



RESETTLEMENT ACTION PLAN FOR THE N1/N10: QUELIMANE - NICOADALA - NAMACURRA ROAD REHABILITATION PROJECT

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ACRONYMS

ADB	African Development Bank
ANE	National Roads Administration
AP	Affected Parts
ARPAC	Cultural Heritage Archive
CPCS	Provincial Council Against AIDS
CNCS	National Council for AIDS
DIPREME	Provincial Directorate Mineral Resources and Energy
DNTF	National Directorate of Forest and Land
DPASA	Provincial Directorate of Agriculture and Food Security
DPTADER	Provincial Directorate of Land, Environment and Rural Development
DPCI	Provincial Directorate of Trade and Industry
DPOHRH	Provincial Directorate of Works and Water Resources
EIS	Environmental Impact Study
ESMP	Environmental and Social Management Plan
EPDA	Environmental Pre-Feasibility Study and Scope of Definition
ESIA	Environmental and Social Impact Assessment
HdQ	Head Quarter
HIV/AIDS	Acquired Immunodeficiency Syndrome
ITS	Sexually Transmitted Infection
MICOA	Ministry for the Environmental Coordination
MASA	Ministry of Agriculture and Food Security
MIREME	Ministry of Mineral Resources and Energy
MITADER	Ministry of Land, Environment and Rural Development
RAP	Resettlement Action Plan
SDAE	Economic Activities District Offices
SDPI	Planning and Infrastructure District Offices
SPFF	Forest and Wildlife District Office
ToRs	Terms of Reference
WB	World Bank

TERMS AND DEFINITIONS

Barraca means small, temporary shop usually by the roadside selling consumer goods, hardware and other different types of domestic items.

Census means any field survey carried out to identify and determine the number of Project Affected Persons (PAPs) and their assets; in accordance with the procedures, satisfactory to the National legislation and WBG's Safeguard Policies. The census must be complemented by additional information gathered during consultations with affected communities and the Local Leaders.

Compensation is the payment in cash, and jobs, houses, in kind, land and conservation measures, or other assets given in exchange for the taking of land including fixed assets thereon, in part or whole depending on the context, the nature of the right or use or occupancy, the type of losses and the purpose of the resettlement or economic displacement.

Cut-off date is the date of commencement of the census of PAPs within the project area boundaries. This is the date on and beyond which any person whose land is occupied for project use, will not be eligible for compensation. The date has to be announced widely as the cut-off date and enough time has to be given to the PAPs for the subsequent actions to be valid.

Grievance Redress Mechanisms (GRM), means all processes and tools that serve to channel conflict into an institutionalized mechanism for peaceful resolution. They facilitate communication between affected people and management (project, local authorities, government, etc.) regarding problems that arise, and enable those affected to complain with dignity, knowing that there is a system of appeals leading to an impartial decision making. A detailed description of the GRM process is included in chapter 19.

Involuntary displacement means the involuntary taking of land resulting in direct or indirect economic and social impacts caused by:

- Loss of benefits from use of such land;
- Relocation or loss of shelter;
- Loss of assets or access to assets; or
- Loss of income sources or means of livelihood, whether or not the project affected person has moved to another location.

Involuntary Land Acquisition is the taking of land by government or other government agencies for compensation, for the purposes of a public project against the will of the landowner. The landowner may be left with the right to negotiate the amount of compensation proposed. This includes land or assets for which the owner enjoys uncontested customary rights.

Land refers to agricultural and/or non-agricultural land and any structures thereon whether temporary or permanent and which may be required for the Project.

Land acquisition means the taking of, or alienation of, land, buildings or other assets thereon for purposes of the Project.

Machamba means subsistence farming plot.

Project Affected Persons (PAPs) means those persons who, as a result of land acquisition or involuntary displacement, economic and/or social adverse impacts, regardless of whether or not the said Project affected persons physically relocate. PAPs can include informal land occupants/users that lack formal and/or customary rights. These people may have their:

- Standard of living adversely affected, whether or not the Project Affected Person must move to another location;
- Right, title, interest in any house, land (including premises, agricultural and grazing land) or any other fixed or movable asset acquired or possessed, temporarily or permanently, adversely affected;
- Access to productive assets or natural resources adversely affected, temporarily or permanently; or
- Business, occupation, work or place of residence or habitat adversely affected.

Right of Way (ROW) is the road reserve area. Under the land law this area is defined at 30 m per each side of the road in rural area and 15 m in urban area.

Replacement Cost means an amount sufficient to cover full replacement cost of lost assets and related transaction costs.

The cost is to be based on the **Market rate (commercial rate)** taking into account the Mozambican legislation for transaction of property. In terms of land, this may be categorized as follows:

Replacement cost for agricultural land means the pre-project or pre-displacement, whichever is higher, market value of land of equal productive potential or use, located in the vicinity of the affected land, plus the costs of:

- Preparing the land to levels similar to those of the affected land; and
- Any registration, transfer taxes and other associated fees;

Replacement cost for houses and other structures means the prevailing market cost of replacing affected structures of the quality equal to or better than that of the affected structures, in an area. Such costs shall include:

- Purchase of building materials
- Transporting building materials to the construction site;
- Any labour and contractors' fees;
- Any registration costs; and
- Pre-project or pre-displacement, whichever is higher, market value of land of equal size and locational advantage in a similar area, plus the transaction costs.

Resettlement Assistance means the measures to ensure that project affected persons who may be required to be physically relocated are provided with assistance, such as moving allowances, residential housing or rentals whichever is required, for ease of resettlement during relocation and any transitional losses.

Resettlement Action Plan (RAP) is a resettlement instrument (document) to be prepared when project activity locations, are identified and acquisition of land for the project is required. When land acquisition leads to physical displacement of persons, and/or loss of shelter, and/or loss of livelihoods and/or loss, denial or restriction of access to economic resources. The project proponent impacting on the people (DNGRH or AIAS) and their livelihoods prepares RAPs. RAPs contain specific and legally binding requirements to be abided by ERRP to resettle and compensate the affected people before implementation of the project activities causing adverse impacts. Where impacts are limited in nature and the number of PAPs is smaller an ARAP may be used.

Voluntary Land Contribution refers to a process by which an individual or communal owner agrees to provide land or property for project-related activities. It must be obtained without coercion or duress from people with full knowledge of other options available and their consequences, and aware of their right not to contribute or transfer the land.

Vulnerable Groups refers to:

- Low capacity households – especially those below the poverty line, the landless, the elderly, widows, ethnic minorities and/or subjects of gender bias, low income households and informal sector operators;
- Incapacitated households – those with no one fit to work and;
- Child-headed households and street children.
- Any other vulnerable groups identified during the census, as per the section 10.

This group is among other things, characterized by low nutrition levels, low or no education, lack of employment or revenue.

EXECUTIVE SUMMARY

The Government of Mozambique, through Roads and Bridges Management and Maintenance Project, APL-2, funded by the World Bank, intends to invest part of the funds in the rehabilitation of the N10 Roads between Quelimane and Nicoadala (33 km) and N1 between Nicoadala and Namacurra (34.7 km), in Zambézia Province.

The section of the road under assessment has a length of approximately 70 km and is part of the Zambézia corridor, extending from the Quelimane City (km 0) to the Nicoadala Village (Km 33) and then to Namacurra (Km 70).

The road section between Quelimane and Nicoadala is the N10, ensuring the connection of Quelimane, the provincial capital of Zambezia, to the rest of the country. And the section between Nicoadala and Namacurra is part of the N1, these two sections are part of Mozambique's primary road system and connects the north and south of the country. The project will be done on the OPRC contract, which includes the maintenance phase.

Extensions of RoW, area of work, borrow pits represents the project activities that may trigger land acquisition. The construction activities might require the removal of assets, trees, and vegetation, particularly those within the road reserves. The activities may also require temporary or permanent acquisition of land currently used for farming activities in the rural areas. However, restriction of access to services or restrictions to movement may be required particularly during construction works. Given the nature and size of the project, it is very likely that acquisition of land take place. In this regard, a RAP was prepared to identified the affected people and a compensation process for them.

A census-survey was conducted in April 2014 and the affected people was categorized into four categories namely: (i) Affected Individual – An individual who suffers loss of assets or investments, land and property and/or access to natural and/or economic resources as a result of the project activities and to whom compensation is due.; (ii) Affected Household – A household is affected if one or more of its members is affected by project activities, either by loss of property, land, loss of access to natural resources, livelihoods or means of subsistence, or otherwise affected in any way by project activities, (iii) Affected local community – A community is affected if project activities affect their socio-economic and/or social-cultural relationships or cohesion. For example, cemetery; (iv) Vulnerable Households – Vulnerable households may have different land needs from most households or needs unrelated to the amount of land available to them: (a) Unmarried women/women headed household; (b) Elderly, and (c) Orphans headed household. These household types are not mutually exclusive, so that the elderly may be internally displaced persons, and women are affected individuals.

Entitlements for compensation shall be based on the eligibility criteria and the various categories of losses identified in the desk studies and field consultations. ANE will ensure that all the entitlements have been fairly assessed and that the entitlement values have been agreed upon and accepted by the affected persons; and signed for by the individuals to be compensated.

