they are eligible to receive, including any specific forms of livelihood restoration support.

The specific individuals and groups affected by Project access to land, and how they will be engaged in resettlement planning is described in the next section.

4.2 Stakeholder Identification

Resettlement stakeholders are those individuals, groups and organizations with a legitimate interest in the resettlement and livelihood restoration processes, and in particular those people and households that experience displacement impacts directly.

For this Project, stakeholders fall into one of the following categories:

- Government officials and bodies at the national, provincial, district and ward level; relevant to where land will be acquired and households resettled;
- Traditional leaders, including chiefs, headmen and village heads of those respective areas;
- Elected officials responsible for the Project area (i.e. ward councillors);
- Individuals/households living on and/or living from the land required to construct and operate BGHES and any associated infrastructure;
- Communities hosting Project displaced households;
- Community based organizations active in the Project area; and
- National and international interest groups/NGOs.

Table 3 lists the main resettlement stakeholders identified to date.

Table 3 Project Resettlement Stakeholders

Stakeholder Category	Key Stakeholders
Government officials - National	Ministry of Energy and Power Development; Ministry of Lands, Agriculture, Water, Climate and Rural Resettlement, in particular the Agritex Department; Ministry of Environment, Tourism and Hospitality; Ministry of Local Government, Public Works and National Housing; Forestry Commission, Ministry of Women Affairs, Community, Small and Medium Enterprises Developments, Zimbabwe Tourism Authority, Minister of State for Matabeleland North; ZimParks; Ministry of Finance and Economic Development; Zambezi Water Commission; Zimbabwe Power Company; Parliamentary Portfolio Committee on Mines and Energy
Government officials – Provincial/District	Hwange Rural District Council, Environmental Management Agency; Lands Commission; Department of Veterinary Services, District Administrator, District Development Fund, Department of Physical Planning; Ward Development Committee
Traditional leadership	Bishop Matata Sibanda; Chief Hwange; Chief Shana; Headmen of the affected wards, and affected Village Heads
Elected officials	Project-affected Ward Councillors, Member of Parliament

Stakeholder Category	Key Stakeholders
Wards/Villages/settlements with residents whose land is affected land (PAPs)	Villages: Kasikili, Skumbi Village 134, Skumbi Village 1, Kwalala Village 2, Makuni Village 2, Makuni Village 3, Makuni Village 1, Village 5 Zhulandangariro, Village 3 Zhulandangariro, Village D, Village B, Village 3 Tamuka Wards: Jambezi, Nemangana, Kattchecheti, Chidobe, Chikandukubi, Matetsi, Mbhizi, Sidinda and Mashala
Communities Hosting Displaced HH	To be decided.
Community-based organizations	CAMPFIRE Project; Chisuma Clinic; Rose of Charity; Intengwe; Catholic Development Commission / Caritas, and faith-based organizations
National and international groups/ENGOS	Bird Life Zimbabwe; Environment Africa; Green Fund; KAZA (Kavango-Zambezi Transfrontier Conservation Area); The Victoria Falls Wildlife Trust; Victoria Falls Anti-Poaching Unit; Zambezi River Society; Zambezi Society; Zimbabwe Conservation Task Force. International Rivers; Man & the Biosphere (MAB); South African Development Committee (SADC); UNESCO; UNICEF; United Nations Development Programme; University of California; WWF; Gayathi Paper; Department of Environmental Sciences, Unisa

4.3 Engagement Methods

The methods for engaging stakeholders will continue to include informal engagement and information sharing (including the use of social media) and formal notifications, as required by national legislation governing land acquisition. To align more closely with international standards around land acquisition and resettlement, the Project will adopt a three-tiered stakeholder engagement approach to reach collective agreement on key aspects of land acquisition and resettlement, and to steer resettlement planning and implementation going forward.

The three tiers include a high-level Resettlement Steering Committee (RSC) composed mainly of representatives from the ZRA, key government ministries and departments with responsibility for land acquisition and resettlement as identified in **Table 3**. This body will certainly include the District Administrator's office, officials from the Department of Agritex and the Hwange Rural District Council who play a key role in land distribution and resettlement planning.

The second tier will consist of a Resettlement Stakeholder Leadership Forum (RSLF) aimed at involving traditional leadership and local representatives in the planning process. The third tier will involve Community Feedback Forums (CFF) in affected communities, which will facilitate the flow of information and meaningful involvement of those households who will be directly affected (physically and/or economically).

The following sections outline each of the three tiers illustrated in **Figure 7**.

4.3.1 Resettlement Steering Committee

At the State level, a government RSC will be established to oversee the resettlement planning and implementation process. It will be comprised of representatives of the ZRA; Ministry of Lands, Agriculture, Water, Climate and Rural Resettlement, specifically the Department of Agritex; Ministry of Local Government, Public Works and National Housing; Environmental Protection Agency; Hwange

Rural District Council; and the Lands Commission. Membership of this committee and the other forums will be finalized as part of the first steps in preparation of the Resettlement Action Plan.

The role of the RSC will be to ensure resettlement planning and implementation in both Zimbabwe and Zambia reflects the common principles and procedures outlined in the Resettlement Policy Frameworks, and subsequent RAP(s). The RSC will also facilitate necessary government approvals and cooperation. This body will ensure entitlements and resettlement-planning measures adhere to national laws and government policies and practices around land acquisition, compensation and resettlement and are aligned with international resettlement standards. They will identify available replacement land suitable for displaced households, and, participate in stakeholder leadership meetings as required, to confirm the government's support of the Project and resettlement planning process. The Project RAP Implementation Team (described further in Chapter 12) will engage regularly with senior officials within the various departments as required to, progress planning and to ensure key individuals are continuously briefed on Project progress.

4.3.2 Resettlement Stakeholder Leadership Forum (RSLF)

The role of the RSLF will be to involve local government, traditional rulers and leaders from each affected community in resettlement planning and implementation. The RSLF will review and confirm RAP eligibility & entitlements; assist the RSC with identification of replacement land for displaced communities; identify project 'red flag' issues; and support the resettlement planning and implementation process by facilitating the flow of information to and from the Project-affected people they represent.

4.3.3 Affected Community Feedback Forums (CFF)

At the village level, regular forums will be held in communities to support the efforts of members of the Resettlement Stakeholder Leadership Forum and Resettlement Steering Committee in ensuring all affected households are fully informed of project progress and issues being discussed within the other tiers.

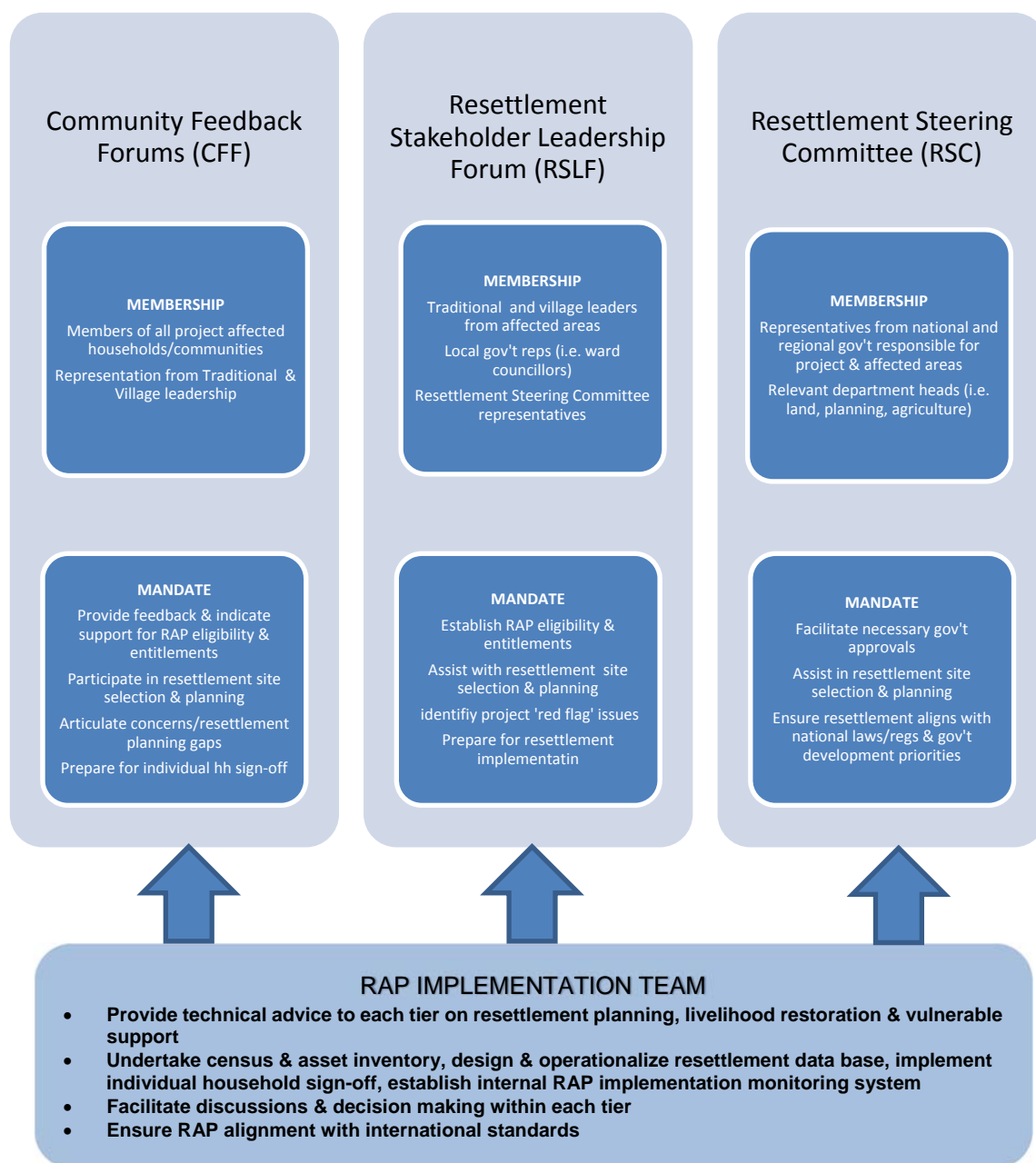
The CCFs will also provide directly affected people with the opportunity to participate more fully in the resettlement planning process and the decisions that will affect them. **Table 4** presents the villages that will be affected and the ward, chiefdom and district they fall into.

Table 4: Villages Affected by Project Land Take

Affected Villages	Ward	Chiefdom	District
Kasikili	Nemanhanga	Shana	Hwange Rural
Kwalala Village 2	Mbiza	Hwange	Hwange Rural
Makuni Village 2	Mbiza	Hwange	Hwange Rural
Makuni Village 3	Mbiza	Hwange	Hwange Rural
Makuni Village 1	Mbiza	Hwange	Hwange Rural
Village 5 Zhulandangariro	Jambezi	Shana	Hwange Rural
Village 3 Zhulandangariro	Jambezi	Shana	Hwange Rural
Village D	Jambezi	Shana	Hwange Rural
Village B	Jambezi	Shana	Hwange Rural
Village 3 Tamuka	Jambezi	Shana	Hwange Rural
Hwange	Mbiza	Hwange	Hwange Urban

The figure below illustrates the three-tiered approach, the anticipated membership of each tier and their mandate.

Figure 7 RAP Engagement Approach



The RAP Implementation Team provides technical advice and support to each tier. This team undertakes the work sanctioned by Project stakeholders and ensures resettlement planning and implementation aligns with this Resettlement Policy Framework, and the commitments made in the RAP(s).

Key issues requiring stakeholder approval that will inform the sequence of discussions within all three tiers include:

- Preparing for the demarcation on the ground of Project land requirements, and mapping of the land area required by the Project;

- Undertaking the census and asset inventory of affected land and establishing the Project cut-off date for eligibility and entitlement;
- Finalizing the criteria for Project eligibility and all components of the entitlement matrix (including disclosure of valuation of assets);
- Confirming the approach and specific plans for physical resettlement (i.e. assisted self-resettlement option in the case of limited physical displacement or construction of new settlement areas, further described in Chapter 7);
- Preparing for the individual affected household sign-off on compensation and resettlement;
- Confirmation of support programs that will be provided (i.e. additional livelihood restoration assistance and vulnerable support) and their method of delivery;
- Management of land acquisition and resettlement related grievances;
- Resettlement monitoring and evaluation; and
- Formally approving and publically disclosing the finalized RAP.

4.4 Future Engagement Activities

Disclosure of the RPF will follow the three tiered approach outlined in this Chapter, setting the stage for fully operationalizing this model of engagement for the more detailed resettlement planning and preparation of the RAP(s).

The full RPF will be distributed to key stakeholders within government who will participate in the Resettlement Steering Committee. It will also be available on the Project website. A summary of the RPF, in the appropriate local language will be prepared and distributed to traditional leaders and local government within Tier 2. They will be encouraged to post the summary in affected communities and provided with Project support in sharing its content in meetings with their constituents.

As part of preparing the RAP, a detailed Resettlement Stakeholder Engagement Plan (SEP) will also be developed. It will outline roles and responsibilities for keeping all stakeholders appropriately informed of Project progress, and involved in resettlement planning and implementation. It will identify and map all Project stakeholders with an interest, or ability to influence the land acquisition and resettlement process, and assist with finalizing the membership of the RSLF and CCFs.

The SEP will confirm the specific membership, terms of reference and meeting schedule (including sequence of discussion topics and milestone decisions) for each of the three bodies: RSC, RSLF and CFF.

5. PROJECT IMPACTS

This Chapter presents the scope of displacement related to land requirements for the development of the BGHES, based on the current Project design. It describes efforts taken to minimize displacement and how finalizing the design and location of the remaining Project components will further these efforts.

5.1 Efforts to Minimize Displacement

The construction of the dam wall and impoundment, including spillway and outdoor powerhouses will not have any physical or economic impacts on people and/or communities. This land lines the banks of the Zambezi River and is not habitable.

The main Project components requiring land with displacement impacts include the Project access roads, transmission lines, staff township and quarries. Design considerations for each of these components are more fully described in the ESIA and summarized below.

5.1.1 Access Roads

The upgrading of existing roads and construction of new roads to access each bank from the main roads linking Livingstone to Lusaka (Zambia) and Victoria Falls to Bulawayo (Zimbabwe) is required.

In Zimbabwe, the Sizinda Road will bring vehicles 5 km East of the Jabula School (Victoria Falls - Jabula School, Trunk A and Trunk B), where an existing secondary road leads firstly to Kasikiri Village (Jabula School – Kasikiri Village), secondly to Batoka Airport and, thereafter, to the Batoka dam site (Kasikiri Village – Batoka Airport). The full track will cover a strip of about 54 km.

Two alternatives were examined for the connection between Jabula School and Batoka Airport, however after careful analysis; a third option has been proposed which involves upgrading the existing Sizinda road to the dam site. It takes into consideration a variety of social impacts including minimizing both physical and economic displacement:

- Construction of the Jabula - Batoka Airport Trunk A and B will result in physical displacement. Kaskiri village would be most affected by this road; estimated to be made up of 32 households. The need to develop this road is questionable when the existing road could be utilised.
- The construction of new roads (with the exception of the Batoka Site – Dam and Batoka – New Bridge road) will cause economic displacement (most notably due to disruption of crop cultivation) as a result of land take. The degree of economic displacement will be most significant for the Jabula - Batoka Airport Trunk A and B and Jabula School Trunk B roads as these areas are more populated and households' use the surrounding land for crop cultivation and grazing of livestock.
- There would be serious community health and safety implications with the development of the Victoria Falls - Jabula School Trunk B; the road would pass through the grounds of Jabula School. Communities also use the area for grazing of livestock; thus vehicle collisions with animals could also occur. Issues of dust and diesel pollution may also impact on the health of those living in the surrounding areas.

The full road alignment will require 3.6 km of new road access to the Batoka Dam Wall and associated infrastructure, and 59.9 km of upgrades to existing roads from the main A8 highway. As **Table 5** indicates, with minor adjustments to the design of existing road upgrades, physical displacement can be minimized. The 3.6 km of new road will not result in physical displacement and is expected to have limited economic impact (i.e. grazing areas).

5.1.2 *Project Staff Township*

Project Staff Townships are planned for both countries. During the construction phase in each country, an initial labour force of at least 500 workers is required. Following completion of the access roads and Project infrastructure, this number is expected to increase to 3,000 people, this includes security and support staff. They will be required for the remainder of the construction phase expected to last up to seven years.

During operation of the dam, the construction staff will be replaced (or overlap) with operational staff (i.e. maintenance, security, customs services, government officials), with numbers expected to increase upwards to 9,000 in total.

Townships will be located on each side of the river, in close proximity to the dam. They will include housing and requisite infrastructure (i.e. health, education, social and recreation facilities) to accommodate staff and their families. Three alternative locations in each country were initially explored taking into consideration both social and environmental impacts.

Locating the Project Township at its current location avoids physical displacement completely, with minimal economic displacement confined mostly to grazing areas. However, further investigation is required to assess the area's appropriateness from a technical (engineering/construction) perspective. Consideration will be given to options for building onto existing communities in reasonable proximity to the dam to facilitate the sharing of Project benefits more widely with existing settlement areas.

5.1.3 *Transmission Lines*

In Zimbabwe, the transmission lines comprise two 70 km 400 kV lines running in parallel, and sharing a common right-of-way to the existing Hwange substation. The transmission lines will each have a way-leave of 60 m (30 m on either side of the centre line), as stipulated by national regulations. An alternative route was identified to take advantage of the existing A8 national road for the future construction and maintenance of the line infrastructure. In view of this, the alternative deviates approximately 30 km from the starting point towards the A8 motorway, and increases the route length by approximately 20 km.

The current route design is challenging from a land access perspective as it affects a number of settlement areas with medium to high population density, particularly settlement areas near Sidakeni and Kasikiri, and just south of that area (see **Figure 8**). Some of the marked areas have both traditional and more formal, higher quality housing, with formal shops, police station, clinic, schools, bus stops and the Chief's palace. With the current route, an estimated 250 households are at risk of being physically displaced.

Shifting the transmission line routing approximately five kilometres east would avoid most of the physical displacement. Opportunities to avoid these settlements will be explored in finalizing design of the transmission line route. Consideration will also be given to impacts to households in the southern portion (i.e. township of Hwange) should the lines enter the town from the west, and proximity of the line to the open pit mine located close to the Hwange substation.

Figure 8 Settlement Areas within Transmission Line Route

5.1.4 Quarry

The quarry will be located just south of the dam wall, and will require 40.70 hectares of land. The area chosen is challenging terrain that is neither inhabited, nor particularly fertile. Any impacts in the acquisition of this land would be economic in nature (i.e. grazing).

5.2 Project Displacement Impacts

Despite the Project's ongoing efforts to minimise impacts, the construction and operation of the Project will nonetheless result in the displacement of some people/households and their livelihoods. These displacement impacts can be characterised in terms of the immovable assets that will be affected, including possible structures, agricultural land, crops and trees, community infrastructure and public facilities. The loss of these immovable assets will impact the people, households and communities that own or use these assets.

Specifically, people and households will be:

- Physically displaced, if they lose their residence and related assets; and/or
- Economically displaced, if they lose income streams or access to the means of livelihood.

Using these definitions, the Project will identify and classify the types of Project-affected persons and households in the subsequent RAP(s).

The current transmission line route is expected to have the greatest displacement impacts, due to the land use and building restrictions within the 60-meter exclusion zone (30 meters on either side). As indicated in the previous section the transmission line could displace up to 300 households in at least

10 villages in three different wards. Depending on the final routing, additional villages in two other wards (i.e. Sindinda and Mashala) may also be affected.

Table 4 identifies known villages and the number of households within each, as reported by the Village Head. The census and asset inventory undertaken as part of preparing the RAP(s), will confirm which households within each village will be affected and the nature of that impact.

Table 5 Project Impacts

Affected Villages	Ward	Total Estimated Households	Project Component with the potential to impact land used by the village
Kasikili	Nemanhanga	23	Dam flood area and transmission line
Kwalala Village 2	Mbiza	25	Transmission line
Makuni Village 2	Mbiza	30	Transmission line
Makuni Village 3	Mbiza	33	Transmission line
Makuni Village 1	Mbiza	34	Transmission line
Village 5 Zhulandangariro	Jambezi	33	Road access & transmission line
Village 3 Zhulandangariro	Jambezi	29	Transmission line
Village D	Jambezi	24	Transmission line
Village B	Jambezi	32	Transmission line
Village 3 Tamuka	Jambezi	24	Transmission line

5.3 Scope of Displacement

A comprehensive Census and Asset Inventory (CAI) in the areas where land will be required will determine the precise level of displacement both to people and their assets and confirm the identify of those households directly affected. The CAI data will be used to determine the total number of households that will be displaced, classified into physically displaced households and economically displaced households. It will also quantify affected assets for each of the following categories:

- Impacts to land area according to land type:
 - Agriculture land cultivated;
 - Agricultural land fallow;
 - Grazing land;
 - Residential land.
- Impacts to crops and trees:
 - Square meter areas cultivated and the type of cultivation (i.e. sorghum, millet, maize);
 - Number, type and maturity of trees, including fruit and other economic trees.
- Impacts to public facilities and infrastructure:
 - Number and precise location of affected wells/boreholes;
 - Any affected education and health facilities;
 - Other facilities.
- Impacts to graves, shrines and other areas where cultural heritage exists;
- Impacts to social cohesion
- Impacts to host communities.

Table 6 indicates the current understanding of the land area required for each Project component, based on existing designs.

Table 6 Land Areas Required for Project Components

Project Component	Land Area Required	Anticipated Nature of Displacement
Dam wall, impoundment including spillway	Land is located immediately along the banks of the river within the Gorge	No displacement impacts anticipated
Staff Township Area	706 hectares	Economic displacement only
Transmission lines	700 hectares (70km length X100 m width)	Depending on line routing, both physical and economic displacements of an estimated 300 households
Road access	3.6 km of new access roads; land area req'd= 4.86 hectares 59.9 km of existing access roads to be upgraded, land area req'd=: 60 ha	Predominantly economic impacts; Minor route adjustments will avoid physical displacement
Quarry	40.70 ha	Limited economic displacement
Host communities	Currently unknown	Depends on level of physical displacement and the approach to resettlement (i.e. supervised self-resettlement option described in Chapter 7, or design and construction of new communities or add onto existing villages)

The current estimate of the total land areas required for the Project is just under 1,600 hectares of land, the majority of which is not inhabited. Based on an average traditional farm plot size of 6 hectares and assuming all land areas is being used for some form of economic activity, a maximum number of households who may rely on this land (i.e. for farming or grazing) is estimated to be less than 300 households.

6. COMPENSATION PRINCIPLES

This chapter describes the general principles and policies that the Project proposes to apply to determine eligibility and define entitlements for compensation resulting from the acquisition of land required for the BGHES.

The two main objectives of the compensation framework include:

- Provide transparent, fair and timely (prior to displacement) compensation for displacement impacts to all PAPs in accordance with Zimbabwean law and World Bank Environmental and Social Standard 5: Land Acquisition, Restrictions on Land Use and Involuntary Resettlement.
- Compensate for lost assets at agreed replacement rates to give Project-affected people the opportunity to at least restore, if not improve, their standard of living and livelihoods.

6.1 Eligibility

Eligible persons include all persons with a formal interest on the land required by the Project – in the form of propriety ownership, co-proprietary, tenants, or any persons with other limited interests. The term is further expanded to include affected persons – persons whom gain a benefit or utilise the land or improvements made on that land irrespective of their legal standing.

The term Affected Persons is more comprehensive and includes those with:

- Formal or legal rights to land and assets consistent with national law;
- Legitimate and verifiable interest in the land and assets.

As outlined in Chapter 2, three forms of land ownership exist in Zimbabwe: privately owned, communal and state owned land. Commercial farming entities and commercial or residential properties occupying private land and are defined by title deeds. Communal land is held under the custodianship of the state and is managed under both local and decentralised government arrangements, as well as traditional leadership of chiefs, headmen and village heads.

6.1.1 Immovable Assets

The immovable assets generally considered eligible for compensation include the following:

- Land, including cultivated and fallow land, forest, and residential plots;
- Crops, both annual and perennial (including economic trees);
- Common property resources, including wild plants and animals, fuel wood and timber;
- Structures, including houses, annexes and derelict buildings, along with fences and other built improvements;
- Other infrastructure, either communal infrastructure or private, including wells, roads, and irrigation infrastructure;
 - Businesses;
 - Public access, including informal roads and footpaths and navigable waterways; and,
 - Cultural heritage, including sacred sites, graves and cemeteries.

The above immoveable assets are typically held under three types of tenure arrangements:

- Registered ownership, through possession of formal title deeds that are registered;
- Communal ownership, where by the State has authorized local government authorities or traditional leaders to manage the asset on their behalf, which may or may not be formally documented. Individuals, families, clans or villages, or even some combination of these may use communal assets; and

- State owned.

Table 7 outlines the persons eligible for compensation based on the types of assets that the Project may affect, which will be inventoried during the census and asset survey.

Table 7 Types of Loss and Eligibility for Compensation

Type of Loss	Eligible Persons	Description
Private Land	Land owner	The person, family, or collective entity with exclusive rights to the land, secured through registered deed
	Tenant	Tenants recognized by the Land-Owner that actively farm or utilize portion of the land separately or jointly (sharecropping) with the Land-Owner, but do not have any claim to the land itself. They have personal rights in terms of a lease agreement but not real rights in terms of a title deed registered in the deeds registry
	De-facto Occupant or User	Any person, family, or collective entity that utilizes land without any form of secure tenure but are tolerated by the Land-Owner. These may be statutory tenants (a person who had a lease agreement that expired but continues to live on the land meeting their obligations as a tenant) or illegal occupiers, persons who never had any personal rights in the form of a lease over the land.
Residential Structures	Structure-Owner	The person, family, or collective entity with uncontested ownership of any residential structures, irrespective of their tenure status to the land on which the structure is built.
	Tenant	Tenants that occupy a residential structure via a written or verbal agreement with the Structure-Owner, but do not have any ownership claims to the structure itself.
	De-Facto Occupant or User	Any person, family, or collective entity that occupies a structure without any form of secure tenure. These may be statutory tenants (a person who had a lease agreement that expired but continues to live on land meeting their obligations as a tenant) or illegal occupiers persons who never had any personal rights in the form of a lease over the land.
Secondary Structures & Other fixed assets	Asset-Owner	The person, family, or collective entity with uncontested ownership of any secondary structures or other fixed assets, irrespective of their tenure status to the land on which the structures or fixed assets are built.
Crops and Trees	Crop-Owner	The person, family, or collective entity that solely tends annual and perennial crops on land, irrespective of the type of tenure on that land.
	Sharecroppers	The person, family, or collective entity that tends annual and perennial crops on land jointly with the

Type of Loss	Eligible Persons	Description
		landowner, irrespective of the type of tenure on that land.
Community/ Institutional Structures	Affected Community	Any community or institution that are the owners or custodians of any structures, infrastructure or immobile fixtures used for the collective benefit of the community. Such structures will usually be under the authority and management of a rural district counsel and in an urban area an urban counsel (local government).
Communal Land	Local government/ traditional leaders	Land managed by local government or traditional leadership, on behalf of the State. It is common for these entities to give permission for use to people/communities/tribes.
	Land users, authorized by local gov't/ traditional leaders	
State Land	State	Land that is not deeded to any individual/entity nor under the authority of a local government or traditional leader.
Cultural heritage (i.e. Graves/Shrines)	Owners	Any person, family or collective entity that are the legitimate owners/caretakers of a particular grave or shrine.

6.2 Entitlement Framework

The Entitlement Framework defines the types of compensation or resettlement assistance to be provided to eligible persons based on the type of asset that will be lost. The framework also establishes the conditions under which eligible persons are granted allowances or access to livelihood restoration programmes. Where possible and reasonable, a range of livelihood assistance options will be provided allowing households to select the type of compensation that best suits their unique conditions.

Entitlement policies define the specific type of compensation to be made available to those affected by specific displacement impacts. Entitlements vary by interest and by severity of impact, but generally fall into the following categories:

- In-kind compensation, which involves the planning, design and development of replacement assets and livelihood activities to compensate for those lost to the Project.
- Cash compensation, which involves the payment of cash to compensate for assets, lost to the Project, at agreed replacement rates of the lost asset.

In accordance with international standards (and the Communal Lands Act of Zimbabwe), the Project will favour the provision of in-kind compensation over cash compensation wherever feasible, as it represents a reduced risk – for both the Project and those affected – of entitlement mismanagement, inequitable distribution, and long-term impoverishment. Cash compensation will only be provided under certain circumstances, for specific types of impacts, and under carefully controlled conditions.

In general, the legitimate owner of a particular asset – whether it be land, structures or crops – will be compensated for its loss in full, whereas users will be compensated for the loss of their specific interest in that asset for a period of time and assisted in their re-establishment.

All compensation rates will be established using a registered valuation officer to provide affected people/entities with compensation equal to or greater than full replacement value, with no deduction for depreciation. An independent and specialised valuation expert will be contracted to undertake a comprehensive analysis of the market value of affected land, crops and structures in the Project Area.

In addition to compensation for impacts on immovable assets, those displaced will also be eligible for the following, depending on their specific circumstances and type and level of displacement impacts:

- Participation in a Livelihood Restoration and Improvement Program.
- Participation in a Vulnerable Support Program.
- For physically displaced, receipt of a mobilisation and re-establishment allowance to cover some of the costs associated with mobilisation (e.g., packing, salvaging, etc.) and re-establishment (e.g., unpacking, building, clearing, etc.).
- For physically displaced, receipt of a transportation allowance to move belongings and moveable assets to a new location.
- Right of salvage to provide opportunity to salvage immovable assets, prior to destruction, to the extent practical. This may include individual property, for example building materials, or common property.

The preliminary entitlement matrix outlined in **Table 8** is based on World Bank standards and requirements stipulated by Zimbabwean law. It will be presented together with the eligibility criteria to each of the three tiers of stakeholders described in **Chapter 4**. Based on these discussions, any necessary adjustments will be made and a final version included in the RAP(s). A key consideration in finalizing the resettlement assistance and livelihood restoration programs to be implemented, and how they will be delivered, is the extent to which they adhere to agreed upon principles of sustainability.

Table 8 Entitlement Matrix

Project Impact	Category of Project-affected Entity	Mitigation Measures
Loss of Land		
Residential land	Owner currently residing	Replacement residential plot, ideally area for area, with access to services and infrastructure comparable to that of affected plot <i>plus</i> Cash compensation at agreed replacement rates for any area not replaced <i>or</i> In exceptional circumstances ²² , cash compensation at agreed replacement rates
	Owner not currently residing	Cash compensation at agreed replacement rates
Institutional land	Owner	Replacement plot, ideally area for area, suitable for original purpose with access to services and infrastructure comparable to that of lost plot <i>plus</i> Cash compensation at agreed replacement rates for any area not replaced
Agricultural land (privately owned)	Owner currently farming	Replacement agricultural lands of equal or greater potential productivity and locational advantages, and assistance in re-establishment, including preparation of new land to comparable condition to affected land <i>or</i> In exceptional circumstances, cash compensation at agreed replacement rates
	Tenant currently farming	Support securing suitable replacement agricultural land to rent <i>plus</i> Assistance in reestablishment
	Owner currently not-farming (landlord)	Cash compensation at agreed replacement rates

²² During preparation of the RAP, conditions under which 'exceptional circumstances' apply will be detailed, based on asset inventory results and collective negotiations with stakeholders

Project Impact	Category of Project-affected Entity	Mitigation Measures
Communal Agricultural Land	Local government / traditional leaders with management rights, sanctioned by the State	Access to equivalent area of equal or greater potential productivity (or grazing capacity) and locational advantages <i>or</i> Alternative investments of a communal nature <i>or</i> In exceptional circumstances, cash compensation at agreed replacement rates
Communal Agricultural land	People with permission from local gov't/traditional leaders to use/farm land	Access to equivalent land area of equal or greater potential productivity (or grazing capacity) and locational advantages <i>or</i> In exceptional circumstances, cash compensation at agreed replacement rates
Loss of Structures		
Residential structures	Owner currently residing	In-kind replacement house of modern materials at settlement scheme ⁽²³⁾ , with at least as many rooms as the original house and sanitation facilities (latrine/ shower) <i>or</i> Cash compensation at agreed replacement rates (including construction supervision as part of the self-resettlement option see Section 7.6) <i>plus</i> Right to salvage materials, transportation allowance, and mobilisation and re-establishment allowance
	Owner not currently residing	Cash compensation at agreed replacement rate <i>plus</i> Right to salvage materials, transportation allowance, and mobilisation and re-establishment allowance

²³ The exact details of replacement assets, including structures, will be determined in detail in the RAP.

Project Impact	Category of Project-affected Entity	Mitigation Measures
	Renter / occupier	Replacement tenancy agreement in replacement house of current landlord or in another house, and assistance in reestablishment. <i>or</i> Provision of a rental allowance for a fixed term and assistance in reestablishment.
Other including seasonal, annex, incomplete, ruins, uninhabitable structures and fences	Owner	Cash compensation at agreed replacement rates <i>plus</i> Right to salvage materials
Institutional	Communities / government / religious groups	In-kind replacement facilities of suitable capacity for settlement scheme <i>or</i> Cash compensation at agreed replacement rates
Infrastructure	Communities / government	In-kind replacement facilities of suitable capacity for settlement scheme
Loss of Crops & Economic Trees		
Crops and trees	Crop or tree owner	Cash compensation at agreed replacement rates or government rate, whichever is higher ⁽²⁴⁾ <i>plus</i> Right to harvest existing crops

²⁴ Full replacement value for agricultural assets must reflect the time required to bring replacement crops or trees to the maturity of the assets that were lost.

