1.5 Resettlement Action Plan Objectives

Involuntary resettlement can be defined as any resettlement that occurs, “[…] without the informed consent of the displaced persons or if they give their consent without having the power to refuse resettlement” (IFC, 2002:p.ix). Encapsulated under the term ‘resettlement’ is either physical household resettlement, or economic displacement. Physical household resettlement refers to physically moving households from one location to another. Economic displacement refers to a scenario where households and/or individuals lose access to assets such as land, trees or livestock which enabled them to derive an income from it. Economic displacement also refers to the loss of access to resources, such as land, water or forests (inter alia).

By reflecting upon past resettlement cases in Mozambique (refer to Chapter 3), this RAP equips the proponent with strategies to improve the livelihoods of the PACs and PAP in the following ways:

I. To achieve compensation rates (as well as separate assistance allowances) that are agreed upon by all the parties (the PAP, the proponent and the relevant government authorities) involved in the process;

II. In addition to compensation, to ensure that those affected receive alternative land of the same value, or with the same productive potential, with new fields that can be adequately prepared for beneficiary farmers by the proponent during the land acquisition period;

III. To ensure that those affected can continue with their farming practices on their new land and at the previous level of cultivation;

IV. To reduce the levels of social stress normally associated with any displacement process; stresses which can lead to morbidity (especially amongst the young and elderly) and psychological trauma;

V. Warranting that access to natural resources is, as far as reasonably possible, not impeded; and

VI. Above all, to ensure that no farmer and/or household to be affected suffers from food insecurity as a consequence of economic displacement.

1.6 Resettlement Action Plan Study Team

The following members comprised the social team for this RAP process:

Table 1.4: Resettlement Action Plan (RAP) Study Team

<table>
<thead>
<tr>
<th>Name</th>
<th>Position</th>
<th>Qualification and Experience</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mr Dinis Napido</td>
<td>Twigg Exploration &amp; Mining Lda. Country Manager</td>
<td>Dinis has 25 years' experience in minerals and resources as an exploration geologist. He has worked specifically in gold, precious and base metals, as well as industrial mineral mining. Previous roles include leading exploration campaigns as project geologist and exploration management. Dinis has a strong foundation of knowledge regarding the mining industry in Mozambique, policies and regulations, and many connections within the local Mozambican community.</td>
</tr>
<tr>
<td>Mr Cabral Mutiquinhene</td>
<td>Twigg Exploration &amp; Mining Lda. Senior Administration Manager</td>
<td>Mr Mutiquinhene has a degree in Management and Program Development, whilst in the process of obtaining a degree in Human Resource Management. Currently, he is working for Twigg Exploration and Mining as a Senior Administration Manager. He has over 12 years of experience distributed in the program management and operation fields, including finance, human resources, payroll, logistics and procurement and community project development.</td>
</tr>
<tr>
<td>Mr Célio Panquene</td>
<td>Twigg Exploration &amp; Mining Lda. Community</td>
<td>Mr Célio Panquene holds Bachelor degree from the Faculty of Arts and Social Sciences, Eduardo Mondlane University (UEM), Mozambique. He also holds Professional Master’s Degree in Sustainable Development Practice from the Federal Rural University</td>
</tr>
<tr>
<td>Name</td>
<td>Position</td>
<td>Qualification and Experience</td>
</tr>
<tr>
<td>-------------------------------------------</td>
<td>-------------------------------</td>
<td>-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Dr AM Ted Avis (CES Managing Director)</td>
<td>Study Leader</td>
<td>Dr Avis holds BSc, BSc (Hons) and PhD degrees in Botany from Rhodes University in South Africa. He has worked as a professional environmental and social consultant for more than 20 years, and is an internationally recognised expert in these fields. He has project managed numerous large-scale Environmental Impact Assessments (EIAs) to World Bank and IFC standards in African countries, and a number of Strategic Environmental Assessments (SEAs) for a range of government, parastatal and private clients in South Africa. He has been the principal environmental/lead consultant for several very large mineral mining developments in a number of African countries, including the Corridor Sands (Chibuto) and Moma projects in Mozambique, Toliara Sands in Madagascar, Tionin Mineral Sands in Kenya, El Burullus in Egypt, and the Trident Copper Mine in Zambia. He has also managed integrated environmental studies of similar scope in Malawi and elsewhere in Africa. Moreover, Dr Avis provides professional courses in EIAs at Rhodes University, where he is also an honorary senior lecturer in the Environmental Science Programme. He has published extensively in the field of EIA, and has been a principal of CES and managing director since its inception.</td>
</tr>
<tr>
<td>Mr Jan Anton Hough (CES Social Scientist)</td>
<td>Project Manager &amp; Principal Report Writer [Social Scientist]</td>
<td>Jan Anton Hough is a social scientist primarily involved in social baseline studies, SIAs, Social Management Plans, RAPs and social due diligence gap-analysis. His academic qualifications and accomplishments include an MA (Sociology) obtained from the University of Stellenbosch in South Africa, and two published ISI-listed academic publications in Social Dynamics and The South African Geographical Journal, followed by one forthcoming manuscript currently being reviewed in the South Africa Journal of Science. In CES, some of the projects which he has been involved in to date include a RAP for Equatorial Palm Oil in Liberia, an SIA for Samshi Africa Limited in Sierra Leone and social due diligence gap-analysis in accordance with the Performance Standards of the IFC. Prior to his work at CES he gained experience as a social scientist in the mining and community development sectors, but also the socio-environmental arena; in which latter connection he has published web-based articles on socio-environmental concern in Africa.</td>
</tr>
<tr>
<td>Mr Lungisa Bosman (CES Social Scientist)</td>
<td>Social Scientist</td>
<td>Mr Bosman holds a Bachelor of Social Science (1993) from U.C.T, with majors in Public Administration &amp; Sociology, and a Post Graduate Diploma in Organisation and Management. Over the past five years Lungisa has gained considerable experience in social facilitation and community education. He is currently working full-time as a consultant for Coastal &amp; Environmental Services involved in a number of Impact Assessments, and particularly in the co-ordination and facilitation of the public participation process, and stakeholder engagement and management. Some of the projects where he has brought his facilitation skills to bear include the ADM and Chris Hani State of Environment studies, the Coffee Bay tourism development viability studies, and numerous EIAs and scoping studies. His mother tongue is isiXhosa.</td>
</tr>
<tr>
<td>Ms Carina Saranga (CES Administrative Assistance in Mozambique)</td>
<td>Social Scientist, Community Liaison &amp; Translator</td>
<td>Ms Carina Saranga holds a B.Sc. Degree in Law with majors in Public Law (2011), obtained at St. Tomas University in Mozambique. She is currently finalising her B.Sc. Honours thesis studying the “Complexity of the Resettlement Process in Mozambique”. Carina joined CES in 2013 where she is involved in the preparation and coordination of the public participation process, as well as in field survey and coordination of resettlement projects. Prior to that, she worked as a public participation assistant liaising with a variety of stakeholders.</td>
</tr>
</tbody>
</table>
1.7 Report Structure

The report was drafted to adhere strictly to Mozambique’s Regulation on the Resettlement Process Resulting from Economic Activities (Decree 31 of 2012). According to these regulations, the following sections should be included in this report (GoM, 2012:p.14):

I. An analysis of the socio-economic profile of the affected households;
II. An evaluation and analysis of the tangible and intangible goods;
III. A well-defined definition of the degree of displacement/resettlement and the methods employed to study the affected population;
IV. Definition of the compensation criteria;
V. A presentation of the solutions and technical alternatives to enable the improvement of households’ current living standard of the affected households.