Compensation entitlements for different categories of eligible persons and assets (properties) are summarized in the next table:

Table 1: Compensation entitlements for different categories of eligible persons and assets (properties)

Category of PAP	Property	Type of project affected right or property or loss	Entitlement	Process and specific condition	Remarks	Specifications
Owner	Land	Permanent Loss of fraction of land and the rest of the parcel is usable	Registration of land parcels to be lost prior to expropriation, free of cost Cash compensation for affected land at replacement cost (equivalent to the market value of the property, sufficient to replace the lost asset and cover the transaction cost) and any taxes for land registration	Transfer of property right through expropriation process	The value of the rest of the parcel will reduce. There is need to calculate the forgone value of the previous land and be compensated accordingly	
Owner		Permanent Loss of fraction of land and the rest of the parcel is not usable	Registration of land parcels to be lost prior to expropriation, free of cost Cash compensation for affected land at replacement	Transfer of property right through amicable agreement during the expropriation process	Calculation of total value of the parcel	Provision of the new replacement permanent land, with equivalent value, location and productivity;

Category of PAP	Property	Type of project affected right or property or loss	Entitlement	Process and specific condition	Remarks	Specifications
			<p>cost (equivalent to the market value of the property, sufficient to replace the lost asset and cover the transaction cost) and any taxes for land registration</p> <p>Replacement Land plot of similar size and characteristics (equivalent value, productivity, quality, size, location) with secure land tenure</p>			<p>including the provision of funds to develop alternative replacement land.</p>
Tenant			Assistance on lease alternative land /property to re-establish use	Finding alternative location of similar characteristics given for use with secure tenure	This is unlikely situation	

Category of PAP	Property	Type of project affected right or property or loss	Entitlement	Process and specific condition	Remarks	Specifications
Onwer		Temporary loss of land or access to land due to construction or rehabilitation works	<p>a new plot of land will be given to the owner based on customary law. The replacement land must be permanent of equivalent value, size, location and productivity.</p> <p>In a case that the contractor need land outside the ROW (ancillary works, camp site, access roads etc), the contractor shall negotiate with the PAP compensation option that may include:</p> <p>Rent payment for the time the land will not be available for owner or user;</p>	In circumstances where part of land could be used by the owner/use or imposed restriction for use	<p>Before starting any borrow pit or quarry operation, the Contractor should obtain approval from the authorities (National Directorate of Mines) and linked to the ESIA an environmental license approval for operation of the quarry sites;</p> <p>Contractor's obligation for damages, restoring the property, (i.e crack in PAPs houses due to</p>	<p>Landowners consent and approvals will be obtained prior to opening borrow pits or quarries. The approval will identify the future land-use required by the landowner for the area utilized as a borrow pit or quarry;</p>

Category of PAP	Property	Type of project affected right or property or loss	Entitlement	Process and specific condition	Remarks	Specifications
			<p>Compensation for the assets;</p> <p>Replacement land of equivalent value, productivity, location, and funds to develop the replacement land to the same quality as affected land</p> <p>Or</p> <p>Use of VLD subject to consent of landowner, if losses are small, as per the protocol</p>		<p>vibration or other construction related issues)</p> <p>The VLD, should be used in very limited situation, where the losses of PAPs are negligible and PAPs income/ subsistence is not significantly affected</p>	
Owner (1 and 3)	Commercial property	Loss of business and or banca	Compensation for loss of income incurred as a result of reallocation including any discrepancies in livelihood.	Compensation will be given until the income stream	For the non-permanent structure the owners will be given	

Category of PAP	Property	Type of project affected right or property or loss	Entitlement	Process and specific condition	Remarks	Specifications
	(barraca, banca)		Assistance to displace the barraca or banca		<p>opportunity to remove the structure and transaction cost will be paid to transport the material to a new location;</p> <p>If the structure is a conventional the compensation will be in money based on the cost of material and area demolished.</p>	
Absence of legal land right (DUAT)	Land or Business	Losses of Land	No cash compensation for affected land at replacement cost.		Encroachers prior to cut off date will be entitled for compensation to	

Category of PAP	Property	Type of project affected right or property or loss	Entitlement	Process and specific condition	Remarks	Specifications
			<p>Compensation of the structure at the replacement cost and assistance to find a new place to establish same business</p>		<p>displace a structure or small business</p>	
Owner	Economic trees and crops	Area Need for construction works	<p>Registration of all type and quantities of affected trees prior to the construction activities starts;</p> <p>Determine the type and area affected crop field area that will be lost and identifies the crop.</p> <p>Cash compensation.</p>			

Category of PAP	Property	Type of project affected right or property or loss	Entitlement	Process and specific condition	Remarks	Specifications
			Land compensation will consider the compensation mechanisms described under the land category above			
Community asset	Sacred local, Cemetery	Area need for construction works	Identify and describe the community affected asset; With the local leaders and affected families determine the conditions to relocate the affect sacred area if needed or adjust if possible the design to avoid these areas		Provision of funds for traditional ceremonies, transport, assistance to communities.	

Category of PAP	Property	Type of project affected right or property or loss	Entitlement	Process and specific condition	Remarks	Specifications
Owner	Business	Temporary interruption of business due to construction or rehabilitation works	Compensation for the business interruption; Cash compensation			

Based on the entitlement criteria described above, compensation under this RAP will be made considering the following categories:

Table 2: Compensation under the RAP categories

Cash Payments	Compensation will be calculated based on market replacement cost and paid. Rates will be adjusted for inflation
In-kind Compensation	Compensation may include items such as land, houses, building material, seedlings, agricultural inputs and equipment
Assistance	Assistance may include moving costs, transportation and labours

Individual and household compensation will be made in kind and/or in cash, depending on the type of asset lost. Although the type of compensation may be an individual's choice, compensation in kind will be preferable, if the loss amounts to more than 20% of the total loss of assets.

The census was done in April 2014, and 1000 people were identified as a potential affected people. The survey also identifies 225 assets such as shops (known as barracas) food and beverages, workshops for motorcycle and bicycle, fencing and frontal walls of the barracas. Agriculture area and economic and non-economic trees (390), borehole from cultural point of view 9 cemeteries and memorial also were identified within the COI. No House was identified within the COI. All are commercial and social structures. Therefore, PAP's expects to get their compensation in cash and in kind.

To cost the resettlement of the PAP's a budget estimates were prepared. The procedures for RAP compensation calculation values involve:

- (i) Allocation of monetary or material values to assets belonging to families;
- (ii) Allocation of monetary values for annual field crops. This is calculated on the basis of the average production/ha per marketing year and the value set by the agriculture sector adjusted to the negotiation with households. The value is defined based on the following factors: type of tree, age, general sanitary condition, average annual production and its market cost, without depreciation

Based on the above procedures the alternatives for compensation

Table 3: Alternatives for compensations

Type of Impact	Measures to be implemented (Alternative 1)	Measures to be implemented (Alternative 2)
shops with walls and balconies affected	Monetary compensation	Reconstruction of the affected area or delivery of construction material
Affected fruit and forest trees	Monetary compensations according to the agreed table	
Affected annual crops	Compensations based on DPASA values	<ul style="list-style-type: none"> • Sensitization before the planting season; • Allocation of new lands with equivalent value, quality, productivity in areas close to the previous one; • Allocation of inputs and technical assistance • Provision of funds for development of allocated land.
Affected perennial crops	Compensations based on DPASA values	<ul style="list-style-type: none"> • Sensitization before the planting season; • Allocation of new lands with equivalent value, quality, productivity in areas close to the previous one; • Allocation of inputs and technical assistance, • Provision of funds for development of allocated land.

Formal and informal shops (immovable and movable) in markets	Assistance in obtaining the space to build the Market	Monetary compensations
Isolated shops	Monetary compensation	

Payments will be made in Mozambican currency -Meticais (MZN), with reference to USD daily exchange rates, allowing for inflation not as estimate. ANE will be the sources of Funds and will make all required arrangements for cash flows and payments. In case of local people does not have bank accounts, other forms of payments will be considered, however, a cash payment will be avoided for compensation amounts higher than MZN 10,000 whenever possible.

To implement this RAP, ANE will hire a consultant firm or service provider, who's responsibility will be to re-check all the PAP's, negotiate on behalf of ANE the amount to be paid for each and sign the compensation agreements with PAPs and do the payments of compensation.

In situations where there are new allocations of land for agriculture, these should have the same or better potential for cultivation, and whenever possible be closer to their areas of residence.

Resettlement costs are the result of the compensation amount to be paid, the resettlement management and the support services. The resettlement preparatory process should identify host areas, where those affected will be resettled. Compensation for loss of crops may be paid at a different time from that of the payment of physical assets, and may be made as soon as the areas are identified and allocated to each PAP.

Monetary compensation must be paid at one time. Whenever possible, payments should be made through commercial banks or any other authorized institution established at the local or district level. It is also possible to introduce a coupon system, which should include the name of the beneficiary.

If applicable, families that have graves throughout the affected area should be supported in the process of transfer to new places, including through the payment of monetary amounts to cover the associated traditional ceremonies.

The table below shows the estimated total cost of the amounts to be spent for the purpose of compensations under the Project. For private infrastructures, two options are considered: one in which the whole area of the structure is covered (option 1, and the other in which only the affected area is paid (option 2).