Project Impact	Category of Project-affected Entity	Mitigation Measures
Loss of Business		
Businesses	Registered or community owner	Cash compensation for agreed lost net income during a transition period and assistance with re-establishment. <i>or</i> Where reestablishment not possible, support for establishment of alternative livelihood, and if necessary transitional income support
Employees	Employee of affected business	Replacement employment agreement with affected businesses and compensation for agreed lost income. <i>or</i> Where replacement of employment not possible, support for establishment of alternative livelihood, and if necessary transitional income support
Loss of Cultural Heritage		
Shrines, graves and sacred sites	Affected household / community	Relocation or removal in collaboration with traditional cultural / religious leaders, with necessary expenses covered by the Project in accordance with Government rates
Other heritage	Customary owner of asset	Appropriate management to be determined in collaboration with local authorities, spiritual leaders and others as appropriate.

6.3 Eligibility Cut-off Date

The commencement date of the census and asset inventory typically represents the cut-off date for compensation eligibility. This date is used to define the assets eligible for compensation and to provide an empirical baseline to limit opportunistic activity (i.e., to prove ineligibility, and limit the potential for speculation). Up to and including that date, immovable assets will be considered eligible for entitlement compensation. Immoveable assets established after the cut-off date will not be considered eligible nor will persons occupying the project area after the cut-off date be eligible for compensation/resettlement assistance.

Prior to the cut-off date and the commencement of survey activities, engagement will be conducted with those affected to explain the survey process, and the cut-off date and its implications. As noted above, assets established within the Project Footprint after the cut-off date are not eligible for compensation and/or resettlement assistance.

Following the cut-off date, the Project footprint will be monitored by community leaders (and by Project staff) so that people remain informed of the cut-off date and its implications. Any new in-migrants will be informed of the moratorium on establishment of new assets. Where new assets do appear, they will not be considered eligible for compensation. The owner will be given reasonable notice to remove or salvage the asset, and if they do not, the asset will be removed by Project staff.

6.3.1 Survey Implementation

On the agreed upon cut-off date, survey teams commence a comprehensive census of 100% of affected households, regardless of their tenure status; a socio-economic survey of the same; and an immovable asset inventory.

The surveys will have the following objectives:

- Construct a detailed demographic and socio-economic profile of each affected household;
- Identify the specific impacts of land acquisition on each household, including a detailed, legal description of affected immovable assets;
- Cap beneficiaries and entitlements;
- Inform entitlement planning;
- Provide a baseline for monitoring and evaluation; and
- Serve as the basis for individual agreements.

Survey teams will administer the census and socio-economic survey to the asset owner(s) / household head(s), or his/her designated representative, and will undertake the immovable asset inventory in his/her presence, as well as that of adjacent property holders wherever possible and appropriate.

In accordance with standard practice, registered surveyors and valuers will be responsible for ensuring that:

- Every crop survey is confirmed by the responsible farmer, or his/her designate and documented by the survey team with support from agronomists and other professionals.
- Every land survey is witnessed and confirmed by the responsible landholder, or his/her designate and documented by the survey team with support from accredited land surveyors.
- Every structure survey is confirmed by the responsible owner, or his/her designate

The asset survey will provide a detailed inventory of all immovable assets and will form the basis for the valuation of assets.

6.4 Loss of Land

6.4.1 Residential Land

For impacts to residential land, the Project will provide either:

- Replacement residential plot, ideally area for area, with access to services and infrastructure comparable to that of the lost plot plus cash compensation at agreed replacement rates for any area not replaced; or
- In exceptional circumstances, cash compensation at agreed replacement rates for all structures.

If in-kind replacement plots are smaller than the original residential plots, households will receive cash compensation for the difference. The assets survey process will identify the landowner as the primary impacted person and the land user(s) if different from the owner will be identified for the assets they own on the said piece of land.

For non-resident owners, including landlords, land will be compensated in cash.

6.4.2 Institutional Land

For impacts to institutional land, the Project will allocate in-kind replacement land in accordance with the relevant planning standards; this may be at a resettlement site, or within an existing community.

In the case where an entire community is physically displaced, land will be designated for schools, health facilities and other social facilities and infrastructure of sufficient size to meet the needs of the resettled population and nearby host populations. All land for public infrastructure and communal facilities will be provided in accordance with relevant planning standards.

6.4.3 Agricultural Land

The Project will provide access to agricultural land (both privately and communally owned/managed) either through replacement land, or in exceptional circumstances, through cash compensation at agreed replacement rates. Consideration will be given to the productivity and locational advantages of replacement agricultural lands. Where adequate access, quantity, or quality of replacement agricultural land cannot be secured, the Project will assist farmers through livelihoods restoration programs which could include measures to make existing agricultural lands (including grazing land) more productive, or measures to transition PAPs to alternative livelihoods.

6.4.4 Communal Land

The design of new settlement schemes will incorporate areas to compensate for the loss of communal land. These could include communal grazing land, forest, and other natural areas that provide benefit to communities. The siting of new settlement schemes could take advantage of existing communal areas, in which case access to these areas would have to be negotiated and secured through engagement with host communities. Alternatively, the designs of new settlement schemes will be developed to provide access to new communal land. In some cases, this might require sustainable improvements to other resource lands to increase production of key commodities, alternative investments of a communal nature, or in exceptional circumstances, cash compensation for lost communal land at agreed replacement rates.

6.5 Loss of Structures

6.5.1 Residential Structures

For impacts to owner-occupied residential structures, the Project will provide either:

- In-kind replacement house of modern materials at a settlement scheme, with at least as many rooms as the original house and sanitation facilities (latrine/ shower); or
- In exceptional circumstances, cash compensation at agreed replacement rates

Where a cash compensation option is offered, eligible households will be required to prove that they have an alternative residence, either currently owned, proposed for purchase, or under construction. Specifically, to be eligible for cash compensation PAHs must provide documents establishing at least one of the following:

- Ownership of an alternative residence of acceptable quality;
- Access to an alternative residence of acceptable quality available for purchase; or
- Proof of ownership or access to a lot where a residence will be built.

When alternative residences do not meet all of these requirements, compensation payments must be used to bring the quality of the residence up to standard. Consideration will be given to a supervised self-build option, once all land requirements have been finalised and the number of physically displaced households has been confirmed. This will be captured in the RAP(s).

An independent valuation expert will be contracted to undertake a comprehensive analysis of full replacement value of any affected structures.

6.5.2 *Other Structures*

All other structures will be compensated in cash at agreed replacement rates. This includes (but is not limited to) rental structures, seasonal structures, secondary residential structures, unoccupied structures, annexes, incomplete structures, ruins, animal enclosures, fences and walls, and food storage. The expectation is that PAHs will rebuild these structures on their own.

6.5.3 *Institutional Structures*

The Project will provide new social facilities for any existing facilities that are impacted. Depending on the final resettlement site locations and the proximity to, and size of, any host population, these facilities may also be designed for use by the adjacent host populations. Alternatively, where host communities have existing facilities, the Project may increase the capacity in terms of size and quality to mitigate for increasing demand resulting from the resettlement process. Input from local government will be required prior to the design of institutional assets, as these entities will be assuming responsibility for the management of these facilities.

For privately owned institutional structures, such as places of worship, private schools, private clinics, and others, the Project may provide either in-kind replacement assets or cash compensation for the lost assets. In addition, privately owned institutions may be considered as a source of income for some individuals, and as such will be eligible for compensation as a business.

6.5.4 *Infrastructure*

Infrastructure will be replaced through the development of new settlement schemes, which will include all basic utilities (roads, water, and sanitation) as well as any additional infrastructure that was impacted. Replacement infrastructure will be of equal or greater quality than the infrastructure lost. Input from local government will be required prior to the design of institutional assets, as these entities will be assuming responsibility for the management of these facilities.

For privately owned infrastructure, such as private wells, latrines, shower facilities, power supply, telecommunications, and others, the Project may provide either in-kind replacement assets or cash compensation for the lost assets. In addition, privately owned infrastructure may be considered as a source of income for some individuals, and as such will be eligible for compensation as a business.

6.6 Loss of Crops and Economic Trees

The Project will compensate for all eligible crops enumerated in the asset survey. Compensation payments for crops, trees and other agricultural assets will be awarded according to official government rates, or based on full replacement value, whichever rate is higher and in line with applicable law.

An independent valuation expert will be contracted to undertake a comprehensive analysis of the market value of enumerated crops and economic trees and set the Project's rate at replacement value. Importantly, the value of perennial crops and economic trees will include compensation for production lost during the transition period: the time it will take for replacement crops and trees to reach the same maturity / productivity level as the plants being lost.

The Census and Asset Survey will be designed to identify the different crop categories and crop owners, and to ensure that compensation is calculated in accordance with agreed upon rates for compensation of crops and economic trees.

6.7 Loss of Businesses

Impacted businesses may be entitled to compensation for the loss of revenues that result due to the resettlement process. This may include the loss of rental income for rental structures and rental rooms; interruptions to businesses such as restaurants and commercial enterprises; loss of tuition or medical fees for private institutions; loss of revenue for infrastructure services such as water and power; and any other loss of income.

6.7.1 Loss of Revenue

Compensation for lost revenue will be calculated by determining the average monthly revenue for an impacted business, and multiplying this rate by the duration of time that the business will be impacted. If accurate records of revenue are not available, the Project may define a set minimum rate to be applied.

6.7.2 Loss of Employment Income

For the employees of impacted businesses, an allowance for lost income may be applied to cover the period of unemployment that will result from disturbances to businesses.

6.8 Loss of Cultural Heritage

6.8.1 Transfer of Shrines, Graves and Sacred Sites

In the event that the Project impacts any cultural heritage areas/sites, the Project will discuss with each affected community, the relocation process and the required ceremonies and will determine the cost of moving each existing grave or shrine to a site preferred by the owner. The compensation will be agreed with the individual or entity that owns the grave or shrine and they will be responsible for the relocation of the graves or shrines.

7. REPLACEMENT ASSETS

This Chapter presents the objectives that will guide the replacement of assets forming part of the entitlements for PAPs. Replacement assets may include the construction of new housing for physically displaced households, as well as the possible development of new settlement schemes (resettlement sites) for physically displaced communities and larger groups of affected people.

As the precise location and extent of impact of all Project components has not yet been finalized, the specific facilities to be affected and the extent of physical displacement is not known. Further discussions are required in order to determine whether (and what type of) resettlement schemes would be appropriate for this Project.

This chapter describes the replacement options, and the resettlement planning required in the event that a community, or significant portion of a community is affected. This includes site planning, parcelling plans, and the design of infrastructure and social facilities (including management, governance and handover plans), that would be further detailed in the RAP(s).

In-kind compensation is the preferred option for replacement of primary dwellings and for groups of households living close together as a community who wish to maintain their community structure.

7.1 Objectives

Replacement assets will be designed to meet or exceed in-country regulations and standards, while also representing an improvement over the assets lost by households as a result of Project land acquisition. The design of replacement assets will reflect the feedback of stakeholders who will be engaged in the design process through the tiered engagement model described in Chapter 4.

The design of replacement assets will be guided by the following high-level objectives:

Reflect Community Input: Engage impacted communities and households in the design of all replacement assets, providing meaningful opportunity for PAPs to provide commentary and feedback on all designs, and how social cohesion can best be maintained.

Provide Choice: PAHs should have a choice of housing designs that are appropriate both culturally and geographically. Impacted communities should have choice of where to re-establish themselves (site selection) and should have the option to be resettled together as a community. Similarly, individual households that want to be resettled on their own should have this option. Where possible, PAPs should have the option of being compensated in cash or in-kind.

Provide Flexibility: Replacement assets should be designed to accommodate a diversity of uses and needs that may change over time. Replacement assets including housing, infrastructure, social facilities, and communities should be expandable in order to accommodate growth over time.

Improve the Standard of Living for PAHs: All replacement assets should be built with high quality, durable materials and should reflect an improvement over existing conditions.

Improve Infrastructure and Access to Services: Resettlement sites should provide improved access to essential services, including access to potable water, sanitation, health-care, and education.

Reflect Local Conditions and Increase Sustainability: Designs should consider the maintenance, operation and upkeep requirements of replacement assets to ensure that PAHs and communities are able to take ownership of the assets and care for them over time.

7.2 Resettlement Scheme

In the event that a settlement scheme is required to accommodate physically displaced communities, possibly as part of planning for Project staff housing, the following components will be considered.

7.2.1 Site Selection

The site selection process requires community consultation. The criteria for selecting settlement schemes generally include:

- Proximity to the current area occupied;
- Proximity to the preferred areas indicated by the affected community;
- Sufficient and suitable land available for the building of replacement assets;
- Sufficient and suitable land available for replacement agricultural land and livelihoods;
- Accessibility to existing transport network;
- Maintaining social support networks;
- Consideration for access to schools, infrastructure and other essential services;
- Currently uninhabited or sparsely inhabited; and
- Currently not in use for agricultural plantations.

Results of the Census and Asset Survey will provide information on the population and area of the community, which may then be used to calculate area requirements for the settlement scheme in conjunction with existing planning regulations and available land areas. The settlement schemes will comprise of residential plots, commercial plots, community facility plots, infrastructure, buffer zones and natural areas based on the number of households being physically displaced.

7.2.2 Site Planning

Preliminary physical plans for new settlement schemes will be developed, indicating land use, basic plot sizes, topography, and interconnectivity to adjoining settlements. A Technical Planning Report will be developed, and submitted for approval alongside the physical plans to the appropriate ministry. An assessment will be made as to whether an Environmental Impact Assessment for the resettlement schemes is required.

Resettlement site planning will also require a final Plan of Subdivision, which will be developed in consultation with PAHs and relevant government bodies.

7.3 Housing

The design of all replacement housing will be prepared in consultation with impacted households in order to increase buy-in and create ownership for the final designs. The construction process will seek to maximise local employment through the contracting of local construction companies and the hiring of PAPs to work on the construction of all replacement housing, to the extent possible.

7.4 Institutions

Schools and health facilities at settlement schemes will be built in collaboration with local authorities, and compliance with applicable service standards. In constructing these facilities consideration will be given to whether or not existing neighbouring schools or health centres can absorb the additional population moving into the neighbourhood as a result of the resettlement.

The Project may alternatively plan to enhance the capacity of existing facilities rather than creating new ones. New facilities are planned through consultations with community members and local government, in order to meet the needs and development objectives of the community. The ultimate goal is to ensure that PAHs have equal or improved access to public services, and that relevant service standards are met.

7.5 Infrastructure

Infrastructure at settlement schemes should at a minimum include roads and drainage, water supply, electricity, and solid waste disposal. It may also include power, telecommunications and other infrastructure that existing communities currently have access to. The details of existing infrastructure and access to services will be specified in the baseline census and surveys.

All replacement infrastructure should be built in collaboration with local authorities in compliance with applicable standards and laws. In some cases, the Project may opt to improve and upgrade existing facilities rather than construct new infrastructure. All settlement schemes will have an equal or improved level of services, compared to the communities impacted.

7.5.1 Roads and Drainage

Access roads should be built (or existing roads upgraded) as necessary to connect new settlement schemes to surrounding communities while on-site roads will provide circulation within the settlement schemes. All roads should be designed and constructed in accordance with existing standards.

7.5.2 Water Supply

An adequate potable water supply should be established in all settlement schemes, based on either a piped scheme with central water points, or drilled boreholes with hand or solar pumps. Water access points should be located within a practical distance from the houses they serve. Consideration should be given to the following in designing water supply systems:

- Outcomes of community consultation processes;
- Service at original site;
- Population and consumption requirements of the community;
- Availability of ground water of potable quality at resettlement sites;
- Future growth of the community; and
- Surrounding communities.

Once water infrastructure is in place, resettled PAPs will have to cover the cost of operating and maintaining these facilities as per local standards. This message will be disseminated clearly from the very beginning of the resettlement process so that communities can organise themselves in this regard. This organisation is usually best done through the establishment of a Water Users' Committee, which is the formal custodian of the facility on behalf of its owner, the community as a whole.

7.5.3 Electricity

Where the existing communities affected by the Project are connected to the electrical grid, then they will be reconnected to the grid in the new locations. If the host communities are connected to the grid then new in-fill replacement houses will be connected. House connections will be provided if grid power is available.

The details of what level of service and design of replacement assets to be provided should a resettlement scheme be necessary will be detailed in the RAP.

7.6 Assisted Self-Resettlement Option

As noted in the Entitlement Matrix, physically displaced PAP will be offered a cash compensation option sufficient to rebuild their residence in a location of their choosing. In addition to the cash compensation they will be provided with technical assistance and construction oversight from qualified personnel. Compensation will be paid in instalments based on achieving particular milestones. These include:

- Upfront cash instalment upon signing onto the program;
- Second instalment when access to appropriate replacement land is confirmed;
- Third instalment once house design is finalized, and foundations completed;
- Final instalment once construction is completed and inspected by the Construction Supervision Team.

The RAP Implementation Team will regularly monitor the progress of all participants, to ensure that the replacement housing is of an acceptable quality and meets certain minimum standards.

8. LIVELIHOOD RESTORATION AND IMPROVEMENT

International standards define 'livelihoods' as referring to the full range of activities that individuals, families, and communities engage in to make a living. It includes wage-based income, agriculture, fishing, foraging, other natural resource-based livelihoods, petty trade, and bartering.

This Chapter describes the livelihood characteristics of affected households based on the ESIA baseline data, and outlines the approach to preparing a detailed livelihood restoration and improvement program as part of the RAP(s). It also describes the types of programs that will be offered.

Preparation of a RAP generally includes a Livelihood Restoration and Improvement Plan (LRIP) developed with input from displaced persons and affected communities through participatory assessments and working group activities. The LRIP outlines the Project's strategy to support physically and economically displaced households, Project-affected communities, and host communities so that they are able to demonstrate a continuous and sustainable improvement in their economic activities following displacement.

Livelihood programs evolve over time as additional feedback is received from various stakeholders and as the Project gains experience through implementation of livelihood restoration programs and RAP. Implementation of the LRIP will continue until all PAP have restored their livelihoods, or have been given sufficient opportunity to do so.

In the event that land acquisition involves displacement of communities and construction of resettlement sites, livelihood programs will be based on the characteristics of the sites selected for the new settlement schemes.

8.1 Livelihood Characteristics of Affected Population

8.1.1 Livelihood Roles

In the different communities within the Project footprint men, women, and youth tend to engage in different livelihood strategies. In summary, common roles are that:

- Men are the holders of fixed assets (land, houses, etc.) and are the main producers of food. Where large livestock exist, they are primarily controlled by men.
- Women are the caregivers, the producers of supplementary food, tending market gardens or owning small livestock. Women also engage in food processing and trade food products at local markets.
- Youth are mainly a source of labour, and are not considered to own any of the production they facilitate within their household. Young men may also work independently as wage labourers. Female youth are more likely to continue supporting household activities, particularly around child rearing and food processing.

8.1.2 Wealth and Livelihood Types

Livelihood activities within a community show distinctions between households of different relative wealth within a community. In this case, the classification of 'wealthy', 'average', and 'worse off' are relative classifications within a community that are based on self-identification during consultations.

- Wealthy households tend to be older families and have large landholdings, where they will hire paid labourers to work. They may also let other households farm on their landholdings, normally for a token gift or share of the produce. Wealthy households are also more likely to engage in small and medium-size business, such as running local shops.

- Average households are generally comprised of an established family with usage rights over a smaller plot of agricultural land. These households usually farm, fish and market garden, as well as providing agricultural labour for wealthier families.
- Worse-off households have small landholdings in areas that are not ideal for farming. They may have a large number of dependants within the household, some of whom are frail elderly, chronically ill and/or disabled and limited assets. These households primarily engage in wage labour activities with some harvesting of natural resources and whenever possible, small trading to earn income.

8.2 Impacts on Livelihoods

This Section summarises how resettlement impacts to livelihoods align with the five 'livelihood capitals' - financial, social, human, physical and natural. These five capitals form part of the Sustainable Livelihood Approaches (SLA) utilized by a number of international development agencies in understanding community resilience and addressing poverty and food insecurity.²⁵ It considers both the context in which people live and how it is shaped by different constraints and opportunities; and how people draw on various livelihood assets or capitals, in different combinations. It is useful in understanding people's economic wellbeing prior to Project-related displacement, and informing the most suitable programs to restore and where possible, strengthen livelihoods.

8.2.1 Impacts to Financial Capital

The resettlement process is expected to have both negative and positive impacts on the availability of financial capital in the Project area and to host communities.

In the short-term, access to financial resources will increase significantly as compensation is disbursed. Opportunities for local employment and procurement with the Project, as well as indirect opportunities created by the Project's presence, will increase access to financial resources.

In the long term, there will be increased risk of inflation (and therefore the erosion of savings) and the potential for irresponsible use of compensation amounts leading to impoverishment.

The LRIP will include measures to mitigate these negative risks, including:

- Prioritise PAHs for local employment and local procurement opportunities with the Project and Project contractors (in line with the employment strategy developed for the Project);
- Stagger cash compensation payments to limit large cash infusions into the local economy;
- Account for access impacts to familiar markets, traders, and suppliers;
- Use formal financial services (such as recognised banks) to deliver and manage cash compensation and train households in establishing budgets and saving strategies; and
- Supporting the establishment of microfinance banks and strengthen existing village saving and loans associations.

8.2.2 Impacts to Social Capital

Social relationships allow for the transfer of information, materials, and goods and services within households, between households, and between communities. Existing livelihood strategies rely on strong intra-household bonds of mutual support.

The resettlement process is not expected to have significant impacts on social capital. The Project will seek to avoid the most common risk to social capital, loss of support networks. This will be accomplished by avoiding physical resettlement completely; resettling impacted households to a new location within their community; or by resettling affected communities as a whole (i.e. moving all

²⁵ http://www.glopp.ch/B7/en/multimedia/B7_1_pdf2.pdf accessed 03/01/2019

community members who wish to remain with their community of origin to the same resettlement site). The most significant residual risk to social capital that remains is the potential for intra- and inter-household conflict around how cash compensation is spent.

To mitigate for this residual risk and to provide protections for social capital in general, the following activities are proposed:

- Ensure that all 'primary adults' (i.e. the head of household and all spouses) have equitable access to compensation;
- Train affected households on compensation management and financial planning;
- Strengthen community associations through direct support and/or by relying on them for the implementation of RAP/LRP activities; and
- Provide adequate support for vulnerable households to enjoy the same benefits that other PAHs are able to capture from the resettlement process.

8.2.3 *Impacts to Human Capital*

Displacement may impact negatively on the health of affected persons as a result of the stress associated with change and resettlement. This can be mitigated to some degree by keeping people informed of project developments and offering opportunities for them to participate in the decisions that will impact their lives. With respect to education, the Project may have a slightly positive impact, incentivising area households to value education in light of the semi-skilled and skilled wage employment opportunities that become available.

However, to leverage Project presence to improve human capital, the following activities are proposed:

- Support for local community health providers and outreach associations;
- Outreach to local schools; and
- Provision of training and vocation opportunities for adult and young adult PAH members, preferably aligned with and in advance of Project construction.

8.2.4 *Impacts to Physical Capital*

Project impacts to physical capital, particularly to infrastructure, are expected to be positive, including construction of new roads and the improvement of existing road infrastructure, clearance of transmission line areas that can be cultivated following the completion of construction, and the provision of staff housing, Project employment and associated health and education facilities for those employed by the Project.

A detailed Project employment strategy will be required, which outlines how local communities will be able to access opportunities with the Project in a way that is seen as transparent and fair, based on the labour skills required and available local capacity. The employment levels anticipated also suggest that the risk of an influx of outsiders and opportunists to the Project area is high. Project planning will need to include discussions with community leadership and other stakeholders around the management of influx and minimizing pressure to existing area infrastructure.

Over the longer term, positive impacts will include increased access to electricity generated by the dam.

8.2.5 *Impacts to Natural Capital*

Negative impacts associated with physical capital include the impact of the dam on river flows essential for particular tourist activities (i.e. rafting and jet boating) and the longer-term impact on wildlife and fisheries in addition to possible flooding. The impacts and mitigation measures to address these impacts is being considered in separate plans.

8.3 Livelihood Restoration and Improvement Plan

As noted above, the detailed RAP(s) will include a livelihood program that will expand upon the Compensation Framework and detail how the compensation provided will be supported through programming in order to achieve sustainable livelihood restoration and potential improvement. The LRIP will consist of tailored programs based on the existing livelihood activities of the affected population.

The Project will assume responsibility for implementing the livelihood restoration program. To ensure its sustainability, the livelihood program will prioritise strengthening partnerships with governmental and civil society organisations that operate in the Project area.

Livelihood restoration activities will begin prior to displacement so that households have the opportunity to learn new skills and to familiarise themselves with new techniques. Pre-displacement activities will focus on training and will establish the effective support structures necessary, while post-displacement activities will focus on the provision of direct support.

The livelihood program will detail the specific programs and activities that will be delivered, how they will be delivered and when, and eligibility for participation.

8.3.1 Goals and Objectives

The goal of the LRIP will be to help restore, and potentially improve, the livelihoods and living standards of physically and economically displaced PAH and host communities. The livelihood program will assist men, women, youth, and communities in re-establishing and strengthening current livelihood practices in the short and medium term, and develop transferable skills and engender self-reliance in the long term.

The specific objectives of the LRIP include:

- Provide extensive support so that the abilities, resources, and assets of PAHs are effectively deployed in meaningful livelihood initiatives;
- Enable PAHs to benefit from multiple sustainable livelihood activities within the Project area;
- Meet the compensation commitments – as agreed with PAHs – such that compensation and other displacement related assistance is effectively and sustainably managed by PAHs;
- Support the improvement of commercial skill-based livelihoods to create opportunities for PAHs to benefit from a skills-based economy;
- Deliver training, and provide people with work experience and transferable skills that will help them compete for Project-related jobs and future opportunities; and
- Provide support so that PAHs and communities are able to maintain equal access to broader community, district, and regional development programs (i.e. government programs, Project community development activities, etc.).

8.3.2 Principles

The following principles will be applied in the design and implementation of the LRIP:

Identify Livelihood Impacts Systematically – Livelihood impacts on local people will be determined systematically through detailed surveys and engagement with those affected. To the extent possible, such impacts will be quantified and the affected people identified individually. Impacts will be considered even if the affected people are not resident in the area, do not own the land, or do not have legal title or access to the resources.

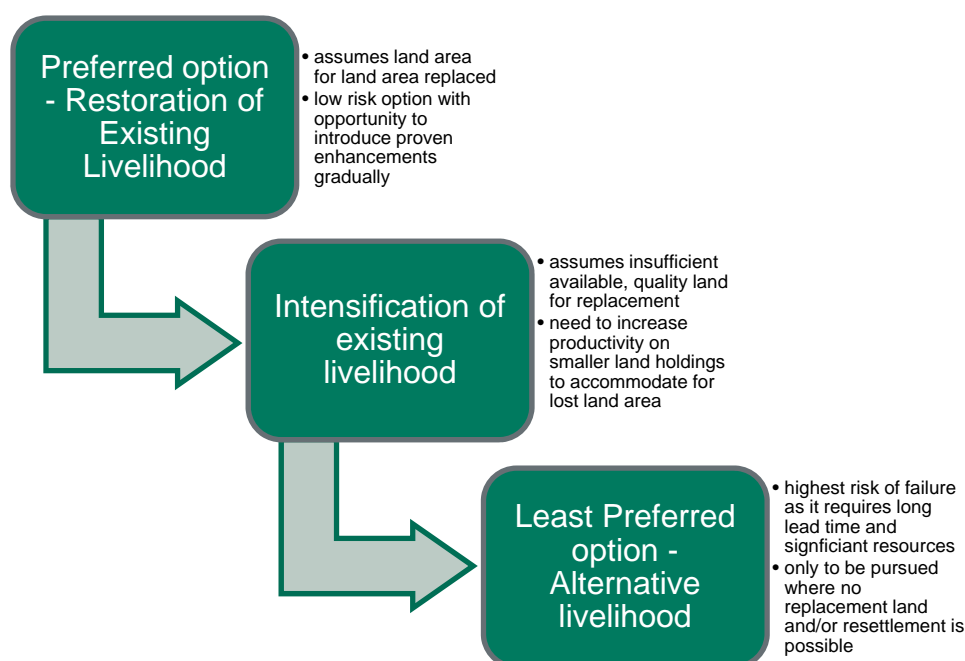
Recognise Advantages of Location as an Asset – Replacement land for habitation, farming or other activities should have advantages of location at least equivalent to their existing land. If this is

not possible, any loss of advantage of location will be considered as an additional impact requiring mitigation.

Plan and Negotiate Appropriate Measures with Affected People – The planning of livelihoods restoration / improvement is not a purely technical exercise, but requires a high level of interaction with the affected people in order to develop the most feasible and desirable mitigation measures. The agreed measures, in the form of compensation entitlement, will be incorporated into formal collective and/or individual agreements. All three tiers of stakeholders described in Chapter 4 will provide input and approve the LRIP.

Give Preference to Replacement of Existing Livelihood Activities – Livelihood restoration / improvement measures will be planned according to the hierarchy illustrated in **Figure 9**.

Figure 9 Livelihood Restoration Hierarchy



8.3.3 Eligibility & Target Groups

The LRIP will develop different levels of intervention for physically displaced households, economically displaced and host communities, as required. Eligibility for programs developed will relate to the scale and type of impact experienced by the household. Program development will consider the livelihood support needs of women and youth, and any marginalized and vulnerable groups at an elevated risk of experiencing hardship as a result of being displaced.

8.4 Livelihood Restoration and Improvement Program Types

As part of developing the RAP(s) and associated LRIP, an inventory of government, donor and not-for-profit services and programs (both existing and planned) relevant to the Project area will be undertaken. Additionally, an assessment of possible implementing partners will be conducted with a view to identifying those with expertise in the following types of programs:

- Agricultural improvement through hands on farmer-field schools which support farmers (both men and women) on their farms, and identify and train local mentors in improved farming and animal husbandry practices;
- Increasing access to improved seeds, fertilizer, veterinary services and other agricultural inputs;

- Improved crop processing options and storage facilities;
- Facilitating access to markets and the buying of local crops and produce by regional buyers;
- Mechanisms for improving access to capital; and
- Entrepreneurial training and access to credit for traders and small business owners.

9. VULNERABLE SUPPORT

This Chapter outlines the general approach that will be taken in identifying and providing support to vulnerable households. It will be further detailed in the Resettlement Action Plan(s) based on more in-depth information gathered from surveys of affected households.

Vulnerable persons are defined by the World Bank as those who, "by virtue of gender, ethnicity, age, physical or mental disability, economic disadvantage, or social status, may be more adversely affected by resettlement than others, and who may be limited in their ability to claim or take advantage of resettlement assistance and related development benefits." These standards require that particular attention be paid to the needs of the poor and vulnerable in resettlement planning.

For this Project, vulnerability will be considered on a household basis rather than at an individual level. The rationale is that where potentially vulnerable (e.g. frail elderly) people are present within a household with people who are not vulnerable (e.g. adult children), then vulnerable members have sources of support and avenues for being represented in resettlement planning and implementation.

Household vulnerability may be either:

- Pre-existing: present in a Project area prior to the start of Project activities; or
- Project-induced: a result of Project activities.

As a principle, the Project will seek to ensure PAHs identified with pre-existing vulnerability have equal access to the benefits of RAP/LRP activities, and take steps to avoid or mitigate any instances of Project-induced vulnerability.

To minimise risks, and mitigate impacts to vulnerable households, the Project will detail in the RAP the specific approach to identifying, assessing and where necessary accommodating households with pre-existing vulnerable status, and those whose vulnerable status is project-induced.

9.1 Vulnerable Support Program (VSP)

The RAP(s) will include details of the Vulnerable Support Program (VSP) that includes three main components:

- Continuous monitoring, identification, tracking, and follow-up of all PAHs to ensure they have access to, and benefit from, RAP/LRP activities and Project interventions. This may include special accommodations in the resettlement process (i.e. additional individual meetings to ensure they are fully informed, provision of special assistance in relocating their home). In addition to physically and economically displaced persons, the vulnerable support program will monitor Project-affected communities and host communities to ensure that residents will not be made vulnerable by the Project.
- Established interventions to ensure that the execution of RAP/LRP activities minimises Project-induced vulnerability while accommodating PAHs with pre-existing vulnerability.
- Referral of vulnerable households to existing reputable community service providers (or provision of assistance to access these services) when RAP/LRP activities are unable to sufficiently address pre-existing and/or Project-induced vulnerability.

9.1.1 Vulnerable Support Program (VSP) Goals and Objectives

The VSP will focus primarily on monitoring, follow-up, and referral of vulnerable households to the RAP implementation team and / or existing community service providers.