In addition, the IFC PS 5 on Land Acquisition and Involuntary Resettlement was used to supplement the report with resettlement good practice guidelines to enable the report to be a more comprehensive tool for implementation.

This report is structured as follows.

Chapter 1 highlighted the proposed project, followed by the project rationale. The RAP study team was also introduced.

Chapter 2 commences by outlining the displacement-related legislation, policies and guidelines that need to be assessed and followed by the proposed project.

Chapter 3 provides details on the stakeholder engagement that was conducted as part of this RAP. The chapter also elaborates upon the methodology that was employed to draft the report, as well as provides guidelines for the proponent to use throughout the implementation of the displacement process.

Chapter 4 includes the identification of project impacts and the affected population. Largely, this chapter provides the census data of the Socio-Economic Baseline Study (SEBS) and landholding assessments conducted inside the mine’s AoI.

Chapter 5 draws upon the previous chapter to define the affected farmers and expected losses.

Chapter 6 contains measures for restoring and improving the livelihoods of the affected people.

Chapter 7 provides a compensation and entitlement framework by providing a method for valuing assets. Such assets include crops, trees, structures and/or communal resources (amongst others).

Chapter 8 elaborates upon Chapter 7 by providing a mechanism for the implementation of the RAP and the delivery of household entitlements.

Chapter 9 equips the proponent with strategies to monitor and evaluate the outcomes of this RAP process, such as to undertake future re-validation surveys, socio-economic surveys, a longitudinal (i.e. over a long period) nutritional study and external evaluation.

Chapter 10 provides an estimated budget for the implementation of the RAP.

Chapter 11 concludes the report.
2. LEGAL FRAMEWORK

2.1 Introduction

The following chapter provides an overview of the most relevant Mozambique legislation, as well as international standards, guidelines and frameworks that are deemed relevant to this RAP. The following legislation is discussed in this chapter:

Table 2.1: Legal Framework

<table>
<thead>
<tr>
<th>Mozambique Legislation</th>
<th>Date of Enactment (or amendment)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Constitution of the Republic of Mozambique</td>
<td>Enacted in 2004</td>
</tr>
<tr>
<td>Regulations on the Resettlement Process resulting from Economic Activities</td>
<td>Decree 31/2012</td>
</tr>
<tr>
<td>Mining Act</td>
<td>Law 13/2002</td>
</tr>
<tr>
<td>Mining Law Regulations</td>
<td>Ministerial Decree 28/2003</td>
</tr>
<tr>
<td>Land Act</td>
<td>Law 19/1997</td>
</tr>
<tr>
<td>Land Act Regulations</td>
<td>Decree 1/2003</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>International Frameworks and Guidelines</th>
<th>Date of Enactment (or Amendment)</th>
</tr>
</thead>
<tbody>
<tr>
<td>World Bank’s Operational Procedure 4.12 On Involuntary Resettlement</td>
<td>2013</td>
</tr>
<tr>
<td>International Finance Corporation Performance Standards 5 and 8</td>
<td>2012</td>
</tr>
</tbody>
</table>

It should be noted that only the legislation, frameworks and guidelines relevant to resettlement are considered in this chapter. The SIA considered a wider range of relevant policies, frameworks and guidelines that pertain to the overall social considerations of the project (cf. CES, 2013a).

2.2 The Resettlement Action Plan Process in Mozambique

According to Mozambique’s Regulations on the Resettlement Process Resulting from Economic Activities(2012), the approval and implementation of a RAP precedes the issuance of an Environmental Permit from Mozambique’s Ministry of Environmental Coordination (Ministério para a Coordenação da Acção Ambiental, or MICOA). Figure 2.1 below provides a diagram that illustrates where the RAP fits into the EIA process, according to Mozambique’s Mining Act of 2002 and Mining Law Regulations (2003).
As explained in Figure 2.1 above, the RAP process is normally conducted in parallel with the EIA. However, the RAP report is submitted and approved at the District Government-level, whereas the EIA is approved by MICOA at provincial-level. Therefore a final RAP report (in Portuguese) is delivered to MICOA as an annexure of the EIA study, whilst four copies of the report should also be delivered to the National Directorate of Territorial Planning and Organisation (DINAPOT), a division of MICOA.

2.3 Mozambican Legislation

2.3.1 Constitution of the Republic of Mozambique of 2004

The first piece of legislation in Mozambique that deals with the rights of each Mozambican is the country’s constitution of 2004.

The Constitution of Mozambique embodies the new democratic rule of the country, and recognises its independence as well as the challenges it faces after the civil war. It lays down the structural parameters for the country’s growth and modernisation, and reaffirms the participation of organisations to ensure and respect the fundamental rights and liberties of the country’s citizens. Of particular importance to this RAP are Mozambicans’ fundamental rights, duties and freedoms. Here, each citizen’s rights are promoted, as well as the rights of communities, and especially children. The freedom of expression is also enshrined, which basically means that every person affected by the project has the right to express their opposition to the development, and to voice
his/her concern. This is especially relevant during the RAP process, as it means that all the PAPs need to be able to express their issues and/or concern with the project.

The Constitution also formulates principles of fair compensation if land is expropriated. On Economic, Social and Cultural Rights and Duties (Chapter V), the Constitution clearly elucidates that:

“The State shall recognise and guarantee the right of ownership of property”; and “Expropriation may take place only for reasons of public necessity, utility, or interest, as defined in the terms of the law, and subject to payment of fair compensation”

(GoM, 2004: p.26)

Under Article 90 of Chapter V, the importance of protecting the environment and the rational use of natural resources are also highlighted. Alongside this clause is also the constitution’s emphasis on the agricultural sector, which the GoM sees as the basis for the country’s national development. In support of this, Article 106 of Chapter V also recognises the contribution of small-scale production to the national economy, which the country promotes and supports in order to develop its citizens.

2.3.2 Regulations on the Resettlement Process resulting from Economic Activities

Mozambique’s Regulations on the Resettlement Process resulting from Economic Activities were passed in 2012. The regulations consist of 28 articles which basically formulate the procedures for any resettlement in Mozambique, and especially articulate the assistance required from government during a resettlement process. This legislation was the basis upon which this RAP and the community engagement procedures were built and structured. These regulations were also used by the social team to inform the PACs of their rights with regard to economic displacement, as outlined under articles 10 and 14. Although all the regulations are highly relevant to the project at hand, the following articles were used to structure most of the RAP procedures at community level:

➢ Articles 6 and 7: A Technical Committee

Any resettlement project in Mozambique needs to be enacted and driven through an established technical resettlement committee/commission which comprises of various representatives from a selection of government bodies and local representatives. Specific functions are assigned to this committee/commission, all of which allow the government, through this committee, to be at the centre of the resettlement project and decisions which have to be made. This commission has already been established in the Balama District, referred to as the District Resettlement Commission.