Table 4: Total Budget

No.	ITEM	Total costs (Meticais)-Option 1	Total costs (USD)-Option 1	Total costs (Meticais)-Option 2	Total costs (USD)-Option 2
1	Private infrastructures	13,285,350.00	221,422.50	4,456,570.00	74,276.17
2	borehole/ Water fountains	80,000.00	1,333.33	80,000.00	1,333.33
3	Agriculture		-		-
4	Economic trees	45,370.00	756.17	45,370.00	756.17
5	Forest trees	516,750.00	8,612.50	516,750.00	8,612.50
6	Social infrastructures	2,000,000.00	33,333.33	2,000,000.00	33,333.33
7	Consultation/Stakeholder engagement (cost of the District/provincial Resettlement Committee)	316,800.00	5,280.00	316,800.00	5,280.00
8	Supervision	1,000,000.00	16,666.67	1,000,000.00	16,666.67
9	Census update	3,225,000.00	53,750.00	3,225,000.00	53,750.00
10	Sub total	20,469,270.00	341,154.50	11,640,490.00	194,008.17

11	Contingency – census update and final (10 – 20%)	3,070,390.50	51,173.18	1,746,073.50	29,101.23
12	Total	23,539,660.50	392,327.68	13,386,563.50	223,109.39

The Budget includes:

- cost of the supervision that will be carried out by ANE delegation and HdQ. In this budget line is included flight cost from Maputo to Quelimane and back, per diem for the staff;
- Cost of consultation engagement during the census update and along the implementation of RAP. In this budget line is also included to cost of establishment and run the resettlement committee (District and provincial committees).
- The cost of resettlement compensation based on 2014 data, which will be updated. Therefore, a contingency of 15% is included to compensate, any increase of the PAPs from previous census.
- Census Update: The census will be updated during the 19 to 28/02/2018.

The total budget for the Resettlement Plan, including the compensation to the PAP's is **23,539,660.50 Meticais** (twenty three million, five hundred and thirty -nine thousand, six hundred and sixty meticaais and fifty cents) in the case of compensation for the entire private infrastructure area or **13,386,563.50 Meticais** (thirteen million, three hundred-eighty six, five hundred and sixty three Meticais and fifty cents) in the case of compensation to be paid to the part that will be effectively affected.

ANE will be responsible for costing the implementation of this RAP. The total cost does not include the consultant cost for the RAP implementation.

Public Participation with the local communities would initiate the compensation process as part of an on-going process that would have started at the land selection/screening stage and at the time the socio-economic assessment is being carried. This process seeks their involvement and wishes to inform communities in a participatory approach with the project, from the beginning. It is important to stress that for the PAP's that will lose their homes, a resettlement in a new location will be avoided, in a case that the AP has an area at back yard of their home, the new house will be constructed in family yard. Before compensation starts, RAP implementation consultant have to organize the process as follow:

Notification of land resource holders –The users will be informed through both a formal notification in writing and, as many people are illiterate, by verbal notification delivered in the presence of the Village leader or his representative. **Documentation of Holdings and Assets:** establish compensation dossier containing necessary personal information on the affected party and those that s/he claims as household members, dependents, total landholdings, inventory of assets affected, and information for monitoring their future situation. **Agreement on Compensation and Preparation of Contracts.** The RAP implementer will draw up a contract, listing all property and land being surrendered and/or assets impacted, and the types of compensation (cash and/or in-kind) selected. **Compensation Payments:** All handing over of property such as land and buildings and compensation payments will be made in the presence of the affected party and the village officials.

In a process of land expropriation conflicts may arise. The Grievance Redress Mechanism (GRM) is recommended to be used to deal with potential grievances and dissatisfaction raised by the PAPs in relation to the project.

It is of note that the grievance mechanism is conceived to solve disputes at the earliest possible time of their outbreak, and it is of interest to all parties concerned, thus, matters should only be directed to the courts as a last resort. Information on the GRM must be displayed in the affected community and all PAPs must know how it works, how to access it and how to follow it until an agreed solution is found. In addition, the project may also consider the local/traditional structure for conflict resolution existing in the community as part of the entire GRM system.

This mechanism will be available for the project affected persons to be able to address their issues and to solve prior to use formal legal grievance system. Grievance mechanism will involve the establishment of Resettlement Committee in each district (Quelimane Municipality, Nicoadala and Namacurra), the committee will be have the representatives of

the district government (representatives of the education, health, Infra structure and Agriculture sectors). Representative of ANE HdQ and Delegate, representative of local leaders, where the settlement belongs. The committee will facilitate procedures about the issues raised by the AP's during the implementation process and to verify at the time of project implementation, if any of the community members has ownership claims on the property in case this is a public land. Through this mechanism, PAP's will

be able to react on any damages occurred during the works or any other issue that might arise during compensation process. A simple and easier system for GRM is proposed in the following figure:

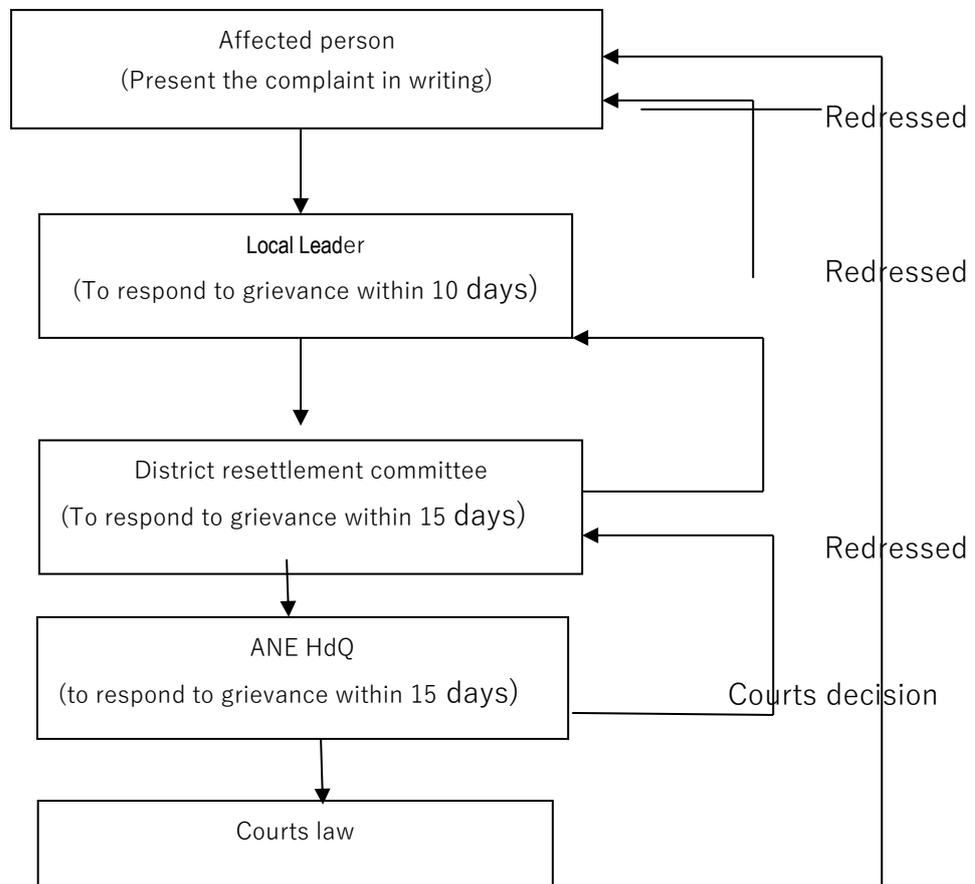


Figure 1: GRM System

ANE at provincial level will to assist PAP's to obtain property titles and compensate them for the expropriated property and also include an additional expropriation reserve fund, for any unexpected claim on land compensation from PAPs, who may require additional compensation. ANE should contract a RAP implementation agency. A pre-disclosure phase

is recommended in cases when PAPs are not identified as they could no longer reside in the expropriated areas (migrated in another region of the country or emigrated abroad).

The implementing agency of the RAP will be ANE and during the implementation of RAP a monitoring plan will be required, to assess whether the objectives are being met. The monitoring plan will indicate parameters to be monitored and the responsible to carry out the monitoring activities.