The goal of the VSP is to identify, assess, support, and provide remedial assistance and follow-up for affected households experiencing severe transitional hardship as a result of Project impacts. The specific program objectives include:

- Ensure that PAHs are provided with supplementary support or assistance so they can participate and benefit from RAP programs, particularly the LRIP;
- Identify PAHs who may potentially be vulnerable and ensure that they are able to participate in all aspects of the planning, implementation, and monitoring of the RAP(s);
- Strengthen individual, household, and community support services.

9.1.2 Identification of Vulnerable Persons

Any PAHs displaced by Project activities, as well as those households from host communities that exhibit markers of vulnerability will be eligible to participate in the support programming outlined in the VSP. A three-stage process will be used to monitor, identify, and track vulnerability.

- Inclusion in the Project's Vulnerable Watch List using proxy vulnerability benchmarks;
- Verification through discussion with leaders or through a Vulnerable Assessment Home Visit;
- Approval of eligibility and referral to appropriate assistance and service providers.

9.1.2.1 Vulnerable Watch List

A Vulnerable Watch List will be used to identify potentially vulnerable PAHs using broad proxy vulnerability benchmarks. The main function of the Vulnerable Watch List is to highlight households that may be vulnerable for closer monitoring and support. As such, the Vulnerable Watch List serves as an “early warning system” to identify potential issues with RAP implementation that may result in vulnerability. (While some RAP processes may be changed to accommodate individuals on the Vulnerable Watch List, no direct assistance or benefits will be provided, solely on the basis that a PAH is on the Watch List).

The markers (proxy benchmarks) of potential vulnerability include at least the following, a list that may be expanded as the primary data from RAP surveying is analysed. Proxy benchmarks should align with – but not be limited to – community and government conceptions of vulnerability. As such, these proxy benchmarks will be reviewed and revised by Project-affected communities, their leaders, and local health care workers and teachers.

- Elderly people (including widows) lacking adequate extended family support who do not own means of production;
- Single and adolescent mothers (or soon to be mothers) lacking adequate extended family support and/or means of production;
- Persons with HIV/AIDS or other chronic illnesses or disabilities who are unable to regularly engage in income generating activities;
- Households with limited means of production but a high number of dependants (i.e. orphans).

9.1.2.2 Confirmation of Vulnerability

PAHs on the Vulnerable Watch List will be considered for a home visit to determine if they require referral for supplementary assistance. Survey data will be reviewed and leaders consulted regarding whether the PAH may indeed be vulnerable. If they may be, a home visit will be conducted. As a better understanding of vulnerability emerges, appropriate adjustments will be made to the execution of RAP activities to reflect this – i.e. to promote the participation of vulnerable households in the RAP process and support them in accessing RAP benefits equally.

Where home visits are appropriate, they will be conducted by a representative from the Project, local health care professionals, and any relevant community support organisations. Appropriate, sustainable, support will be designed based on the causes of the PAH's vulnerability, most likely referring them to appropriate community and government care providers. In exceptional cases,

supplementary assistance could be provided through the resettlement implementation process, which could include:

- Adjustment of house designs to accommodate mobility challenged persons;
- Allocation of resettlement houses near caregivers and near central locations for elderly persons and those with mobility challenges;
- Additional training and mentorship during the provision of RAP entitlements including livelihood restoration support;
- Exceptional assistance as deemed necessary by the RAP implementation team.

10. GRIEVANCE MECHANISM

This chapter describes the grievance mechanism that will be available for the submission and resolution of grievances (complaints or claims) related to the Project's land acquisition and resettlement processes. Notably, the grievance management process is not meant to address the collection and collation (reporting on) of stakeholder feedback that does not require an individual response. Other avenues (i.e. Project Offices and Community Liaison Officers) will be available to address general comments or requests for information.

10.1 Objectives

Objectives of the grievance redress process are:

- To provide PAPs with accessible procedures for resolving perceived or actual harm done to their well-being or their belongings as a result of Project activities, and for the settlement of disputes, including the possibility of third-party adjudication
- To identify and implement appropriate and mutually acceptable corrective actions to address complaints.
- To avoid, wherever possible, the need to resort to judicial proceedings.

10.2 Types of Grievances and Disputes

The following types of grievances are most common in resettlement planning and implementation:

Planning:

- Complaints about survey activities
- Complaints about scope / lack of information provided by the Project
- Claims of unfair exclusion from engagement activities

Entitlement processing:

- Misidentification of owner / occupier of eligible property assets
- Errors in counting or measuring crops and/or other property assets
- Complaints about compensation entitlement rates
- Complaints about the entitlement policy

Livelihood restoration

- Complaints about allocation of livelihood opportunities
- Complaints about training, employment and recruitment procedures

10.3 Grievance Management Process & Resolution Mechanisms

A dedicated Grievance Officer (GO) will be appointed to coordinate the grievance resolution process. The GO will address and track grievances as they emerge and prepare relevant reports. The grievance process and how to access it will be widely communicated to Project-affected communities.

Experience demonstrates that anyone involved in Project development should be prepared to receive grievances from affected stakeholders, either in person or through correspondence. All personnel (Project or contractor staff, local government representatives who are known to be in contact with Project staff, etc.) involved in any public aspect of the Project where they may interact with local stakeholders will receive training on how to deal with grievances. Most often the appropriate response

will be to direct the complainant to the GO so that they can relay their grievance in person. This means that personnel will always have the contact details of the GO.

Where language or other barriers to submitting a grievance directly exist, the person receiving the grievance may pass it on themselves, along with the contact information for the original complainant.

If the person lodging the grievance is unable to write, the grievance and relevant personal information will be recorded on their behalf and read back to the claimant for their approval. Once the description of the grievance has been approved by the claimant, they will mark the document with their thumbprint.

Upon receipt of a grievance (see Annex 1 General Project Grievance Form), the GO will confer with the complainant to verify that this is the first time that this particular grievance has been submitted by this complainant. If the grievance is related to a previous submission, the GO will inform the complainant of the status of that grievance and record that the grievance has been re-submitted.

Grievances will be tracked in a Resettlement Grievance Database. It will constitute a register of all grievances submitted, identifying who received the grievance, and the status of the grievance. If the grievance is new, the GO 'opens the grievance' by beginning to fill in a grievance form, and creating an entry in the Grievance Database. This form will track how the grievance is dealt with from submission through to resolution.

Open grievances will be reviewed weekly. Those that are not being resolved in a timely fashion, or have been assessed at a higher level of severity, will be referred to management, as described in **Table 9**. People who submit grievances retain their rights to, at any point in the grievance resolution process, refer their grievance to the court system as a formal judicial action.

10.3.1 Grievance Process

When somebody asks to submit a grievance or upon receipt of a grievance (i.e. by mail or email), the GO opens the case and begins the preliminary investigation. This may begin immediately if the grievance is submitted in person, or may require the GO to locate the claimant. As above, the name of the complainant and their contact details are recorded, as well as the details of the grievance.

Complainants will be presented with a standardized written acknowledgment that the grievance has been received. Once the grievance is logged and acknowledged, the significance is assessed, based on the criteria described in **Table 9**. For second, third and fourth level grievances, higher levels of management will need to be informed and involved in the grievance process.

Table 9 Grievance Significance Level

Significance Level	Type of Grievance	Responsibilities
Level 1	A grievance that is isolated or 'one-off' and essentially local in nature and restricted to one complainant. Note: Some one-off grievances may be significant enough to be assessed as a Level 4 grievance e.g. when a national or international law is broken (see Level 4 below)	Grievance Officer
Level 2	A grievance that extends to the local community or region and has occurred more than once, which is judged to have the potential to cause disruption to ZRA operations or to generate negative comment from local media or other local stakeholders	Grievance Officer & Stakeholder Engagement Manager
Level 3	A grievance which is widespread and repeated or has resulted in long term damage and/or has led to negative comment from local media, or is judged to have the potential to generate negative media and local stakeholder comments (e.g. damage to a sacred site or flooding of local school)	Stakeholder Engagement Manager & Resettlement Manager
Level 4	A one-off complaint, or one which is widespread or repeated and, in addition , has resulted in a serious breach of ZRA policies, Zambian or Zimbabwean or International Law and/or has led to negative national/international media attention, or is judged to have the potential to generate negative comment from the media or other key stakeholders (e.g. failure to pay compensation where appropriate, e.g. resettlement)	Resettlement Manager & Project CEO

The process and timeframe for resolving grievances is depicted in **Figure 10**. The Project commits to recording, assessing and acknowledging receipt of the grievance, within seven days. All grievances submitted will be investigated fully, and will involve other departments, contractors and senior management as required in order to fully understand the circumstances that led to the grievance being raised. The grievance process will aim to resolve any grievances within 30 days from the date that it was initially received. This timeframe can be extended to 60 days for more complex grievances (i.e. level 3 or 4 grievances), if required.

The grievance resolution process includes the following steps:

- Obtain as much information as possible from the person who received the complaint, as well as from the complainant to gain a first-hand understanding of the grievance.
- Undertake a site visit, if required, to clarify the parties and issues involved. Gather the views of other stakeholders including ZRA employees, if necessary and identify initial options for settlement that parties have considered.
- Determine whether the grievance is eligible (i.e. relates directly or indirectly to BGHES), and if ineligible, determine the more appropriate vehicle for addressing the issue, a full explanation as to the reasons for its ineligibility will be given to the complainant and recorded in the Grievance Database.
- If the grievance is eligible, determine its severity level using the significance criteria in Table 9. This will help to determine whether the grievance can be resolved immediately or requires

further investigation and whether senior management will need to be informed of the grievance and who specifically.

- If the grievance concerns physical damage, (e.g. crop, house, community asset) take a photograph of the damage and record the exact location as accurately as possible.
- Inform the complainant of the expected timeframe for resolution of the grievance.
- Enter the findings of the investigation in the Grievance Database.

Figure 10 Grievance Management

Process	Description	Time
Grievance Reported		
1. Identification of grievance	<ul style="list-style-type: none"> • Face to face meeting with Stakeholder (ensure they are made aware of their legal right to access court system at any point) • Phone, fax, letter or email • Recorded by ZRA staff • Completion and submission of grievance form 	1 day
2. Grievance logged and acknowledged	<ul style="list-style-type: none"> • Record grievance in Grievance Form and log on Grievance Database • Receipt of grievance acknowledged through appropriate communication medium, but to be recorded in writing 	5 days
3. Grievance significance is assessed	<ul style="list-style-type: none"> • ZRA to assess and assign grievance significance 	7 days
Investigate Grievance and Develop and Respond to Grievance		
4. Investigate Grievance and Development of response	<ul style="list-style-type: none"> • Consult with relevant parties • Identify further action required • May require site visits and discussions with other stakeholders 	28 days after receipt of grievance
5. Communication of response	<ul style="list-style-type: none"> • Response provided to complainant including, if necessary an indication of additional time and resources required to resolve grievance 	30 days after receipt of grievance
6. Complainant response	<ul style="list-style-type: none"> • Confirm with complainant that grievance can be closed, or determine what follow-up is necessary (i.e. their decision to access the court system) • If the grievance is to be closed, grievance sign-off is required. • If grievance cannot be closed return to step 2 to re-assess or recommend whether third-party arbitration is necessary 	37 days
7. Close grievance	<ul style="list-style-type: none"> • Record final sign-off of grievance according to significance 	37 days – 3 months, dependent on significance

10.3.2 Grievance Settlement and Resolution Approach

All grievances shall be dealt with on a case by case basis. Where possible, they will be addressed directly by the GO. The resolution proposal shall be respectful and considered, including the rationale and any data used in developing the proposed resolution. If wider consultation is necessary, grievances will be forwarded to a neutral, external third party.

The third party could be an existing body or one established for this purpose (i.e. grievance review committee). It would need to be well-respected, and agreed upon by both Project management and the affected parties. It could include public defenders, legal advisors, local or international NGOs, or technical experts. In cases where further arbitration is necessary, appropriate government involvement will be requested.

10.3.3 Monitoring and Reporting

Grievances will be monitored routinely as part of the broader management of the Project. This entails good record keeping of complaints raised throughout the life of the construction and operation of the

Project. On receipt of grievances, electronic notification to management must be distributed. Grievance records must be made available to management at all times, and the appropriate protocols established and followed for high level grievances.

Monthly internal reports will be compiled by the Grievance Officer and distributed to the management team. These grievance reports will include:

- The number of grievances logged in the proceeding period by level and type.
- The number of stakeholders that have come back after 30 days stating they are not satisfied with the resolution.
- The number of grievances unresolved after 60 days by level and type.
- The number of grievances resolved between ZRA and complainant, without accessing legal or third party mediators, by level and type
- The number of grievances of the same or similar issue
- ZRAs' responses to the concerns raised by the various stakeholders.
- The measures taken to incorporate these responses into project design and implementation.
- These reports and other records will be made available for external review if required.

An appropriate grievance report will be included in ZRA's annual reporting. Annual reports will be made available to the public. A hard copy will be located at the ZRA offices, and an electronic copy will be made available online.

The grievance database will allow for the relative success of the grievance resolution process outlined above to be regularly monitored and evaluated. Internally, grievance resolution timeframes will be monitored through weekly meetings between the GO and Resettlement Manager. Open grievances will be reviewed, and emergent and recurring issues discussed. Where grievances remain open beyond the established timeframe, the GO will be responsible for providing the given claimants with an explanation and an assurance that their grievance has not been lost or forgotten.

Lastly, reporting on grievances will be provided to external auditors as a component of the regular evaluations that will be conducted for the resettlement process overall.

10.3.4 Recourse to the Judicial System

Although it is hoped that all grievances will be resolved internally and through the aforementioned process, it will be communicated to stakeholders that at any time during the grievance resolution process, they retain their rights to refer their grievance to the appropriate arbitative or legal body within the Zimbabwean judicial system.

In the event that a grievance becomes a case presented by the claimant's legal counsel, the Project's Legal Advisor will be directly responsible for responding to the claim.

11. IMPLEMENTATION ARRANGEMENTS

This chapter describes the organisational arrangements and work plan required for the resettlement planning and collective negotiation phase resulting in an endorsed RAP(s).

There are four phases that guide land acquisition and the management of related displacement impacts enabling the Project to move from a RPF to a fully endorsed RAP and through RAP implementation to Project completion.

- **Phase 1:** Development of a bridging strategy outlining how the RPF will be expanded into a detailed RAP(s) endorsed by Project stakeholders;
- **Phase 2:** Survey execution and collective engagement, resulting in a final, approved and fully costed RAP(s) and LRIP(s);
- **Phase 3:** RAP/LRP Implementation and individual household sign-off; and
- **Phase 4:** Delivery of supportive programs.

11.1 Phase 1: Resettlement Bridging Strategy

The resettlement bridging strategy details how the Resettlement Policy Framework will be expanded into a detailed RAP(s). It will frame the entire resettlement and livelihood restoration process from beginning to end. As a “plan for a plan”, it will set the stage for subsequent planning and engagement activities.

The objectives of the Strategy include:

- To develop and agree to a RAP/LRP completion strategy and schedule based on this RPF, to determine the most appropriate and efficient deployment of resources, confirm the approach to stakeholder engagement and to develop a schedule that indicates how timelines available for Project deliverables (mainly the RAP) will be met;
- To confirm the resettlement stakeholder engagement program as outlined in the RPF and based on that, provide a detailed Resettlement Stakeholder Engagement Plan;
- To confirm the organisational arrangements that will carry out planning and implementation of land access and resettlement, and livelihood restoration activities and resources (i.e. budget) required.

11.2 Phase 2: Planning and Collective Negotiations

This phase comprises technical planning activities and engagement activities designed to verify and quantify displacement impacts, and confirm the general terms and conditions that will guide land acquisition and resettlement. It includes the declaration of a cut-off date, planning and implementation of a comprehensive census and asset survey. Based on the principles and procedures outlined in this RPF, phase 2 results in a RAP/LRP that confirms the location of all Project components and quantifies the impacts (i.e. number of households physically and/or economically displaced). It will further specify the procedures that the Project will follow and the actions that it will take to mitigate and redress adverse effects, including compensate for losses, physically resettle affected households, provide access to Project development benefits, and otherwise manage the displacement impacts of the Project.

The RAP/LRP will outline the impacts of land acquisition as well as the required compensation and mitigations measures, based on this RPF the quantification of impacts will be accompanied by a first order estimate of costs and a schedule for resettlement.

The content of the RAP/LRP will build on the Resettlement Policy Framework with significantly more detail regarding compensation eligibility and entitlements (i.e. specific crop compensation rates),

supportive programs (i.e. detailed livelihood restoration and improvement assistance measures), and implementation procedures. The RAP/LRP will follow the outline below:

- Include (and where necessary update) the introduction section of the RPF, that describes the Project setting, measures taken to avoid or reduce the scope of displacement, the need for resettlement, and the overall approach to and principles guiding resettlement planning and implementation.
- Characterise baseline conditions among those directly affected by Project land-take, building on information collected as part of the ESIA baseline and presented in the RPF, with information collected through the census and asset inventory.
- Quantify impacts of land acquisition (i.e. number of affected properties, plots, people, crops).
- Identify and analyse resettlement stakeholders and describe the engagement activities that have been undertaken as part of RAP/LRP preparation, including the identification of vulnerable people and groups, and the mobilisation and ongoing management of the Resettlement Steering Committee and various forums.
- Confirm eligibility and entitlement policies as described in the RPF, and finalise entitlement matrix.
- Define cash compensation policies, rates, and related procedures, and demonstrate how the rates meet the definition of “full replacement value”.
- Describe the resettlement assets to be delivered, including details of the Assisted Self-resettlement Program, and/or the final resettlement site(s), as well as conceptual plans of communities and house designs, if required.
- Describe the livelihood restoration and vulnerable support program, and the specific implementation partners and model of program delivery.
- Summarize grievances received to date and their status.
- Confirm details of the internal monitoring and evaluation program to ensure that the objectives of the resettlement process are met.
- Confirm the organisational arrangements for implementation of the RAP/LRP, including work plan, schedule and budget estimated for implementation.

11.3 Phase 3: Implementation and Individual Sign-off

Phase 3 results in individual household agreements that reflect (a) the general terms and conditions documented in the RAP/LRP and (b) the results of the census and asset survey exercise. The resulting agreement should specify all compensation due to the individual household and will be signed by the affected household’s representative, the Project representative, and potentially observers (i.e. village representative). By the end of this phase, the Project secures access to the land that it requires to develop the Project, and those affected receive all their entitlements and those physically displaced are relocated, in accordance with the terms and conditions outlined in the RAP/LRP.

11.4 Phase 4: Delivery of Support Programs

This phase includes implementation of agreed livelihood restoration, assistance for vulnerable groups and ongoing monitoring. All of which continue until those affected have been able to restore their livelihood and establish an improved quality of life, confirmed through a completion audit undertaken by an external third party.

11.5 Organizational Arrangements

Figure 11 presents the resources required to develop the RAP and LRIP; as noted above the team structure will be confirmed as part of the bridging strategy discussions in Phase 1. The team resources will be adjusted as necessary for Phases 3 and 4.

The role of the RAP Planning and Implementation Team, made up of a mix of ZRA staff, government staff and third party service providers, is to lead the stakeholder engagement process, undertake technical work in support of the resettlement process, check that international standards are met, and prepare the RAP and LRIP. Proposed roles and responsibilities are outlined in the following sections.

11.5.1 Management

Resettlement Manager will manage the Resettlement team's activities, guiding the engagement process and technical work streams and overseeing preparation of the RAP/LRP documents. The Resettlement Manager will be a member of the Resettlement Steering Committee.

11.5.2 Survey and Data Management Groups

- Data Management Coordinator and GIS Specialist, who will be responsible for managing the database / GIS, reporting on surveyed data, and supporting the engagement and negotiations process.
- Survey Management Coordinator, who will plan and administer the census, livelihood survey, and immoveable asset inventory in accordance with international and national standards, and oversee the QA/QC process.
- Social Surveyors, who will administer the census and livelihood surveys to all displaced households.
- Asset Surveyors, who will administer the immoveable asset inventory (lands, crops / trees, buildings, other built improvements) to all displaced households, together with the valuers.
- Data Entry Clerks, who will enter gathered data into the database / GIS.

11.5.3 Stakeholder Engagement Group

Engagement Coordinator, who will manage the RSC, the leadership forum and community feedback forums, and administer the grievance management system.

Community Liaison Officers, who will support the Engagement Coordinator in the above.

Grievance Officer, who will manage the grievance management system.

11.5.4 Physical Resettlement Planning and Design Support Group

This assumes that physical resettlement is limited and an assisted self-resettlement option is the most appropriate for the Project. In this group, a construction supervisor and assistants will oversee the self-build program. If a full resettlement is required, a larger team of planning, design and engineering specialists will be essential.

11.5.5 Livelihood & Vulnerable Support Group

Livelihood Restoration Coordinator, who will assist the Resettlement Manager in coordinating the Team's activities and in documenting and reporting on the process.

Sector Specialists (e.g. agricultural and livestock specialists), who will support the Livelihood Restoration Coordinator in planning appropriate programs and activities in support of land-based livelihoods as per the RAP/LRP.

Vulnerable Support Officer, who will lead delivery of Project vulnerable support and monitoring measures.

11.5.6 Financial Management Group

A Finance Manager will be responsible for ensuring a reliable system of calculating and processing cash compensation payments is established and appropriate checks and balances are in place.

11.6 Work Plan

Table 9 presents an indicative work plan for completing the first two phases within a 10-month period, the outcome of which will be a finalized RAP(s) endorsed by Project stakeholders and completed preparations for an individual household sign-off to secure required land.

Figure 11 RAP Planning and Implementation Team

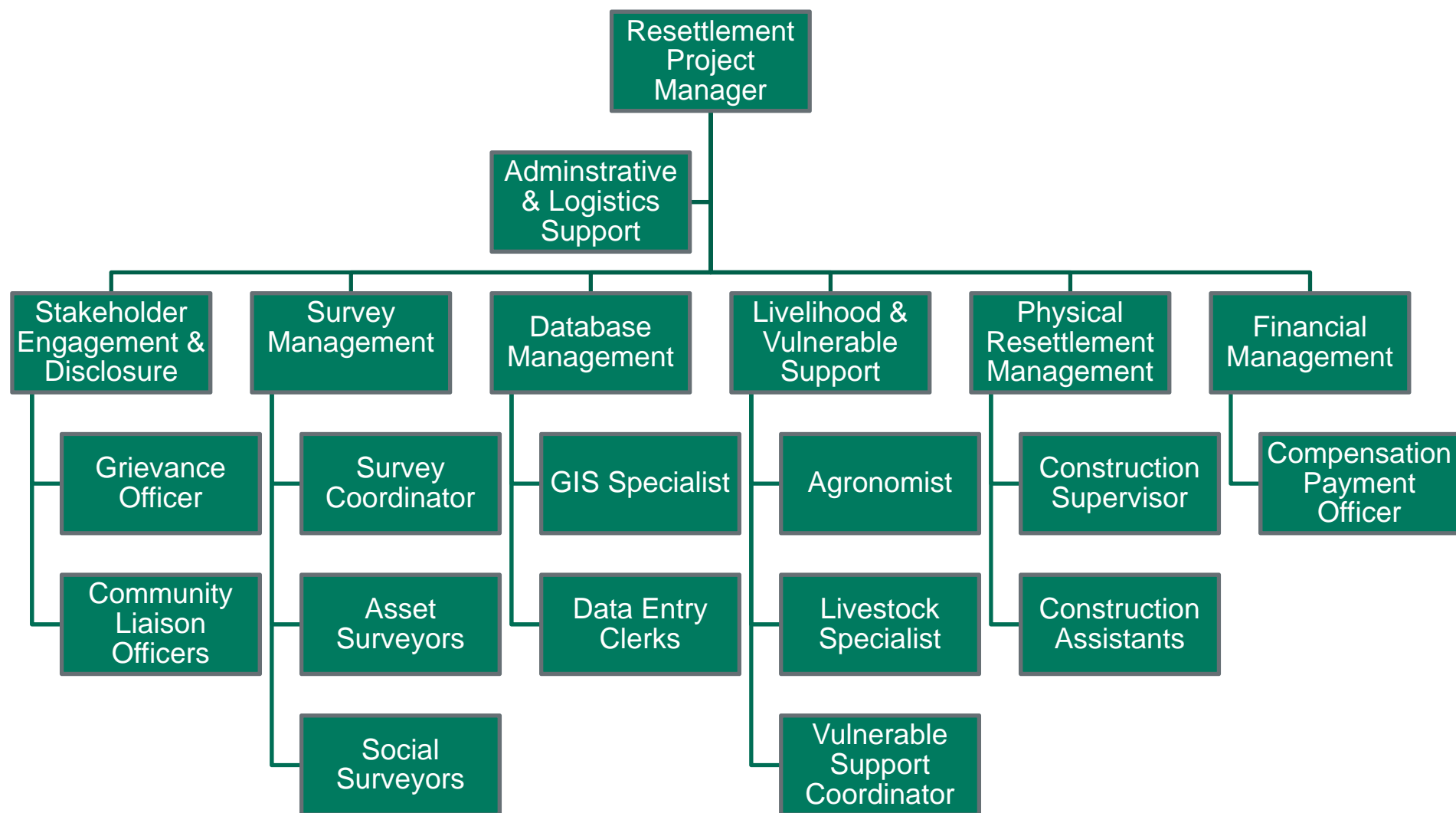


Table 10 Indicative Work Schedule

		Month 1	Month 2	Month 3	Month 4	Month 5	Month 6	Month 7	Month 8	Month 9	Month 10
PHASE 1 BRIDGING STRATEGY											
1.0	Develop Land Acquisition & Resettlement Bridging Strategy										
	Prepare & Update Project work plan and schedule										
	Present Strategy & Secure Approval from ZRA										
PHASE 2 PLANNING AND COLLECTIVE NEGOTIATIONS											
1.0	MANAGEMENT										
1.1	Mobilize Resettlement Planning Team										
1.2	Establish & Manage Resettlement Planning Process										
1.3	Detail Stakeholder Engagement Program (SEP) for Phase 2										
2.0	STAKEHOLDER ENGAGEMENT										
2.1	Mobilize and Manage Resettlement Steering Committee										
2.2	Establish and Operationalize Leadership & Community Forums										
2.3	Operationalize Grievance Management System										
3.0	TECHNICAL WORK STREAMS										
3.1	Confirm Project Description and Displacement Impacts										
3.2	Design census and asset survey instrument, methodology and database / GIS										
3.3	Mobilize and train survey teams and observers										
3.4	Issue cut off date										
3.5	Implement surveys enter data and check										
3.6	Confirm Eligibility and Entitlement Policies & Packages										
3.7	Engage valuers to investigate compensation rates										
3.8	Finalize compensation rates and define related processes (i.e. payment process)										
3.9	Define In Kind Entitlements										
3.10	Select and secure resettlement sites, if required										
3.11	Undertake conceptual planning and design of replacement assets, if required										
3.12	Define in-kind entitlements for supervised self-build option, if required										
3.13	Undertake conceptual planning and design of replacement assets										
3.14	Plan permitting, approvals, design, tendering, construction, and handover process										
3.15	Finalize details of Assisted Self-build Resettlement Option										
3.16	Undertake inventory of gov't programs/services; NGO's; donors for LRP/VSP										
3.17	Assess potential implementing partners for LRP/VSP										
3.18	Detail Supportive Programs & Method of Delivery										
3.2	Confirm RAP implementation costing										
4.0	FINALIZE RAP/LRP										
4.1	Present RAP/LRP to RSC, RSLP & CCF										
4.2	Finalize RAP & LRP in light of any comments received								*		
PHASE 3: IMPLEMENTATION AND INDIVIDUAL HOUSEHOLD SIGN-OFF											
1.1	Re-Tool Team & Prepare for Phase 3 Implementation										

12. MONITORING AND EVALUATION

Monitoring and Evaluation (M&E) of resettlement activities is carried out to ensure commitments made in the RPF and subsequent RAP are met and implemented in accordance with Project objectives, Zimbabwean Law, and international resettlement standards. M&E provides Project management, lenders and other key stakeholders with timely, concise, indicative information on whether resettlement and land acquisition initiatives are on schedule, as well as on track to achieve sustainable restoration of livelihoods and living conditions, or if adjustments are required.

M&E is firmly rooted in a participatory approach that involves the direct and active participation of displaced persons and stakeholders, and the incorporation of their feedback into the Project's land acquisition and resettlement activities. The tiered engagement and consultation approach described in **Chapter 4** has been designed to facilitate community participation in the planning and implementation of the overall compensation and resettlement process, including monitoring and evaluation activities to define what is tracked and monitored and how success will be defined.

Monitoring of resettlement and compensation activities is conducted both internally within the Project and the implementation team, and by external third parties. Internal monitoring focuses on inputs and outputs, observing the short-term changes in different indicators. External evaluation focuses on processes and outcomes, using the findings of internal monitoring, as well as investigations completed by external, third party organisations.

M&E activities continue until it can be demonstrated that displaced persons have successfully re-established their livelihoods and restored their quality of life. This is confirmed through a completion audit.

12.1 Internal Monitoring

An internal performance and impact monitoring system will be developed to regularly track and report on the following:

- Progress against the detailed implementation schedule such as:
 - Number of individual household sign-offs completed
 - Number of affected households receiving full cash compensation entitlements
 - Number of replacement land plots acquired and physically displaced people adequately re-housed
 - Livelihood restoration measures initiated and completed
- Alignment with overall Project schedule and budget;
- Verification that vulnerable households have received agreed additional assistance;
- Review of grievances submitted including analysis of trends which may require program adjustments; and
- Stakeholder engagement milestones achieved (i.e. signing off on collective agreements with the RSC, RSLF and CFFs).

Internal progress monitoring reports will be prepared at regular intervals (e.g. monthly, quarterly and annually) beginning with the commencement of implementation activities. The frequency of reporting will depend on the stage of the implementation of the RAP(s), with more frequent reporting likely during the earlier phases to ensure implementation is on track.

Outcome monitoring assesses the effectiveness of the RAP and associated programs in supporting Project-affected people in re-establishing their livelihood. It requires a different approach, typically involving surveys of affected households and focus groups to collect information, which can be compared with baseline data prior to resettlement in order to better understand:

- Changes in quality and quantity of agricultural production, access to grazing areas, compared with pre-Project levels;
- Changes in household income levels;
- Changes in household expenditure patterns;
- Changes in asset ownership / quality / size;
- Changes in disease incidence; or
- Satisfaction of affected communities with the resettlement initiatives.

The timing of the outcome monitoring takes into consideration the implementation schedule, and assists the Project RAP Implementation Team in making program adjustments and preparing for external evaluations.

12.1.1 Monitoring of Physically Displaced Households

For households that have been physically displaced, post-displacement monitoring will be conducted within the first year after the move. A mid-term evaluation will be conducted for all physically displaced typically three years after displacement. A final long-term evaluation will be conducted for the same group of PAHs. This is typically five to seven years after displacement, but will be determined for each RAP/LRP in turn. The purpose of the monitoring is to verify that PAP have attained a standard of living at least equal to the situation prior to the resettlement process.

12.1.2 Monitoring of Livelihoods Restoration

Post-displacement monitoring should follow up with those economically displaced households participating in the Project's livelihood restoration and improvement programs beginning two years after compensation payments have been made and livelihood assistance delivered. The purpose of the monitoring is to assess their socio-economic quality of life, as well as to identify PAHs who may have restored their livelihoods after impact mitigation activities have ended, but for whom residual effects may persist. Based on the analysis of data collected within the livelihood restoration programs an assessment can be made whether PAHs have been given a reasonable opportunity to restore their livelihoods. This mid-term assessment will help to identify general trends as to whether or not the livelihoods programs are having success, and whether or not PAPs are on course to restore their livelihoods. This will guide the course for taking corrective action, as needed.

In order to document whether PAHs' livelihoods have been fully restored, a long-term evaluation should take place typically 5-7 years after displacement. If the livelihoods of the vast majority of PAHs have been restored, RAP/LRP implementation can be considered complete.

12.1.3 Vulnerability Monitoring

The primary objective of vulnerability monitoring is to avoid the occurrence of project-induced vulnerability, and if it occurs, to mitigate this through support measures and follow-up monitoring. It is important to monitor effects on PAHs who are especially vulnerable to negative impacts and who, without special consideration, may not receive a proportionate share of Project benefits.

International standards stipulate that:

- Project proponents identify individuals and groups that may be differentially or disproportionately affected by the project because of their disadvantaged or vulnerable status.
- Project sponsors assess potential impacts on these individuals and groups and propose as necessary, specific measures and accommodations to address potential impacts.

- Project monitoring track the well-being of these individuals and/or households on a disaggregated basis.

Data collected from all households will be analysed periodically to continuously identify households who's pre-existing vulnerable status may be exacerbated as a result of the Project, or who may become vulnerable due to Project displacement.

12.2 External Monitoring and Completion Audit

External resettlement monitoring and evaluation supports and strengthens a Project's internal monitoring system, and is conducted by an independent third party. The key objective is to determine whether Project efforts to restore / improve the living standards and livelihoods of the affected communities have been properly conceived and executed. The audits verify that all physical inputs committed to in the RAP(s) have been delivered and all livelihood restoration measures provided. In addition, the audits evaluate whether the mitigation measures prescribed in the RAP and any corrective actions developed and implemented since the RAP have had the desired effect.