➢ Articles 8

The following stakeholders should participate in the resettlement process (for which purposes the Balama Technical Working Group, or TWG, was established):

- Five representatives of the affected population;
- One representative of Civil Society;
- Three community leaders; and
- Two representatives of the private sector.

➢ Articles 10 and 14: The Rights of the Affected Population and Right of Information

In EOH CES’ experience, it is of pivotal importance for a resettlement project to articulate the constitutional rights of those affected, through the medium of public meetings. Having knowledge of one’s own rights is vital, as this enables PAP to voice their concerns and/or issues during the process (as they then know how to do so). Article 10 lays down some basic, fundamental human
rights as these pertain specifically to resettlement. These rights are elaborated upon under Article 14. Some of the most important rights include people’s rights to:

- “Have re-established their income level, to equal or higher than that before the resettlement;
- Have restored their living standard to equal or higher than before the resettlement;
- Have space to perform their subsistence activities; and
- Give opinion in the whole resettlement process” (2012:p.5).

➤ Article 12: Responsibilities of Central and Local Levels of Government

Article 12 delineates the responsibilities of central and local government. Some of these responsibilities include the Land-Use Planning Sector’s responsibility to provide technical assistance to the implementation in matters related to land-use planning, as well as to monitor the resettlement process.

➤ Articles 13 and 22: Public Participation and Consultation

Public participation is central to the success of a resettlement project. Both these articles articulate specific requirements which this RAP should adhere to in this regard.

2.3.3 National Heritage Protection Law of 1988

The project might affect and/or disturb areas of cultural significance, such as some grave sites. Therefore, the National Heritage Law of 1988 is applicable. Furthermore, in terms of cultural heritage, the Regulations on the Protection of Archaeological Heritage Property (1994) state that the Ministry must be consulted in the event where archaeological material is found in the project’s AoI. No archaeological material was found inside the mine’s AoI.

2.3.4 Mining Act of 2002

The Mining Act of 2002 exercises rights and obligations with regard to the use of the country’s minerals resources. The Act takes into account the environment in such a way as to see to its rational utilisation for benefiting the national economy. Underwritten by the Act are principles that govern safe mining practices, regulatory frameworks for monitoring environmental quality, as well as measures to enhance sustainable development in the long-term, in light of exploring Mozambique’s natural resources. Of particular importance is Article 18, under the Title Holder Obligations, which states that the project developer will compensate land users for “[…] any damage caused to the land and property as a result of the mining operations” (GoM, 2002: p.10).

In addition, the Act provides authority for the Land Act No 19/97 to govern all land-use and occupancy matters as related to the mining activity.

2.3.5 Mining Law Regulations of 2003

The Mining Law Regulations of 2003 were established to regulate any mining activity that falls under the Mining Act of 2002. The regulations consider the granting of mining titles and permits and the demarcation of mining areas. Of importance to this RAP is the fact that the regulations also make allowance for any party to lay a claim against the mining development.

2.3.6 The Land Act No 19/97 and Decree No 66/98

The project will affect customary land, meaning that the Land Act of 1997 is applicable. The law provides the legal framework for land ownership, as well as the control of land and natural resources in Mozambique. The process of determining land rights is also explained by this law.
The law was created with the intention of encouraging the use and benefit of land, such that it contributes to the development of the national economy. The law establishes the terms under which all activities - relating to the right of land-use and benefits - operate (Article 2). It provides the basis for defining people’s land-use rights, and gives details on these rights based upon customary claims and the procedures for the acquisition of title for use and benefits by communities and individuals. The law recommends a consultation-based process that recognises customary rights as the means for identifying the claims of communities and individual members of communities without title.

Article 24 identifies that, in rural areas, local communities need to participate in:

a) The management of natural resources;
b) The resolution of conflicts;
c) The process of obtaining title as established in No. 3, of Article 13 of the Land Law; and
d) The identification and definition of the boundaries of the land they occupy.

In the first two activities (a and b), local communities rely on, among others, customary practices.

The Land Law also defines that the right to use land may be acquired through occupation by Mozambican individuals who have been using the land in good faith for at least ten years. The law therefore recognises and protects the rights of individuals to land acquired through inheritance or occupation (customary tenure), except in legally defined reserves or areas where land has been legally transferred to another person or body. All citizens have equal rights and duties according to the law.

Existing rights to use land may be terminated through revocation of such rights for reasons of public interest, after the payment of fair compensation, in which case the non-removable improvements will revert to the state.

Foreign individuals or corporate persons may be holders of a right to land-use and benefit, provided they have an investment project that is approved under the investment legislation and they are established or registered under the GoM (Article 11). Total and partial protection zones are part of the public domain, and no right of land-use or benefit can be obtained in these areas (Articles 7 and 9). Total protection zones include those areas specifically intended for conservation or preservation activities, whilst access to partial protection zones requires special licenses, which may be issued for specified activities.

For the purposes of economic activities, the right of land-use and benefit is subject to a maximum period of 50 years, which can be renewed for an additional 50 years (Article 17). The approval of an application for the right of land-use and benefit for economic activities does not preclude the need for licensing and authorisation required by:

a) The legislation relevant to the intended economic activity (e.g. tourism); and
b) Directives of land-use plans (Article 20).

Right to land-use and benefit applications are authorised by provincial governors for areas up to 1,000ha, by the Minister of Agriculture and Rural Development for areas between 1,000 to 10,000ha, and by the Council of Ministers for areas exceeding 10,000ha (Article 22).

Provisional authorisation is granted after the submission of an application for land-use and benefit. This provisional authorisation is valid for a maximum of five years in the case of nationals, and two years in the case of foreigners (Article 25). Upon fulfilment of the exploitation plan within the provisional period, final authorisation will be given and the relevant title issued (Article 26).
2.3.7 **Land Law Regulations (2003)**

The Land Law Regulations (Decree 66/1998) apply to all areas outside of municipal jurisdiction. According to the regulations, the construction of any type of structure within the partial protection zone shall be licensed by the entities responsible for the management of inland and maritime waters (Article 8).

In accordance with Article 18, the right of land-use and benefit obtained for the fulfilment of an investment project shall have a maximum term of 50 years, renewable in accordance with the provisions of the Land Law and the terms of renewal of the authorisation. A titleholder is required to apply for renewal 12 months before the end of the term fixed in the title, demonstrating that the economic activity which the title was applied for is still being carried out.

Relevant aspects of the regulations include:

a) Where there is joint title, such title belongs to all the titleholders equally. When one of the titleholders dies, the other holders continue as the rightful titleholders;

b) Consultations between the applicants for land and the local community are mandatory before a decision to grant title use is made by the provincial governor or higher authority;

c) Good faith occupiers and local communities may apply for demarcation and title; and

d) Titleholders are required to pay a tax for authorisation of the right to use land, plus an annual tax. Family businesses and local communities are exempt from such taxes.