A number of objectively verifiable indicators (OVI's) shall be used to monitor the impacts of the compensation and resettlement activities. **(a) Indicators to determine status of affected people,**

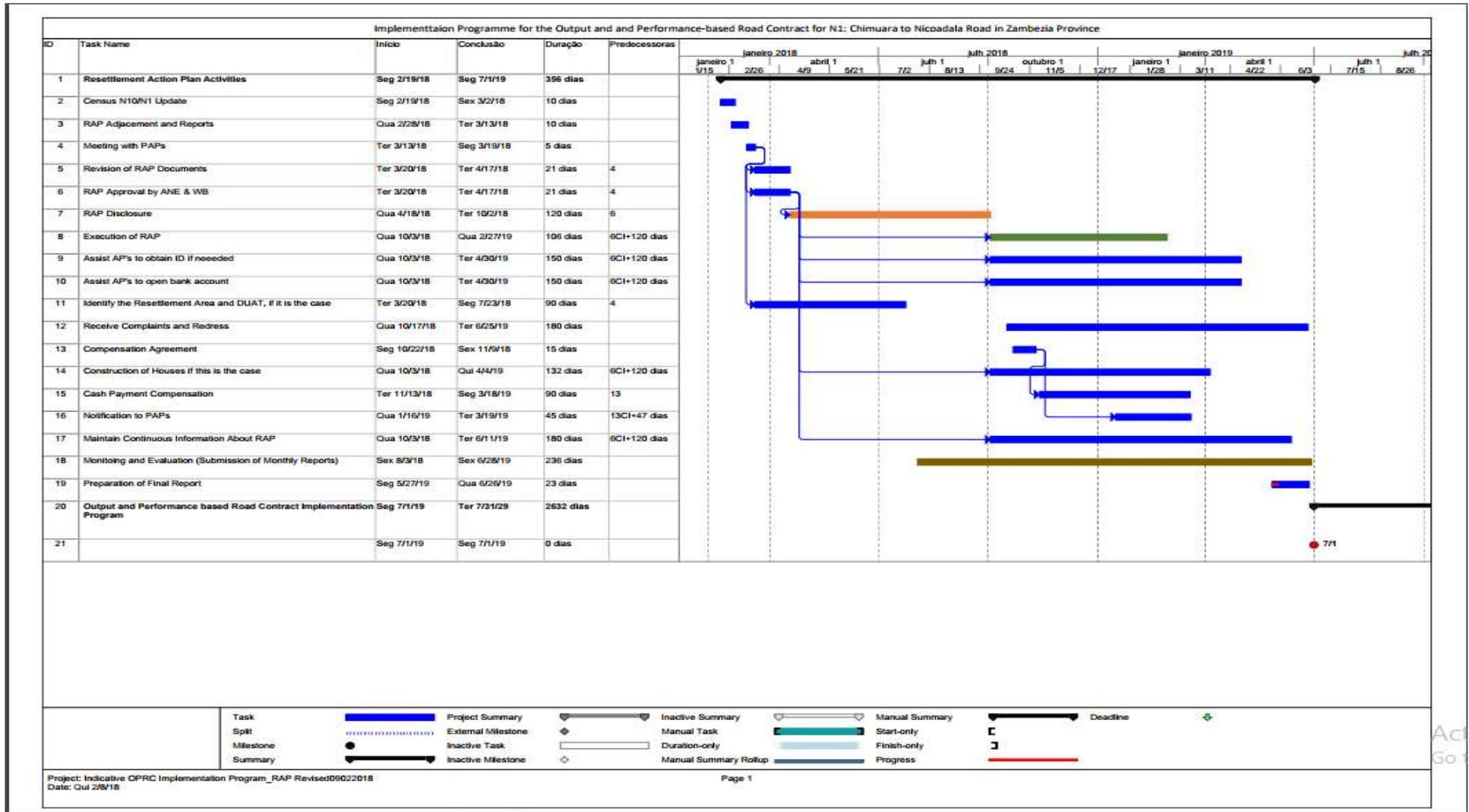
(b) Indicators to measure RAP performances; (c) Indicators to monitor and evaluate implementation of RAPs

Financial records will be maintained by the ANE to allow calculation of the final cost of resettlement and compensation per individual or household. Each individual receiving compensation will have a dossier containing:

- ✓ Individual bio-data information,
- ✓ Number of people s/he claims as household dependents
- ✓ Amount of land available to the individual or household when the dossier is opened.
- ✓ Level of income and of production
- ✓ Inventory of material assets and improvements in land.

During the implementation of RAP, a communication and dissemination of RAP among PAP's will be done and close supervision by ANE Delegation and HdQ. The implementation of RAP will run from October 2018 to July 2019. The consultation with all PAP's and dissemination of RAP information to affected populations and stakeholders shall be done and include the following components: (i) Local resettlement Committees; (ii) Community radios; (iii) ANE in coordination with local leaders. The proposed communication and dissemination process will be done during the RAP implementation, as proposed in the work plan below:

Table 5: Work Plan



Update of Census for N10/N1: Quelimane-Nicoadala-Namacurra

As mentioned before the previous census survey was carried out April 2014, and based on the international best practices, the census survey is valid for two (2) year, due to social dynamics in the project affected area and movement of people.

Although the improvements on the RAP report to comply with the WB OP 4.12 and the Resettlement Policy Framework (RPF) prepared for the project, the Client recognise that this RAP report has out-dated data. In order to, comply with the best international practices, the Client has already instructed the consultant to carry out the update of the census survey that will be done between **Feb 19 – 28, 2018**, which will include a set of new cut-of-date, review the number of PAPs disaggregated by sex and vulnerability, affected assets (partial and total area) , budget and contingency amount and re-disclosure the RAP report. The public consultation will be carried out during the Census Update. The Consultant will hold focus groups meeting with the affected people in Quelimane, Nicoadala and Namacurra, as well as will call for a general public meeting in Quelimane and Nicoadala. The meetings will be attend by the affected people, District Resettlement Committee and all interested parts.

1. INTRODUCTION

The Government of Mozambique, through Roads and Bridges Management and Maintenance Project, APL-2, funded by the World Bank, intends to invest part of the funds in the rehabilitation of the N10 Roads between Quelimane and Nicoadala and N1 between Nicoadala and Namacurra, in Zambézia Province.

The section of the road under assessment has a length of approximately 70 km and is part of the Zambézia corridor, extending from the Quelimane City (km 0) to the Nicoadala Village (Km 35) and then to Namacurra (Km 70).

The road section between Quelimane and Nicoadala is the N10, ensuring the connection of Quelimane to the rest of the country. And the section between Nicoadala and Namacurra is part of the N1, these two sections are part of Mozambique's primary road system and connects the north and south of the country. The project will be done on the OPRC contract, which includes the maintenance phase. This document comprises the Environmental and Social Impact Assessment (ESIA) related to the project described above and aims to identify and evaluate the potential environmental and social impacts of the N10 / N1 road construction and operation phase and propose measures for mitigation and impact management of the project, in order to minimizing adverse effects and enhancing the benefits resulting from the project. The Contractor must comply with in terms of the Environmental and Social Management Plan.

The road was rehabilitated and widened in 1999. The cross-sectional type implemented consisted of 2 x 3.0 m of lane and 2 x 1.0 m to 1.5 m paved shoulders. In 2011 the road had emergency intervention, only in a stretch of 17 km between Quelimane and Nicoadala, which essentially consisted of an intervention asphaltic surfacing.

In September 2013, the Ministry of Public Works and Housing, represented by the National Road Administration (ANE), informed the Consultant Civil Planning Group (CPG) that had been selected to provide consulting services to elaborate the execution Project for the Rehabilitation of Road N10 between Quelimane and Nicoadala and the N1 Road between Nicoadala and Namacurra. The objective of the consultancy services was to draw up an implementation plan for the rehabilitation of roads as described above, taking into account a 15-year structural design horizon and 20-year analysis.

The Resettlement Action Plan, in accordance with the Mozambican legislation in force, is part of Consultant's work, and the Consultant awarded the services to an environmental consultant duly accredited by MITADER. This document forms part of this process. The study was concluded in 2015 and was requested an update based on a new legislation. The study was then submitted to MITADER for the approval, at the same time ANE submit the project for World Bank for funding. In this regards the Bank request OPUS to update the project and

all environmental documents taking into consideration that the contract for the rehabilitation of N10/N1 will be an ORPC.

Therefore, this RAP has been update and adjusted to respond to the World Bank operational policies on social safeguards. However, the update RAP did not undergo a new census. Results of this updated RAP are from the previous census done in April 2014. Therefore, changes in population dynamics within the COI from 2014 and 2017 are not reflected. ANE has submitted to MITADER the documents for approval, taking into account that under the decree 54/15 to get environmental licence study done within 5 years are valid. Being RAP a part of the Environmental assessment process is also valid.

It is known that changes on the number of PAP' s and type of assets happened, ANE expected that the during the implementation of RAP correction will have to be done.

Extensions of COI area of work, borrow pits represents the project activities that may trigger land acquisition. These activities might require the physical and economic displacement, particularly those in road reserves. The activities may also require temporary or permanent acquisition of land currently used for farming activities in the rural areas, the project will avoid removing crop before payments of compensation to PAPs. However, restriction of access to services or restrictions to movement may be require particularly during construction. Given the nature and size of the project, it is very likely that acquisition of land take place.

5 1.1 Project Description

The target road section of the assessment is carried out in Quelimane Municipality, Nicoadala and Namacurra Districts in Zambézia Province, for a length of 70 km, connecting Quelimane - Nicoadala - Namacurra. The map below illustrates the location of the project and the photos show the beginning and the end of the route.



Figure 2:
project Route

Map of

The project foresees the rehabilitation of the road, implementing a transversal profile with the following dimensions:

- Lane width: 3.5 x 2 m wide
- paved shoulder: 1.5 to 2.5 m
- unpaved shoulder: 0.5 to 1.0 m
- The unpaved shoulder in Quelimane will be 1.5 m

The Road Rehabilitation project between Quelimane - Nicoadala – Namacurra. Will be done on the OPRC contract, which includes the maintenance phase. The Contractor must comply with in terms of the Environmental and Social Management Plan.