BGHES will have a third-party auditor undertake annual reviews during Project implementation to assess compliance with the RAP(s). The audits will provide the Project Implementation Team with recommendations for improving RAP implementation and addressing any gaps. They will also determine when the final RAP completion audit should be undertaken to determine the following:

- Assess the effectiveness of measures to avoid and minimise displacement impacts by comparing those identified in the RAP/LRP with actual impacts on people and land;
- Verify that implementation complies with applicable international policies;
- Verify that all entitlement and commitments described in the RAP/LRP have been delivered;
- Assess the fairness, adequacy and promptness of the compensation and resettlement procedures as implemented;
- Determine whether the measures identified in the RAP/LRP have been effective in restoring and enhancing affected peoples' livelihood and quality of life, particularly for those households deemed vulnerable;
- Check on any systemic grievances that may be outstanding; and
- Identify any corrective actions necessary to achieve completion of RAP/LRP commitments.

13. ANNEXES

13.1 Annex 1 Grievance forms

To be completed by ZRA personnel (if grievance being submitted in person) or person submitting complaint

Grievance Record	
Reference No: (for official use)	
Full Name	
Contact Information Please mark how you wish to be contacted (letter, telephone, e-mail).	<input type="checkbox"/> Address/village/traditional authority and ward: _____ _____ _____ _____ <input type="checkbox"/> Telephone: _____ <input type="checkbox"/> E-mail: _____
Preferred Language for communication	
Description of Incident or Grievance: What happened? Where did it happen? Who did it happen to? What is the result of the problem?	
Date of Incident/Grievance	
	<input type="checkbox"/> One time incident/grievance (date _____) <input type="checkbox"/> Happened more than once (how many times? ____) <input type="checkbox"/> On-going (currently experiencing problem)
What would you like to see happen to resolve the problem?	
Additional Comments:	

13.1.1 *Grievance Record*

– to be used as part of the database

Grievance Record			
Grievance Number:	Date Submitted:	Target Date for Resolution:	
Name:			
Address and Contact Details			
Grievance Received By:			
Name of Grievance Coordinator:			
Description of Grievance:			
Assessment of Grievance Level:		Notification to CEO or other senior management?	Y/N
Actions to Resolve Grievance			
Delegation to:			
Action	Who	When	Completed Y/N/Date
Response/Resolution:			
Strategy to Communicate Response:			
Sign-Off:			
Date:			
Conclusion			
Is complainant satisfied?	Y/N	Comments from Grievance Coordinator	
Grievance Closed?	Y/N	Grievance Resubmitted?	Y/N
Signature of CEO:		Date:	
Date:		New Grievance Number:	

13.1.2 *Grievance Receipt Form*

– to be used to acknowledge grievances submitted

Grievance Receipt Form		
Grievance Number:	Date Submitted:	Target date for initial meeting to address grievance:
Name:		
Address and Contact Details		
Grievance Received By:		
Name of Grievance Coordinator:		
Contact details of Grievance Coordinator	Telephone: Email: Address:	

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Zambezi River Authority (ZRA)

Resettlement Policy Framework (RPF) - Zambia

Proposed Batoka Gorge Hydro-Electric Scheme (Zambia and Zimbabwe) on the Zambezi River

26 February 2019

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Signature Page

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Resettlement Policy Framework (RPF) - Zambia

Proposed Batoka Gorge Hydro-Electric Scheme (Zambia and
Zimbabwe) on the Zambezi River



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DEFINITIONS

Affected Persons: Any individual, persons, family, household, group, or collective body that is affected by either physical or economic displacement and are deemed eligible to resettlement assistance and/or compensation under this RPF.

Asset Inventory: The investigation and measuring of all land, interest on and rights to that land, as well as any assets and unexhausted improvements on that land. The Asset Inventory forms the basis for the determination of resettlement assistance and/or compensation to be granted to Affected Persons.

Allowances: Cash compensation provided in addition to any resettlement assistance and/or compensation provided for the loss of assets, and generally provide transitional support while Affected Persons restore their living conditions and livelihoods after resettlement.

Compensation: The form or combination of cash or in-kind replacement assets to be provided to Affected Persons to compensate the acquisition of land or the loss of assets. In most cases, compensation denotes cash only.

Cut-off Date: The date which establishes the deadlines for entitlement to Compensation and/or Entitlements in respect of Eligible Land, Crops, Trees and Structures. Persons occupying the project footprint after the cut-off date are not eligible for compensation and/or resettlement assistance. Similarly, fixed assets (such as built structures, crops, fruit trees, and woodlots) established after the cut-off date (usually the date of completion of the assets inventory, or an alternative mutually agreed on date), will not be compensated.

Economic Displacement: The loss of assets or access to assets that leads to loss of income sources or livelihoods but does NOT necessarily result in the direct loss of a place of residence.

Eligible Persons: See Affected Persons

Entitlement Framework: A framework that establishes the specific entitlements (i.e. forms of compensation) granted to Affected Persons who will lose proven assets, as determined during the Asset Inventory.

Household Census: The registration of Affected Persons and the collection of their details and forms the basis for the confirmation of Affected or Eligible Persons.

Improvements: Anything resulting from expenditure of capital or labour – including carrying out of any building, engineering, clearing, improvement, or other operations - in, on, over, or under land, or the making of any material change in the use of any building or land and charges for services provided and other expenses incurred in the development or towards the development of land.

Livelihood Restoration: A range of measures and programmes that ensure that the existing livelihoods of Affected Persons is restored, or ideally improved, during and after the land acquisition and/or resettlement process.

Livelihood Restoration Plan: A plan that establishes the entitlements (e.g., compensation, other assistance) of affected persons and/or communities economically displaced by a Project, in order to provide them with adequate opportunity to re-establish their livelihoods. The Project will not involve any physical displacement (i.e. to a place of residence), solely economic displacement.

Livelihoods Restoration and Improvement Plan: A detailed plan which is developed to replace or restore and maintain or improve previous levels of income, employment, and food security for Project-Affected Persons through provision of economic opportunities and income generating activities, including agricultural production and processing, employment promotion, and enterprise development.

Physical Displacement: The displacement, loss, or destruction of the place of residence as a direct result of the development of the Project.

Resettlement assistance: Support provided to people who are physically displaced by a Project. Assistance may include transportation, food, shelter, and social services that are provided to affected people during their relocation. Assistance may also include cash allowances that compensate affected people for the inconvenience associated with resettlement and defray the expense of transition to a new locale, such as moving expenses and lost work days.

Replacement cost: The rate of compensation for lost assets calculated at full replacement value, that is, the market value of the assets (i.e. land, crops, structures) plus transaction costs (i.e. any registration costs, transfer taxes).

Resettlement Policy Framework: A framework document that defines the principles and steps to be adopted in the development of a Resettlement Action Plan. The framework is a precursor to the Resettlement Action Plan and does not replace it.

Resettlement Action Plan: is a plan prepared by the sponsor or other parties responsible for resettlement (such as government agencies), specifying the procedures it will follow and the actions it will take to properly resettle and compensate people and communities physically displaced by a Project.

Specially Gazetted Land: This is agricultural land, which has been identified for compulsory acquisition and has been gazetted for such acquisition.

State Land: This refers to any Land not deeded and land belonging to the State.

ACRONYMS

Abbreviation	Full Definition
BGHES	Batoka Gorge-Hydro Electric Scheme
CAI	Census and Asset Inventory (CAS Census and Asset Survey)
CFF	Community Feedback Forums
ESIA	Environmental and Social Impact Assessment
ESS5	Environmental and Social Standard 5: Land Acquisition, Restrictions on Land Use and Involuntary Resettlement
FPIC	Free, Prior, and Informed Consent
GDP	Gross Domestic Product
GII	Gender Inequality Index
GO	Grievance Officer
ICP	Informed Consultation and Participation
ICT	Information and Communication Technology
IDP	Internally Displaced Persons
IFC	International Finance Corporation
IFC PS	IFC Performance Standards
IP	Indigenous People
KPI	Key Performance Indicator
LRIP	Livelihood Restoration and Improvement Plan
LRP	Livelihood Restoration Plan
M&E	Monitoring and Evaluation
NLC	National Land Commission
PAH	Project-Affected Household
PAP	Project-Affected Person
RAP	Resettlement Action Plan
ROW	Right-of-way
RPF	Resettlement Policy Framework
RSC	Resettlement Steering Committee
RSLF	Resettlement Stakeholder Leadership Forum
SEP	Stakeholder Engagement Plan
SLF	Stakeholder Leadership Forum
VSP	Vulnerable Support Plan
ZRA	Zambezi River Authority

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1. INTRODUCTION

This Resettlement Policy Framework (RPF) sets out the guiding principles and procedures that will be followed in managing the impacts of acquiring land for the Batoka Gorge-Hydro Electric Scheme (BGHES) in Zambia. It will guide the compensation of losses and mitigation of potentially adverse Project effects experienced by persons and/or communities through the construction and operation of all components of the hydropower project in this country. Following RPF approval, a detailed Resettlement Action Plan (RAP) or Livelihood Restoration Plan (LRP)¹ will be prepared that covers all project components following finalization of their specific location, boundaries and land area requirements. In the event that Project components will be developed in phases, separate RAPs/LRPs will be prepared.

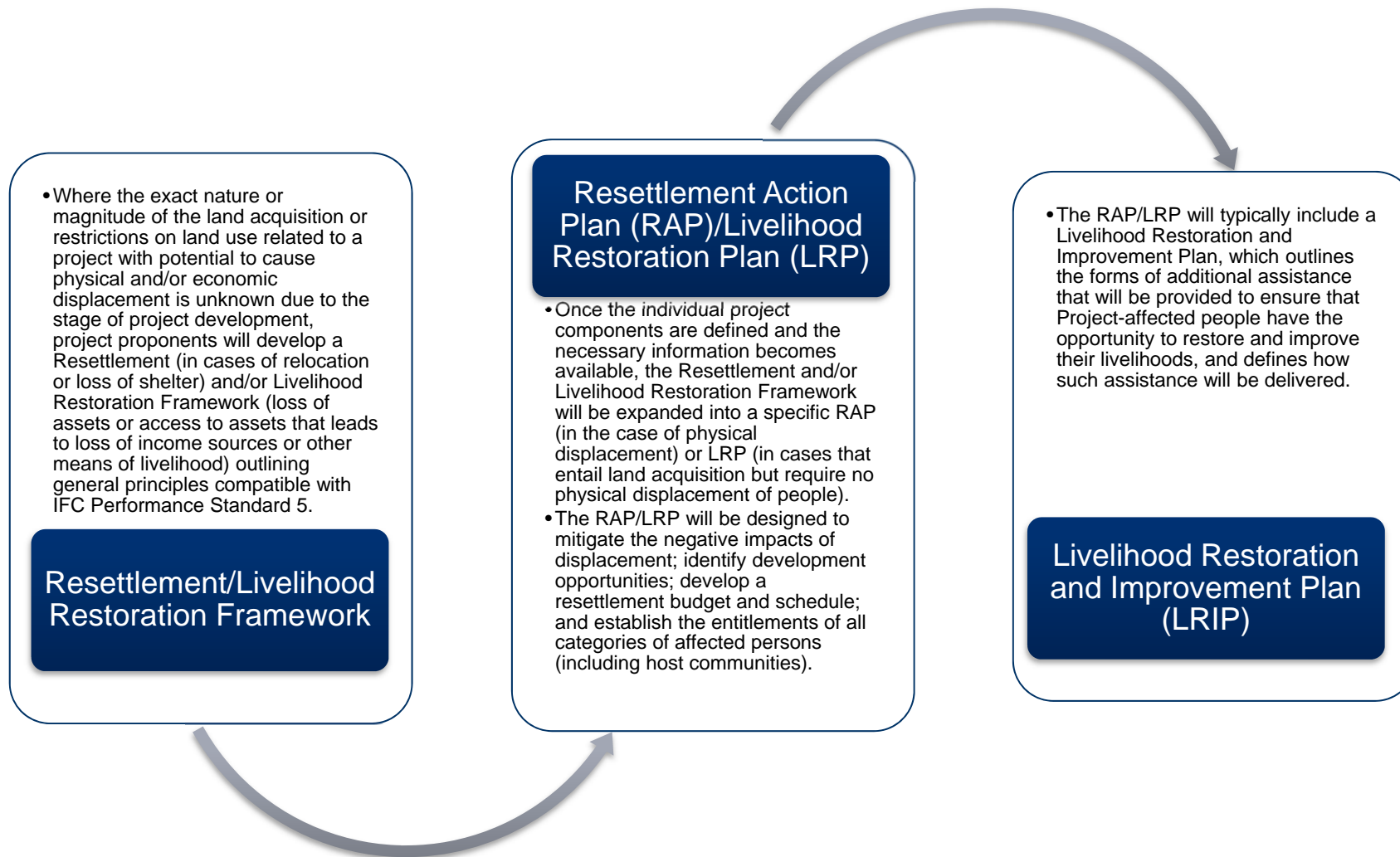
As illustrated in **Figure 1**, a Resettlement Policy Framework is prepared when the exact nature and magnitude of the land acquisition is unknown. Once individual project components are fully defined, and necessary information becomes available, then Resettlement Action Plan(s) can be prepared. Chapter 12 Implementation Arrangements outlines the detailed tasks and resources required to move from a Resettlement Policy Framework to an endorsed RAP(s).

Two RPFs have been prepared, as the Project straddles the Zambia and Zimbabwe border, with hydropower infrastructure components requiring access to land in both countries. The principles and approach of the RPFs are similar; however there are differences in the community context and legal framework governing land allocation and access in each country.

The Project Proponent is the Zambezi River Authority (ZRA), a corporation jointly and equally owned by the governments of Zambia and Zimbabwe. The ZRA is governed by a four-person council two of whom are Ministers in the Government of the Republic of Zambia and two of whom are Ministers in the Government of the Republic of Zimbabwe. The ZRA's primary functions are operating and maintaining the Kariba Dam Complex, investigating and developing of dam sites on the Zambezi River and analysing and disseminating hydrological and environmental information pertaining to the Zambezi River and Lake Kariba.

¹ For projects which result in economic displacement only Livelihood Restoration Plans are required; for projects involving **both** physical and economic displacement Resettlement Action Plans are required.

Figure 1 Resettlement Policy Frameworks and Action Plans



1.1 Project Description

Geological investigations into a hydropower project on the Zambezi River began in the early 1900's. In 1972, studies concluded that Batoka Gorge was the best site for the development of a hydropower project. Investigations conducted in 1981-1983 and 1989 identified a specific site in the Batoka Gorge for the Project, prompting a full feasibility study in 1993. The BGHES will be located in the central portion of the Zambezi river basin, upstream of the existing Kariba Dam and approximately 47 km downstream of Victoria Falls.

In 2014, the (ZRA) appointed Studio Pietrangeli (SP) Consulting Engineers to update the engineering feasibility study for the Project, and engaged Environmental Resources Management (ERM) South Africa to undertake an Environmental and Social Impact Assessment (ESIA), including RPFs for Zambia and Zimbabwe.

The Project includes the following components as depicted in **Figure 2**:

- Dam wall and impoundment, including spillway;
- Outdoor power houses, one on each side of the river;
- Transmission lines comprising: two (2) 330kV OHTLs to the Mukuni 330/220kV station, approximately 21km ;one (1) 330kV OHTL to Muzuma 330/132/88kV station, 150km ; two (2) 330kV OHTLs interconnecting the two power stations, Batoka North and Batoka South 5.5km;
- Access roads, 31 km in total;
- Project township/staff housing to accommodate workers and their families during construction and operations; and
- Quarry.

1.2 Land Acquisition and Resettlement Context

Involuntary resettlement processes present a high level of risk for both project proponents and for the people and communities being displaced.² For proponents, resettlement can be controversial, costly and time-consuming. If mismanaged, involuntary resettlement processes can cause social unrest, delays to project development, and can damage the proponent's reputation and social license to operate. Displacement poses particular risks for people who may already be marginalized because of socio-economic status, gender, health/ability, ethnicity and/or age. However, when involuntary land acquisition and resettlement is well planned, properly managed, and carried out in conjunction with impacted persons and communities, the risks can be minimised and mitigated and the process can be used to create positive outcomes for project proponents and for local people, including the most vulnerable.

International experience in involuntary resettlement projects indicates that resettlement-induced impoverishment can be characterized by:

- Landlessness: loss of land assets, including common property;
- Joblessness: loss of workplaces and markets;
- Homelessness: loss of shelter;
- General economic set-back or marginalisation (loss of income/livelihood);
- Social disorganisation: increased rates of crime, reduced influence of traditional leaders, loss of culture and negative social behaviour; and
- Impacts to health and safety: disease, mortality, food insecurity and malnutrition.

Displacement poses particular risks for people who may already be marginalized because of socio-economic status, gender, health/ability, ethnicity and/or age. However, when involuntary land acquisition and resettlement is well planned, properly managed, and carried out in conjunction with impacted persons and communities, the risks can be minimised and mitigated and the process can be used to create positive outcomes for project proponents and for local people, including the most vulnerable.

The risks identified above are particularly relevant in the context of this Project as the legacy of the Kariba Dam displacement in the late 1950's persists. Although the Kariba resettlement was undertaken in a very different time, when current governments were not in power and the Zambezi River Authority did not exist, some stakeholders in the Project area continue to raise their concerns that the mistakes of the past will be repeated. In an effort to understand and honour these concerns, it is useful to draw on the research undertaken by the World Commission on Dams.

In an effort to contribute to the global debate around the development effectiveness of large dams ongoing in the 1980/90's, the World Commission on Dams included the Kariba Dam as one of seven case studies worldwide. Close to 60,000 Tonga who inhabited both banks of the Zambezi Valley in 1957 were reported to have been forcibly moved, sparking resistance and violent confrontation causing eight deaths and numerous injuries.³

In their assessment of the dam's social impacts, particularly related to resettlement, the WCD found that affected people were neither adequately informed nor consulted:

Most of the new land (to which people were resettled) was of poor quality and easily erodible. In addition, as no recession agriculture was possible due to the far distance to the river, only

² Resettlement is 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.

³ <https://cpb-us->

e1.wpmucdn.com/share.nanjingschool.com/dist/1/43/files/2013/05/World_Commission_on_Dams_2000_Case_Study_Kariba_Dam_Final_Report_November_2000-2etc5lv.pdf accessed 26 11 2018 page xi

one crop per year could be produced. Resettling too many people to areas too small aggravated the problem. It is therefore not surprising that food production decreased and famine occurred in the first years after resettlement.....There are a few things which are certainly better than in pre-Kariba times, such as the access roads to the area, schools and medical facilities. But not all promises made during the resettlement campaign have been met. Most villages are still without electricity.⁴

It is these experiences and the lessons emanating from them that inform current national and international standards guiding land acquisition and resettlement, including International Finance Corporation (IFC) Performance Standard 5 (2013) and the World Bank Environmental and Social Framework (2016). And, it is these standards which will guide any physical and economic displacement as a result of the Batoka Gorge-Hydro Electric Scheme.

The objective of this document is to outline a framework for resettlement that seeks to avoid, and where avoidance is not possible mitigate the risks posed by displacement, through sound planning and resettlement implementation, and adherence to national laws and international standards of good practice. This document will guide all future land acquisition associated with the Project, and is grounded in the following principles:

- Avoid and minimise physical and economic displacement by exploring alternative project designs;
- Mitigate and compensate adverse impacts from land acquisition or restrictions;
- Improve, or at least restore, pre-Project livelihoods and standards of living for all Project-affected persons (PAPs);
- Improve the living conditions of physically displaced households through the provision of adequate housing with security of tenure and the provision of basic infrastructure and amenities;
- Establish standards of compensation that are transparent, consistent, and reflect the full replacement value of all impacted assets eligible for compensation;
- Guide the design of the resettlement process through free, open, transparent and informed engagement with PAPs;
- Establish grievance and conflict resolution mechanisms to address any grievances raised by PAPs or other stakeholders;
- Identify and bridge gaps between Zimbabwe legal requirements and the requirements of the World Bank Environment and Social Framework (2016);
- Give particular attention to vulnerable groups and if necessary implement measures to ensure that vulnerable groups have equitable access to opportunities and benefits; and
- Promote gender equity in all compensation, allowances and livelihood restoration measures.

1.3 Scope and Structure of the RPF

The RPF framework covers the full scope of the Project's planned land acquisition based on available information current to December 2018, and is organised as follows:

- **Chapter 1 Introduction:** provides an overall introduction, Project description and context for the RPF.

⁴ [https://cpb-us-e1.wpmucdn.com/share.nanjing-school.com/dist/1/43/files/2013/05/World Commission on Dams 2000 Case Study Kariba Dam Final Report November 2000-2etc5lv.pdf](https://cpb-us-e1.wpmucdn.com/share.nanjing-school.com/dist/1/43/files/2013/05/World_Commission_on_Dams_2000_Case_Study_Kariba_Dam_Final_Report_November_2000-2etc5lv.pdf) accessed 26_11_2018 page xii

- **Chapter 2 Legal & Institutional Framework:** describes the institutional and legal framework that has guided the preparation of the Framework.
- **Chapter 3 Overview of Project-affected Population:** presents the socio-economic conditions of the Project-affected persons (PAPs), households and communities.
- **Chapter 4 Stakeholder Engagement:** describes stakeholder participation and planned consultation activities throughout the resettlement planning process.
- **Chapter 5 Project Impacts:** provides an overview of impacts on Project-affected persons, households, and communities, as well as impacts on public facilities and public access.
- **Chapter 6 Compensation Principles & Entitlements:** presents the policies guiding resettlement compensation and outlines the Project's compensation strategy for all forms of ownership and use rights affected by the Project.
- **Chapter 7 Replacement Assets:** outlines the process for defining the replacement assets that will form part of the entitlements for PAPs and Project-affected Households (PAH).
- **Chapter 8 Livelihood Restoration & Improvement:** defines the planning process for livelihood restoration and enhancement initiatives to help PAH re-establish existing livelihoods or develop new ones.
- **Chapter 9 Vulnerable Support:** describes the measures to be adopted by the Project to ensure that Vulnerable Persons are not disadvantaged in the resettlement process.
- **Chapter 10 Grievance Management:** describes the mechanisms available to Project-affected people for the processing and resolution of grievances or claims related to the Project's land acquisition process.
- **Chapter 11 Implementation Arrangements:** provides an overview of the implementation arrangements and the actions required to develop a detailed RAP/LRP(s), once the location of all components are known.
- **Chapter 12 Monitoring & Evaluation:** describes the monitoring and evaluation procedures required to ensure that objectives of the Project are met.

2. LEGAL AND INSTITUTIONAL FRAMEWORK

Chapter 2 provides an overview of the legal and institutional framework guiding the preparation of this RPF. It describes Zambian national legislative requirements relevant to land access and resettlement, and compares them with the World Bank's Environmental and Social Framework (2016). The RPF draws from the laws, standards, and principles laid out in in this Chapter and the principles outlined in the previous section.

2.1 Legislative Framework

The most relevant Acts related to land access and acquisition are listed below and described in the following sections.

- Constitution of Zambia;
- The Lands Act;
- The Land Acquisition Act;
- Local Government Act;
- Chiefs Act; and
- Electricity Act.

2.1.1 *The Constitution of Zambia (Amendment) Act, No. 2 of 2016*

The Constitution is the supreme law of Zambia and establishes the fundamental rights with respect to human dignity, equity, social justice, equality, and non-discrimination.

Relevant to this RPF are the sections in the Constitution that refer to the alienation of rights to land or acquisition of land. Articles 233 and 254 grant powers to the President, through the Commissioner of Lands, to alienate land held by both citizens and non-citizens. The Constitution however does not provide any specific procedures, or proscriptions regarding the legal power to alienate land.

Article 253 states that land will be held, used and managed with consideration to ensure equitable access to land, protecting the tenure for lawful landholders, and that land-use planning be conducted in a consultative and participatory manner.

2.1.2 *Lands Act, Cap 1853*

The Lands Act⁵, states that all land in Zambia be held in perpetuity and in trust on behalf of the people of Zambia.

Article 3(2) grants power to the President to alienate land from any Zambian or Non-Zambian citizen. The President may only alienate land held under customary tenure when they have taken consideration of local customary law on land tenure, consulting the local Chief and authorities as well as consulting with any persons or body with a vested interest in the land.

In addition, the President shall not alienate land without providing any consideration or monies for such alienation except where the alienation is for a public purpose. The term public purpose under the Land Law does include provision for the Project under Article 4(2a) the exclusive use of Government or for the general benefit of the people of Zambia, and Article 4(2g) for obtaining control over land required for or in connection with hydro-electric or other electricity generation and supply purposes by the Government.

Customary land is legally recognised under the Land Act under Article 7 and establishes that the customary systems in place at the commencement of the Land Act will continue to be so held and recognised and the Provisions of the Land Act will not be construed as to infringe on these customary

⁵ Including amendments made in the Land (Amendment) Act of 2010 and 2015

rights. In addition, the Act also recognises the rights and privileges of any persons to hold land under customary tenure as determined by the local customary law.

In the context of compensation and resettlement, land includes any unexhausted improvements on the land. Improvements include anything resulting from the expenditure of capital or labour; and includes any buildings or any activity that results in a material change in the use of land and other expenses incurred in the development or towards the development of land.

2.1.3 Land Acquisition Act, 189

The Land Acquisition Act grants powers to the President to acquire any property of any description, where the President is of the opinion that such acquisition is desirable or in the interests of the Republic.

Under Article 4, the President, via the Ministry of Land or any authorised person, is permitted to access the targeted land to undertake surveys or any other act necessary to ascertain whether the land is or may be suitable for the purpose in question.

The procedure for acquiring land includes issuing suitable notice to persons with an interest in the land. This notice will, under Article 7, be served either personally on the persons to be served or by leaving it at their last usual place of residence or business if any such place can after reasonable inquiry be found. This notice will be supported by the issuance of a similar notice in the government gazette. Upon serving the notice, the interested persons may submit a claim for compensation.

Under Article 6, the President may take possession of the land on the expiration of the period specified in the notice. No specific provision is made limiting the taking of possession of land after the payment of fair compensation.

Article 8 states that where any property is to be partially acquired and where the residual land is less than 0.5 acres, the owner of the land may submit a claim for the acquisition of the whole of the land. Article 9 permits, where land acquisition results in the taking of part of any house or building, the owner to make a claim for the acquisition of the whole house or building.

Article 10 requires that compensation in money be paid for any property to be acquired under the Act. The compensation amount may be determined via an agreement, or where an agreement cannot be reached then in accordance with the provisions of the Act.

Article 10 also makes provision for in-lieu compensation of or in addition to any monetary compensation. This may be in the form of a grant of other land, as far as may be practicable, as those under which the land acquired was held.

Article 12 defines the principles for the assessment of compensation, which include:

1. No allowance shall be made on account of the acquisition being compulsory;
2. The value of property shall, be the amount which the property might be expected to realise if sold in the open market by a willing seller;
3. Any deductions related to any returns and assessments of capital value for taxation made or acquiesced in by the claimant;
4. Any deductions related to any money, services, equipment granted by the Government, by a Company or any other body unless any contributor indicates in writing that the contribution was specifically made for the use and benefit of the registered owner;
5. The special suitability or adaptability of the property for any purpose shall not be considered;
6. No allowance shall be made on account of any improvements effected or works constructed after the publication of the notice to yield up possession;

7. Where part only of the land held by any person is acquired, there shall be considered any probable enhancement of the value of the residue of the land by reason of the proximity of any improvements or works made;
8. Allowance shall be made for the damage by reason of the severance of the acquired land from any other land belonging to the same person; and
9. No allowance shall be made for any probable enhancement in the future of the value of the land to be acquired.

Article 15 limits compensation with respect to undeveloped land or unutilised land where no form of compensation will be payable by the President. Exception is given to where unutilised land to which an absentee owner is beneficially entitled, however compensation is limited to unexhausted improvements on the unutilised land.

The definition of undeveloped land includes any land in a rural area used for agricultural, pastoral, or mixed agricultural and pastoral purposes, which has not been used during the period of two years immediately preceding the Article 7 notice.

2.1.4 The Lands Customary Tenure Conversion Regulations, 89 of 1996

These regulations may apply where the Project seeks to convert customary land to a leasehold tenure. A leasehold is defined as the holding of property by lease with the landowner generally not exceeding 99 years.

The applicant must apply to the Chief of the area for permission to convert the land into leasehold tenure. The Chief has the authority to give or refuse consent of the application. Where consent is granted, the Chief informs the Local Council who makes a recommendation to the provincial planning authority, who in-turn makes a recommendation to the Commissioner of Lands. No specific provisions are made under these regulations with respect to additional measures where the Chief refuses the application.

2.1.5 Local Government Act, Cap 281 of 1994

The Local Government Act grants powers to the relevant councils in acquiring any land by agreement whether by way of purchase, lease, exchange, or gift. Where such acquisition cannot be agreed between the relevant parties, the Council may approach the President to compulsorily acquire the land consistent with the Land Acquisition Act.

2.1.6 Chiefs Act, Chapter 287

This Act makes provision for the recognition, appointment, and functions of Chiefs and Deputy Chiefs. The Chief is required to discharge the traditional functions of his office under African customary law as far as the discharge of such functions is not contrary to the Constitution or any written law and is not repugnant to natural justice or morality.

2.2 Land Tenure

In Zambia, similar to many other African countries, land tenure is categorised into two tenure systems, namely statutory and customary.

2.2.1 Statutory Tenure

Statutory tenure refers to state land that is administered by the Commissioner of Lands through local authorities on behalf of the President. The President of Zambia holds the country's land in perpetuity on behalf of the Zambian people. However, power to make and execute grants and disposition of land is delegated to the Commissioner of Lands. The Commissioner has agents who plan the land into plots and thereafter select and recommend suitable candidates to the Commissioner of Lands for issuance of certificate of title. In this context, the Commissioner's agents are the District, Municipal,

and Town Councils. These agents are considered Planning Authorities and use the Urban and Regional Planning Act No. 3 of 2015 to plan the land in their areas.

To acquire state land, the District, Municipal or Town Council identifies an area for which a layout plan is made, and subdivide the identified land into several plots. For agricultural land, the relevant departments in the Ministry of Agriculture and the Resettlement Department under the Vice President's office are responsible. The layout plan is endorsed and stamped by the appropriate planning authority that later transmits the endorsed plan to the Lands Department for scrutiny and verification of the planned land's availability.

If the planned land is available, the plan is approved and transmitted to the Survey Department for surveying and numbering as per the Land Survey Act. Upon receipt of numbered and surveyed plots, the relevant authorities advertise them to the public, after which applicants are interviewed. Selected applicants are recommended for further consideration and approval by the office of the Commissioner of Lands, who is the final authority to grant title to the land.

2.2.2 Customary Tenure

Customary law is based on individual community practices and traditions, organized under a common customary system. Under the customary system, the Chief or designated sub-chief allocates land. The chiefs can give land to individuals or families for their personal use and occupation. The precise mechanism by which land is distributed and rights granted to the holder of the land under customary laws differs with each community. This system of tenure is most prevalent in rural areas, including the BGHES area.

Under the customary system, the prospective developer can approach the Chief of the area for consent to hold land on leasehold tenure and obtain a certificate of title (or PTO Permission to Occupy) for land delivery of less than 250 hectares. Where the Chief is satisfied that the land being requested is available, the Chief writes a consent letter to the office of the Council Secretary of the respective local government, with the land's location site plan attached.

The Council Secretary arranges for the land in question to be inspected by a committee that deals with land matters in the area. The committee also interviews the applicant. If the applicant is successful, the Council Secretary brings the application to the full council for consideration.

If the council approves the application, they will recommend to the provincial planning office, who will recommend to the Commissioner of Lands the allocation of the unnumbered plot to the applicant. The application forms, site plans and council minutes are attached to the recommendation letter, which certifies that the plot is unoccupied. If satisfied, the Commissioner of Lands approves the application. For land in excess of 250 hectares, the Commissioner of Lands is required to seek clearance from the Minister of Lands before approval.

2.3 Electricity Act

The Act grants the President the authority to acquire any land, including State land, required for the transmission, distribution or supply of electricity. The Act does indicate that the Operator take 'reasonable steps' to acquire the land intended to be used on reasonable terms by agreement with the owner of the land,' and to notify the owner/user of the intention to erect the line and a description of the lines to be installed.

The Act also states:

Adequate compensation shall, from moneys appropriated for the purpose by Parliament, be paid to any person who suffers loss or damage through the exercise of the powers conferred by this section in accordance with the provisions of the Lands Acquisition Act (Part III, Section 4).