Article 24 states that, in order to acquire a right of land-use and benefit, an application under authorisation must be submitted including the following information:

a) Articles of association (in the case of a corporate person);

b) A sketch of the location of the land;

c) The descriptive report of the project;

d) An approximation of the nature and size (footprint) of the development the applicant proposes to undertake;

e) The opinion of the district administrator, after consultation with the local community;

f) A public notice, and verification that such a notice has been displayed in the headquarters of the relevant district and at the location itself, for a period of 30 days; and

g) A receipt of proof of payment of the provisional authorisation fee.

Additionally, where land is intended for economic activity, the application must also contain an exploitation plan and technical opinion thereof. In the case of private investment projects, the land is subject to prior identification, which must involve (**inter alia**) the local administrative authorities, and the local community, and must be documented in the sketch and descriptive report (Article 25).

According to Article 28, in cases where the governor of the province is the competent authority, once the application process is complete, the Cadastre Services will submit the proposal to the governor of the province for a decision. In all other cases the application form will be sent to the central Cadastre Services after review by the governor of the province, who will submit it to the competent authority for decision. The authorisation granted here will be temporary, valid for five years in the case of Mozambican nationals, and two years in the case of foreigners.

Once the term of the provisional authorisation has expired, or at the request of the applicant, an inspection will be conducted to ascertain whether the proposed activity is in agreement with the approved schedule. Once this has been established, a definitive authorisation and accompanying title of the use and benefit of land will be issued (Article 31).

Lastly, Article 3 of the Technical Annex to the Land Law Regulations states that the delineation of areas occupied by local communities will not prevent economic or other activities from being conducted, provided that consent is obtained from the communities. It is essential that the local
community be actively involved and consulted in the demarcation process. The Technical Annex also provides forms to be completed and submitted as part of this participatory demarcation process.

2.4 International Guidelines

2.4.1 Overview

The proponent wishes for this report to following and be guided by international good industry practice standards. In so-doing, the report has been guided by the World Bank’s Operational Procedure 4.12 on Involuntary Resettlement (2013), and the IFC PS 5 on Land Acquisition and Involuntary Resettlement (2012).

2.4.2 The World Bank’s Operational Procedure 4.12 on Involuntary Resettlement

The World Bank is an international funding organisation, which lends money to governments. As the first international agency to develop resettlement guidelines, its guidelines have been enormously influential on those subsequently developed by other agencies, such as the IFC (an arm of the World Bank group) and the African Development Bank. – both of whom are relevant to this project. The World Bank’s Operational Procedure (OP) 4.12 on Involuntary Resettlement was revised in April 2013 (cf. World Bank, 2013b). The guidelines contained therein are deemed highly important to this project, such as the Bank’s emphasis on developing those affected communities, as opposed to simply mitigating negative project-induced and resettlement-related impacts: “Where it is not feasible to avoid resettlement, resettlement activities should be conceived and executed as sustainable development programs” (ibid.: p.1).

Although all the guidelines are applicable, those deemed most relevant to this project are fleshed-out in Table 2.2 below.

Table 2.2: The World Bank’s Operational Procedure 4.12 (2013 amendment)*

<table>
<thead>
<tr>
<th>Applicable Principles</th>
<th>Key Objectives</th>
</tr>
</thead>
<tbody>
<tr>
<td>Avoiding Resettlement</td>
<td>Involuntary resettlement should be avoided where feasible, or minimised, exploring all viable alternative project designs</td>
</tr>
<tr>
<td></td>
<td>Where it is not feasible to avoid resettlement, resettlement activities should be conceived and executed as sustainable development programs, providing sufficient investment resources to enable the persons displaced by the project to share in project benefits.</td>
</tr>
<tr>
<td></td>
<td>Displaced persons should be assisted in their effort to improve their livelihoods and standards of living, or at least to restore these</td>
</tr>
<tr>
<td>Information and Consultation</td>
<td>The resettlement project should include measures aimed at informing those affected about their options and rights pertaining to resettlement. Those affected should also be offered choices among, and provided with technical and economically feasible resettlement alternatives.</td>
</tr>
<tr>
<td>Assistance with Relocation</td>
<td>The resettlement project shall ensure that those affected are provided with assistance with agricultural sites for which a combination of productive potential, locational advantages and other factors are at least equivalent to the advantages of the old farms which they have lost.</td>
</tr>
<tr>
<td>(Transitional Support)</td>
<td>Support shall be offered after displacement, and development assistance provided in addition to compensation measures. This might include land preparation, credit facilities, training or job opportunities.</td>
</tr>
<tr>
<td>Land-Based Strategies</td>
<td>Where the borrower has explored all viable alternative project designs to avoid physical displacement, preference should be given to land-based resettlement strategies that are compatible with PACs’ cultural preferences.</td>
</tr>
<tr>
<td></td>
<td>Alternative land should:</td>
</tr>
<tr>
<td></td>
<td>➢ Contain a combination of productive potential and location advantages; and</td>
</tr>
</tbody>
</table>
**Applicable Principles** | **Key Objectives**  
---|---  
**Compensation before Project Development** | Be at least equivalent to the advantages of the land which has been lost.  
The implementation of resettlement activities should be linked to the implementation of the investment component of the project to ensure that displacement or restriction of access does not occur before necessary measures for resettlement, including that compensation has been paid, are in place.*  

*Table information: de Wet, 2013: pp. 27-36.*

### 2.4.3 The International Finance Corporation

As a member of the World Bank group, the IFC seeks to promote development in ‘developing’ countries by making funding available through the private sector. The IFC published its PS on Environmental and Social Sustainability in April 2006, and published comprehensive Guidance Notes (GNs) in July 2007. The PS and GNs have been revised in 2012 (cf. IFC, 2012). These PS are as follows:

- PS 1: Assessment and management of environmental and social risks and impacts (1-36)  
- PS 2: Labour and Working Conditions (1-29)  
- PS 3: Resource efficiency and pollution prevention (1-17)  
- PS 4: Community Health, Safety and Security (1-14)  
- PS 5: Land Acquisition and Involuntary Resettlement (1-32)  
- PS 6: Biodiversity Conservation and Sustainable Management of Living Natural Resources (1-30)  
- PS 7: Indigenous Peoples (1-22)  
- PS 8: Cultural Heritage (1-16)

Although most of these PS are indeed highly applicable to this RAP, PS 5 and 8 bear the most relevance. Table 2.3 below outlines the guidelines under each:

**Table 2.3: International Finance Corporation Performance Standard Objectives**

<table>
<thead>
<tr>
<th>Performance Standard</th>
<th>Main Objectives</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>PS 5: Land Acquisition and Involuntary Resettlement</strong></td>
<td></td>
</tr>
</tbody>
</table>
Avoid or at least minimise involuntary resettlement wherever feasible by exploring alternative project designs and layouts;  
Mitigate adverse social and economic impacts from land requisition or restrictions on affected persons’ use of land by: (i) Providing compensation for loss of assets at replacement cost; and (ii) Ensuring that resettlement activities are implemented with appropriate disclosure of information, consultation and the informed participation of those affected;  
Improve or at least restore the livelihoods and standards of living of displaced persons;  
Improve living conditions among displaced persons through provision of adequate housing with security of tenure at resettlement sites; and  
Where livelihoods of those who will be displaced are land-based, the proponent will offer land-based compensation, where feasible. |
| **PS 8: Cultural Heritage** |  
Protect cultural heritage from adverse impacts of project activities and support its preservation; and  
Promote the equitable sharing of benefits from the use of cultural heritage in business activities. |
3. RESETTLEMENT ACTION PLAN PRINCIPLES