The rehabilitation and strengthening as well as widening of the existing road prism needs to be constructed under half-width, stop-and-go accommodation of traffic conditions, since the provision of temporary bypasses is not deemed practical in the flood plain area between Quelimane and Nicoadala. The construction of a temporary bypass would also add significantly to the construction cost.

6 1.2 Objectives

To prepare the Resettlement Action Plan for the project Quelimane- Nicoadala-Namacurra

Specific objectives

- ✓ To identify affected people in the corridor of impacts for the rehabilitation project of the Quelimane – Nicoadala - Namacurra road
- ✓ Describe the socio-economic status of the affected people;

7

8 1.3 Principle of Resettlement Plan

Based on the framework policy for resettlement for the road sector the legislation no. 181/2010 and the resettlement of public and economic activities regulation, decree 31/12 owners of land that has to be expropriate to implement such activity is subject to the compensation. The value of compensation will depend in the level of lost suffered. In a case of public or private infra-structure, the value of compensation should include the material, transport and labour to the new construction site. For agriculture land in production budget crop will be calculated and additional value of seed, seedling, inputs and land preparation will be included.

Under this project the criteria for eligibility will be based on basic principles of the Mozambican legislation as well as the eligibility criteria of the World Bank safeguards OP 4.12:

- (a) Those who have formal rights to land (including customary and statutory rights of occupancy recognized under the Laws of each respective country)
- (b) Those who do not have formal legal rights to land at the time the census begins but have a claim to such land or assets or become recognized through a process identified in the resettlement and compensation plan.
- (c) Those who have no claim to land they are occupying or using.

Those covered under a) and b) above are to be provided compensation for land they lose, and other assistance in accordance with the policy.

Persons covered under c) above are to be provided with resettlement assistance in lieu of compensation for the land they occupy or use, and other assistance, as necessary, to achieve the objectives set out in this policy, if they occupy or use the project area prior to a cut-off date established by the local Government Technical Planning Teams and acceptable to the Bank. Persons who encroach on the area after the cut-off date are not entitled to compensation or any other form of resettlement assistance. All persons included in a), b) or c) above are to be provided with compensation for loss of assets other than land.

Therefore, it is clear that all affected persons irrespective of their status or whether they have formal titles, legal rights or not, are eligible for some kind of assistance if they occupied the land before the entitlement cut-off date. The entitlement cut-off date refers to the time when the census of persons and their property in the area is carried out, i.e. the time when

the project area has been identified and when the socio-economic study is taking place. Thereafter, no new cases of affected people will be considered. Persons who encroach the area after the socio-economic study (census and valuation) are not eligible for compensation or any form of resettlement assistance.

9 1.4 Possible types and scope of impacts

The rehabilitation project activities will lead to land acquisition, restriction or loss of access to economic assets and resources, leading ultimately to land acquisition and compensation. A potential impact is expected to be the displacement of houses, *barracas* or selling because of the roads rehabilitation and maintenance works. Given that the rehabilitation and maintenance works are located in rural areas there might be a possibility that could cause need for the displacement of these typologies of small businesses. The displacement of *barracas* or tends could be of a permanent or temporary nature. Thus, potential and possible impacts from this project could be:

- ✓ permanent land acquisition of rural settlements, with different sizes,
- ✓ temporary land impacts of limited size (considering only rehabilitation and maintenance works),
- ✓ Displacement of family house;
- ✓ displacement of **barracas** or selling tends;
- ✓ loss of **machambas** and crops

1.5 Update of Census for N10/N1: Quelimane-Nicoadala-Namacurra

The Government of Mozambique through the National Road Administration (ANE) hired in 2014 the consultancy firm CPG to prepare the Environmental and Social Impact Assessment (ESIA) and Resettlement Action Plan (RAP) for the Rehabilitation Project of the N1/N10 Road between Quelimane-Nicoadala-Namacurra (70 Km), which was updated in 2016 to consider the decree 54/2015, December 2015, regulation of Environmental Impact Assessment Process (ESIA) and the decree 31/2012 of Resettlement Process and WB OP 4.12 on Involuntary Resettlement (RAP). In 2017 the consultancy firm OPUS was hired by ANE to review the ESIA and RAP including carry out public consultations in project area accommodating the World Bank comments.

After conducting the census in 2014, the Communities were informed to avoid occupation or use of the surveyed corridor of impact, also the Local Leaders, head of Administrative Post received instruction to control the influx of people on the road impact corridor in other to prevent invasion of new PAPs in coordination of ANE at Provincial level, by creating awareness of the danger they are exposed in being near the road. On the other hand, the

Local Leaders and Head of Administrative Post inform the people that can sell but at the time of the implementation will receive a notification and must vacate the area. ANE delegation in coordination with local leaders inspected the site regularly to avoid new settlement. During the public consultation in July 2017, the issues of occupation of the corridor of impact was discussed and the Local Leader, head of Administrative Post reported that in all length of the road the illegal occupation does not increased significantly.

In this context, ANE with support of local leaders managed to control and monitor the project area frequently, thus assumes that the number of PAPs has not increased significantly, due to the actions implemented, however, all those who may have occupied the COI to sell their products are duly informed and will be notified during the implementation of the project.

As mentioned before the previous census survey was carried out April 2014, and based on the international best practices, the census survey is valid for two (2) year, due to social dynamics in the project affected area and movement of people.

Although the improvements on the RAP report to comply with the WB OP 4.12 and the Resettlement Policy Framework (RPF) prepared for the project, the Client recognise that this RAP report has out-dated data. However, during the last four (4) years, the Client have been coordinating awareness campaigns to control and avoid the influx of people on the road impact corridor, with the support of the local leaders and head of administrative post and Municipality Authorities. Additionally, ANE Delegation inspectors have been visiting regularly the sites to avoid new settlements, therefore the Client expects that the number of PAPs did not change significantly, based on the regular communications and coordination with above mentioned authorities on site.

In order to, comply with the best international practices, the Client recognise the need for update the census survey/RAP and has already instructed the consultant to carry out the update of the census survey that will be done between **Feb 19 – 28, 2018**, which will include a set of new cut-of-date, review the number of PAPs desegregated by sex and vulnerability, affected assets (partial and total area), budget and contingency amount and re-disclosure

the RAP report. The public consultation will be carried out during the Census Update. The Consultant will hold focus groups meeting with the affected people in Quelimane, Nicoadala and Namacurra, as well as will call for a general public meeting in Quelimane and Nicoadala. The meetings will be attend by the affected people, District Resettlement Committee and all interested parts

A contingency of 15% has been added to the budget to accommodate any increases identified as a result of the updated census, this amount will be adjusted once the census is completed. Upon completion of final design any further adjustments required by any changes in the footprint will be included in the RAP.

2. LEGAL FRAMEWORK

10 2.1 Mozambican legislation for Resettlement

The process of land acquisition for public works in Mozambique is not new. The Land Law regulates key aspects of land occupation and use in Mozambique. Also covered in the regulation are the various situations of land acquisition, including among others:

- ✓ The acquisition of the right of land use and benefit by customary occupancy in good faith,
- ✓ The acquisition of the right of land use and benefit through the official channels;
- ✓ The rules governing protection zones;
- ✓ The relationship between the public and the Cadastre Services; and
- ✓ The rights and duties of the title holders

Land Law in the article 3, stipulates that in the Republic of Mozambique, land is the property of the State. This is also captured in Article 46 of the Constitution. Consequently, land may not be sold, alienated, mortgaged or attached (detrained). The Law states however, that although land is owned by the State, all Mozambicans have the right to use and enjoy the land or the right to land use and benefits thereto. Specifically, Article 9 provides for the acquisition of the right of land use and benefit by occupancy by local communities, while Article 10 provides for the right of land use and benefit by occupancy in good faith by national individuals.

The Mozambican Land Law Legislation recognizes the rights acquired through systems of customary occupancy and the role of communities in the management of land and natural resources and conflict resolution. This is spelt out in Article 24. Article 27 provides for the requirements and modalities regarding consultation, on land matters, with the local communities.

Article 30 dictates that the mechanisms for representation of and action by local communities, with regard to the rights of land use and benefit shall be established by law, while Article 23 empowers District Administrators, where there are no Municipal or Settlement Councils, to authorize applications for land use and benefit.

The Land Law Legislation captures and observes internationally innovative features that facilitate equitable development, based on relations that are mutually beneficial to local communities and to investors whether these are national or foreign.

The provisions of the Land Law support fair land acquisition, compensation and resettlement procedures to be developed and implemented. The Right of Eminent Domain (Article 86 of the new constitution of Mozambique) says that individuals and entities have the right to equitable compensation for expropriated assets and the right to a new and equal plot of land.

Hence the Land Law provides adequate legal foundation for the preparation of this Resettlement Policy Framework.