2.4 The National Resettlement Policy

The Zambian National Resettlement Policy was adopted in October 2015⁶ to ensure resettlement projects are economically productive, socially secure and environmentally sustainable for persons voluntarily or involuntarily displaced. The Policy consists of the following guidelines to frame the development of sustainable resettlement projects:

- All persons, groups and the communities have the right to suitable resettlement which include right to alternative land, which is safe, secure, accessible, affordable and habitable;
- The choice of location for resettlement scheme should take into account elements such as topography, soil, climate, among other and be weighed against the requirements of the proposed land use;
- Government shall ensure that guidelines and procedures regarding settler selection criteria are clearly spelt out;
- There is need to provide basic public services in resettlement schemes if settlers are to be attracted and encouraged to settle there;
- The settlers shall be given permanent right of ownership and use of their land by being issued with certificates of title to the land;
- The Government will encourage Ministries/institutions to carry out activities relevant to their respective mandates in the resettlement schemes. This includes forging partnerships with all interested stakeholders, including cooperating partners, the private sector and NGOs;
- Involuntary resettlement should be in line with the international human rights and humanitarian law as set out in the 1998 United Nations Guiding Principles on Internal Displacement, which are recognised as an important international framework for the protection of internally displaced persons;
- Involuntary resettlement should be avoided where feasible. Where population displacement is unavoidable, it should be minimised by exploring all viable options;
- People unavoidably displaced should be compensated and assisted so that their economic and social future would be generally as favourable as it would have been in the absence of the project or better; and
- Involuntary resettlement should be conceived and executed as part of the project. The full cost of resettlement and compensation should be included in the presentation of project costs and benefits.

To facilitate implementation of the Policy, the Department of Resettlement, falling under the Office of the Vice President, is responsible for the actual resettlement process. Their specific responsibilities include:

- Identification and acquisition of land for resettlement;
- Demarcation of resettlement plots;
- Processing applications for resettlement;
- Allocation of settlement plots to suitable applicants;
- Recommending deserving settlers to acquire certificate of titles to their farm plots from the Ministry of Lands; and
- Coordinating provision of infrastructure in resettlement programme schemes and resettlement schemes.

⁶ <http://www.zla.org.zm/wp-content/uploads/2017/02/Final-National-Resettlement-Policy2.pdf> accessed 08_12_2018

The Department of Resettlement will have an important role in the land acquisition required for BGHES.

2.5 International Resettlement Standards

The World Bank policies regarding involuntary resettlement are defined through the Bank's Safeguard Policies. The Environmental and Social Framework (ESF) was updated in 2016.⁷

ESF's Environmental and Social Standard 5: Land Acquisition, Restrictions on Land Use and Involuntary Resettlement (ESS5) establishes the following objectives:

- To avoid involuntary resettlement or, when unavoidable, minimize involuntary resettlement by exploring project design alternatives;
- To avoid forced eviction;
- To mitigate unavoidable adverse social and economic impacts from land acquisition or restrictions on land use by:
 - Providing timely compensation for loss of assets at replacement cost; and
 - Assisting displaced persons in their efforts to improve, or at least restore, their livelihoods and living standards, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.
- To improve living conditions of poor or vulnerable persons who are physically displaced, through provision of adequate housing, access to services and facilities, and security of tenure;
- To conceive and execute resettlement activities as sustainable development programs, providing sufficient investment resources to enable displaced persons to benefit directly from the project, as the nature of the project may warrant;
- To ensure that resettlement activities are planned and implemented with appropriate disclosure of information, meaningful consultation, and the informed participation of those affected.⁸

Replacement cost is defined by ESS5 as the method of valuation yielding compensation sufficient to replace assets and necessary transaction costs. Where functioning markets exist, replacement cost is the market value as established through independent and competent real estate valuation, plus transaction costs. Where functioning markets do not exist, replacement cost may be determined through alternative means, such as calculation of output value for land or productive assets, or the un-depreciated value of replacement material and labour for construction of structures or other fixed assets, plus transaction costs.

In all instances where physical displacement results in loss of shelter, replacement cost must at least be sufficient to enable purchase or construction of housing that meets acceptable minimum community standards of quality and safety. The valuation method for determining replacement cost should be documented and included in relevant resettlement planning documents. Transaction costs include administrative charges, registration or title fees, reasonable moving expenses, and any similar costs imposed on affected persons. To ensure compensation at replacement cost, planned compensation rates may require updating in project areas where inflation occurs or delivery of payment time is lengthy.

"Security of tenure" means individuals or communities are resettled to a site that they can legally occupy, where they are protected from the risk of eviction and where the tenure rights provided to them are socially and culturally appropriate. In no instance will resettled persons be provided tenure

⁷ <https://www.worldbank.org/en/projects-operations/environmental-and-social-framework> accessed 05_12_2018

⁸ Guidance Note – ESS5: Land Acquisition, Restrictions on Land Use and Involuntary Resettlement page 1

rights that are weaker than the rights they had to the land or assets from which they have been displaced.

Other key points in ESS5 include:

- The Proponent will engage directly with affected communities and persons through a process of stakeholder engagement through the planning, implementation, monitoring, and evaluation of the resettlement process;
- The Proponent will establish a grievance mechanism to receive and address specific concerns about compensation and relocation raised by displaced persons or members of host communities in a timely fashion;
- In the development of the RAP or LRP, the Proponent will be required to conduct a census to determine eligible peoples and an inventory of their assets as a basis of determining their asset holdings. Both will be linked to a suitable development moratorium (i.e. eligibility cut-off date);
- Where affected persons are required to be relocated, the Proponent will offer feasible resettlement options, including adequate replacement housing or cash compensation where appropriate;
- Documentation of ownership or occupancy and compensation payments should be issued in the names of both spouses or single heads of households. Other resettlement assistance, such as skills training, access to credit, and job opportunities, should be equally available and adapted to women. Where national law and tenure systems do not recognize the rights of women to hold or contract in property, measures should be considered to provide women with as much protection as possible with the objective to achieve equity with men;⁹ and
- The mitigation of economic displacement will be considered complete when the completion audit concludes the affected persons or communities have received all of the assistance for which they are eligible, and have been provided with adequate opportunity to re-establish their livelihoods.¹⁰

Critical to the above requirements is the recognition of affected persons with different land tenures. Displaced (or affected) persons, under the World Bank and IFC Performance Standards may be classified as persons:

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

Affected persons who fall into the third category are considered eligible for compensation for any lost assets other than land (such as crops, irrigation infrastructure and other improvements to the land) at replacement cost. ESS5 also stipulates that the Borrower provide assistance in 'lieu of land compensation sufficient to provide such persons with an opportunity to re-establish livelihoods elsewhere'.¹¹

2.6 Governance Structure

Zambia is a presidential representative democratic republic, whereby the head of state and government is the President of Zambia. The country is divided into ten provinces, each administered

⁹ Environmental and Social Framework (2018) page 57

¹⁰ Ibid page 59

¹¹ Ibid page 59

by an appointed deputy minister. Provinces are further divided into districts comprised of different wards.

Under Zambian law, councils form local governance. Town Councils govern urban districts, municipal councils for suburban areas, and district councils for rural areas. Ward Councillors (elected volunteer representatives) act as the link between district councils and customary authorities. They bring chieftdom concerns to the District Commissioner, who serve as links to the provincial and national government. The division of power between customary and state authorities can be understood as; personal / family matters are the responsibility of customary authorities (the headperson or chief, depending on the nature and severity of the issue.) Infrastructural concerns such as the building of roads, clinics, or educational facilities fall under the state's mandate.

Land jurisdiction operates similarly in Zambia. State lands are under the authority of the state, and customary lands (all lands relevant to the Project) are subject to norms guiding customary practice (de jure ownership still resides with the state.) For state land, the Commissioner of Lands holds vested administrative authority over questions of land distribution and ownership. Under the customary system, local chiefs hold lands in trust on behalf of their subjects (i.e. those within their chiefdoms / kingdoms) and are responsible for administering land allocations, overseeing disputes, and enforcing usage restrictions. They often, delegate these duties to village headpersons, as they are often more familiar with local land dealings and history.

Regarding institutional responsibilities with respect to resettlement, there are three main bodies with responsibility for the development and implementation of the RAP(s)/LRP(s). They include the Zambezi River Authority, Traditional Leaders of the Project area and Government of Zambia.

The ZRA will be the primary responsible party in terms of the development and implementation of the RPF, consistent with its legal obligations under the Environmental License. This will include the management and financing of all required studies, negotiation on entitlements, stakeholder engagement, and provision of resettlement assistance and payment of compensation.

The financing for the Project and the resettlement will be sourced from a range of international private and public financiers. The conditions for securing international financing includes ensuring that the resettlement process conforms with international resettlement standards (as framed in the World Bank Environmental and Social Standards, 2016).

2.7 Gaps Analysis between National Laws and International Standards

Table 1 compares national laws with World Bank standards pertinent to land acquisition and resettlement. The compensation entitlements, livelihood restoration and vulnerable support measures outlined in later chapters of this RPF are designed to adhere fully to Zambian legislation and address any gaps with international standards.

Table 1 Comparison between National and International Standards Regarding Resettlement

Project impact/component	Zambian Legislation	World Bank Environmental and Social Standard 5	Measures to Address Gaps
Compensation for 'squatters'	No mention in national legislation or resettlement policy of 'squatters' being eligible for compensation.	Affected persons include those with no recognizable legal right or claim to the land or assets they occupy or use; they will be compensated for assets other than land (such as crops, irrigation infrastructure and other improvements made to the land) at replacement cost. Additionally, they will be provided with assistance in lieu of land compensation sufficient to provide such persons with an opportunity to re-establish livelihoods elsewhere. (Note: people who encroach on the project area after the cut-off date for eligibility are not entitled to compensation or assistance)	See Chapter 6 Compensation Principles; Table 6 Eligible Persons includes de-facto occupant or user
Compensation rates	National Resettlement Policy states: Compensation should be paid to persons that are physically and/or economically displaced before commencement of the development project causing displacement; (ii) Provide prompt and effective compensation at market and/or full replacement cost whichever is higher for losses of livelihoods, assets and loss of access to the assets attributable directly to the project.	Land will be accessed only after compensation in accordance with ESS has been made available and where applicable, displaced people have been resettled and moving allowances (in addition to compensation) have been provided to the displaced persons. Affected persons are entitled to compensation at replacement cost, and other assistance as may be necessary to help them improve or at least restore their standards of living or livelihoods.	See Chapter 6 Compensation Principles Table 7 Entitlement Matrix
Compensation for land	The Land Act stipulates that compensation for land be paid, this does not include 'undeveloped land or	When land acquisition or restriction on land use (whether permanent or temporary) cannot be avoided, compensation at replacement cost will be offered to	See Chapter 6 Compensation Principles Table 7 Entitlement Matrix

Project impact/component	Zambian Legislation	World Bank Environmental and Social Standard 5	Measures to Address Gaps
	unutilised land.' Exception is given to land owned by an absentee owner, compensation is limited to unexhausted improvements on the unutilised land.	affected persons. Other assistance, as necessary, may be offered to help them improve or restore their standards of living or livelihood.	
Livelihood restoration	National Resettlement Policy recommends; targeted assistance including farming inputs, credit facilities, agriculture extension and opportunities to improve or restore their means of income earning capacity, productivity levels and standards of living to economically displaced persons whose livelihoods or income levels are affected.	Recommends provision of support to displaced persons for transition period and to ensure livelihood restoration and where possible improvement.	Entitlement Matrix and programs implemented as part of Livelihood Restoration and Improvement, Chapter 8
Valuation methods	Asset valuation practice considers depreciation when determining replacement cost.	Full replacement cost does not consider depreciation.	See Chapter 6 Compensation Principles Table 7 Entitlement Matrix
Stakeholder engagement and consultation	Public notification (i.e. gazetting) of the land acquisition is required by Zambian legislation. National Resettlement Policy requires that resettlement activities disclose relevant information, consult fully affected persons during implementation.	Ensure that resettlement activities are planned and implemented with appropriate disclosure of information, meaningful consultation, and the informed participation of those affected	Chapter 4 outlines the three tiered approach to stakeholder engagement and participation
Vulnerable groups	National Resettlement Policy states payment of compensation should prioritise	Where the environmental and social assessment of the project identifies specific individuals or groups as disadvantaged or vulnerable ¹² ; the borrower will propose	Chapter 9 outlines the Project approach to identifying and providing

Project impact/component	Zambian Legislation	World Bank Environmental and Social Standard 5	Measures to Address Gaps
	households headed by women and other vulnerable groups.	and implement differentiated measures so that adverse impacts do not fall disproportionately on the disadvantaged or vulnerable, and they are not disadvantaged in sharing any development benefits and opportunities resulting from the project.	support to PAP deemed 'vulnerable'

3. OVERVIEW OF PROJECT-AFFECTED POPULATION

Chapter 3 provides an overview of the socio-economic conditions of households affected by the Project's requirement to access land. Information draws primarily from baseline survey data gathered in the Project area for the updated ESIA (2016). Preparation of a RAP/LRP will require a full census and asset inventory of all affected households and collection of up to date socio-economic data specifically related to land acquisition and resettlement. This will establish a baseline for Project outcome monitoring, and will assist in livelihood restoration programming.

For the ESIA, primary and secondary data was collected to establish a social area of influence, comprised of a 3 km wide study area along the transmission line route; see **Figure 3 Social Area of Influence**. A household survey involving a sample of 1000 households drawn randomly from all villages within this area was also conducted.

The Project is located in the Southern province of Zambia, in the districts of Kazungula,imba, Kalomo and Choma. Kazungula District, and in particular the ward of Mukuni, which falls in the Katombola Constituency and is under the jurisdiction of Chief Mukuni, will be most directly affected due to the placement of the dam infrastructure, access roads and township. The proposed transmission line impacts on Kazungula District, as well asimba District, (namelyimba ward), which is under the jurisdiction of Chief Sipatunyana, Kalomo District (especially Chawila ward), also under Chief Sipatunyana and Choma District (in the ward of Singani). In Choma, Chief Singani holds influence in the area of interest.

3.1 Demographics

The demographic data presented in the following sections is based on a representative sample survey of households drawn from all villages within the Project-affected area. The data is compared with available national and regional statistics, where available and relevant.

3.1.1 Population Size

As of 2010, Zambia's total population was approximately 13.1 million people, an increase of 32% from 2000, which gives it one of the fastest growing populations in Sub-Saharan Africa, largely due to its high fertility rates. Zambia's population is also predominantly rural, with 61% of its population living in rural areas and a population density of 17.4 persons per km².¹³ The average household size in 2010 was 5.2 persons nationally (5.4 provincially), with 22% of households headed by females. Population statistics at national, Southern Province, and district levels are all weighted slightly towards females, who account for 50.7% of the total population.¹⁴ Zambia's national population is also young (45% are under 15 years of age) and predominantly Christian. Protestants and Catholics form 75% and 20% of the population, while Muslims and other religious groups constitute about 3%.¹⁵

BGHES is located in the Southern Province. The region covers an area of 85,283 km² and has a population of approximately 1.6 million people, accounting for approximately 12% of the total national population. The population density is 18.6 persons per km², with 75% of people living in rural areas. **Table 2** presents the population figures for the districts within the social area of influence in Zambia. Choma, the provincial capital, has the largest population, but the smallest population density at 1.9 people per km². Livingstone District, the tourist capital of the country, is the most densely populated district in the province, at 200.7 people per km².¹⁶

Table 2 District Population

District	Population (people)	Population density (km ²)	No. of Households
Kazungula	104,731	6.2	20,417
Livingstone	139,509	200.7	31,177
Zimba	66,725*	16.9	13,284
Kalomo	191,845*	4.4	33,180
Choma	247,860	1.9	45,733

Source: All figures from the 2010 national census unless marked by * ¹⁷.

The Project is located in Kazungula District, which has a population of 1,887 people, living in 451 households with an average size of 5.2 people. All respondents to the household survey classified themselves as Christians, although a councillor from the Zimba District villages noted that there are some rare cases of ancestral worship and/or animism practiced therein.

3.1.2 Ethnicity and Language

Zambia is home to over 70 ethnic groups. The Bemba is the largest ethnic group (21% of the population) the most commonly spoken language (34% of the population.) The second largest ethnic-linguistic group is Tonga, accounting for 14% of the national population. The Southern Province is predominantly populated by Tonga people (75%.) Other ethnic groups include Namwanga, Mambwe, Luvale and Lala.

The social study was conducted with Project affected communities in Kazungula District. All households surveyed belong to the Leya tribe and speak Leya, a dialect of Tonga, as their primary language. Discussions with village headman in Mukuni chiefdom revealed that there are also small numbers of Tongas and Lozis in the villages. In Musokotwane, the village head noted that in addition

(13) Central Statistical Agency (2010). 2010 Census of population and Housing: Population Summary Report, Lusaka, Republic of Zambia

(14) Central Statistical Agency (2010). 2010 Census of population and Housing: Population Summary Report, Lusaka, Republic of Zambia

(15) ibid

(16) ibid

(17)* As noted previously, Zimba District was created in 2012. It is made up of seven wards, which used to belong to Kalomo District. Population figures for Zimba have been obtained from the Zimba District Situation Analysis report (2014). Population figures for Kalomo were calculated by subtracting the population figure for Zimba from the population figure given for Kalomo in the 2010 census.

to Lozis, the Ngoni also formed a sizeable minority. In other Project-affect areas such as the Zimba, Kalomo and Choma districts, the majority of residents belong to the Tonga tribe and speak Tonga.

3.2 Gender Roles

Zambian society adheres to clearly defined gender roles in the domestic, productive, and community settings. Societal expectations dictate that women and girls take a domestic, caretaking role including fetching water, cooking, cleaning and taking care of children, the sick, and the elderly. Male roles include fulfilling community responsibilities such as attending meetings and organising projects, and various other economic activities.

The Gender Inequality Index (GII) reflects gender-based inequalities in three dimensions – reproductive health, empowerment, and economic activity. As of 2017, Zambia's GII score was 0.517, ranking it 125th out of 189 countries in terms of gender inequality. Although women form the majority population in Zambia, as of 2017, they held only 18% of seats in parliament. Thirty nine percent of females have achieved a secondary or higher level of education, compared to 52% of males. Labour force participation rates show a similar trend, with 70% of women engaged in economic activity, versus 78% of men.

In the Project area, men tend to conduct hard agricultural labour, such as ploughing. Women assist with crop maintenance such as planting, weeding, watering and harvesting. Men also fish and make curios. Women help men polish curios and engage in other trading activities, men generally control income from the sale of any crops and curios. The study also revealed that women play a limited role in decision-making, local leadership and politics. Although there are village matriarchs and a Bedyango, which is a Toka-Leya high priestess who conducts important rituals and has a final say on the choice of a new chief, anecdotal evidence suggests that the Chief and the male village elders are the primary decision-makers in the community.

3.3 Land Tenure | Land Reform

As mentioned in Chapter 2, there are two types of land tenure in Zambia; customary land and state leasehold land. Both forms of land tenure are recognised in the Land Act No. 27 of 1995.

Approximately 94% of land in Zambia is customary land consisting of individual plots, forested land, common land within a village, and communal grazing land.¹⁸

The 1995 Land Act recognizes customary lands but provides little guidance concerning their governance. Thus, local norms that differ according to tribe, chiefdom, and localized land pressures govern customary lands.¹⁹

3.4 Livelihoods and Local Economy

Since 2004, Zambia has experienced sustained economic growth of approximately 6% per year. This is attributed to strong performance in construction, transport, communications, the public sector, trading and mining.²⁰ The World Bank reclassified Zambia as a middle-income country (from a low-income) in 2011 to reflect this growth. In 2013, Zambia's Growth Domestic Product (GDP) was USD 22.38 billion. Construction accounts for 29% of the GDP, followed by 18% agriculture (including hunting, forestry and fishing), finance, real estate and business services at 9% and manufacturing 8% (see **Figure 4**). Although the mining sector only contributes 2%, it has attracted significant foreign interest and investment, leading to predictions that mining will experience significant growth in the

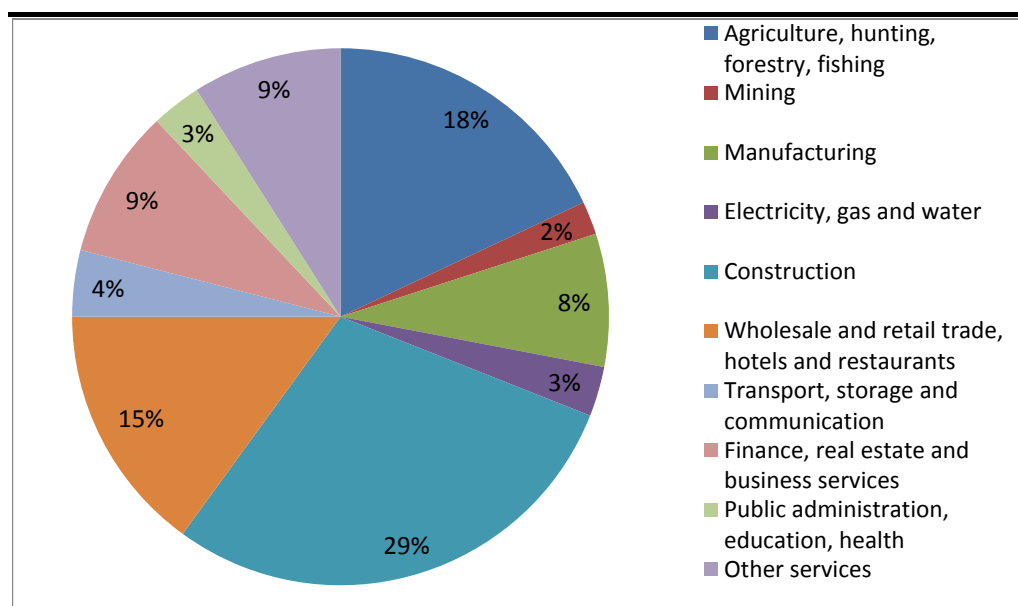
(18) "Zambian Land Policy Guarantees Ownership by Women". 2011, September. Gender Links for Equality and Justice. Available at <http://www.genderlinks.org.za/article/zambian-land-policy-guarantees-ownership-by-women-2011-09-30>, accessed 02.12.2015

¹⁹ Tucker 2014

(20) <http://www.worldbank.org/en/country/zambia/overview>. Accessed 12.12.2014

next few years. This is particularly the case for copper development, as Zambia seeks to maintain its position as Africa's largest copper producer and the fifth largest global producer.²¹

Figure 4 Sectoral Contributions to the GDP



Source: African Economic Outlook: Zambia, 2014²²

As in many other countries in Sub-Saharan Africa, high economic growth rates have not translated into significant growth in jobs or reduction in poverty. Per capita income is \$821 (USD) and 61% of households live below the poverty line²³, with 42% living in extreme poverty. Poverty levels in the Southern Province are higher; 68% live in overall poverty and 47% in extreme poverty. Rural poverty is also higher, at 78% compared to 27.5% in urban areas.²⁴

Unemployment is relatively high in Zambia, with 13% of the national population unemployed (17% of youth aged 15 to 25) as of 2010. Unemployment rates in the Southern Province are slightly below the national average at 12%.²⁵ The majority of employment is within the informal sector, which is characterised by low pay and poor working conditions. Small-scale subsistence agriculture has traditionally dominated the economy, providing employment to just under 66% of the population.²⁶

As with much of the broader region, communities in the study area rely primarily on subsistence farming, selling what additional crop farms produce to generate a small income. Communities in Kauzungula district are substantially engaged in the curio trade. In the Project areas, Villages inimba, Kalomo and Choma Districts are significantly less engaged in the tourism and curio trade.

Figure 5 Primary Livelihoods within Study Area shows the results from the household surveys relating to the primary livelihoods people reported.

(21) Rasmussen et al 2014. Zambia 2014. AfDB, OECD, UNDP. Available at http://www.africaneconomicoutlook.org/fileadmin/uploads/aeo/2014/PDF/CN_Long_EN/Zambia.pdf. Accessed 12.12.2014

(22) ibid

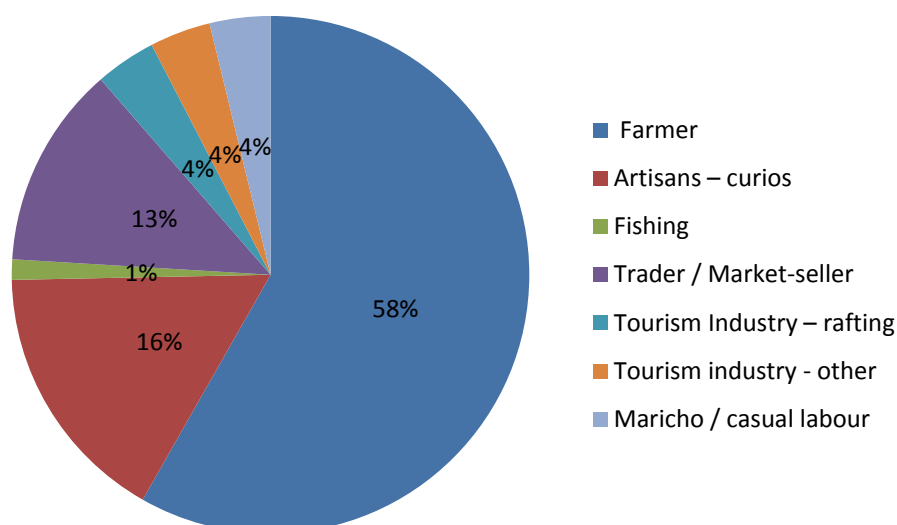
²³ International poverty line is US\$1.90/day (as per World Bank 2011 purchasing-power parity)

(24) Central Statistical Agency (2010). 2010 Census of population and Housing: National Analytical Report, Lusaka, Republic of Zambia

(25) ibid

(26) ibid

Figure 5 Primary Livelihoods within Study Area



Source: ERM Social Survey, October 2014

3.4.1 Agriculture

To sustain their livelihoods, approximately 95% of households included in the social study are engaged in the collection of forest products, both timber and non-timber. Almost all households collect fruit for both consumption and income purposes, many make honey and use plants for medicinal purposes. The majority of households (92%) collect firewood from forest areas and a few residents collect charcoal.

Livelihoods consist primarily of agricultural production and all households surveyed are engaged in the cultivation of crops, regardless of whether they consider it their primary occupation. Agriculture practices across the area are relatively uniform. The staple crop grown is maize. Sorghum, cowpeas, pumpkins, beans, groundnuts are also cultivated. For villages inimba, Kalomo and Choma, sunflower and cotton are also important crops grown, mainly due to their status as cash crops. Tobacco is cultivated in Choma.

Farmers tend to use simple hoes and machetes and often do not have the funds to purchase modern equipment. They also use fertilisers, which they either buy or access through the government-funded Fertiliser Support Programme. As there is very little or no irrigation used, farmers tend to rely on rainwater.

3.4.2 Livestock Rearing

The majority of households (85%) also rear livestock, mainly for income purposes. Poultry is the most commonly owned animal, owned by all households who own livestock. Goats are also popular, owned by 77% of households, followed by cows (43%). Only 2% rear pigs. Cattle tend to be used to pull ploughs. Cows form dowry payments, and are used as sacrifices in rituals. Cows are also sold to generate income, normally to raise enough funds so that children can access higher education or occasionally. Income may also be used to help pay for funerals.

3.4.3 Trading (Curios)

The majority of people within villages surveyed in Kazungula are engaged in the curio trade. It is the primary livelihood for 16% and secondary livelihood for 38% of all household survey respondents. Curios include intricately carved wooden animals, bowls, utensils, baskets and jewellery. Although the

forestry department requires those who wish to cut down trees have a license, many involved in the curio trade either do not obtain such licenses or flout the rules. The sector is primarily occupied by male youth; females less involved. Curio markers are located in Livingstone and Mukuni village.

3.4.4 *Fishing and Hunting*

Just under 20% of survey respondents reported commercial and artisanal fishing as a household livelihood activity. Focus group discussions held as part of the social study revealed that in Kazungula, households tend to sell that majority of a catch, selling fish in markets within Mukuni village, Livingstone or Victoria Falls. Fishing is less common for villages in Kalomo district due to drought and fewer rivers.

The social study results imply that hunting is not prevalent in the area. It is possible that there is a reluctance to admit hunting activity, as most hunters do so illegally.

3.4.5 *Tourism*

The primary tourist attraction in the Southern Province is Victoria Falls, which attracts thousands of visitors each year. Almost 10% of households in the study area in Kazungula District are engaged in the tourism industry, most commonly employed as white water rafting guides or porters. Other activities in the gorge include birding, angling, hiking and jet extreme boating. Tourism is not as developed in the other Project-affected districts and thus very few people living in these areas are engaged in this sector.

3.5 *Household Income and Expenditure*

Food is the major expenditure for all households included in the social study, accounting for 48% to 52% of monthly spending. Most purchased food is that which communities cannot easily grow (e.g. salt, sugar and oil.) Clothing is another common household expenditure. However, households reported finding it difficult to estimate monthly expenditure on key items, as the money tends to be spent as soon as it is obtained. A number of communities in Zambia have small savings groups, but these schemes are very small with few funds.

3.6 *Education and Health*

3.6.1 *Education*

The education system in Zambia is a three-tier system consisting of seven years of primary school, two years of junior secondary school, and three years of senior secondary school. Optional preschool education is open to children aged between three and six years old. Tertiary education follows senior secondary, and includes either university (four to seven years depending on the degree type) or training at a vocational or technical institute. In 2002, The Ministry of Education enacted the Free Basic Education policy for grades one to seven. This increased student enrolments at the primary level from 62% in 2000 to 74% in 2010.²⁷ Educational budgets are inadequate and a shortage of teachers and learning materials are major challenges to achieving universal education. In 2013, the mean years of schooling per adult in Zambia was 8.5 years, below the statutory requirement.²⁸

At the national level, literacy amongst youth (those aged 15 to 24 years) is 89%, compared to 91% for the Southern Province. Literacy rates are higher in urban than rural areas (94% and 74% respectively.) Males also have a higher literacy rate (89%) than females (78%).²⁹ Within the Project-affected area, literacy levels are below the national average with 27% of those surveyed aged 15 years being unable to read and write. Only 27% of people have been to secondary school and 4%

(27) Central Statistical Agency (2010). 2010 Census of population and Housing: National Analytical Report, Lusaka, Republic of Zambia

(28) UNDP, 2013. Human Development Report 2013: Zimbabwe. Available at <http://hdr.undp.org/sites/default/files/Country-Profiles/ZWE.pdf>. Accessed 15.12.2014.

(29) Central Statistical Agency (2010). 2010 Census of population and Housing: Population Summary Report, Lusaka, Republic of Zambia

have never received a formal education. None of the household representatives interviewed had received a tertiary education. Although the communities located within Kalomo andimba Districts were not included within the household survey, District Education Officers hinted that levels of literacy were likely to be lower than the national average in many of these villages. This is because of poor state of infrastructure making many of the schools inaccessible for rural communities.

3.6.2 Health

According to the Ministry of Health, the leading causes of mortality and morbidity in Zambia are malaria, respiratory infections (non-pneumonia), diarrhoea (non-blood), trauma (accidents, injuries, wounds and burns), eye infections, skin infections, respiratory infections (pneumonia), ear, nose and throat infections, intestinal worms and anaemia. Studies conducted in 2010 estimate life expectancy at birth in Zambia at 51.2 years; 49.2 for males and 53.4 for females.³⁰ Life expectancy in the Southern Province is the highest in the country at 56 years.³¹ While malnutrition rates are relatively low, 78% of households stated that they suffer from food shortages, especially between September and February, when food harvested from the last farming is gone.

An HIV impact assessment undertaken in Zambia in 2015-2016 reported that 980,000 or 12.3% of adults aged 15-59 are HIV positive (14.9% of females and 9.5% of males).³² A health worker at Mukuni Clinic health reported that rates of HIV/AIDs in the area were as high as 30%, significantly above the district average of 14% and 31% in Livingstone Town. Relevant district health officers noted rates of 8% inimba and 16% in Kalomo and Choma districts.

All districts in the Project area have a district hospital, with the exception of Kazungula andimba. Kazungula District has 22 Rural Health Centres; however, the majority are understaffed. The centres are run by a nurse, environmental health technician or midwife, and few have electricity.³³

3.7 Vulnerable People

In reviewing data collected as part of the baseline household survey, the groups below were identified as being at a higher risk of experiencing hardship as a result of the land access requirements of the Project. Their needs will be considered in resettlement planning and implementation, and an assessment made regarding additional forms of support they may require. This is discussed further in Chapter 9.

- **Elderly:** The elderly within a village are less likely to receive an income, and depending on their health, may be completely reliant upon other members of a household for care and support. In the social study area, 5% of people are aged 60 years and older.
- **Women / female headed-households:** Females face reduced access to income generating opportunities and typically suffer from higher levels of food insecurity, because of domestic relations and traditional practices. The household survey results showed that female-headed households account for 28% of households in the social study area. Girls in Zambia tend to marry young, and women in both Zambia and Zimbabwe have higher levels of HIV/AIDs compared with men. As well, high rates of women report physical and/or sexual violence in Zambia.
- **People with physical / mental health illnesses and disabilities:** People that lack physical mobility or who have mental health issues are less likely to adapt to changes within their environment and less able to generate income for themselves, thus forcing them to rely upon others. Approximately 8% of households in the study area have a household member who suffers from a physical or mental illness/disability.