3.1 Introduction

Development ultimately presents a dilemma, as development should theoretically enhance people’s access to resources and their quality of life (de Wet, 2013). Yet, involuntary resettlement is often necessary for any development project; the act of which can not only socially uproot settlements and households, but also their access to resources and quality of life. This is not to argue that a project should not be developed, but emphasises the point that appropriate mitigation measures and economic development initiatives are needed if resettlement is required. Therefore, designing a RAP process for implementation needs to be based upon theoretical parameters and principles. Such principles should provide the basic foundations of any resettlement programme, feeding into the objectives of the report and, ultimately, the desired outcomes post-resettlement.

A useful way to frame such principles is to reflect upon past resettlement cases closer to the project at hand. Unfortunately, it is no secret that many past resettlement projects, specifically in northern Mozambique, have been critiqued by some academics and Non-Governmental Organisations (NGOs), based upon concerns expressed by the resettled households.

The following chapter aims to provide the guiding principles which this RAP will adhere to. By reflecting on past resettlement cases and well-documented post-resettlement impoverishment risks, with specific references to poor resettlement planning, the chapter is able to correctly focus the Syrah RAP.

3.2 The Challenge of Economic Displacement

3.2.1 Overview

Any type of project-induced displacement is not a simple task, as it involves changing or altering the socio-spatial characteristics of settlements, households and individuals. This means that, by economically displacing households or impacting on assets, existing inter-household relationships and dependencies are radically altered by new spatial changes (such as a new settlement or new allocated farmland in a new area).

In the past many involuntary resettlement cases in rural African areas have been devastating on the livelihoods of those affected, and have contributed to impoverishment amongst many of them. Case studies of such past resettlement failures are well-documented [cf. Van Wicklin and Rice (2002), Cernea (2002; 2004) and Human Rights Watch (2013)].

For the most part, many failures can be attributed to what academics such as Cernea (2000) label as the ‘eight impoverishment risks’:

- Landlessness;
- Joblessness;
- Homelessness;
- Marginalisation;
- Food insecurity;
- Increased morbidity;
- Loss of access to common property resources; and
- Community disarticulation.

The purpose of this report is to assist the proponent to manage these risks by providing guidelines on how to implement the report.
3.2.2 Resettlement Case Studies

The eight impoverishment risks mentioned above are based upon previous resettlement case studies from around the world. Some of the largest economic and physical resettlement projects have been implemented as a result of mining, but also large dam projects. Some of these include the Shuikou Dam in China (cf. de Wet, 2013), the China-Gezhouba Dam (Cernea, 2000), the Brazil-Tucurui Dam (ibid.), and the Lesotho Highlands Development Project (LHDP) in Lesotho (cf. Mashinini, 2010). The latter project, for example, resettled thousands of households in more than 120 villages within the inundation areas of the Katse and ‘Muela dams, constructed between 1987 to 1997. Apart from numerous dam-related case studies, many renowned development projects such as India’s Rengali Project or Kenya’s Kiambere Hydropower Project resulted in post-resettlement landlessness where, after relocation, households had limited landholdings and much lower crop yields, thus compromising their food security (cf. Cernea, 2000).

However, closer to the project at hand, it is past resettlement in the Tete Province of Mozambique which in fact encouraged the GoM to draft its new resettlement regulations (Human Rights Watch, 2013). Mining projects have mushroomed to take advantage of the country’s rich natural resources. However, the social and economic rights of the rural communities who live there have sometimes been neglected. The following section briefly reflects primarily on two resettlement case studies in the Tete Province, namely the Moatize and Benga mines. The Moatize Mine began construction in 2008, which resulted in the involuntary resettlement of more than 1,000 households (Human Rights Watch, 2013). The BengaMine resettled around 679 households with compensation packages which included new houses, land as well as additional socio-economic development projects. Both projects have been criticised by the Human Rights Watch on the basis of poor resettlement planning and concerns expressed from those resettled predominantly related to food security and landlessness (ibid.).

Based upon this overview, the following project-induced impacts can be avoided in the Balama region with appropriate planning measures:

- Landlessness and food insecurity;
- Dependency on community development initiatives; and
- Poor community engagement.

It should be noted, however, that this project will not result in any physical relocation of households. Much is being done in terms of ensuring future food security, which is detailed in this report.

3.2.3 Cumulative Mine Development Impacts

One of the central pillars upon which the IFC guidelines rest is to identify the risks and impacts of a project in order to mitigate for any cumulative impacts. The IFC defines cumulative impacts as: “[impacts that] result from the incremental impact, on areas or resources used or directly impacted by the project, from other existing, planned or reasonably defined developments at the time the risks and impacts identification process is conducted” (IFC, 2012: p.4). Although, to CES’ knowledge, no other mine is being planned in close proximity to the project at hand, future mine developments could add cumulative impacts to this project, such as more economic displacement or even physical household resettlement.

Cumulative impacts are especially applicable to the mining industry, as such operations are known for air and water pollution, carbon emissions, land alterations and social impacts. Identifying such impacts and mitigating these is fairly straightforward for a single mine. However, these impacts tend to accumulate when mines are developed in close proximity to each other. This not only accelerates environmental impacts, but can also heighten social impacts. One associated problem is that little management or planning is done for such cumulative impacts, a concern which was raised by some in Tete Province following an increase in the number of concession areas granted to mining companies (Human Rights Watch, 2013). Above all, unrecorded cumulative impacts add
problems to resettlement, as those who need to be resettled now have to compete with other projects’ PACs in terms of water, food and land (which competition often leads to conflicts over claims to land and resources).

This RAP report attempted to account for such cumulative development by consulting the district administrator with regard to future projects in the area (especially mines). No other mines or related large projects that might acquire large piece of land have been identified.

### 3.2.4 Land and Food Security

One of the biggest concerns with the development of mining projects is that land might become restricted for rural households’ agriculture. This impact has been reported in both case studies. Some of the reasons for post-resettlement land issues and food insecurity can be attributed to the following factors:

- Delays in allocation of alternative land (sometimes even subsequent to farms having been lost);
- Alternative farmland not being prepared prior to the acquisition of farmers’ land;
- Unproductive farmland being provided, which is unsuitable for planting crops;
- New land which is unable to support second harvests;
- Difficulties in finding alternative land as other concession areas have limited land availability;
- Erratic water supply on newly allocated farms and insufficient provision of water points or irrigation; and
- A struggle with the transition from having both cash income and farming plots, to relying solely on earning money.

Factors such as these (amongst many) can lead to the reduction in food production, as well as the number of livestock kept by households. As was the case in both these case studies, those who had been resettled expressed concern that alternative land was often easily claimed by other settlers, resulting in land insecurity and, eventually, the loss of land.