The land law defines total and partial protection zones. In that group lies the protected areas and their buffer zone, as well as the reserve areas for the linear public infra-structure that includes road construction, and it defines the width of the zone from the rural area and urban as well as type of the road. In the total protection zone no activities that may harm the environment or biodiversity are allowed, while in partial protection zone some non-permanent activities may occur. However, weak enforcement of the law regarding the use of partial zone has result in implantation of illegal or legal infra-structure within the most road reserve area around the country, with high cost of resettlement to be undertaken by ANE. In other to regulate the use of the road reserve the government approves the decree 109/14. Under this law ANE as a power to expropriate land without compensation, as well as the right to demolish any construction done within this area as well as to apply sanction to who violate this legislation.

In addition to the Land Law, there are a number of legislations that pertain to land administration in Mozambique. These include the Land Policy, the Framework Environmental Law, and the National Heritage Protection Law. However, this study has revealed that the provisions in these Acts are not comprehensive enough to accord fair compensation and resettlement arrangements. The following are some of the relevant legislations:

The Land Policy was approved by the Council of Ministers in October 1995. The main elements of this new policy are that: it recognizes customary rights over land, including the various inheritance systems; it recognizes the role of the local community leaders in the prevention and resolution of conflicts; it aims at creating conditions for the development and growth of the local community and the promotion of investment by the commercial sector; and that it maintains the concept of land belonging to the state.

The Framework Environmental Law passed by Parliament in July 1997, provides the legal framework for the use and correct management of the environment and its components; and to ensure sustainable development in Mozambique. Among other things, the law (Article 4) states that any citizen who believes his rights have been violated or are under threat of violation may take legal action against the perpetrator. Violation of rights includes personal loss and injury; and the loss of crops and profits. In 1995 MICOA drew up the National Environmental Management Plan, which among other things, forbids all activities that may threaten biodiversity. The plan also provides for the establishment of Environmental Protection Zones, which may cover land areas and other distinctive features.

The National Heritage Protection Law (Law 10/88 of December 1988) is intended to protect all national antiques, historical and cultural heritage. Such protected areas are to be avoided in the selection of project sites.

The other legislative provisions fall short of the necessary provisions to adequately support compensation and resettlement problems.

Land Law Legislation of 2004, land ownership is categorized as follows:

Public domain is areas destined for the satisfaction of the public interest. This is land on which socio-economic activities are permitted. The Total and Partial Protection Zones are part of the public domain. Also included in the public domain are the Nature Protection Zones, which are intended for conservation of certain animal or plant species, biodiversity, historical, scenic or natural monuments. These zones are subject to specific regulation and the law advocates a system of management that involves local community participation. Total Protection Zones are areas that are intended for nature conservation or preservation activities and also for State security and defence.

Partial Protection Zones include:

- ✓ land strips up to 50 meters along the edges of navigable rivers and lakes, measured from the high-water mark of such waters;
- ✓ the land strip of up to 100 metres surrounding water sources;
- ✓ the strip of maritime coastline including that around islands, bays and estuaries, measured from the high water-mark to a point 100 meters inland;
- ✓ the strip of up to 250 meters along the edge of dams and reservoirs and;
- ✓ the two kilometres strip of land along the terrestrial border. It also includes:
- ✓ the land occupied by public interest railway lines and bordering strips including the respective railway stations;
- ✓ the land occupied by motor ways and highways, aerial, surface, underground and underwater installations and conduits for electricity, telecommunications, petroleum, gas and water including bordering strips of 50 metres on each side;
- ✓ land occupied by roads including bordering strips of 30 for primary roads and 15 metres on each side for secondary and tertiary roads.

No rights of land use and benefit can be acquired in total or partial protection zones, although special licenses may be issued for specific activities.

Land acquisition in Mozambique may be achieved through:

- ✓ Occupancy by individual persons and by local communities, in accordance with customary norms and practices, which do not contradict the Constitution;
- ✓ Occupancy by individual national persons who have been using the land in good faith for at least ten years and;
- ✓ Authorization of an application submitted by an individual or corporate person in the manner established by the Land Law

The Land Law Legislation stipulates that a land title shall be issued by the general or urban Public Cadastre Services. However, the absence of title shall not prejudice the right of land

use and benefit acquired through occupancy of good faith. The application for land title shall include a statement by the local administrative authorities, preceded by consultation with the respective communities, for the purpose of confirming that the area is free and has no occupants. Title to local community shall be issued in a name decided upon by the community and individual men and women who are members of the local community may request individual titles after partitioning community land. The right of land use and benefit can be proved by presentation of the respective title; testimonial proof presented by members, men and women of local communities and by expert evidence and other means permitted by law. Among other modes of land transfer, the Land Law permits the transfer of land by inheritance, without distinction by gender. The term of land use and benefit, for the purpose of economic activities, is subject to a maximum term of 50 years, renewable for an equal period upon application. The right of land use is not subject to time limit for the following cases:

- Where the right was acquired by local communities through occupancy;
- Where it is intended for personal residential purposes and;
- Where national individuals intend it for family use.

In other hand the execution of private works that may result in the need for expropriating land and the relocation of populations are regulated under the decree 181/2010 and 31/2012. The Ministerial Decree 181/2010, approved by the Ministry for the Coordination of Environmental Action, Ministry of Finance and Ministry of Justice and the Government Decree 31/2012, from August 8th, establish the basic rules and principles that guide the resettlement process resulting from public or private economic activities aimed at ensuring sustainable and equitable socio-economic growth and a better standard of living for the population affected by the process.

The Decree introduces specific procedures for the design and implementation of the Resettlement Action Plan (RAP), defines the content of the RAP and the Resettlement Implementation Action Plan, the rights of affected parts, the responsibilities of the project proponent and the Implementation of the public consultation process.

In addition, it creates a technical commission for the revision of the Resettlement Action Plans triggered by projects that cause resettlement and defines the responsibilities and procedures of the commission in the approval of the RAP as well as in the monitoring of its implementation. This responsibility lies within the district government.

11

12 2.2 World Bank Safeguards Policies

The World Bank's Safeguard Policy OP 4.12 applies to all components of the programme and to all economically and /or physically project affected persons, regardless of the number of people affected, the severity of impact and the legality of land holding. The Bank's policy advocates that where feasible, involuntary resettlement should be avoided or minimized, the resettlement must be conceived and executed as a sustainable development program, providing sufficient investment resources to enable persons displaced by the project share in project benefit. Persons displaced must be:

- ✓ Meaningfully consulted and should have opportunity to participate in the planning and execution of the resettlement.
- ✓ Compensated for their losses at full replacement cost prior to civil works,
- ✓ Assisted with the move and supported during the transitional period in the resettlement site and
- ✓ Assisted in their effort to improve their former living standards, income earning capacity and production levels or at least to restore them.

Particular attention should be given to the needs of vulnerable groups especially those below the poverty line, the landless, the elderly, women and children, indigenous groups, ethnic minorities and other disadvantaged persons.

The World Bank's Policy requires that a Resettlement Action Plan is prepared and cleared by the Bank prior to implementing resettlement activities. The Bank also requires that the provision of compensation and other assistance to Project Affected Persons is carried out prior to the displacement of people. In particular, possession of land for project activities may take place only after compensation has been paid. Resettlement sites, new homes and related infrastructure, public services and moving allowances must be provided to the affected persons in accordance with the provisions of the Resettlement Action Plan.

13 2.3 Institutional Framework.

Base on the Mozambican legislation MITADER is the ministry responsible for the approval of the Resettlement Action Plan. Nowadays, MITADER issued the final environmental licence after the approval of the RAP. Then the client of the project in this case ANE should implement the RAP in liaison with the three districts authorities. DPTADER should establish the provincial resettlement committee and also a resettlement committee in each district.

District resettlement Technical committee should be comprised by the representatives of the district government through the Infra-structure and planning services, economic activities services, representatives of the local leaders of targeted communities, NGO's that work in the areas.

The main objective of these committees is to oversee the process of the RAP implementation and facilitate the grievance mechanisms and foreseen the compensation payments.

Table 6: Role and responsibility of stakeholders

Institution	Responsibility
ANE	Client. Should guarantee the payment of all compensation and clean the corridor of impacts for the contractor to initiate the work
Service provider	To be contracted by ANE to implement the RAP. Guarantee the payments, follow the claims and resettle all the affected people
Provincial and District authorities (Provincial and district Resettlement Committee)	Overseen the process of RAP implementation
4.Affected people	Give accurate information on their assets, be compensate and cooperate with the

3. METHODOLOGY FOR THE PREPARATION OF THE PLAN

14 3.1 Methodology

According to land legislation, the protection zone for the main roads is 30 meters on each side, outside urban areas and 15 within urban areas. According to this law, no infrastructure should be built in this area. Unfortunately, the reality of Mozambique shows the opposite, because several licensed and unlicensed works and infrastructures have been built within 30 meters of the main roadway, with especially in urban areas.

Aware of ANE's inability to accommodate resettlement in a range of 15 to 30 m on either side of the road, CPG began a discussion with ANE to define the range considered critical for the project and therefore subject to resettlement. From this discussion, and taking into account that the construction proposal does not involve detours, a COI of 5 meters for each side of the road was defined.

The socio-economic census held in April 2014 was carried out within this range and, with the help of a GPS, the coordinates of all identified points were surveyed. During the census, all the owners of the establishments and infrastructures were identified and in the case of agriculture, also the types of existing crops. In addition, a description of the infrastructure, measurements of the affected area and survey of the owners' data were made.