(30) Central Statistical Agency, 2010. 2010 Census of population and Housing: National Analytical Report, Lusaka, Republic of Zambia

(31) Central Statistical Agency et al., 2014. Zambia Demographic and Health Survey 2013-14, Preliminary Report, Lusaka, Republic of Zambia

³² https://phia.icap.columbia.edu/wp-content/uploads/2016/09/ZAMBIA-Factsheet.FIN_.pdf accessed 20/12/2018

(33) Kazungula District Strategic Plan 2013 - 2017

- **People with HIV/AIDS:** Households with members who have tested positive for HIV/AIDS may be at a higher risk of being disproportionately affected by the Project, depending on the stage of the disease and the extent to which they are socially isolated. The HIV/Aids infection rate in the Southern province where the Project is located was estimated at 14.5%.³⁴
- **Households with low income and/or solely dependent on subsistence activities:** These households have fewer assets and rely more heavily on the land they farm. As a result, they are more vulnerable to shocks (such as death, illness or natural disaster) and change (such as inflation and relocation), with fewer resources to fall back on.
- **Households with high number of dependant household members (i.e. including child orphans):** Households with a high number of dependent children and/or elderly members may be less able to adapt to change associated with land acquisition and displacement. Their resources may be limited, the number of people depending on them high, and their well-being related directly to what they are able to produce from the land.

³⁴ Central Statistical Agency et al, 2014. Zambia Demographic and Health Survey 2013-14, Preliminary Report, Lusaka, Republic of Zambia

4. STAKEHOLDER ENGAGEMENT

This Chapter describes stakeholder engagement activities planned for the BGHES. It highlights the Project's approach to ensuring free, prior and informed consultation of stakeholders and their representative institutions in Project planning and implementation as it pertains to land acquisition and resettlement.

Project stakeholder engagement activities are divided into three sections:

1. **Stakeholder Engagement Approach:** Description of the overall approach to stakeholder engagement, and the specific goals and objectives of the engagement strategy.
2. **Stakeholder Identification and Engagement Methods:** Identification of key stakeholder groups and individuals at the affected community, local, district and provincial level, and how they will be involved in resettlement discussions and planning
3. **Future Engagement Activities:** Description of planned engagement strategies moving forward.

4.1 Stakeholder Engagement Approach

The ESIA team established a Project stakeholder database, which identifies and registers all interested and affected individuals, groups and organizations. Information about the Project generated by the ESIA process has been widely distributed to stakeholders in person, by regular mail and when feasible, via email. In 2016, notices were published in newspapers with a wide readership in the Southern Province. Information meetings were held with traditional leaders, including headman and village heads, to further encourage the involvement of stakeholders in project impact discussions. Through recent field visits to the area, stakeholders expressed concern with the lack of information on the status of the Project and when land will be acquired.

Resettlement stakeholder engagement is the broad, inclusive, and continuous process of relationship building between a project proponent and its resettlement stakeholders. The objectives of the land acquisition and resettlement engagement strategy include the following:

- Establish and maintain a constructive, ongoing relationship with those to be displaced, as well as other resettlement stakeholders, based on mutual understanding, respect and trust;
- Ensure that engagement activities are undertaken in a manner that is inclusive, culturally appropriate, and tailored to the language preferences and decision-making processes of those displaced, and the needs of vulnerable groups therein;
- Engage with those displaced as a group – via an informed, structured consultation and participation process. This is to establish the general terms and conditions that will guide the resettlement and livelihood restoration process;
- Undertake good faith negotiations with individual affected households on the basis of the general terms and conditions established through the group engagement described above;
- Mitigate the risks of asymmetry of information and bargaining power in the engagement / negotiations process through effective disclosure of timely, relevant and understandable, information, capacity building, and third party appointments;
- Ensure that all engagement activities are free of intimidation or coercion, and all participants are fully aware of their rights according to national law and international standards; and
- Work towards creating broad community support for the resettlement and Project as a whole.

Land acquisition and resettlement typically involves collective negotiations with key stakeholders and/or their representatives to determine compensation entitlements and eligibility, and plan for resettlement. Once all necessary data is collected and analysed, and each component of the resettlement process fully discussed and agreed upon with affected communities, the project

prepares for resettlement implementation. This includes the individual household sign-off process, where each directly affected household reviews and signs off on the compensation entitlements they are eligible to receive.

The specific individuals and groups and how they will be engaged in resettlement planning is described in the next section.

4.2 Stakeholder Identification and Engagement Methods

Resettlement stakeholders are those individuals, groups and organizations with a legitimate interest in the resettlement and livelihood restoration processes. In particular, stakeholders are those people and households that experience displacement directly. For the Project, key stakeholders fall into one of the following categories:

- Government officials and bodies at the national, provincial, district and ward level; relevant to where land will be acquired and households resettled;
- Traditional leaders, including chiefs, headmen and village heads of those respective areas;
- Elected officials responsible for the Project area;
- Individuals/Households living on and/or living from the land required to construct and operate BGHES or any associated infrastructure;
- Communities hosting Project displaced households;
- Community based organizations active in the Project area; and
- National and international interest groups/NGOs.

Table 3 Project Stakeholders lists the key stakeholders with an interest in land acquisition and resettlement identified to date.

Table 3 Project Stakeholders

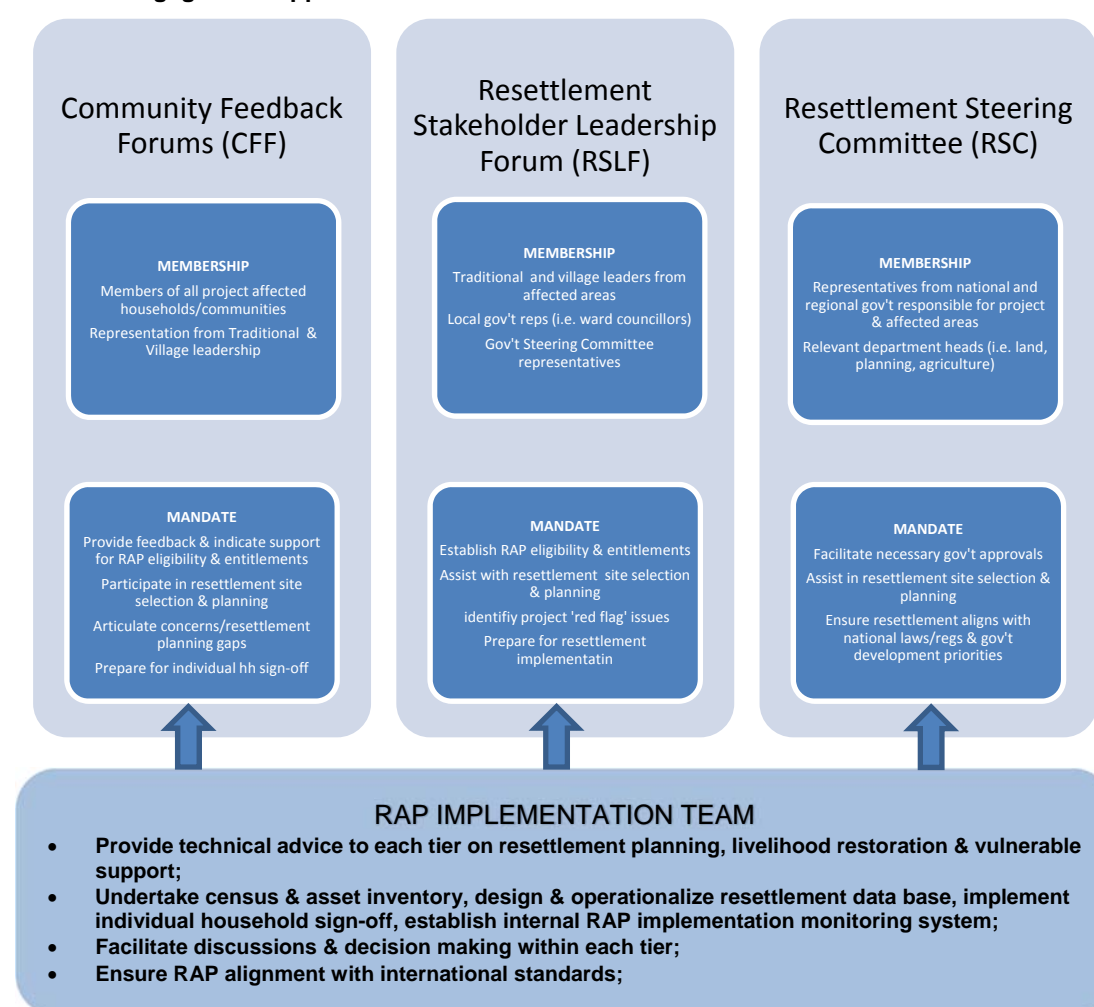
Stakeholder Category	Key Stakeholders
Government officials – National/Provincial/District	Ministry of Lands and Natural Resources, Ministry of Agriculture, Ministry of Fisheries and Livestock, Ministry of Local Government, Ministry of Infrastructure and Housing, Ministry of Community Development, Mother and Child Health, Ministry of Health, Ministry of Gender, Department of Resettlement, Commissioner of Land, Kazungula District Development Coordinating Committee, District Planning Department, Livingston Municipal Council
Traditional leadership	Mukuni Chiefdom
Elected officials	Project-affected Ward Councillors (Mukuni and Katapazi), Member of Parliament
Residents of main villages/settlements with affected land (PAP)	Chibule, Chilizya, N'gandu, Mukuni, Siachuma, Siamatete
Communities Hosting Displaced HH	To be decided
Community-based organizations	Zambia Vulnerability Assessment Committee, Farmers Associations, The Butterfly Tree, Response Network, Alliance for Sustainable Agriculture, Zambia Chamber of Small and Medium Business

	Associations, Zambia Community Based Natural Resource Management Forum, and faith-based organizations
National and international groups/ENGOS	USAID, Plan International, World Vision, Save the Children, UNICEF, CARE International, Caritas, Africa Impact, Corridors of Hope

Stakeholder engagement methods will continue to include informal engagement (together with the use of social media where appropriate.) it may also include information sharing and formal notifications (i.e. gazetting), as required by national legislation governing land acquisition. To align more closely with international standards around land acquisition and resettlement, the Project will adopt a three-tiered stakeholder engagement approach to reach collective agreement on key aspects of land acquisition and resettlement. This is to ensure appropriate involvement and participation of stakeholders, particularly those directly affected, in resettlement planning and implementation going forward.

As depicted in **Figure 6**, the three tiers include a high-level Resettlement Steering Committee (RSC) composed mainly of representatives from key government ministries and departments with responsibility for land acquisition and resettlement as identified in **Table 3**. A Stakeholder Leadership Forum (SLF) aimed at involving traditional leadership and local representatives in the planning process represents the second tier. The third tier will be Community Feedback Forums (CFF) held in affected communities to facilitate the flow of information and meaningful involvement of those households directly impacted by land access and resettlement.

Figure 6 RAP Engagement Approach



The CFF will be organized to ensure households from all of the affected villages are able to participate. **Table 4** lists all the households defined as being within the Project's social area of influence, which includes a 3km width zone along the transmission line route. Not all of these communities and households will be directly affected by land access required for the Project. Once the precise route of the transmission lines has been determined, understanding more fully which settlement areas will be directly affected will be possible. The communities to be included in the CFF will be confirmed during the initial phase of RAP/LRP preparation and planning.

Table 4 **Zambian Villages/Settlements within the Project Social Area of Influence**³⁵

Village	Population count	Number of Households
Mukuni ward, Kazungula District		
Siamatete	343	64
Munstumuswana	217	59
Chibule	215	51
N'gandu	233	62
Mukalahani	51	12
Munwana	46	13
Siachuma	173	46
Chilizya	128	36
Zangala	83	22
Namatongo	106	26
Siachalwa	62	15
Sichlobe	101	16
Tembo	129	29
Zimba ward, Zimba District		
Ward level	12,699	2,531
Chawila ward, Kalomo District		
Mweebo	100	25
Singani ward, Choma District		
Simpwezi	385	-
Gameela	-	64
Nkwanyonyona	560	-
Nakeempa	739	95
Siamaluba	123	-
Siandibubi	-	460
Mulundu	385	76

4.2.1 Resettlement Steering Committee

At the State level, a Resettlement Steering Committee (RSC) will be established to oversee the resettlement planning and implementation process. It will be comprised of representatives of the ZRA, and key government bodies as outlined in **Table 3**.

The RSC role will be to ensure resettlement planning and implementation in both countries reflects the common principles and procedures outlined in the Resettlement Policy Frameworks, and to facilitate necessary government approvals. This body will ensure entitlements and resettlement-planning measures adhere to national laws and government policies and practices around land acquisition, compensation and resettlement; and are aligned with international resettlement standards. The RSC will identify available replacement land suitable for displaced households, and representatives from the RSC will participate in stakeholder leadership meetings as required, to confirm the government's support of the Project and resettlement planning process. The Project RAP

³⁵ Extracted from the BGHES ESIA (2016)

Implementation Team (further detailed in Chapter 12) will provide technical advice to the RSC, and engage regularly with senior officials within the various departments, as required, to progress planning and to ensure key individuals are briefed regularly on Project progress.

4.2.2 Resettlement Stakeholder Leadership Forum

The Resettlement Stakeholder Leadership Forum (RSLF) will be established to involve traditional rulers and leaders from each affected community and local government in resettlement planning and implementation.

Key aspects of their role will include:

- Confirm RAP/LRP(s) eligibility & entitlements;
- Assist with the identification of replacement land for displaced communities;
- Identify Project 'red flag' issues; and
- Support the resettlement planning and implementation process by facilitating the flow of information to and from the Project-affected people they represent.

4.2.3 Affected Community Feedback Forums (CFF)

Regular forums will be held in local villages and communities to support the efforts of members of the RSLF. This ensures all affected households are fully informed of project progress and issues being discussed within the other tiers. This may include having targeted forums with key groups within affected communities (i.e. youth, women, marginalized groups). These forums will be designed to provide directly affected people with the opportunity to participate more fully in the resettlement planning process and the decisions that will affect them.

The RAP Implementation Team provides technical advice and support to each tier. This team undertakes the work approved by the stakeholders, ensures resettlement planning and implementation aligns with this RPF, and the commitments included in the RAP/LRP(s).

Key issues requiring stakeholder approval that will inform the sequence of discussions within all three tiers include:

- Preparing for the demarcation on the ground of the land required by the Project;
- Undertaking the census and asset inventory of affected land and establishing the Project cut-off date for eligibility and entitlement;
- Disclosure of valuation of land parcels/assets and compensation entitlements;
- Finalizing the criteria for Project eligibility and all components of the entitlement matrix;
- Confirming the approach to physical resettlement (i.e. assisted self-resettlement option and/or construction of new settlement areas);
- Preparing for the individual affected household sign-off on compensation and resettlement;
- Confirmation of support programs that will be provided (i.e. additional livelihood restoration assistance and vulnerable support) and their method of delivery;
- Management of land acquisition and resettlement related grievances;
- Resettlement monitoring and evaluation; and
- Formally approving and publically disclosing the finalized RAP(s)/LRP(s).

4.3 Future Engagement Activities

Disclosure of the RPF will follow the three tiered approach outlined in this Chapter, setting the stage for fully operationalizing this model of engagement for the more detailed resettlement planning and preparation of the RAP(s).

The RPF will be distributed to key stakeholders within government who will form the Resettlement Steering Committee. It will also be made available on the Project website. A summary of the RPF will be prepared and distributed to traditional leaders and local government within Tier 2, in the appropriate local language. They will be encouraged to post the summary in affected communities and supported in sharing its content in meetings with their constituents.

A detailed Stakeholder Engagement Plan (SEP) will also be developed as part of preparing the Resettlement Action Plan(s). It will outline roles and responsibilities for keeping all stakeholders appropriately informed of Project progress, and involved in resettlement planning and implementation. It will identify and map all Project stakeholders with an interest, or ability to influence the land acquisition and resettlement process, and assist with finalizing the membership of the RSLF and CCFs.

The SEP will confirm the specific membership, terms of reference and meeting schedule (including sequence of discussion topics and milestone decisions) for each of the three bodies; Resettlement Steering Committee, Resettlement Stakeholder Leadership Forum and Community Feedback Forums.

5. PROJECT IMPACTS

Chapter 5 presents the scope of displacement impacts resulting from the development of BGHES based on current Project designs. It describes how displacement is minimized and how finalizing the design and location of the remaining project components will further these efforts.

5.1 Efforts to Minimize Displacement

Despite ongoing efforts to minimise impacts, Project construction and operation will result in the economic and likely some physical displacement of people, households and communities. These impacts can be characterised in terms of the assets that have the potential to be affected; including structures, land, crops and trees, community infrastructure and public facilities, cultural heritage and wildlife. The loss of these assets will affect the people, households and communities that own or use them. Specifically, people and households may be:

- Physically displaced, if they lose their residence and related assets; and/or
- Economically displaced, if they lose income streams or access to the means of livelihood.

The construction of the dam wall and impoundment, including spillway and outdoor powerhouses, is not expected to physically displace people and/or communities. The main Project components requiring land where physical and/or economic displacement is likely to occur include:

- The Project access roads;
- Transmission lines;
- Staff township; and
- The quarry.

The designs considered for each of these components are summarized below.

5.1.1 Access Roads

The upgrading of existing roads and construction of new roads to access each bank from the main roads linking Livingstone to Lusaka (Zambia) is required. On the Zambia side, a new road alignment of 1.2 km will be required from the North bank to the Batoka dam site.

The Project has considered the extent to which the existing road network can be used, and the level of upgrading required in examining alternatives for access roads from Victoria Falls. The existing road network from Palmgrove to the North bank of the dam site is considered viable for vehicles and is for 29 km. Some upgrading and widening will be required.

For the portion of the road running east towards Mukuni settlement, there are two main options. The first is to use an existing path running through the village, and the second is to use an existing road that circles the village area. The Chief of Mukuni village has requested that the existing pathway directly through the settlement be upgraded for Project use, which he believes will benefit his community. This option needs to consider the level of physical displacement that would be required (estimated to be between 100-200 households) and the health and safety concerns related to use of construction vehicles in a relatively densely inhabited area. The alternative existing roadway circumvents the village. Upgrading this road would avoid physical displacement with only limited economic impacts. It would also lower the health and safety risks to people and livestock. These options will be discussed further with the Chief and area residents.

5.1.2 Project Township

Staff Townships are planned in both countries. During the construction phase, an initial labour force of at least 500 workers is required. Following completion of the access roads and Project infrastructure,

3,000 workers are expected (including security and support staff.) They will be required for the remainder of the construction phase, approximately 7 years.

During operation of the dam, the construction staff will be replaced (or overlap) with operational staff (i.e. maintenance, security, customs services, government officials), with numbers expected to increase to 9,000.

Townships will be located on each side of the river, in close proximity to the dam. They will include housing and requisite infrastructure (i.e. health, education, social and recreation facilities) to accommodate workers and their families. Three alternative locations were considered in each country, with assessments taking into account the social and environmental impacts of each option. Developing the Project Township in its current site avoids physical displacement completely and requires minimal economic displacement (mostly to grazing areas.) However, further investigation is required to assess the area's appropriateness from a technical (engineering/construction) perspective. Consideration will be given to options for building onto existing communities in reasonable proximity to the dam, so to facilitate sharing Project benefits more widely with existing settlement areas.

5.1.3 Transmission Lines

In Zambia, two 330 Kv transmission line routes are required each comprising two outgoing lines. The first routing is from Batoka, terminating at a proposed new 330 kV ZESCO substation to be constructed in Livingstone; this route will be 21 km long. The second line will run in parallel to the existing 220 kV line, terminating at the Muzuma substation in Choma, a distance of approximately 160 km.

Most of the land intended for the transmission line route is currently being used either for cultivation, particularly in the far northern sections, or grazing. Precise siting of the transmission line, and where the 100 meter exclusion zone (wayleave area) will be located will determine the extent of physical displacement. If it can be kept to the northern area of transmission line corridor, minimal physical displacement is anticipated (i.e. 25-30 households); the scope of physical displacement will increase considerably otherwise. Findings from recent field visits suggest that clearing for transmission line construction is considered a benefit to local farmers, as this would facilitate their ability to cultivate the land once construction is complete. Local residents will need to be well informed of the exclusion zone (way leave) areas, and what land use restrictions apply and for what purpose.

Figure 7 Transmission Line Impacts depicts the transmission line, with shaded areas representing settlement areas based on satellite imagery and recent site visits. The most densely populated area (the area circled on Figure 6) is the southern portion near Livingstone, where the town of Mukuni is located. This village has approximately 1000 homesteads with a population of 6000 people. There is more formal housing, shops, secondary industries, a clinic, schools, bus stop and the Chief's palace. In light of its proximity to Livingstone and Victoria Falls, it considers itself an important tourist destination.

Depending on final routing of both the access road and transmission line, the risk of physical displacement is high. The majority of the transmission line routing will consist of mainly economic displacement (i.e. grazing) with isolated pockets of farming.

5.2 Scope of Displacement

The preparation of the RAP(s)/LRP(s) will include a comprehensive Census and Asset Inventory (CAI) in the areas where land will be required. The CAI data will be used to determine the total number of households that will be displaced, classified into physically displaced households and economically displaced households. It will also confirm and quantify affected assets for each of the following categories:

- Impacts to land area according to land type (i.e. agriculture land both cultivated and fallow, grazing land, residential land);
- Impacts to crops and trees;
- Impacts to public facilities and infrastructure (i.e. wells/boreholes, schools, clinics, places of worship etc.);
- Impacts to graves, shrines and other areas where cultural heritage exists (if applicable); and
- Impacts to host communities.

Table 5 summarizes the land area requirements for each Project component, based on current Project planning and design.

Table 5 Summary of Displacement Impacts

Project Component	Land Area Required	Anticipated nature of displacement
Dam wall, impoundment including spillway	Area lining the banks of the Zambezi River and gorge	Steep rocky terrain with no inhabitants or economic activity
Staff Township Area & project offices	491 hectares	No physical displacement, limited economic displacement (i.e. grazing)
Transmission lines	210 hectares (21 km length X100 m width)	Physical and economic displacement, depending on where precisely the exclusion zone falls
Road access	9.93 km new road link 29.39 km existing road to be upgraded	Upgrading the existing road circumventing Mukoni will avoid physical displacement. Economic displacement, predominantly to portions of people farms or grazing areas
Quarry	70.40 hectares	Economic displacement
Host communities	If physical displacement is kept to a minimum, households can be accommodated either in a different location on their existing property or on alternative land within their village area	

The total land area required for the Project is less than 900 hectares, the majority is used for farming or grazing and is uninhabited. Based on an average plot size of five hectares, it is estimated that fewer than 200 households who rely on the proposed land area may be displaced.

6. COMPENSATION PRINCIPLES

This Chapter describes the general principles and policies that the Project proposes to apply to determine eligibility and define entitlements for compensation resulting from the acquisition of land required for the BGHES.

The two main objectives of the compensation framework include:

- Provide transparent, fair and timely (prior to displacement) compensation for displacement impacts to all PAPs in accordance with Zambian law and World Bank ESS5.
- Compensate for lost assets at agreed replacement rates to give PAPs, PAHs and communities the opportunity to at least restore, if not improve, their standard of living and livelihoods.

6.1 Eligibility

Eligible persons include all persons with a formal interest in the land required by the Project – in the form of propriety ownership, co-proprietary, tenants, or any persons with other limited interests. The term is further expanded to include affected persons. The term Affected Persons is more comprehensive and includes those with:

- Formal or legal rights to land and assets consistent with national law;
- Customary rights to lands and assets recognised under national law; and
- Legitimate and verifiable interest in the land and assets

6.1.1 Immovable Assets

Immovable assets generally considered eligible for compensation include the following:

- Land, including cultivated and fallow land, forest, and residential plots;
- Crops, both annual and perennial (including economic trees);
- Common property resources, including wild plants and animals, fuel wood and timber;
- Structures, including houses, annexes and derelict buildings, along with fences and other built improvements; and
- Other infrastructure, either communal infrastructure or private, including roads, and irrigation infrastructure;
 - Businesses;
 - Public access, including informal roads and footpaths and navigable waterways; and,
 - Cultural heritage, including sacred sites, graves and cemeteries.

Immoveable assets are typically held under three types of tenure arrangements:

- Registered ownership, through possession of formal title deeds that are registered with the Commissioner of Lands;
- Customary ownership, based on rights recognised under traditional law, which may or may not be formally documented. Customary owners may be individuals, families, clans or villages, or even some combination of these; and
- Customary use, which reflects informal use agreements.

Table 6 outlines the persons eligible for compensation based on the types of assets that the Project has the potential to affect.

Table 6 Eligible Persons

Type of Loss	Eligible Persons	Description
Customary Private Land	Land owner	The person, family, or collective entity with exclusive rights to the land, secured under customary tenure through (1) written Land Ownership Certificate, or (2) recognised by the headman and community.
	Tenant	Tenants recognised by the land-owner that actively farm or utilise portion of the land separately or jointly (sharecropping) with the Land-Owner, but do not have any claim to the land itself.
	De-facto Occupant or User	Any person, family, or collective entity that utilises land without any form of secure tenure but are tolerated by the land-owner.
Residential Structures	Structure-Owner	The person, family, or collective entity with uncontested ownership of any residential structures, irrespective of their tenure status to the land on which the structure is built.
	Tenant	Tenants that occupy a residential structure via a written or verbal agreement with the structure-owner, but do not have any ownership claims to the structure itself.
	De-Facto Occupant or User	Any person, family, or collective entity that occupies a structure without any form of secure tenure.
Secondary Structures & Other fixed assets	Asset-Owner	The person, family, or collective entity with uncontested ownership of any secondary structures or other fixed assets, irrespective of their tenure status to the land on which the structures or fixed assets are built.
Crops and Trees	Crop-Owner	The person, family, or collective entity that solely tends annual and perennial crops on land, irrespective of the type of tenure on that land.
	Sharecroppers	The person, family, or collective entity that tends annual and perennial crops on land jointly with the landowner, irrespective of the type of tenure on that land.
Community/ Institutional Structures	Affected Community	Any community, or institution that are the owners or custodians of any structures, infrastructure or immobile fixtures used for the collective benefit of the community.
Community Common Land	Affected Community	Any community that are the owners or custodians of any community common land used for the collective benefit of the community.
Graves/Shrines	Owners	Any person, family or collective entity that are the legitimate owners/caretakers of a particular grave or shrine.

6.2 Entitlement Framework

The Entitlement Framework defines the types of compensation or resettlement assistance to be provided to eligible persons based on the type of asset that will be lost. The framework also establishes the conditions where eligible persons are granted allowances or access to livelihoods restoration programs. Where possible, a range of options are provided allowing households to select the type of compensation that best suits their conditions.

Entitlement policies define the specific type of compensation to be made available to those affected by specific displacement impacts. Entitlements vary by interest and by severity of impact, but generally fall into the following categories:

- In-kind compensation, which involves the planning, design and development of replacement assets and livelihood activities to compensate for those lost to the Project;
- Cash compensation, which involves the payment of cash to compensate for assets, lost to the Project, at agreed replacement rates of the lost asset (this option will include appropriate financial management counselling).

In accordance with international standards, the Project will favour the provision of in-kind compensation over cash compensation wherever feasible. It provides reduced risk (for both the Project and those affected) of entitlement mismanagement, inequitable distribution, and long-term impoverishment. Cash compensation as part of a self-resettlement option will be offered under carefully controlled conditions, described in more detail in **Section 7.6**.

In general, the owner (whether customary or formal) of a particular asset (land, structures or crops) will be compensated for its loss in full. Users will be compensated for the loss of their specific interest in that asset for a period of time and assisted in their re-establishment.

All compensation rates will be established to provide PAHs/PAPs with compensation equal to or greater than full replacement value, with no deduction for depreciation. An independent and specialised valuation expert will be contracted to undertake a comprehensive analysis of the market value of affected land, crops and structures in the Project Area.

In addition to compensation for impacts on immovable assets, those displaced will also be eligible for the following, depending on their specific circumstances and displacement impacts:

- Participation in a Livelihood Restoration and Improvement Program;
- Participation in a Vulnerable Assistance Program;
- Receipt of a mobilisation and re-establishment allowance to cover some of the costs associated with mobilisation (e.g., packing, salvaging) and re-establishment (e.g., unpacking, building, clearing);
- Receipt of a transportation allowance to move belongings and moveable assets to a new location.
- Right of salvage to provide opportunity to salvage immovable assets, prior to destruction, to the extent practical. This may include individual property, for example building materials, or common property.

The preliminary entitlement matrix outlined in **Table 7** is based on World Bank standards and requirements stipulated by Zambian law. It will be presented together with the eligibility criteria to Project stakeholders, using the three-tiered approach described in **Chapter 4**. Based on these discussions and confirmation of the types of impacts resulting from all Project components, any necessary adjustments will be made and a final version included in the RAP(s)/LRP(s). A key consideration in finalizing the resettlement assistance and livelihood restoration programs to be implemented, and how they will be delivered, is the extent to which they adhere to agreed upon principles of sustainability.

Table 7 Entitlement Matrix

Project Impact	Category of Project-affected Entity	Mitigation Measures
Loss of Land		
Residential land	Owner currently residing	Replacement residential plot, ideally area for area, with access to services and infrastructure comparable to that of affected plot <i>plus</i> Cash compensation at agreed replacement rates for any area not replaced <i>or</i> In exceptional circumstances, cash compensation at agreed replacement rates
	Owner not currently residing	Cash compensation at agreed replacement rates
Institutional land	Owner	Replacement plot, ideally area for area, suitable for original purpose with access to services and infrastructure comparable to that of lost plot <i>plus</i> Cash compensation at agreed replacement rates for any area not replaced
Agricultural land	Owner currently farming	Replacement agricultural lands of equal or greater potential productivity and locational advantages, and assistance in re-establishment, including preparation of new land to comparable condition to affected land <i>or</i> In exceptional circumstances, cash compensation at agreed replacement rates
	Tenant currently farming	Support securing suitable replacement agricultural land to rent <i>plus</i> Assistance in reestablishment
	Owner currently not-farming (landlord)	Cash compensation at agreed replacement rates
Communal land	Communities / government	Access to equivalent area of equal or greater potential productivity and locational advantages <i>or</i> Alternative investments of a communal nature <i>or</i> In exceptional circumstances, cash compensation at agreed replacement rates

Project Impact	Category of Project-affected Entity	Mitigation Measures
Loss of Structures		
Residential structures	Owner currently residing	In-kind replacement house of modern materials at settlement scheme ⁽³⁶⁾ , with at least as many rooms as the original house and sanitation facilities (latrine/ shower) <i>or</i> Cash compensation at agreed replacement rates (including construction supervision as part of the self-resettlement option see Section 7.6) <i>plus</i> Right to salvage materials, transportation allowance, and mobilisation and re-establishment allowance
	Owner not currently residing	Cash compensation at agreed replacement rates <i>plus</i> Right to salvage materials, transportation allowance, and mobilisation and re-establishment allowance
	Renter / occupier	Replacement tenancy agreement in replacement house of current landlord or in another house, and assistance in reestablishment. <i>or</i> Provision of a rental allowance for a fixed term and assistance in reestablishment.
Other including seasonal, annex, incomplete, ruins, uninhabitable structures and fences	Owner	Cash compensation at agreed replacement rates <i>plus</i> Right to salvage materials
Institutional	Communities / government / religious groups	In-kind replacement facilities of suitable capacity for settlement scheme <i>or</i> Cash compensation at agreed replacement rates
Infrastructure	Communities / government	In-kind replacement facilities of suitable capacity for settlement scheme
Loss of Crops & Economic Trees		
Crops and trees	Crop or tree owner	Cash compensation at agreed replacement rates or government rate, whichever is higher ⁽³⁷⁾ <i>plus</i> Right to harvest existing crops

³⁶ The exact details of replacement assets, including structures, will be determined in detail in the RAP.

³⁷ Full replacement value for agricultural assets must reflect the time required to bring replacement crops or trees to the maturity of the assets that were lost.

Project Impact	Category of Project-affected Entity	Mitigation Measures
Loss of Business, if required		
Businesses	Registered or community owner	Cash compensation for agreed lost net income during a transition period and assistance with re-establishment. or Where reestablishment not possible, support for establishment of alternative livelihood, and if necessary transitional income support
Employees	Employee of affected business	Replacement employment agreement with affected businesses and compensation for agreed lost income. or Where replacement of employment not possible, support for establishment of alternative livelihood, and if necessary transitional income support
Loss of Cultural Heritage, if required		
Shrines, graves and sacred sites	Affected household / community	Relocation or removal in collaboration with traditional cultural / religious leaders, with necessary expenses covered by the Project in accordance with Government rates
Other heritage	Customary owner of asset	Appropriate management to be determined in collaboration with local authorities, spiritual leaders and others as appropriate.

6.3 Eligibility Cut-off Date

The commencement date of the census and asset inventory will determine the cut-off date for compensation eligibility. This date will be used to define the assets eligible for compensation and to provide an empirical baseline to limit opportunistic activity (i.e., to prove ineligibility). Up to and including that date, immovable assets will be considered eligible for entitlement compensation. Immoveable assets established after the cut-off date will not be considered eligible for entitlement compensation nor will persons occupying the project area after the cut-off date be considered eligible for compensation/resettlement assistance.

Prior to the cut-off date and the commencement of survey activities, engagement will be conducted with those affected to explain the survey process, and the cut-off date and its implications. As noted above, assets established within the Project Footprint after the cut-off date are not eligible for compensation and/or resettlement assistance.