### 3.2.5 Dependency on Community Development Initiatives

Both these case studies included several community development initiatives aimed at restoring the livelihoods of those resettled. However, from past experience, such projects can take years to come to fruition.

In both case studies, subsequent to being resettled, many households, “[… ] experienced a deterioration of their livelihoods and independence, going from farmers able to produce food for much of the year to communities reliant on outside aid and food-for-work programmes” (Humans Rights Watch, 2013: p. 50). In addition, some households appear to have been very frustrated with their loss of self-sufficiency, arguing that the project rendered them dependent on aid, employment or community development initiatives. Clearly, although community development initiatives are essential, PACs need to be assisted to regain their independence in food production, especially since a mine’s life is not permanent. In order to do this, dependence should be defined and assessed more carefully. For example, such dependency can be the result of many factors, and not just community development initiatives or resettlement.

### 3.2.6 Community Participation

Community participation is stressed by the IFC and World Bank. By reflecting upon some of the past resettlement cases in Mozambique, community participation is essential in every step of the resettlement process. Although community participation in itself cannot ensure good resettlement outcomes, it is a vital ingredient in any project. Such participation goes beyond engagement with
those affected. It involves educating PAPs in their rights in the resettlement process and how they can form part of the decision-making process” [...].” Communities affected by large projects need to be aware of their legal rights and should be able to participate meaningfully in decision-making at all stages of resettlement. Integrated planning to coordinate the cumulative economic, social and environmental impacts of the natural resource boom and national poverty-alleviation efforts remains weak” (Human Rights Watch, 2013: p.23).

3.3 Resettlement Action Plan Principles

3.3.1 Guiding Principles

A central guiding principle of a resettlement project is to ensure that no PAP is worse off after resettlement. Although the strict definition of ‘worse off’ remains to be debated, proper baseline data on the PAP’s current livelihoods can be compared with their post-resettlement livelihoods in order to ensure that livelihood standards have not dropped in any way. By internalising these well-documented project risks and reflecting on the IFC guidelines, this RAP adheres to several guiding principles (quoted from de Wet, 2013 and Huggins and Lappeman, 2012). These principles were discussed during a workshop held by the RAP social team with an established group representing those affected (refer to Chapter 4).

Table 3.1: Resettlement Action Plan Guiding Principles

<table>
<thead>
<tr>
<th>Guiding Principle</th>
<th>Actions</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Principle 1:</strong> Resettlement must be avoided or minimised and alternative project designs must be explored</td>
<td>By complying with this principle, several alternative mine infrastructure layout plans have been discussed with the client. Household resettlement has been avoided as a result of alternative layout and design. Economic displacement of farms, structures and graves could not be avoided.</td>
</tr>
</tbody>
</table>
| **Principle 2:** Genuine consultation and participation must take place | Of importance is to ensure that those affected are not only consulted throughout the RAP project, but that their rights and responsibilities are clearly communicated to them. Although it was decided that an established group would be the most suitable means for consultation, the following actions have been undertaken:  
  - Apart from group meetings and workshops, community meetings were also held;  
  - The project boundaries and site infrastructure plans were discussed with the established TWG and village chiefs, obtaining their assistance to engage with the farmers and households affected; and  
  - Individual PAPs have been interviewed and consulted, during which the RAP process was explained and their rights during this process clearly communicated. |
| **Principle 3:** A pre-displacement data baseline will be established | The reason for this baseline data is primarily to ensure that those farmers and/or households affected are not worse off after the resettlement. Particular aspects which have been included in this baseline data included agricultural production levels (food security), and maize and cotton production. The following actions have been undertaken:  
  - A farmland asset and associated structures inventory;  
  - A household socio-economic baseline survey (census) of those affected, detailing household composition and demography (inter alia); and  
  - A food production assessment of all those...
<table>
<thead>
<tr>
<th>Guiding Principle</th>
<th>Actions</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Principle 4:</strong> A fair and equitable set of compensation options must be negotiated</td>
<td>Compensation rates for crop or homestead losses were determined by the Mozambique Ministry of Agriculture, and will be discussed with each affected farmer and household. No farmer will be economically displaced until full and fair compensation has been delivered.</td>
</tr>
<tr>
<td><strong>Principle 5:</strong> Alternative farmland will be provided to those affected farmers and their households, and such beneficiaries shall be assisted to prepare their new fields during the land acquisition process</td>
<td>In order to mitigate for past resettlement, the proponent will assist the affected farmers to prepare their new fields during the land acquisition process. Under the IFC guidelines, this is referred to as ‘Transitional Support’: “Transitional support should be provided as necessary to all economically displaced persons, based on a reasonable estimate of the time required to restore their income-earning capacity, production levels, and standards of living” (IFC, 2012: p.7).</td>
</tr>
<tr>
<td><strong>Principle 6:</strong> Displacement must take place in accordance with legal requirements</td>
<td>This RAP was compiled and will be implemented according to the Regulations on Resettlement Process resulting from Economic Activities, as per the Decree Nr 31/2012.</td>
</tr>
</tbody>
</table>
| **Principle 7:** Vulnerable social groups must be provided for                     | Particular vulnerable groups do not have the social flexibility to withstand the stresses of the resettlement process. Although this is very case-specific, the following members (particularly farmers in this project) could be considered as vulnerable groups:  
  ➢ Farmers who are disabled;  
  ➢ Female farmers;  
  ➢ Farmers who are old and weak; and  
  ➢ Household family members who might also be dependent on the farm, such as children, the ill and the elderly.  
  Such parties need to be identified through the TWG and each case should be investigated for being eligible for additional support throughout the economic displacement and compensation process. |
<p>| <strong>Principle 8:</strong> Displacement must be seen as an ‘upfront’ project cost             | The proponent will ensure that the compensation to be offered and assistance provided will be built into the overall project budget and must be clearly defined as such. Resettlement expenses are often seen as external to a project, which is to the detriment of this process. |
| <strong>Principle 9:</strong> An independent monitoring programme must be in place             | The entire resettlement process should be monitored by a qualified social team, using the baseline socio-economic data to measure post-resettlement against. The results of this post-resettlement monitoring programme should be disclosed to relevant stakeholders (especially those who have undergone displacement, and government ministries. |
| <strong>Principle 10:</strong> A Grievance Mechanism will be in place                           | A Grievance Mechanism has been established and discussed during the TWG, and community meetings, but also with the individual farmers. |</p>
<table>
<thead>
<tr>
<th>Guiding Principle</th>
<th>Actions</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Principle 11:</strong> The affected people should become direct beneficiaries of the development project</td>
<td>The households that will be the most directly impacted by the mine are those whose farms will have to be displaced. International good practice advocates that they should become the direct beneficiaries of the development which they, effectively, have enabled. In order to achieve this, the client’s proposed SED initiatives need to be discussed with the PAPs through the TWG. These initiatives are discussed in Chapter 6.</td>
</tr>
</tbody>
</table>

The report draws upon international good practice which implies that affected farmers will be compensated for any loss of livelihood at replacement costs. In addition, they need to be provided with project benefits, and to be assisted in restoring and improving their livelihood post economic displacement. A paramount purpose of this report is therefore to provide the proponent with an implementation tool to ensure that livelihood strategies and income-earning capacity of the PAP are improved after economic resettlement.