The survey work faced some problems related to the absence of owners and the existence of closed and/or abandoned stores. This will increase the costs of resettlement. In order to accommodate this and other situations that may arise in the process of payment of compensation, a percentage of 30% was added to the total compensation amounts.

15 3.2 Community Participation – Public Consultation

Community participation must take place from the beginning of the preparation of the Resettlement Action Plan to its implementation. This participation is fundamental for the success of the Resettlement Plan implementation, since it must be seen as a way to involve the PAPs in the decision-making process.

The last public consultation meeting was held in Nicoadala on the 11 of July 2017. The meeting aim to:

- Inform the results of the census survey within the ROW of the N10/N1;
- Consult with the affected people and discuss their views and concern over the RAP and ESMP;

The meeting was attended by 75 people being around 10% (7 participants) of women. From the total participants, 54% were representatives of government institutions from

target districts, local leaders, province of Zambezia and Central from ANE HQ. 40% were PAPs and 6% represents non governmental organization.

The meeting was attended by representatives of SDAE, SDPI of Nicoadala, Namacurra, Murrumbala and Mopeia Districts. From the provincial level there were representatives of DPTADER, DPCI, DPASA, DPOHRH, ANE delegation, CPCS and representatives from ANE HQ.

The public consultation focusses on presentation of the ESIA and RAP prepared in 2015 by CPG. These documents were adjusted to be in line with the World Bank safeguards and RPF prepared under the IFRDP. Information and data for preparation of the documents were collected in April 2014.

- The presentation was divided in two parts namely:
 - i) Presentation and discussion of the Environmental and Social Impact Assessment (ESIA) and ii) the presentation and discussion of the Resettlement Action Plan (RAP).

Out of 75 participants around 10 people requested additional clarification and made recommended, representing 13,3% of the total participants.

During the meeting the main concern raised one of the key issues raised by the local leader was related with the cut of date for resettlement and criteria of illegibility for compensation for the road occupancy made between 2014 up today. And was their involvement in the process of building and maintaining infrastructures, roads, as they are the direct beneficiaries of such rehabilitation or construction, as well as the fact that their knowledge about the local singularities can facilitate the rehabilitation process. Comments regarding their inability to cease the new settlements within the RoW, due to lack of effective power to do so, or effective measures taken by the authorities against illegals. Regarding first comments the response given was that the April 2014 was the cut of date, however ANE have decide to undertake a new census and new cut of Date will have to be set. Regarding the lack of power of the local leaders to control effectively the occupation od RoW, ANE referred to the new regulation under diploma 109/14. More comments and response to the PAPs concern see Annex 8.

4. SOCIO-ECONOMIC DESCRIPTION OF THE PROJECT AREA

16 4.1 Socio-Cultural Context of the Zone of Influence

17 4.1.1 Population

The Zambézia Province represents one of the most populated and most extensive provinces of Mozambique. In terms of population density, the city of Quelimane and the two other districts crossed by the rehabilitation route have a high average density compared to the province average, as it is shown in the table below.

Geographic area	Population total (1)	Density (2)	Male	Female
			Population (3)	Population (4)
Zambézia Province	4,563,018	44.1	2,203,257	2,359,761
Quelimane City	230,461	1887.7	116,608	113,853
Namacurra	241,659	119.1	112,370	129,288
Nicoadala	253,348	74.7	123,348	130,000

Source: INE, Annual Projections of Total Population of Provinces and Districts 2007-2040

Table 7: Data of the population of Zambézia Province and of the Districts crossed by the project

18 4.1.2 Cultural Aspects

In the project area, traditional leadership is exercised by chiefs and neighbourhood secretaries, head of village groups, village chiefs and other people who are respected for their social, cultural, economic and religious role, with a division of labour and duties among the different community leaders. Thus, the primary duty of the secretaries is to mobilize the community for social and economic tasks, while traditional leaders deal primarily with traditional aspects such as ceremonies, rites and social conflicts.

Through community leaders, populations have been involved in finding solutions to existing problems, namely fighting crime, collaborating with police through detention and reporting of criminal practices, opening of roads and community wells using local conventional material, etc.

19 4.1.3 Analysis of Gender Relations

The National Gender Policy and the Gender Action Plan are the safeguard of gender equality, access to economic goods and participation in decision-making. In this context, the project should provide equal opportunities for men and women. Under the national gender policy, a minimum of 35% of women should be employed in the workplaces. However, ANE, aware of the specificities of the activity, refers to a quota of at least 25%. In addition, ANE recommends that contractors ensure equal conditions and facilities for men and women in all camps and in the works. With the rehabilitation of the road, it is expected that in the long term a greater number of women will be beneficiaries, since they are the guarantees of the trade between the south and the centre.

Among the negative impacts that may have a gender dimension highlights should be given to the spread of HIV/AIDS. Zambézia Province has one of the highest prevalence rates in Mozambique (16.2% in relation to the national rate of 11.5%), although the highest incidence is among man (14.3% compared to 12.3% in the women).

The project will include activities to raise awareness and prevent this disease, among the workers and the affected community, through a service provider. As part of HIV/AIDS awareness rising, the service provider will include gender awareness to ensure that women and men have equal benefits with the implementation of the project. During the resettlement process, women may be disadvantaged: although they are matrilineal societies, man controls the assets. This may be detrimental to female heads of households. To minimize this, compensation payments should be made in the presence of women and community leaders should protect these families.

20 4.1.4 Ethnic Groups and Religion in the Area

In Zambézia Province, there are several ethnic groups that correspond to a diversity of languages and dialects, most notably Lomwe, spoken by the majority of the population, Chuabo (spoken in the project area), Sena, Merenja, Manhawa and Nhungue. The most spoken languages are: Lomwe, 42%; Echuwabo 31%; Chisena 8% and Portuguese, spoken by only 5% of the population.

The prevailing religion is Catholic, covering about 39% of the population, followed by Protestant with 19%, Zione with 12% and Muslim with 10% (Census 2007). Another part of the population, estimated at about 19%, practices traditional religions linked to their ancestors. In terms of territorial distribution, Catholic and Muslim communities are mainly concentrated in urban areas, while others are more common in rural areas. From the values previously presented, it is noted that the distribution of religion in the province is not uniform and, likewise, there are differences from one neighbourhood to another.

21 4.1.5 Health and Education

In terms of infrastructure, Zambézia Province is not different from the majority of the country. According to INE (2010), Zambézia Province has 143 health infrastructures with a higher predominance of basic care assistance units (health centres and health posts). The rate of HIV seropositivity has been increasing in recent years. According to INE 2007 data, the prevalence rate in Zambézia is estimated at 16.2%.

Regarding education, Zambézia has a school network that goes up to university education (in Quelimane). High School/secondary education is located in the districts' headquarters. This structure of the school network has resulted in low admission of students in high school education. The schooling rate is higher for males than for females.

22 4.1.6 Land Use and Agriculture

In the assessment area, there is a mosaic of land use, which includes: agriculture, livestock production (albeit on a small scale), forestry and wildlife exploitation, fisheries and land concessions in general. According to the district profile data, agriculture is one of the most prevalent occupations. The type of occupation and access to land predominant in this area, is based on customary laws or on occupation in good faith. As in other areas of Mozambique, land and natural resources are owned by the state. However, the law recognizes the customary rights of the community over the land.

The province is rich in natural resources (flora, fauna, mineral resources and fisheries), contributing to its development. In the assessment area, the most important economic activities are trade, production and sale of coal, inland fishing and agriculture. Agriculture is the dominant economic activity with about 70% of the total population involved in this activity. Subsistence agriculture is the main type, being practiced by the family sector in plots with sizes varying from 0.5 to 1 ha. In riverside areas, rice and horticulture are commonly practiced, while in the higher lands, maize and sorghum. Family farming is dependent on rainfall and a low level of agriculture input use, which affects levels of productivity and production.

As far as income crops are concerned, communities cultivate cotton, sesame, and *Boer* beans and forest plantations. The developers guarantee the marketing of these products. For the more inland peasants, the commercialization has been a constraint to the increase of the levels of production and this is exacerbated by the bad conditions of the roads.

5. CRITERIA FOR ELIGIBILITY

The affected people of the project, will be those that lose assets or investments, property including land, and access to natural and economic resources to allow project activities.

It must be clear and guaranteed from the onset that citizen' rights, right of access to land, grazing land and water will be respected for all affected families, as non - negotiable basic principles and that no resettlement actions will take place without verified compliance. For this project the affected people are categorized in four groups, namely:

- i. Affected Individual – An individual who suffers loss of assets or investments, land and property and/or access to natural and/or economic resources as a result of the project activities and to whom compensation is due. For example, an affected individual is a person who farms a land, or who has built a structure on land that is now required by a project for purposes other than farming or residence by the initial individuals.
- ii. Affected Household – A household is affected if one or more of its members is affected by project activities, either by loss of property, land, loss of access, or otherwise affected in any way by project activities.
- iii. Affected local community – A community is affected if project activities affect their socio-economic and/or social-cultural relationships or cohesion. For example, cemetery
- iv. Vulnerable Households – Vulnerable households may have different land needs from most households or needs unrelated to the amount of land available to them: (i) Unmarried women/women headed household; (ii) Non-farming, (iii) Elderly, (iv) The infirm or ill and (v) Orphans headed household. These household types are not mutually exclusive, so that the elderly may be internally displaced persons, and women are affected individuals.