Following the cut-off date, the Project area will be monitored by community leaders (and by Project staff) so that people remain informed of the cut-off date and its implications. Any new in-migrants will be informed of the moratorium on establishment of new assets. Where new assets do appear, they will not be considered eligible for compensation. The owner will be given reasonable notice to remove or salvage the asset, and if they do not, the asset will be removed by Project staff.

6.3.1 Survey Implementation

Following agreement on the cut-off date, survey teams will commence a comprehensive census of 100% of affected households, regardless of their tenure status. A socio-economic survey and an immovable asset inventory will also be conducted.

The surveys will have the following objectives:

- Construct a detailed demographic and socio-economic profile of each affected household;
- Identify the specific impacts of land acquisition on each household, including a detailed, legal description of affected immovable assets;
- Cap beneficiaries and entitlements;
- Inform entitlement planning;
- Provide a baseline for monitoring and evaluation; and
- Serve as the basis for individual agreements.

Survey teams will administer the census and socio-economic survey to the asset owner(s) / household head(s), or his/her designated representative. Survey teams will undertake the immovable asset inventory in his/her presence, as well as that of adjacent property holders wherever possible.

In accordance with standard practice, registered surveyors and valuers will be responsible for ensuring that:

- Every crop survey is confirmed by the responsible farmer, or his/her designate and documented by the survey team with support from agronomists and other professionals;
- Every land survey is witnessed and confirmed by the responsible landholder, or his/her designate and documented by the survey team with support from accredited land surveyors; and
- Every structure survey is confirmed by the responsible owner, or his/her designate.

The asset survey will provide a detailed inventory of all immovable assets and will form the basis for the valuation of assets.

6.4 Loss of Land

6.4.1 Residential Land

For impacts to residential land, the Project will provide either:

- Replacement residential plot, ideally area for area, with access to services and infrastructure comparable to that of the lost plot plus cash compensation at agreed replacement rates for any area not replaced; or
- In exceptional circumstances, cash compensation at agreed replacement rates for all structures.

If in-kind replacement plots are smaller than the original residential plots, households will receive cash compensation for the difference. The assets survey process will identify the landowner as the primary impacted person and the land user(s) if different from the owner will be identified for the assets they own on the said piece of land.

For non-resident owners, including landlords, land will be compensated in cash.

6.4.2 Institutional Land

For impacts to institutional land, the Project will allocate in-kind replacement land within a settlement scheme in accordance with the relevant planning standards; this may be at a resettlement site, or within an existing community.

In the case where an entire community is physically displaced, land will be designated for schools, health facilities and other social facilities and infrastructure of sufficient size to meet the needs of the resettled population and nearby host populations. All land for public infrastructure and communal facilities will be provided in accordance with relevant planning standards.

6.4.3 Agricultural Land

The Project will provide access to agricultural land either through replacement land, or in exceptional circumstances, through cash compensation at agreed replacement rates. Consideration will be given to the productivity and locational advantages of replacement agricultural lands. Where adequate access, quantity, or quality of replacement agricultural land cannot be secured, the Project will assist farmers through livelihoods restoration programs which could include measures to make existing agricultural lands more productive, or measures to transition PAPs to alternative livelihoods.

6.4.4 Communal Land

The design of new settlement schemes will incorporate areas to compensate for the loss of communal land. These could include communal grazing land, forest, and other natural areas that provide benefit to communities. The siting of new settlement schemes could take advantage of existing communal areas, in which case access to these areas would have to be negotiated and secured through engagement with host communities. Alternatively, the designs of new settlement schemes will be developed to provide access to new communal land. In some cases, this might require sustainable improvements to other resource lands to increase production of key commodities, alternative investments of a communal nature. In exceptional circumstances, cash compensation for lost communal land at agreed replacement rates.

6.5 Loss of Structures

6.5.1 Residential Structures

For impacts to owner-occupied residential structures, the Project will provide either:

- In-kind replacement house of modern materials at a settlement scheme, with at least as many rooms as the original house and sanitation facilities (latrine/ shower); or
- In exceptional circumstances, cash compensation at agreed replacement rates.

Where a cash compensation option is offered, eligible households will be required to prove that they have an alternative residence, either currently owned, proposed for purchase, or under construction. Specifically, to be eligible for cash compensation PAH must provide documents establishing at least one of the following:

- Ownership of an alternative residence of acceptable quality;
- Access to an alternative residence of acceptable quality available for purchase; or
- Proof of ownership or access to a lot where a residence will be built.

When alternative residences do not meet all of these requirements, compensation payments must be used to bring the quality of the residence up to standard. Consideration will be given to a supervised self-build option, once all land requirements have been finalised and the number of physically displaced households has been confirmed. This will be captured in the RAP(s).

An independent valuation expert will be contracted to undertake a comprehensive analysis of the full replacement value of any affected structure.

6.5.2 Other Structures

All other structures will be compensated in cash at agreed replacement rates. This includes but is not limited to; rental structures, seasonal structures, secondary residential structures, unoccupied structures, annexes, incomplete structures, ruins, animal enclosures, fences and walls, and food storage. The expectation is that PAHs will rebuild these structures on their own.

6.5.3 Institutional Structures

The Project will provide new social facilities for any existing facilities that are impacted. Depending on the final resettlement site locations and the proximity to, and size of, any host population, these facilities may also be designed for use by the adjacent host populations. Alternatively, where host communities have existing facilities, the Project may increase the capacity in terms of size and quality to mitigate for increasing demand resulting from the resettlement process. Input from local government will be required prior to the design of institutional assets, as these entities will be assuming responsibility for the management of these facilities.

For privately owned institutional structures, such as places of worship, private schools, private clinics, and others, the Project may provide either in-kind replacement assets or cash compensation for the lost assets. In addition, privately owned institutions may be considered as a source of income for some individuals, and as such will be eligible for compensation as a business.

6.5.4 Infrastructure

Infrastructure will be replaced through the development of new settlement schemes, which will include all basic utilities (roads, water, and sanitation) as well as any additional infrastructure that was impacted. Replacement infrastructure will be of equal or greater quality than the infrastructure lost. Input from local government will be required prior to the design of institutional assets, as these entities will be assuming responsibility for the management of these facilities.

For privately owned infrastructure, such as private wells, latrines, shower facilities, power supply, telecommunications, and others, the Project may provide either in-kind replacement assets or cash compensation for the lost assets. In addition, privately owned infrastructure may be considered as a source of income for some individuals, and as such will be eligible for compensation as a business.

6.6 Loss of Crops and Economic Trees

The Project will compensate for all eligible crops enumerated in the asset survey. Compensation payments for crops, trees and other agricultural assets will be awarded according to official government rates, or based on full replacement value, whichever rate is higher and in line with applicable law.

An independent valuation expert will be contracted to undertake a comprehensive analysis of the market value of enumerated crops and economic trees and set the Project's rate at replacement value. The value of perennial crops and economic trees will include compensation for production lost during the transition period, the time it will take for replacement crops and trees to reach the same maturity and productivity level as the plants being lost.

The Census and Asset Survey will be designed to identify the different crop categories and crop owners, and to ensure that compensation is calculated in accordance with agreed upon rates for compensation of crops and economic trees.

6.7 Loss of Businesses

Impacted businesses may be entitled to compensation for the loss of revenues that result due to the resettlement process. This may include the loss of rental income for rental structures and rental rooms; interruptions to businesses such as restaurants and commercial enterprises; loss of tuition or medical fees for private institutions; loss of revenue for infrastructure services such as water and power; and any other loss of income.

6.7.1 Loss of Revenue

Compensation for lost revenue will be calculated by determining the average monthly revenue for an impacted business, and multiplying this rate by the duration of time that the business will be impacted. If accurate records of revenue are not available, the Project may define a set minimum rate to be applied.

6.7.2 Loss of Employment Income

For the employees of impacted businesses, an allowance for lost income may be applied to cover the period of unemployment that will result from disturbances to businesses.

6.8 Loss of Cultural Heritage

6.8.1 Transfer of Shrines, Graves and Sacred Sites

In the event that the Project affects any areas of cultural significance, consultations will be held with each affected community. The relocation process and the required ceremonies will be determined, as will the cost of moving each existing grave or shrine to a site preferred by the owner. The compensation will be agreed with the individual or entity that owns the grave or shrine and they will be responsible for the relocation of the graves or shrines.

7. REPLACEMENT ASSETS

This Chapter presents the objectives that will guide the replacement of assets forming part of the entitlements for PAPs and PAHs. Replacement assets may include the construction of new housing for physically displaced PAHs, as well as the possible development of new settlement schemes (resettlement sites) for physically displaced communities and larger groups of PAHs.

The specific facilities to be affected and the extent of physical displacement is not known, as the location and extent of impact of all Project components has not yet been finalized. The RAP(s) will detail resettlement schemes including site and parcel plans, and the design of infrastructure and social facilities (including management, governance and handover plans), if required.

In-kind compensation is the preferred option for replacement of primary dwellings and for groups of households living close together as a community who wish to maintain their community structure.

7.1 Objectives

Replacement assets will be designed to meet or exceed in-country regulations and standards. Project land acquisition may result in an improvement over the assets lost by PAHs as a result of the Project. The design of replacement assets will reflect the feedback of stakeholders who will be engaged in the design process through the tiered engagement model described in Chapter 4.

The design of replacement assets will be guided by the following high-level objectives:

- **Reflect Community Input:** engage impacted communities and households in the design of all replacement assets, providing meaningful opportunity for PAPs to provide commentary and feedback on all designs and how social cohesion can best be maintained.
- **Provide Choice:** PAHs should have a choice of housing designs that are appropriate both culturally and geographically. Impacted communities should have choice of where to re-establish themselves (site selection) and should have the option to be resettled together as a community. Similarly, individual households that want to be resettled on their own should have this option. Where possible, PAPs should have the option of being compensated in cash or in-kind.
- **Provide Flexibility:** replacement assets should be designed to accommodate a diversity of uses and needs that may change over time. Replacement assets including housing, infrastructure, social facilities, and communities should be expandable in order to accommodate growth over time.
- **Improve the Standard of Living for PAHs:** all replacement assets should be built with high quality, durable materials and should reflect an improvement over existing conditions.
- **Improve Infrastructure and Access to Services:** resettlement sites should provide improved access to essential services, including access to potable water, sanitation, health-care, and education.
- **Reflect Local Conditions and Increase Sustainability:** designs should consider the maintenance, operation and upkeep requirements of replacement assets to ensure that PAHs and communities are able to take ownership of the assets and care for them over time.

7.2 Resettlement Schemes

In the event that a resettlement scheme is required to accommodate physically displaced households or groups of households, perhaps as part of a more extensive plan for Project staff housing, the following components will be considered.

7.2.1 Site Selection

The site selection process requires community consultation. The criteria for selecting settlement schemes generally include:

- Proximity to the current area occupied;
- Proximity to the preferred areas indicated by the affected community;
- Sufficient and suitable land available for the building of replacement assets;
- Sufficient and suitable land available for replacement agricultural land and livelihoods;
- Accessibility to existing transport network;
- Maintaining social support networks;
- Consideration for access to schools, infrastructure and other essential services;
- Currently uninhabited or sparsely inhabited; and
- Currently not in use for agricultural plantations.

Results of the Census and Asset Survey will provide information on the population and area of the community affected. Data results may then be used to calculate area requirements for the settlement scheme in conjunction with existing planning regulations and available land areas. The settlement schemes will comprise of residential plots, commercial plots, community facility plots, infrastructure, buffer zones and natural areas based on the number of households being physically displaced (or planned for.)

7.2.2 Site Planning

Preliminary Physical Plans for new settlement schemes will be developed, indicating land use, basic plot sizes, topography, and interconnectivity to adjoining settlements. A Technical Planning Report will be developed, and submitted for approval alongside the Physical Plans to the appropriate ministry. An assessment will be made as to whether an Environmental Impact Assessment for the resettlement schemes is required.

Resettlement site planning will also require a final Plan of Subdivision, which will be developed in consultation with PAHs and relevant government bodies.

7.3 Housing

Replacement housing design will be prepared in consultation with impacted households in order to increase buy-in and create ownership for the final designs. The construction process will seek to maximise local employment by contracting of local construction companies, and hiring PAPs to work on the construction of all replacement housing, to the extent possible.

7.4 Institutions

Schools and health facilities in settlement schemes will be built in collaboration with local authorities, and compliance with applicable service standards. Consideration will be given to whether or not existing neighbouring schools or health centres can absorb the additional population moving into the neighbourhood as a result of the resettlement.

The Project may alternatively plan to enhance the capacity of existing facilities, rather than creating new ones. New facilities are planned through consultations with community members and local government, to meet the needs and development objectives of the community. The ultimate goal is to ensure that PAHs have equal or improved access to public services, and that relevant service standards are met.

7.5 Infrastructure

Infrastructure at settlement schemes should at a minimum include; roads and drainage, water supply, electricity, and solid waste disposal. It may also include power, telecommunications and other infrastructure that existing communities currently have access to. The details of existing infrastructure and access to services will be specified in the baseline census and surveys.

All replacement infrastructure should be built in collaboration with local authorities in compliance with applicable standards and laws. In some cases, the Project may opt to improve and upgrade existing facilities rather than construct new infrastructure. All settlement schemes will have an equal or improved level of services, compared to the communities impacted.

7.5.1 Roads and Drainage

Access roads should be built (or existing roads upgraded) as necessary to connect new settlement schemes to surrounding communities. On-site roads will provide circulation within the settlement schemes. All roads should be designed and constructed in accordance with existing standards.

7.5.2 Water Supply

An adequate potable water supply should be established in all settlement schemes, based on either a piped scheme with central water points, or drilled boreholes with hand or solar pumps. Water access points should be located within a practical distance from the houses they serve. Consideration should be given to the following in designing water supply systems:

- Outcomes of community consultation processes;
- Service at original site;
- Population and consumption requirements of the community;
- Availability of ground water of potable quality at resettlement sites;
- Future growth of the community; and
- Surrounding communities.

Once water infrastructure is in place, resettled PAPs will have to cover the cost of operating and maintaining these facilities as per local standards. This message will be disseminated clearly from the very beginning of the resettlement process, so that communities can organise themselves in this regard. This organisation is usually best done through the establishment of a Water Users' Committee, which is the formal custodian of the facility on behalf of its owner, the community as a whole.

7.5.3 Electricity

Where the existing communities affected by the project are connected to the electrical grid, then they will be reconnected to the grid in the new locations. If the host communities are connected to the grid then new in-fill replacement houses will be connected. House connections will be provided if grid power is available.

The details of what level of service and design of replacement assets to be provided should a resettlement scheme be necessary will be detailed in the RAP(s).

7.6 Assisted Self-Resettlement Option

For projects where physical displacement is limited and/or dispersed (i.e. not a full or significant portion of a community), or will be undertaken in phases over a prolonged period, an assisted self-resettlement option may be suitable. With this option, eligible people receive their entitlement of cash for land and other affected assets, sufficient to replace their residence in an area of their choosing.

However, they are provided with technical assistance and construction oversight from qualified personnel. Compensation is paid in instalments based on achieving particular milestones.

These milestones include:

- Upfront instalment upon signing onto the program;
- Second instalment when access to appropriate replacement land is confirmed;
- Third instalment once house design is finalized, and foundations completed; and
- Final instalment once construction is completed and inspected by the Construction Team.

The Construction Supervision Team regularly monitors the progress of all participants, to ensure that the replacement housing is of an acceptable quality and meets certain minimum standards.

8. LIVELIHOOD RESTORATION AND IMPROVEMENT

International standards define 'livelihoods' as referring to the full range of activities that individuals, families, and communities engage in to make a living. This includes, "wage-based income, agriculture, fishing, foraging, other natural resource-based livelihoods, petty trade, and bartering."

This Chapter presents:

- Livelihood characteristics of affected households;
- A summary of likely Project impacts to livelihoods;
- The approach to preparing a Livelihood Restoration and Improvement Plan as part of the RAP(s)/LRP(s); and
- Program types.

A RAP/LRP generally includes a Livelihood Restoration and Improvement Plan (LRIP) prepared with input from displaced persons and affected communities through participatory assessments and working group activities. The LRIP outlines the Project's strategy to support physically and economically displaced households and host communities in a continuous and sustainable improvement in their economic activities following displacement.

Livelihood programs evolve over time as additional feedback is received from various stakeholders and as the Project gains experience through implementation of livelihood restoration programs and the RAP/LRP(s). Implementation of the LRIP will continue until all PAPs have restored their livelihoods, or have been given sufficient opportunity to do so.

In addition, livelihood programs will be based on the characteristics of the sites selected for the new settlement schemes where land acquisition involves community displacement and construction of resettlement sites.

8.1 Livelihood Characteristics of Affected Households

8.1.1 Livelihood Roles

In the different communities within the Project footprint, men, women, and youth tend to engage in different livelihood strategies. In summary, common roles are that:

- Men are the holders of fixed assets (land, houses, etc.) and are the main producers of food. Where large livestock is owned, they are primarily controlled by men.
- Women are the care-givers, the producers of supplementary food, tending market gardens or owning small livestock. Women also engage in food processing and trade food products at local markets.
- Youth are mainly a source of labour, and are not considered to own any of the production they facilitate within their household. Young men may also work independently as wage labourers. Female youth are more likely to continue supporting household activities, particularly around child rearing and food processing.

8.1.2 Wealth and Livelihood Types

Livelihood activities within a community show distinctions between households of different relative wealth within a community. In this case, the classification of 'wealthy', 'average', and 'worse off' are relative classifications within a community that are based on self-identification during consultations.

- Wealthy households tend to be older families and have large landholdings, where they will hire paid labourers to work. They may also allow other households farm on their land holdings, normally for a token gift. Wealthy households are also more likely to engage in small and medium-size business, such as running local shops.

- Average households are generally comprised of an established family with usage rights over a smaller plot of agricultural land. These households usually farm, fish and market garden, as well as providing agricultural labour for wealthier families.
- Worse-off households have small landholdings in areas that are not ideal for farming. They may have a large number of dependants within the household, some of whom are frail elderly, chronically ill and/or disabled and limited assets. These households primarily engage in wage labour activities with some harvesting of natural resources and whenever possible, small trading to earn income.

8.2 Impacts on Livelihoods

This Section summarises how resettlement impacts to livelihoods align with the five 'livelihood capitals' - financial, social, human, physical and natural. These five capitals form part of the Sustainable Livelihood Approaches (SLA) utilized by a number of international development agencies in understanding community resilience and addressing poverty and food insecurity.³⁸ It considers both the context in which people live and how it is shaped by different constraints and opportunities; and how people draw on different livelihood assets or capitals, in different combinations. It is useful in understanding people's economic wellbeing prior to Project-related displacement, and informing the most suitable programs to restore and where possible, strengthen livelihoods through resettlement implementation.

8.2.1 Impacts to Financial Capital

The resettlement process is expected to have both negative and positive impacts to the availability of financial capital in the Project area and to host communities.

In the short-term, access to financial resources will increase significantly as compensation is disbursed. Opportunities for local employment and procurement with the Project, as well as indirect opportunities created by the Project's presence, will also increase access to financial resources.

In the long term, there will be increased risk of inflation (and therefore the erosion of savings) and the potential for irresponsible use of compensation amounts leading to impoverishment.

The LRIP will include measures to mitigate these negative risks, including:

- Prioritise PAHs for local employment and local procurement opportunities with the Project and Project contractors, as per the employment strategy;
- Stagger cash compensation payments to limit large cash infusions into the local economy;
- Account for access impacts to familiar markets, traders, and suppliers;
- Use formal financial services (such as recognised banks) to deliver and manage cash compensation and train households in establishing budgets and saving strategies; and
- Supporting the establishment of microfinance banks and strengthen existing village saving and loans associations.

8.2.2 Impacts to Social Capital

Social relationships allow for the transfer of information, materials, and goods and services within households, between households, and between communities. Existing livelihood strategies rely on strong intra-household bonds of mutual support.

The Project's resettlement process is not expected to have significant impacts on social capital. The Project will seek to avoid the most common risk to social capital, the loss of support networks. Protecting social networks occurs by avoiding resettlements completely, resettling impacted

³⁸ http://www.glopp.ch/B7/en/multimedia/B7_1_pdf2.pdf accessed 03/01/2019

households to a new location within their community or by resettling affected communities as a whole. For example, moving all community members who wish to remain with their community of origin to the same resettlement site. The most significant residual risk to social capital is the potential for intra- and inter-household conflict around how cash compensation is spent.

To mitigate for this residual risk and to provide protections for social capital in general, the following activities are proposed:

- Ensure that all ‘primary adults’ (i.e. the head of household and all spouses) have equitable access to compensation;
- Train PAHs on compensation management and financial planning;
- Strengthen community associations through direct support and/or by relying on them for the implementation of RAP/LRIP activities; and
- Provide adequate support for vulnerable households to enjoy the same benefits that other PAHs are able to capture from the resettlement process.

8.2.3 Impacts to Human Capital

It is possible that displacement will have negative impacts on some people’s health as a result of the stress associated with change and resettlement. This can be mitigated by keeping people informed of Project developments and offering opportunities for them to participate in the decisions that will impact their lives. With respect to education, the Project may have a slightly positive impact. It can provide incentives to households to value education in light of the semi-skilled and skilled wage employment opportunities that become available.

To leverage Project presence to improve human capital, the following activities are proposed:

- Support for local community health providers and outreach associations;
- Outreach to local schools; and
- Provision of training and vocation opportunities for adult and young adult PAH members, preferably aligned with and in advance of Project construction.

8.2.4 Impacts to Physical Capital

Project impacts to physical capital, particularly to infrastructure, are expected to be positive. Impacts include; construction of new roads and the improvement of existing road infrastructure, and the provision of staff housing and associated health and education facilities for those employed by the Project.

A detailed Project employment strategy will be required, which outlines how local communities will be able to access opportunities with the Project in a way that is seen as transparent and fair, based on the labour skills required and available local capacity. The employment levels anticipated also suggest that the risk of an influx of outsiders and opportunists to the Project area is high. Project planning will need to include discussions with community leadership and other stakeholders around the management of influx and minimizing pressure to existing area infrastructure.

Over the longer term, positive impacts will include increased access to electricity generated by the dam.

8.2.5 Impacts to Natural Capital

Negative impacts associated with physical capital include the impact of the dam on river flows essential for particular tourist activities such as rafting and jet boating, and related businesses. There are also longer-term impacts on wildlife and fisheries. The impacts and mitigation measures to address these impacts are considered in a separate document.

The majority of households affected by Project land take are outside of urban and semi-urban centres and depend on land and other natural resources as sources of food, income, and status in the community. Impacts to natural capital for any physically displaced households are expected to be negative in the short term, as households are displaced from their lands.

8.3 Livelihood Restoration and Improvement Plan

The LRIP will consist of tailored programs based on the existing livelihood activities of PAHs.

The Project will assume responsibility for implementing the LRIP. To ensure its sustainability, the LRIP will prioritise strengthening partnerships with governmental and civil society organisations that operate in the Project area.

LRIP activities will begin prior to displacement so that PAHs have the opportunity to learn new skills. Pre-displacement activities will focus on training and will establish the effective support structures necessary, while post-displacement activities will focus on the provision of direct support.

The LRIP will detail the specific programs and activities that will be delivered, how and when they will be delivered, as well as eligibility for participation.

8.3.1 Goals and Objectives

The goal of the LRIP will be to help restore, and potentially improve, the livelihoods and living standards of physically and economically displaced PAH and host communities. The LRIP will assist men, women, youth, and communities in re-establishing and strengthening current livelihood practices in the short and medium term, and develop transferable skills and engender self-reliance in the long term.

The specific objectives of the LRIP include:

- Provide extensive support so that the abilities, resources, and assets of Project-affected households (PAHs) are effectively deployed in meaningful livelihood initiatives;
- Enable affected households to benefit from multiple sustainable livelihood activities within the Project Area;
- Meet the compensation commitments, such that compensation and other displacement related assistance is effectively and sustainably managed by PAHs;
- Support the improvement of commercial skill-based livelihoods to create opportunities for PAHs to benefit from a skills-based economy;
- Deliver training, and provide people with work experience and transferable skills that will help them compete for Project-related jobs and future opportunities; and
- Provide support so that PAHs and communities are able to maintain equal access to broader community, district, and regional development programs.

8.3.2 Principles

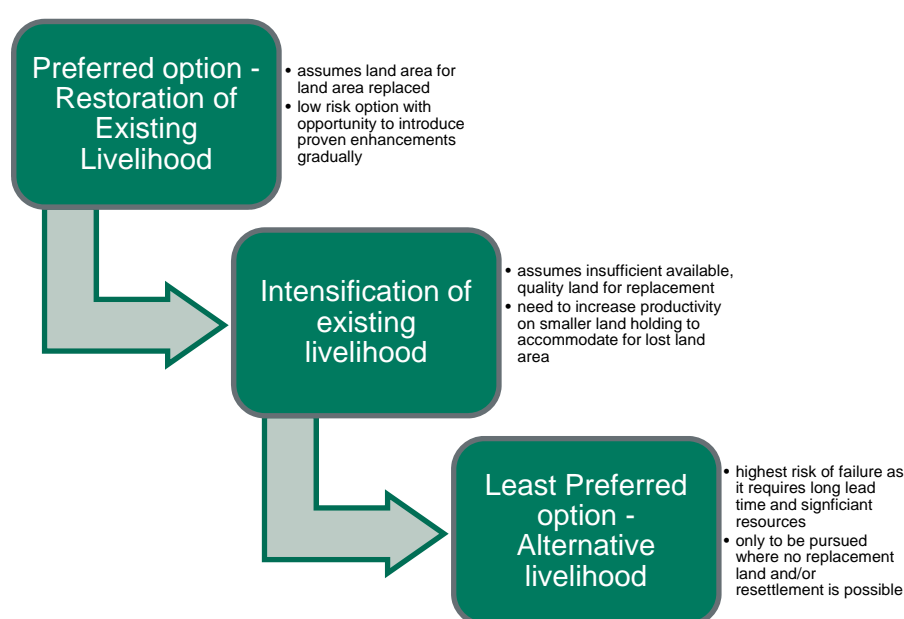
The following principles will be applied in the design and implementation of the LRIP:

- **Identify Livelihood Impacts Systematically** – Livelihood impacts on local people will be determined systematically through detailed surveys and engagement. To the extent possible, such impacts will be quantified and the affected people identified individually. Impacts will be considered even if the affected people are not resident in the area, do not own the land, or do not have legal title or access to the resources.
- **Recognise Advantages of Location as an Asset** – Replacement land for habitation, farming or other activities should have advantages of location at least equivalent to their

existing land. If this is not possible, any loss of advantage of location will be considered as an additional impact requiring mitigation.

- **Plan and Negotiate Appropriate Measures with Affected People** – The planning of livelihoods restoration / improvement is not a purely technical exercise, but requires a high level of interaction with the affected people in order to develop the most feasible and desirable mitigation measures. The agreed measures, in the form of compensation entitlement, will be incorporated into formal collective and/or individual agreements. All three tiers of stakeholders described in Chapter 4 will review and approve the LRIP.
- **Give Preference to Replacement of Existing Livelihood Activities** – Livelihood restoration / improvement measures will be planned according to the hierarchy illustrated in **Figure 8 Livelihood Restoration Hierarchy**.

Figure 8 Livelihood Restoration Hierarchy



8.3.3 Eligibility & Target Groups

The LRIP will develop different levels of intervention for physically displaced PAHs, economically displaced PAHs and host communities. Eligibility for programs developed will relate to the scale and type of impact experienced by the household. Program development will consider the livelihood support needs of women and youth, and any marginalized and vulnerable groups at an elevated risk of experiencing hardship as a result of being displaced.

8.4 Livelihood Restoration and Improvement Program Types

As part of developing the RAP/LRP(s) and its LRIP, an inventory of government, donor and not-for-profit services and programs (both existing and planned) relevant to the Project area will be undertaken. Additionally, an assessment of possible implementing partners will be conducted with a view to identifying those with expertise in the following types of programs:

- Establishing farmer-field schools that provide training to farmers (both men and women) on their farms, and identify and train local mentors in being an ongoing source of support in improved farming and animal husbandry practices;

- Increasing access to improved seeds, fertilizer and other agricultural inputs;
- Improved crop processing options and storage facilities;
- Facilitating access to markets and the buying of local crops and produce by regional buyers;
- Mechanisms for improving access to capital; and
- Entrepreneurial training and access to credit for traders and small business owners.

9. VULNERABLE SUPPORT

This Chapter outlines the general approach that will be taken in identifying and providing support to vulnerable households. It will be further detailed in the RAP(s)/LRP(s) based on more in-depth information gathered from affected households and through consultation with them. Vulnerable people are defined in Section 3.8.

For this Project, vulnerability will be considered on a household basis rather than at an individual level. The rationale is that where potentially vulnerable people are present within a household with people who are not vulnerable, then vulnerable members have sources of support and representation in resettlement planning and implementation.

Household vulnerability may be either:

- Pre-existing: present in a Project area prior to the start of Project activities; or
- Project-induced: a result of Project activities.

The Project will seek to ensure PAHs identified with pre-existing vulnerability have equal access to the benefits of RAP/LRP activities, and take steps to avoid or mitigate any instances of Project-induced vulnerability.

The RAP/LRP includes the specific approach to identifying, assessing and accommodating households with pre-existing vulnerable status, and those whose vulnerable status is project-induced. The plan will minimise risks, and mitigate impacts to vulnerable households.

Zambia's Vulnerability Assessment Committee was formed as part of the country's disaster management planning. It studies and monitors households, communities and regions and their ability to deal with external hazards/change (i.e. drought, climate change or economic crisis). The committee will be contacted and any tools that can assist with the assessment/verification of vulnerability as part of this Project, will be utilised, if appropriate.

9.1 Vulnerable Support Program (VSP)

The RAP/LRP(s) will include details of the Vulnerable Support Program (VSP) that includes three main components:

- Monitoring, identification, tracking, and follow-up of all PAHs to ensure they have access to, and benefit from, RAP/LRP activities and Project interventions. This may include special accommodations in the resettlement process (i.e. additional individual meetings, provision of special assistance in relocating their home. The vulnerable support program will monitor Project-affected communities and host communities to ensure that residents will not be made vulnerable by the Project.
- Established interventions to ensure that the execution of RAP/LRP activities minimises Project-induced vulnerability while accommodating PAHs with pre-existing vulnerability.
- Referral of vulnerable households to existing reputable community service providers (or provision of assistance to access these services) when RAP/LRP activities are unable to sufficiently address pre-existing and/or Project-induced vulnerability.

9.1.1 Vulnerable Support Program (VSP) Goals and Objectives

The VSP will focus primarily on monitoring, follow-up, and referral of vulnerable households to the RAP/LRP implementation team and / or existing community service providers.

The goal of the VSP is to identify, assess, support, and provide remedial assistance and follow-up for PAHs experiencing severe transitional hardship as a result of Project impacts. The specific program objectives include:

- Ensure that PAHs are provided with supplementary support or assistance so they can participate and benefit from RAP/LRP programs, particularly the LRIP;
- Identify PAHs who may potentially be vulnerable and ensure that they are able to participate in all aspects of the planning, implementation, and monitoring of the RAP/LRP; and
- Strengthen individual, household, and community support services.

9.1.2 Identification of Vulnerable Persons

Any PAHs displaced by Project activities, as well as those households from host communities that exhibit markers of vulnerability will be eligible to participate in the support programming outlined in the VSP. A three-stage process will be used to monitor, identify, and track vulnerability.

- Inclusion in the Project's Vulnerable Watch List using proxy vulnerability benchmarks;
- Verification through discussion with leaders or through a Vulnerable Assessment Home Visit; and
- Approval of eligibility and referral to appropriate assistance and service providers.

9.1.2.1 Vulnerable Watch List

A Vulnerable Watch List will be used to identify potentially vulnerable PAHs using broad proxy vulnerability benchmarks. The main function of the Vulnerable Watch List is to highlight households that may be vulnerable for closer monitoring and support. The Vulnerable Watch List serves as an “early warning system” to identify potential issues with RAP/LRP implementation that may result in vulnerability. Some RAP/LRP processes may be changed to accommodate individuals on the Vulnerable Watch List, no direct assistance or benefits will be provided, solely on the basis that a PAH is on the Watch List.

Proxy benchmarks should align with, but are not limited to, community and government conceptions of vulnerability. The proxy benchmarks will be reviewed and revised by Project-affected communities. Proxy benchmarks of potential vulnerability include at least the following.

- Elderly people (including widows) lacking adequate extended family support who do not own means of production;
- Single and adolescent mothers (or soon to be mothers) lacking adequate extended family support and/or means of production;
- Persons with HIV/AIDS or other chronic illnesses or disabilities who are unable to regularly engage in income generating activities; and
- Households with limited means of production but a high number of dependants (i.e. orphans).

9.1.2.2 Confirmation of Vulnerability

PAHs on the Vulnerable Watch List will be considered for a home visit to determine if they require referral for supplementary assistance. Survey data will be reviewed and leaders consulted regarding whether the PAH may indeed be vulnerable. If they may be, a home visit will be conducted. As a better understanding of vulnerability emerges, appropriate adjustments will be made to the execution of RAP/LRP activities to reflect this.

Where home visits are appropriate, they will be conducted by a representative from the Project, local health care professionals, and any relevant community support organisations. Appropriate, sustainable, support will be designed based on the causes of the PAH's vulnerability and referring them community and government care providers.