### 3.3.2 Measures to Avoid Involuntary Resettlement and the Impacts Thereof

One of the most important principles of this RAP process has been to assist the proponent with designing alternative mine infrastructural layout plans in order to avoid the involuntary resettlement of households. As explained, several mine infrastructural layout plans were drafted by the proponent aimed at reducing any socio-economic impact. The gradual layout changes throughout 2013/2014 are illustrated in Appendix 1.

In summary, the only village that did potentially require physical household resettlement was Pirira Village. Although the road through Pirira will be upgraded, the layout plan aims to avoid any involuntary resettlement, reduce economic displacement and the disturbance of gravesites and cultural significant sites as far as possible in the following ways:

- The village of Pirira is centrally located at the entrance of the mine and in close proximity to one of the graphite pits. Hence, utilising and upgrading the existing road that runs through Pirira as the mine’s main access road is a practical layout option. A large area of the village which could potentially be affected by this upgrade was buffered and surveyed for potential resettlement-induced impacts (households along the road were measured and additional structures, trees and/or crops were recorded). It is not anticipated for any physical household resettlement, although a Grievance Mechanism has been established for any potential issues and/or physical resettlement in future; and
- Subsequent to several site visits by EOH CES and assessments by the mine through the District Resettlement Commission, the locations of grave and sacred sites were marked and provided to the proponent. The GPS positions of these sites are provided in Appendix 2.
4. STAKEHOLDER ENGAGEMENT AND PUBLIC PARTICIPATION

4.1 Introduction

Public participation is a central ingredient in any RAP, and is stressed by Mozambique legislation, such as the Regulations on the Resettlement Process Resulting from Economic Activities (2012), as well as the EIA Regulations (2008). Moreover, the need for public participation is also emphasised by the World Bank and IFC, in particular the need to disclose project information to those affected:

“Disclosure of relevant information and participation of Affected Communities and persons will continue during the planning, implementation, monitoring, and evaluation of compensation payments, livelihood restoration activities, and resettlement to achieve outcomes that are consistent with the objectives of this Performance Standard”.

(IFC PS 5, 2012: p. 3)

As with the rest of this report, this chapter describes the stakeholder engagement and public participation activities undertaken during the drafting process of this RAP report (up and until the end of August 2014). Further engagements as part of the report’s implementation phase will be detailed in subsequent RAP progress reports.

4.2 Requirements

In terms of legislative requirements, the aforementioned Mozambique legislation requires any resettlement or economic displacement project to have at least four public consultations with the affected communities, each to be publicised in the main mass communication media. In addition, to this requirement, the list below presents the main requirements (as per the Mozambique regulations, but also the IFC and World Bank) in terms stakeholder engagements and public participation pertaining to the resettlement or economic displacement process:

- Community and or individual household level engagements to introduce the RAP;
- Community, individual household level and Government official engagements to discuss compensation strategies; and
- Disclosure of the RAP and the entitlement frameworks (Chapter 7) at community, individual household and Government official levels.

All of these requirements have been met by this report, activities which have been sub-divided into the following categories:

- Community Engagements;
- TWG Engagements; and
- Government Authority Level Engagements.

Up and until the end of July 2014, five site visits were undertaken by EOH CES for the RAP. These visits are presented in Table 4.1 below.
Table 4.1: Site visits undertaken until the end of May 2014

<table>
<thead>
<tr>
<th>Site Visit Nr</th>
<th>Date</th>
<th>Main Purposes</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>July 2013</td>
<td>To introduce the RAP study team to each village and to establish a TWG for the RAP process by electing two representatives from each village</td>
</tr>
<tr>
<td>2</td>
<td>August 2013</td>
<td>Surveying and assessing all the households and machambas within the mine’s AoI</td>
</tr>
<tr>
<td>3</td>
<td>Nov–Dec 2013</td>
<td>Subsequent to amendments of the mine’s infrastructural layout plan, new machambas were surveyed</td>
</tr>
<tr>
<td>4</td>
<td>May 2014</td>
<td>- Do disclose the RAP report to the District Administrator and the affected communities in accordance with the Mozambique Regulations on the Resettlement Process Resulting from Economic Activities (2012);&lt;br&gt; - To meet with and disclose the report to the District Resettlement Commission;&lt;br&gt; - To discuss compensation packages with those affected farmers through the TWG; and&lt;br&gt; - To assess some more machambas.</td>
</tr>
<tr>
<td>5</td>
<td>August 2014</td>
<td>- To survey some more machambas inside the mine’s AoI possibly to be affected;&lt;br&gt; - Discuss the RAP report with the Country Manager (Mr Dinis Napido) and make required amendments;&lt;br&gt; - Discuss the establishment of a Social Department (for the mine to implement the RAP report) with Mr Napido and develop a way forward action plan for this department;&lt;br&gt; - Meet with the District Resettlement Commission to ascertain how the commission interprets the Government’s crop and tree rates and how these should be applied to the RAP’s compensation plan;&lt;br&gt; - Discuss the Farmers Development Programme (FDP) with Mr Napido and the commission through which the mine will meet its RAP obligations with regard to providing and supporting farmers with their new fields after compensation has been paid; and&lt;br&gt; - Assess the alternative land which the commission has identified as replacement land.</td>
</tr>
</tbody>
</table>

The following chapter provides a synopsis of all the public participation activities undertaken to date as part of this RAP. As the RAP was introduced during several community meetings held as part of the SIA conducted in March 2013, these meetings have also been included.
4.3 Community Engagements

4.3.1 Overview

Table 4.2 summarises all the RAP-related public participation engagements undertaken up until the end of August 2014.

Minutes for all the RAP-related meetings have been drafted and are attached to this report as appendices 3-14. Most meetings were chaired by Ms Saranga (EOH CES) in Portuguese, and translated into Macua (the local language) by attending community representatives.

Table 4.2 below elaborates on each meeting held. This table excludes internal meetings held with mine management throughout the RAP process.

<table>
<thead>
<tr>
<th>Village</th>
<th>Date</th>
<th>Nr of Attendees</th>
<th>Objective/s</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ntete</td>
<td>04/03/2013</td>
<td>150</td>
<td>To obtain permission from the villagers to conduct a survey for the SIA, as well as to introduce the RAP and explain that some machambas might be affected and/or lost by the development</td>
</tr>
<tr>
<td>Ntete</td>
<td>04/03/2013</td>
<td>100</td>
<td></td>
</tr>
<tr>
<td>Maputo</td>
<td>05/03/2013</td>
<td>80</td>
<td></td>
</tr>
<tr>
<td>Pirira</td>
<td>05/03/2013</td>
<td>40</td>
<td></td>
</tr>
</tbody>
</table>

4.3.2 Resettlement Action Plan Site Visit One and Two (July-August 2013)

<table>
<thead>
<tr>
<th>Village</th>
<th>Date</th>
<th>Nr of Attendees</th>
<th>Objective/s</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ntete</td>
<td>08/07/2013</td>
<td>23</td>
<td>To introduce the RAP social team and to establish a TWG by electing two representatives from each village</td>
</tr>
<tr>
<td>Ntete</td>
<td>09/07/2013</td>
<td>25</td>
<td></td>
</tr>
<tr>
<td>Maputo</td>
<td>09/07/2013</td>
<td>41</td>
<td></td>
</tr>
<tr>
<td>Pirira</td>
<td>10/07/2013</td>
<td>102</td>
<td></td>
</tr>
<tr>
<td>Ntete</td>
<td>06/08/2013</td>
<td>52</td>
<td>To explain the farmland assessment process and introduce the CES recruited fieldworkers to each village;</td>
</tr>
<tr>
<td>Ntete</td>
<td>06/08/2013</td>
<td>44</td>
<td></td>
</tr>
<tr>
<td>Maputo</td>
<td>06/08/2013</td>
<td>30</td>
<td>To read to the villagers their resettlement-related rights according to the Constitution of Mozambique and resettlement guidelines;</td>
</tr>
<tr>
<td>Pirira</td>
<td>06/08/2013</td>
<td>102</td>
<td>To introduce the TWG members and explain the functioning of this group; and</td>
</tr>
<tr>
<td>Ntete</td>
<td>06/08/2013</td>
<td>52</td>
<td>Establishing a Grievance Mechanism.</td>
</tr>
</tbody>
</table>

Disclosure of the Environmental, Social and Health Impact Assessment’s Scoping Report

<table>
<thead>
<tr>
<th>Village</th>
<th>Date</th>
<th>Nr of Attendees</th>
<th>Objective/s</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ntete</td>
<td>19/08/2013</td>
<td>198</td>
<td>To disclose the scoping report of the ESHIA process (EPDA), but also to discuss the RAP report.</td>
</tr>
<tr>
<td>Ntete</td>
<td>19/08/2013</td>
<td>104</td>
<td></td>
</tr>
<tr>
<td>Pirira</td>
<td>20/08/2013</td>
<td>83</td>
<td></td>
</tr>
<tr>
<td>Maputo</td>
<td>20/08/2013</td>
<td>191</td>
<td></td>
</tr>
<tr>
<td>Ntete</td>
<td>19/08/2013</td>
<td>198</td>
<td></td>
</tr>
</tbody>
</table>

Resettlement Action Plan Site Visit Three (November-December 2013)

<table>
<thead>
<tr>
<th>Village</th>
<th>Date</th>
<th>Nr of Attendees</th>
<th>Objective/s</th>
</tr>
</thead>
<tbody>
<tr>
<td>All village leaders</td>
<td>28/11/2013</td>
<td>14</td>
<td>To inform them of the third site visit’s purpose, i.e. to assess more machambas, but also to survey some machambas which were missed during the previous survey period in August 2013.</td>
</tr>
</tbody>
</table>

Resettlement Action Plan Site Visit Four: Disclosure of the RAP Report (May 2014)

<table>
<thead>
<tr>
<th>Village</th>
<th>Date</th>
<th>Nr of Attendees</th>
<th>Objective/s</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ntete</td>
<td>14/05/2014</td>
<td>14</td>
<td>To explain the purpose of the site visit, which was to disclose the RAP report to the TWG members and affected farmers and obtain their input;</td>
</tr>
<tr>
<td>Ntete</td>
<td>15/05/2014</td>
<td>45</td>
<td></td>
</tr>
<tr>
<td>Balama Town</td>
<td>15/05/2014</td>
<td>26</td>
<td>To assess the remaining machambas that might possibly be affected by the mine; and</td>
</tr>
<tr>
<td>Pirira</td>
<td>16/05/2014</td>
<td>25</td>
<td>To discuss compensation packages with the TWG members and affected farmers; and</td>
</tr>
<tr>
<td>Maputo</td>
<td>16/05/2014</td>
<td>38</td>
<td>To Disclose the Draft RAP report to the District.</td>
</tr>
</tbody>
</table>
4.3.2 Social Impact Assessment Site Visit

As illustrated in Table 4.2, the RAP was firstly introduced to all the four affected villages during March 2013 as part of the SIA. A meeting was held in each community to elaborate upon the ESHIA process and explain the purpose of the SIA. In addition, villagers were also informed that some machambas would be affected and/or lost, for which purposes more engagements would follow. The meetings were well-attended and planned more than a week in advance.

Plate 4.1: Initial public participation meeting with the community of Nguide (Left) and Pirira (Right)

As part of the RAP, five site visits were undertaken by the RAP’s social team up and until the end of June 2014.

4.3.3 Resettlement Action Plan Site Visit One and Two (July-August 2013)

The first visit (July 2013) aimed to introduce the social team to each village and to establish a TWG by electing two representatives from each village (the establishment of this TWG is explained shortly). Village members were asked to elect these representatives themselves, after the purpose of the TWG in the displacement process had been explained to all. The RAP team’s independence from the mine was also explained, as well as the RAP’s purpose to ultimately safeguard the interests of the villagers in order for the mine not to affect the villagers’ livelihood negatively.

A second RAP site visit was undertaken in August 2013 with the aim of surveying and assessing all the households and machambas within the mining’s AoI. A community meeting was held in each village in order to explain the household survey and farmland assessment process, and also to introduce the EOH CES recruited fieldworkers and TWG members. Moreover, a Grievance Mechanism was also established in each village (explained shortly). During these meetings, the mine’s progressive development was also explained, i.e., it was stressed that the entire mine site would not be developed overnight. In this way, villagers were reassured that only a certain number of farms would actually be lost and/or affected, and that not all the households to be studied should therefore expect to lose their landholdings.

A distinction was also drawn between the loss of land and the loss of crops/structures on such land. It was explained that, as per legislation, the Government would assist those farmers who will lose land to find alternative land, whilst the proponent would be responsible for compensating the loss and/or disturbance of crops, trees and/or associated structures.
4.3.4 Disclosure of the Environmental, Social and Health Impact Assessment’s Scoping Report

As part of the ESHIA process, community meetings were held on 19 and 20 August 2013 in each affected village in order to disclose the Scoping Report (or EPDA). Representatives at these meetings included delegates from the mine, the Ministry of Mineral Resources, as well as from MICOA. Although these meetings were aimed at disclosing the ESHIA process, the RAP social team was also present, as several issues regarding the loss of machambas and compensation were raised. For example, many village members were still uncertain as to whether they could continue with their current farming now that the surveys had commenced. In response, the conditions relating to the individual farmer entitlement sheets signed by each studied farmer were explained. These conditions state that farmers can continue with their farming, however that no new machambas or structures will be compensated by the proponent subsequent to these surveys and assessments having been completed.

4.3.5 Resettlement Action Plan Site Visit 3 (November-December 2013)

During the third site visit in November and December 2013, a meeting was held with the four PAC leaders on 28 November 2013. During this meeting, they were informed of the site visit’s purpose, which was to assess additional machambas, but also some machambas which were missed during the previous survey period in August 2013. Permission was granted to proceed.