In exceptional cases, supplementary assistance provided through the resettlement implementation process could include:

- Adjustment of house designs to accommodate mobility challenged persons;

- Allocation of resettlement houses near caregivers and near central locations for elderly persons and those with mobility challenges;
- Additional training and mentorship during the provision of RAP/LRP entitlements including livelihood restoration support; and
- Exceptional assistance tailored to their needs, as deemed necessary by the RAP implementation team.

10. GRIEVANCE MECHANISM

This chapter describes the grievance mechanism that will be available for the submission and resolution of grievances (complaints or claims) related to the Project's land acquisition and resettlement processes. Notably, the grievance management process is not meant to address the collection and collation (reporting on) of stakeholder feedback that does not require an individual response. Other avenues (i.e. Project Offices and Community Liaison Officers) will be available to address general comments or requests for information.

10.1 Objectives

Objectives of the grievance redress process are:

- To provide PAPs with accessible procedures for resolving perceived or actual harm done to their well-being or their belongings as a result of Project activities, and for the settlement of disputes, including the possibility of third-party adjudication, at no cost to them;
- To identify and implement appropriate and mutually acceptable corrective actions to address complaints;
- To avoid, wherever possible, the need to resort to judicial proceedings.

10.2 Types of Grievances and Disputes

The following types of grievances are most common in resettlement planning and implementation:

- Planning:
 - Complaints about survey activities;
 - Complaints about scope / lack of information provided by the Project;
 - Claims of unfair exclusion from engagement activities;
- Entitlement processing:
 - Misidentification of owner / occupier of eligible property assets;
 - Errors in counting or measuring crops and/or other property assets;
 - Complaints about compensation entitlement rates;
 - Complaints about the entitlement policy;
- Livelihood Restoration:
 - Complaints about allocation of livelihood opportunities;
 - Complaints about training, employment and recruitment procedures.

10.3 Grievance Management Process & Resolution Mechanisms

A dedicated Grievance Officer (GO) will be appointed to coordinate the grievance resolution process. The GO will address and track grievances as they emerge and prepare internal reports. The grievance process, including how to access it, will be widely communicated to Project-affected communities.

Experience demonstrates that anyone involved in Project development should be prepared to receive grievances from affected stakeholders, either in person or through correspondence. All personnel (Project or contractor staff, local government representatives who are known to be in contact with Project staff, etc.) involved in any public aspect of the Project where they may interact with local stakeholders will receive training on how to deal with grievances. Most often the appropriate response

will be to direct the complainant to the GO so that they can relay their grievance in person. This means that personnel will always have the contact details of the GO.

Where language or other barriers to submitting a grievance directly exist, the person receiving the grievance may pass it on themselves, along with the contact information for the original complainant.

If the person lodging the grievance is unable to write, the grievance and relevant personal information will be recorded on their behalf and read back to the claimant for their approval. Once the description of the grievance has been approved by the claimant, they will mark the document with their thumbprint.

Upon receipt of a grievance (see Annex 1 General Project Grievance Form), the GO will confer with the complainant to verify that this is the first time that this particular grievance has been submitted by this complainant. If the grievance is related to a previous submission, the GO will inform the complainant of the status of that grievance and record that the grievance has been re-submitted.

Grievances will be tracked in a Resettlement Grievance Database. It will constitute a register of all grievances submitted, identifying who received the grievance, and the status of the grievance. If the grievance is new, the GO 'opens the grievance' by beginning to fill in a grievance form, and creating an entry in the Grievance Database. This form will track how the grievance is dealt with from submission through to resolution.

Open grievances will be reviewed weekly. Those that are not being resolved in a timely fashion, or have been assessed at a higher level of severity, will be referred to management, as described in **Table 9**. People who submit grievances retain their rights to, at any point in the grievance resolution process, refer their grievance to the court system as a formal judicial action.

10.3.1 Grievance Process

Following submission of a grievance or upon receipt of a grievance (i.e. by mail or email), the GO opens the case and begins the preliminary investigation. This may begin immediately if the grievance is submitted in person, or may require the GO to locate the claimant. As above, the name of the complainant and their contact details are recorded, as well as the details of the grievance.

Complainants will be presented with a standardized written acknowledgment that the grievance has been received. Once the grievance is logged and acknowledged, the significance is assessed, based on the criteria described in **Table 9**. For second, third and fourth level grievances, higher levels of management will need to be informed and involved in the grievance process.

Table 8 Grievance Significance Level

Significance Level	Type of Grievance	Responsibilities
Level 1	A grievance that is isolated or 'one-off' and essentially local in nature and restricted to one complainant. Note: Some one-off grievances may be significant enough to be assessed as a Level 4 grievance e.g. when a national or international law is broken (see Level 4 below)	Grievance Officer
Level 2	A grievance that extends to the local community or region and has occurred more than once, which is judged to have the potential to cause disruption to ZRA operations or to generate negative comment from local media or other local stakeholders	Grievance Officer & Stakeholder Engagement Manager
Level 3	A grievance which is widespread and repeated or has resulted in long term damage and/or has led to negative comment from local media, or is judged to have the potential to generate negative media and local stakeholder comments (e.g. damage to a sacred site or flooding of local school)	Stakeholder Engagement Manager & Resettlement Manager
Level 4	A one-off complaint, or one which is widespread or repeated and , in addition , has resulted in a serious breach of ZRA policies, Zambian or Zimbabwean or International Law and/or has led to negative national/international media attention, or is judged to have the potential to generate negative comment from the media or other key stakeholders (e.g. failure to pay compensation where appropriate, e.g. resettlement)	Resettlement Manager & Project CEO

The process and timeframe for resolving grievances is depicted in **Figure 10**. The Project commits to recording, assessing and acknowledging receipt of the grievance, within seven days. All grievances submitted will be investigated fully, involving other departments, contractors and senior management as required in order to fully understand the circumstances that led to the grievance being raised. The aim is to resolve any grievances within 30 days from the date that it was initially received. This timeframe can be extended to 60 days for more complex grievances (i.e. level 3 or 4 grievances), if required.

The grievance resolution process includes the following steps:

- Obtain as much information as possible from the person who received the complaint, as well as from the complainant to gain a first-hand understanding of the grievance.
- Undertake a site visit, if required, to clarify the parties and issues involved. Gather the views of other stakeholders including Project staff, if necessary and identify initial options for settlement that parties have considered.
- Determine whether the grievance is eligible (i.e. relates directly or indirectly to BGHES), and if ineligible, determine the more appropriate vehicle for addressing the issue, a full explanation as to the reasons for its ineligibility will be given to the complainant and recorded in the Grievance Database.
- If the grievance is eligible, determine its severity level using the significance criteria in Table 9. This will help to determine whether the grievance can be resolved immediately by the GO

or requires further investigation and whether senior management will need to be informed of the grievance and who specifically.

- If the grievance concerns physical damage, (e.g. crop, house, community asset) take a photograph of the damage and record the exact location as accurately as possible.
- Inform the complainant of the expected timeframe for resolution of the grievance.
- Enter the findings of the investigation in the Grievance Database.

Figure 9 Grievance Management

Process	Description	Time
Grievance Reported		
1. Identification of grievance	<ul style="list-style-type: none"> • Face to face meeting with Stakeholder (ensure they are make aware of their legal right to access court system at any point) • Phone, fax, letter or email • Recorded by ZRA staff • Completion and submission of grievance form 	1 day
2. Grievance logged and acknowledged	<ul style="list-style-type: none"> • Record grievance in Grievance Form and log on Grievance Database • Receipt of grievance acknowledged through appropriate communication medium, but to be recorded in writing 	5 days
3. Grievance significance is assessed	<ul style="list-style-type: none"> • ZRA to assess and assign grievance significance 	7 days
Investigate Grievance and Develop and Respond to Grievance		
4. Investigate Grievance and Development of response	<ul style="list-style-type: none"> • Consult with relevant parties • Identify further action required • May require site visits and discussions with other stakeholders 	28 days after receipt of grievance
5. Communication of response	<ul style="list-style-type: none"> • Response provided to complainant including, if necessary an indication of additional time and resources required to resolve grievance 	30 days after receipt of grievance
6. Complainant response	<ul style="list-style-type: none"> • Confirm with complainant that grievance can be closed, or determine what follow-up is necessary (i.e. their decision to access the court system) • If the grievance is to be closed, grievance sign-off is required. • If grievance cannot be closed return to step 2 to re-assess or recommend whether third-party arbitration is necessary 	37 days
7. Close grievance	<ul style="list-style-type: none"> • Record final sign-off of grievance according to significance 	37 days – 3 months, dependent on significance

10.3.2 Grievance Settlement and Resolution Approach

All grievances shall be dealt with on a case by case basis. Where possible, they will be addressed directly by the Project. The resolution proposal shall be respectful and considered, including the rationale and any data used in developing the proposed resolution. If wider consultation is necessary, grievances will be forwarded to a neutral, external third party.

The third party could be an existing body or one established for this purpose (i.e. Grievance Review Committee). The body would need to be well-respected, and agreed upon by both Project Management and the affected parties. It could include public defenders, legal advisors, local or international NGOs, or technical experts. In cases where further arbitration is necessary, appropriate government involvement will be requested.

10.3.3 Monitoring and Reporting

Project management will monitor grievances routinely as part of the broader management of the Project. This entails good record keeping of complaints raised throughout the life of the construction and operation of the Project. On receipt of grievances, Project management will receive electronic notification. Grievance records will be made available to management at all times, and the appropriate protocols established and followed for grievances assessed to be at a high significance level.

Monthly internal reports will be compiled by the Grievance Officer and distributed to the management team. These grievance reports will include:

- The number of grievances logged in the proceeding period by level and type;
- The number of stakeholders that have come back after 30 days stating they are not satisfied with the resolution;
- The number of grievances unresolved after 60 days by level and type;
- The number of grievances resolved between ZRA and complainant, without accessing legal or third party mediators, by level and type;
- The number of grievances of the same or similar issue;
- Project responses to the concerns raised by the various stakeholders;
- The measures taken to incorporate these responses into project design and implementation; and
- These reports and other records will be made available for external review if required.

An appropriate grievance report will be included in the Project's annual reporting. Annual reports will be made available to the public at Project offices, and an electronic copy online.

The grievance database will allow for monitoring the success of the grievance resolution process. Internally, grievance resolution timeframes will be monitored through weekly meetings between the GO and Resettlement Manager. Open grievances will be reviewed, and emergent and recurring issues discussed. Where grievances remain open beyond the established timeframe, the GO will be responsible for providing the given claimants with an explanation and an assurance that their grievance has not been lost or forgotten.

Lastly, reporting on grievances will be provided to external auditors as a component of the regular evaluations that will be conducted for the resettlement process overall.

10.3.4 Recourse to the Judicial System

Although it is hoped that all grievances will be resolved internally and through the aforementioned process, it will be communicated to stakeholders that at any time during the grievance resolution process, they retain their rights to refer their grievance to the appropriate arbitral or legal body within the Zambian judicial system.

In the event that a grievance becomes a case presented by the claimant's legal counsel, the Project's Legal Advisor will be directly responsible for responding to the claim.

11. IMPLEMENTATION ARRANGEMENTS

Chapter 12 describes the organisational arrangements and work plan required for the resettlement planning and collective negotiation phase resulting in an endorsed RAP/LRP(s).

11.1 Work Plan

The work plan consists of four phases that guide land acquisition and the management of related displacement impacts. The phases enable the Project to move from a Resettlement Policy Framework to a fully endorsed Resettlement Action Plan(s). This is followed by RAP implementation to Project completion. The work plan phases are:

- **Phase 1:** Development of a bridging strategy outlining how the RPF will be expanded into a detailed RAP(s) endorsed by Project stakeholders;
- **Phase 2:** Survey execution and collective engagement, resulting in a final, approved and fully costed RAP(s) and LRIP(s);
- **Phase 3:** RAP/LRP(s) Implementation and individual household sign-off; and
- **Phase 4:** Delivery of supportive programs

Table 9 Preliminary Work Plan presents an indicative work plan for completing the first two phases within a 10-month period, the outcome of which will be a finalized RAP(s) endorsed by Project stakeholders and completed preparations for an individual household sign-off to secure required land.

11.1.1 Phase 1: Resettlement Bridging Strategy

The resettlement bridging strategy details how the Resettlement Policy Framework will be expanded into a detailed Resettlement Action Plan. It will frame the entire resettlement and livelihood restoration process from beginning to end. As a “plan for a plan”, it will set the stage for subsequent planning and engagement activities.

The objectives of the Strategy include:

- To develop and agree to a RAP/LRP(s) planning strategy and schedule based on this RPF;
- To determine the most appropriate approach to use in terms of efficient resource deployment, stakeholder engagement;
- To develop a schedule that indicates how timelines available for the deliverables (mainly the RAP) for the Project will be met;
- To confirm the resettlement stakeholder engagement program as outlined in the RPF and based on that, provide a detailed Resettlement Stakeholder Engagement Plan;
- To confirm the organisational arrangements that will carry out planning and implementation of land access and resettlement, and livelihood restoration activities and resources required.

11.1.2 Phase 2: Planning and Collective Engagement

This phase comprises technical planning activities and engagement activities designed to verify and quantify displacement impacts and confirm the general terms and conditions that will guide land acquisition resettlement. It includes the declaration of a cut-off date, planning and implementation of a comprehensive census and asset survey.

This phase results in a RAP/LRP(s) that confirms the location of all project components, and further specify the procedures that the Project will follow and the actions that it will take to mitigate and redress adverse effects. It details how the Project will compensate for losses, provide development benefits to those affected, and otherwise manage displacement impacts.

The quantification of impacts will be accompanied by a first order estimate of costs and a schedule for resettlement.

The content of the RAP/LRP(s) will build on the Resettlement Policy Framework with significantly more detail regarding compensation eligibility and entitlements (i.e. specific crop compensation rates), supportive programs, and implementation procedures. The RAP/LRP(s) will follow the outline below:

- Include the introduction section of the RPF. The introduction describes; the Project setting, measures taken to avoid or reduce the scope of displacement, the need for resettlement, and the overall approach to and principles guiding resettlement planning and implementation;
- Characterise baseline conditions among those directly affected by Project land-take, building on information collected as part of the ESIA baseline and presented in the RPF, with information collected through the census and asset inventory;
- Quantify impacts of land acquisition (i.e. number of properties, structures, people, crops);
- Identify and analyse resettlement stakeholders and describe the engagement activities that have been undertaken as part of RAP/LRP preparation, including the identification of vulnerable people and groups, and the mobilisation and ongoing management of the resettlement steering committee and forums;
- Confirm eligibility and entitlement policies as described in the RPF, and finalise entitlement matrix;
- Define cash compensation policies, rates, and related procedures, and demonstrate how the rates meet the definition of “full replacement value”;
- Describe the resettlement assets to be delivered, including final resettlement site(s) and host communities, as well as conceptual plans of communities and house designs, if required (or details of the Assisted Self-Resettlement Option);
- Describe the livelihood restoration and vulnerable support program, and the implementation partners and model of program delivery;
- Summarize the grievances received to date and their status;
- Confirm details of the monitoring and evaluation program to ensure that the objectives of the resettlement process are met in accordance with international standards and national laws and regulations.
- Confirm the organisational arrangements for implementation of the RAP/LRP(s), including work plan, schedule and budget estimated for the implementation of the RAP/LRP(s).

11.1.3 Phase 3: Implementation and Individual Engagement

This phase results in individual household agreements, which reflect the general terms and conditions documented in the RAP/LRP and the results of the census and asset survey exercise. The resulting agreement should specify all compensation due to the individual household and will be signed by the affected household’s representative, the Project representative, and potentially, village representatives. By the end of this phase, the Project secures access to the land that it requires to develop the Project. Those affected receive all their entitlements and those physically displaced are relocated, in accordance with the terms and conditions outlined in the RAP/LRP(s).

11.1.4 Phase 4: Delivery of Support Programs

This phase includes implementation of agreed livelihood restoration, vulnerable assistance and ongoing monitoring. All of which continue until those affected have been able to restore their livelihood and establish an improved quality of life, confirmed through a completion audit undertaken by an external third party.

11.2 Organizational Arrangements

Figure 10 RAP Planning and Implementation Team presents a preliminary organizational chart outlining the resources required to develop the RAP/LRP(s). As noted above the final team structure will be confirmed as part of the development of the Land Acquisition and Resettlement Bridging Strategy in Phase 1. The team resources will be adjusted as necessary for Phases 3 and 4.

The Resettlement Team is comprised of ZRA staff, government staff and third party service providers. The Team's role is to lead the stakeholder engagement process, undertake technical work in support of the resettlement process, check that international standards are met, and prepare the RAPs/LRPs. Proposed roles and responsibilities are outlined below

11.2.1 Management:

- Resettlement Manager: will manage the Resettlement team's activities, guiding the engagement process and technical work streams and overseeing preparation of the RAP/LRP(s) documents. The Resettlement Manager will be a member of the Resettlement Steering Committee.

11.2.2 Survey and Data Management Groups:

- Data Management Coordinator and GIS Specialist, who will be responsible for managing the database / GIS, reporting on surveyed data, and supporting the engagement and negotiations process;
- Survey Management Coordinator, who will plan and administer the census, livelihood survey, and immoveable asset inventory in accordance with international and national standards, and oversee the QA/QC process;
- Social Surveyors, who will administer the census and livelihood surveys to all displaced households;
- Asset Surveyors, who will administer the immoveable asset inventory (lands, crops / trees, buildings, other built improvements) to all displaced households, together with the valuers; and
- Data Entry Clerks, who will enter gathered data into the database / GIS.

11.2.3 Stakeholder Engagement Group:

- Engagement Coordinator, who will manage the leadership forums and community feedback meetings, planning and implementing the stakeholder engagement plan, and administering the grievance management system;
- Community Liaison Officers, who will support the Engagement Coordinator in the above; and
- Grievance Officer, who will manage the grievance management system.

11.2.4 Physical Resettlement Planning and Design Support Group:

- Construction supervisor and assistants will oversee the self-build program. If a full resettlement is required a larger team of planning, design and engineering specialists will be required. This assumes that physical resettlement is limited and an assisted self-resettlement option is the most appropriate for the Project.

11.2.5 Livelihood and Vulnerable Support Group:

- Livelihood Restoration Coordinator, who will assist the Resettlement Manager in coordinating the Team's activities and in documenting and reporting on the process;

- Sector Specialists (e.g. agricultural and livestock specialists), who will support the Livelihood Restoration Coordinator in planning appropriate programs and activities in support of land-based livelihoods as per the RAP/LRP(s) and its LRIP; and
- Vulnerable Support Officer, who will lead delivery of Project vulnerable support and monitoring measures.

11.2.6 Financial Management Group

- A Finance Manager will be responsible for ensuring a reliable system of calculating and processing cash compensation payments is established and appropriate checks and balances are in place.

Figure 10 RAP Planning Team

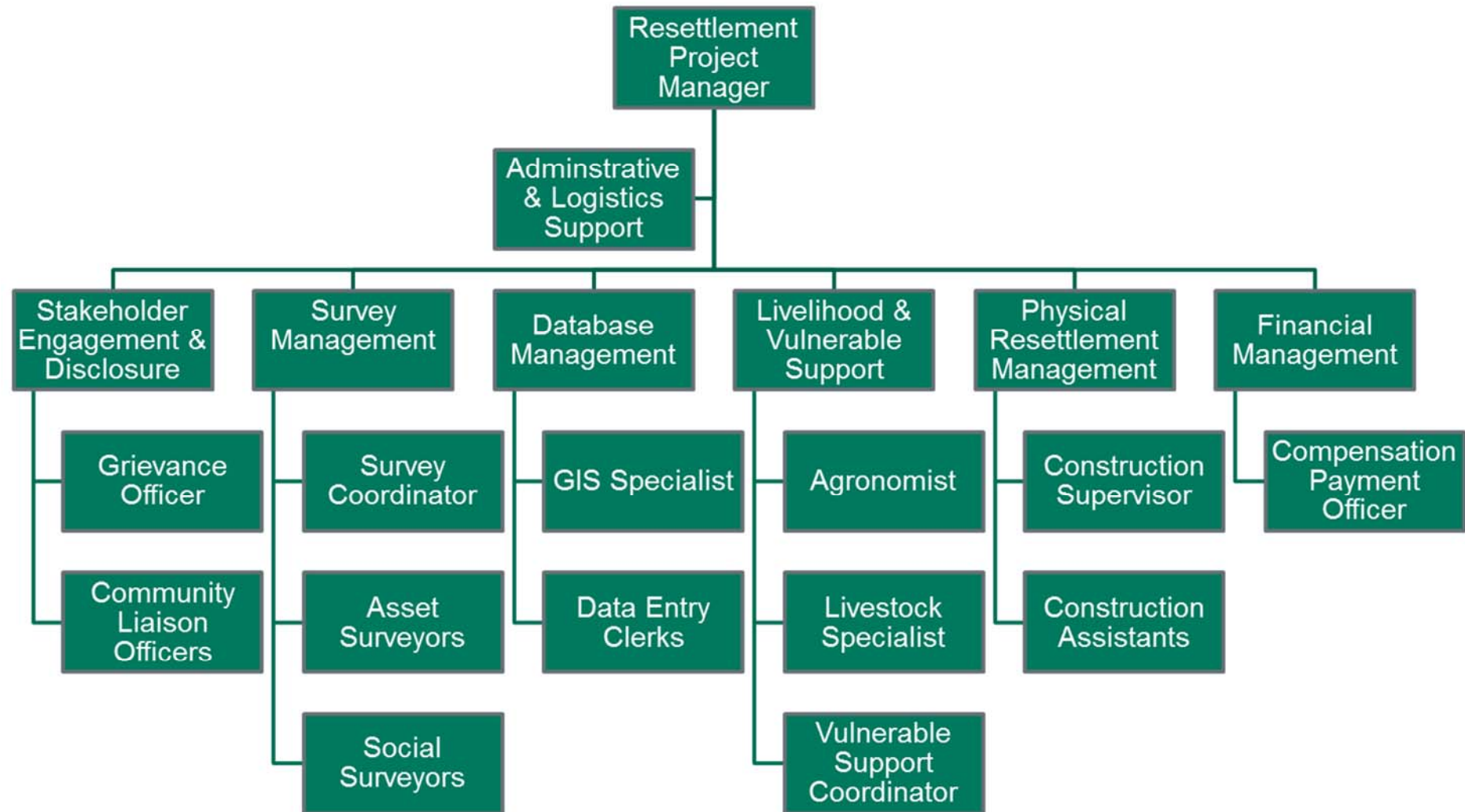


Table 9 Preliminary Work Plan

Table 10 RAP Indicative Work Plan

		Month 1	Month 2	Month 3	Month 4	Month 5	Month 6	Month 7	Month 8	Month 9	Month 10
PHASE 1 BRIDGING STRATEGY											
1.0	Develop Land Acquisition & Resettlement Bridging Strategy										
	Prepare & Update Project work plan and schedule										
	Present Strategy & Secure Approval from ZRA										
PHASE 2 PLANNING AND COLLECTIVE NEGOTIATIONS											
1.0	MANAGEMENT										
1.1	Mobilize Resettlement Planning Team										
1.2	Establish & Manage Resettlement Planning Process										
1.3	Detail Stakeholder Engagement Program (SEP) for Phase 2										
2.0	STAKEHOLDER ENGAGEMENT										
2.1	Mobilize and Manage Resettlement Steering Committee										
2.2	Establish and Operationalize Leadership & Community Forums										
2.3	Operationalize Grievance Management System										
3.0	TECHNICAL WORK STREAMS										
3.1	Confirm Project Description and Displacement Impacts										
3.2	Design census and asset survey instrument, methodology and database / GIS										
3.3	Mobilize and train survey teams and observers										
3.4	Issue cut off date										
3.5	Implement surveys enter data and check										
3.6	Confirm Eligibility and Entitlement Policies & Packages										
3.7	Engage valuers to investigate compensation rates										
3.8	Finalize compensation rates and define related processes (i.e. payment process)										
3.9	Define In Kind Entitlements										
3.10	Select and secure resettlement sites, if required										
3.11	Undertake conceptual planning and design of replacement assets, if required										
3.12	Define in-kind entitlements for supervised self-build option, if required										
3.13	Undertake conceptual planning and design of replacement assets										
3.14	Plan permitting, approvals, design, tendering, construction, and handover process										
3.15	Finalize details of Assisted Self-build Resettlement Option										
3.16	Undertake inventory of gov't programs/services; NGO's; donors										
3.17	Assess potential implementing partners										
3.18	Define Supportive Programs										
3.2	Confirm RAP implementation costing										
4.0	FINALIZE RAP/LRP										
4.1	Present RAP/LRP to RSC, RSLP & CCF										
4.2	Finalize RAP & LRP in light of any comments received								*		
PHASE 3: IMPLEMENTATION AND INDIVIDUAL HOUSEHOLD SIGN-OFF											
1.1	Re-Tool Team & Prepare for Phase 3 Implementation										

12. MONITORING AND EVALUATION

Monitoring and Evaluation (M&E) of resettlement activities is carried out so that the RPF and RAP/LRP(s) objectives can be met and implemented in accordance with Project objectives, Zambian Law, and international resettlement standards. M&E provides Project management, lenders and other key stakeholders with information on whether resettlement, livelihood restoration and land acquisition initiatives are on schedule.

M&E is firmly rooted in a participatory approach that involves the direct and active participation of displaced persons and stakeholders, and the incorporation of their feedback into the Project's land acquisition and resettlement activities. The tiered engagement and consultation approach described in Chapter 4 is designed to ensure community participation in the planning and implementation of the overall compensation and resettlement process.

Monitoring of resettlement and compensation activities is conducted both internally and externally. Internal monitoring focuses on inputs and outputs, observing the short-term changes in different indicators. External evaluation focuses on processes and outcomes, using the findings of internal monitoring, as well as investigations completed by external, third party organisations.

M&E activities continue until it can be demonstrated that displaced persons have successfully re-established their livelihoods and restored their quality of life. This is confirmed through a completion audit.

12.1 Internal Monitoring

An internal performance and impact monitoring system will be developed to regularly track and report on the following:

- Progress against the detailed RAP/LRP implementation schedule such as:
 - Number of individual household sign-offs completed;
 - Number of affected households receiving full cash compensation entitlements;
 - Number of replacement land plots acquired and physically displaced people adequately re-housed; and
 - Livelihood restoration measures initiated and completed.
- Alignment with overall Project schedule and budget;
- Verification that vulnerable households have received agreed additional assistance;
- Review of grievances submitted including analysis of trends which may require program adjustments; and
- Stakeholder engagement milestones achieved.

Internal progress monitoring reports will be prepared at regular intervals beginning with the commencement of implementation activities. The frequency of reporting will depend on the stage of the implementation of the RAP/LRP(s), with more frequent reporting likely during the earlier phases to ensure implementation is on track.

Outcome monitoring assesses the effectiveness of the RAP/LRP(s) and associated programs in supporting Project-affected people in re-establishing their livelihood. It requires a different approach, typically involving surveys of affected households and focus groups to collect information. The collected data can be compared with baseline data prior to resettlement in order to better understand:

- Changes in quality and quantity of agricultural production and livestock holdings/health compared with pre-Project levels;
- Changes in household income levels;

- Changes in household expenditure patterns;
- Changes in asset ownership / quality / size;
- Changes in disease incidence; and
- Satisfaction of affected communities with the resettlement initiatives.

The timing of the outcome monitoring takes into consideration the implementation schedule, and assists the Project Implementation Team in making program adjustments and preparing for external evaluations.

12.1.1 Monitoring of Physically Displaced Households

For households that have been physically displaced, post-displacement monitoring will be conducted within the first year after the move. A mid-term evaluation will be conducted for all physically displaced PAHs typically three years after displacement. A final long-term evaluation will be conducted for the same group of households. This is typically five to seven years after displacement, but will be determined for each RAP/LRP(s) in turn. The purpose of the monitoring is to verify that the Project-affected population have attained a standard of living at least equal to the situation prior to the resettlement process.

12.1.2 Monitoring of Livelihoods Restoration

Post-displacement monitoring should follow up with those economically displaced households participating in the Project's livelihood restoration and improvement programs beginning two years after compensation payments have been made and livelihood assistance delivered. The purpose of the monitoring is to assess their socio-economic quality of life. It also serves to identify households who may have restored their livelihoods after impact mitigation activities have ended, but for whom residual effects may persist. Based on the analysis of data collected within the livelihood restoration programs an assessment can be made whether affected households have been given a reasonable opportunity to restore their livelihoods. This mid-term assessment will help to identify general trends as to whether or not the livelihoods programs are having success, and whether or not PAPs are on course to restore their livelihoods. This will guide the course for taking corrective action, as needed.

In order to document whether livelihoods have been fully restored, a long-term evaluation should take place typically 5-7 years after displacement. If the livelihoods of the vast majority of households have been restored, the RAP/LRP and its LRIP implementation can be considered complete.

12.1.3 Vulnerability Monitoring

The primary objective of vulnerability monitoring is to avoid the occurrence of project-induced vulnerability, and if it occurs, to mitigate this through support measures and follow-up monitoring. It is important to monitor effects on PAHs who are especially vulnerable to negative impacts and who, without special consideration, may not receive a proportionate share of Project benefits.

International standards stipulate that:

- Project proponents identify individuals and groups that may be differentially or disproportionately affected by the project because of their disadvantaged or vulnerable status;
- Project sponsors assess potential impacts on these individuals and groups and propose as necessary, specific measures and accommodations to address potential impacts; and
- Project monitoring track the well-being of these individuals and/or households on a disaggregated basis.

Data collected from all households will be analysed periodically to identify households who's pre-existing vulnerable status may be exacerbated as a result of the Project, or who may become vulnerable due to Project displacement.

12.2 External Monitoring and Completion Audit

External resettlement monitoring and evaluation supports and strengthens a Project's internal monitoring system, and is conducted by an independent third party. The key objective is to determine whether Project efforts to restore / improve the living standards and livelihoods of the affected communities have been formed and applied. The audits verify that all physical inputs committed to in the RAP/LRP(s) have been delivered and all livelihood restoration measures provided. In addition, the audits evaluate whether the mitigation measures prescribed in the RAP/LRP(s) and any corrective actions developed and implemented since the RAP/LRP(s) have had the desired effect.

The BGHES will have a third-party auditor undertake annual reviews during Project implementation to assess compliance with commitments contained in both the RPF and the more detailed Resettlement Action Plan (s). They will provide the Project Implementation Team with recommendations for improving RAP implementation and addressing any gaps. They will also determine when the final RAP/LRP completion audit should be performed to determine the following:

- Assess the effectiveness of measures to avoid and minimise displacement impacts by comparing those identified in the RAP/LRP(s) with actual impacts on people and land;
- Verify that implementation complies with applicable international policies;
- Verify that all entitlement and commitments described in the RAP/LRP(s) have been delivered;
- Assessment of the fairness, adequacy and promptness of the compensation and resettlement procedures as implemented;
- Determine whether the measures identified in the RAP/LRP(s) have been effective in restoring and enhancing affected peoples' livelihood and quality of life, particularly for those households who have been physically displaced;
- Check on any systemic grievances that may be outstanding; and
- Identify any corrective actions necessary to achieve completion of RAP/LRP(s) commitments.

13. ANNEXES

13.1 Annex 1 Grievance forms

To be completed by ZRA personnel (if grievance being submitted in person) or person submitting complaint

Grievance Record	
Reference No: (for official use)	
Full Name	
Contact Information Please mark how you wish to be contacted (letter, telephone, e-mail).	<input type="checkbox"/> Address/village/traditional authority and ward: _____ _____ _____ _____ <input type="checkbox"/> Telephone: _____ <input type="checkbox"/> E-mail: _____
Preferred Language for communication	
Description of Incident or Grievance: What happened? Where did it happen? Who did it happen to? What is the result of the problem?	
Date of Incident/Grievance	<input type="checkbox"/> One time incident/grievance (date _____) <input type="checkbox"/> Happened more than once (how many times? ____) <input type="checkbox"/> On-going (currently experiencing problem)
What would you like to see happen to resolve the problem?	
Additional Comments:	

13.1.1 Grievance Record

– to be used as part of the database

Grievance Record			
Grievance Number:	Date Submitted:	Target Date for Resolution:	
Name:			
Address and Contact Details			
Grievance Received By:			
Name of Grievance Coordinator:			
Description of Grievance:			
Assessment of Grievance Level:		Notification to CEO or other senior management?	Y/N
Actions to Resolve Grievance			
Delegation to:			
Action	Who	When	Completed Y/N/Date
Response/Resolution:			
Strategy to Communicate Response:			
Sign-Off:			
Date:			
Conclusion			
Is complainant satisfied?	Y/N	Comments from Grievance Coordinator	
Grievance Closed?	Y/N	Grievance Resubmitted?	Y/N
Signature of CEO:		Date:	
Date:		New Grievance Number:	

13.1.2 *Grievance Receipt Form*

– to be used to acknowledge grievances submitted

Grievance Receipt Form		
Grievance Number:	Date Submitted:	Target date for initial meeting to address grievance:
Name:		
Address and Contact Details		
Grievance Received By:		
Name of Grievance Coordinator:		
Contact details of Grievance Coordinator	Telephone: Email: Address:	

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