The target group of the resettlement process is the people who, with the implementation of the project, will directly lose their assets and investments, part of their properties and land for agriculture, as well as access to natural resources.

In order to avoid conflicts, the rights of those affected must be clarified and guaranteed from the outset. Access to land and water should be respected as a non-negotiable basic principle. Eligibility is only guaranteed for people living in the project area if they suffer losses. For the definition of affected persons, the procedures described below were implemented.

Census: The RAP team identified all infrastructures located within the 5m range on each side of the road. In the process, information was collected from the owner, description of the good,

area to be affected and, in the case of agriculture, the type of land use, field crops and economic trees, as well as the records of the relevant geographic coordinates.

Registration: The field team identified and documented the infrastructures potentially affected by the project. The resulting list will be used as the record basis to implement the Resettlement Action Plan. The persons/groups eligible for compensation for losses arising from the implementation of the Project are listed in table 6.3, below.

Compensation entitlements for different categories of eligible persons and assets (properties) are summarized in the next table:

Table 8: Summary of all the assets that the PAP is entitled to shall be prepared for easy reference

Category of PAP	Property	Type of project affected right or property or loss	Entitlement	Process and specific condition	Remarks	Specifications
Owner	Land	Permanent Loss of fraction of land and the rest of the parcel is usable	Registration of land parcels to be lost prior to expropriation, free of cost Cash compensation for affected land at replacement cost (equivalent to the market value of the property, sufficient to replace the lost asset and cover the transaction cost) and any taxes for land registration	Transfer of property right through expropriation process	The value of the rest of the parcel will reduce. There is need to calculate the forgone value of the previous land and be compensated accordingly	
Owner		Permanent Loss of fraction of land and	Registration of land parcels to be lost prior to expropriation, free of cost	Transfer of property right through amicable	Calculation of total value of the parcel	Provision of the new replacement permanent land, with equivalent

Category of PAP	Property	Type of project affected right or property or loss	Entitlement	Process and specific condition	Remarks	Specifications
		the rest of the parcel is not usable	<p>Cash compensation for affected land at replacement cost (equivalent to the market value of the property, sufficient to replace the lost asset and cover the transaction cost) and any taxes for land registration</p> <p>Replacement Land plot of similar size and characteristics (equivalent value, productivity, quality, size, location) with secure land tenure</p>	agreement during the expropriation process		value, location and productivity; including the provision of funds to develop alternative replacement land.
Tenant			Assistance on lease alternative land /property to re-establish use	Finding alternative location of similar characteristics given for use with secure tenure	This is unlikely situation	

Category of PAP	Property	Type of project affected right or property or loss	Entitlement	Process and specific condition	Remarks	Specifications
Owner		Temporary loss of land or access to land due to construction or rehabilitation works	<p>a new plot of land will be given to the owner based on customary law. The replacement land must be permanent of equivalent value, size, location and productivity.</p> <p>In a case that the contractor need land outside the ROW (ancillary works, camp site, access roads etc), the contractor shall negotiate with the PAP compensation option that may include:</p> <p>Rent payment for the time the land will not be available for owner or user;</p> <p>Compensation for the assets;</p>	In circumstances where part of land could be used by the owner/use or imposed restriction for use	<p>Before starting any borrow pit or quarry operation, the Contractor should obtain approval from the authorities (National Directorate of Mines) and linked to the ESIA an environmental license approval for operation of the quarry sites;</p> <p>Contractor's obligation for damages, restoring the property, (i.e crack in PAPs houses due to</p>	<p>Landowners consent and approvals will be obtained prior to opening borrow pits or quarries. The approval will identify the future land-use required by the landowner for the area utilized as a borrow pit or quarry;</p>

Category of PAP	Property	Type of project affected right or property or loss	Entitlement	Process and specific condition	Remarks	Specifications
			<p>Replacement land of equivalent value, productivity, location, and funds to develop the replacement land to the same quality as affected land</p> <p>Or</p> <p>Use of VLD subject to consent of landowner, if losses are small, as per the protocol</p>		<p>vibration or other construction related issues)</p> <p>The VLD, should be used in very limited situation, where the losses of PAPs are negligible and PAPs income/ subsistence is not significantly affected</p>	
Owner (1 and 3)	Commercial property (barraca, banca)	Loss of business and or Banca	Compensation for loss of income incurred as a result of reallocation including any discrepancies in livelihood.	Compensation will be given until the income stream	For the non-permanent structure the owners will be given opportunity to	

Category of PAP	Property	Type of project affected right or property or loss	Entitlement	Process and specific condition	Remarks	Specifications
			Assistance to displace the barraca or banca		<p>remove the structure and transaction cost will be paid to transport the material to a new location;</p> <p>If the structure is a conventional the compensation will be in money based on the cost of material and area demolished.</p>	
Absence of legal land right (DUAT)	Land or Business	Losses of Land	<p>No cash compensation for affected land at replacement cost.</p> <p>Compensation of the structure at the replacement</p>		Encroachers prior to cut off date will be entitled for compensation to	

Category of PAP	Property	Type of project affected right or property or loss	Entitlement	Process and specific condition	Remarks	Specifications
			cost and assistance to find a new place to establish same business		displace a structure or small business	
Owner	Economic trees and crops	Area Need for construction works	<p>Registration of all type and quantities of affected trees prior to the construction activities starts;</p> <p>Determine the type and area affected crop field area that will be lost and identifies the crop.</p> <p>Cash compensation.</p> <p>Land compensation will consider the compensation</p>			

Category of PAP	Property	Type of project affected right or property or loss	Entitlement	Process and specific condition	Remarks	Specifications
			mechanisms described under the land category above			
Community asset	Sacred local, Cemetery	Area need for construction works	Identify and describe the community affected asset; With the local leaders and affected families determine the conditions to relocate the affect sacred area if needed or adjust if possible the design to avoid these areas		Provision of funds for traditional ceremonies, transport, assistance to communities.	
Owner	Business	Temporary interruption of business due to	Compensation for the business interruption;			

Category of PAP	Property	Type of project affected right or property or loss	Entitlement	Process and specific condition	Remarks	Specifications
		construction or rehabilitation works	Cash compensation			

Special care will be given to safeguarding the rights of vulnerable households. Vulnerable people are defined as those whose characteristics expose them to potentially greater negative effects from the resettlement process than other groups, and who could face limitations in making complaints or in taking advantage of the benefits derived from the resettlement process and associated development benefits. In this context, the following social groups are considered as vulnerable:

- Female or child headed households. It must be noted however that not all female headed households can be considered as vulnerable as a result of that feature alone, actual vulnerability needs to be carefully assessed, taking into account that such households are more likely to be vulnerable when headed by an older widow;
- People with disabilities;
- People living under extreme poverty, considering absolute poverty parameters (under 1 USD / day) and;
- Older people, especially households that have no members under 60.

The definition of vulnerability requires great care. It is important that appropriate criteria are used and that community consultations through consultative fora serve as the basis for the identification of vulnerable affected people. Specifically, the process should include:

- Determination of categories for vulnerable people;
- Dissemination of vulnerability criteria;
- Establishing mechanisms for the dissemination of information among affected people;
- Assessment of individual cases through interviews;
- Production of a report listing all vulnerable families identified and recommended support measures.

The cut-off date for the project set as December 2016 was determined at the beginning of the census through consultative process. The local leaders and the communities at large were well informed of the cut-off date and advised that after this date, any new settlements within the project impact area will not be eligible for compensation.

Confirmation of eligibility: goods registered during the census will serve as background information for the compensation process. In order to set the deadline for the definition of eligibility to compensate affected properties, in addition to the Census information, Google satellite images may be used to identify the situation on the ground at any given time. In principle, any structure built after the date of the census will not be entitled to compensation

6. SURVEY RESULTS

23 6.1 Basic Characteristics

To determine the compensation due and in the scope of the census undertaken, 1000 people were surveyed, of which 500 are from Quelimane, 450 from Nicoadala and 50 from Namacurra. Most of the affected structures are located in the urban areas of Quelimane and Nicoadala, being mostly stalls of precarious construction. The most common infrastructures are advertisement poles. In rural areas, about 18 hectares of rice farms and 390 trees of various fruits and forests were identified, mostly located between Nicoadala and Namacurra. The social infrastructures identified within the area of influence of the 5 meters, are infrastructures of service provision (electricity and water), drinking fountains (private and public) and family cemeteries whose removal will only be done after all the options have been exhausted to avoid them. As far as housing is concerned, none were identified.

Resettlement may entail a substantial increase in project costs. In order to reduce costs, the project should consider technical options that minimize the need to resettle communities while maintaining its economic feasibility. ANE made some recommendations to minimize resettlement costs, and all affected people should be identified within a range of 5 meters on each side of the road.

During field data collection, it was observed that there is a slight variation in the type of affected infrastructures. In order to minimize the impacts of resettlement and considering the diversity of the type and quality of infrastructures and other products, the following grades are proposed:

- **Grade A:** Infrastructures made with conventional material (block and cement) including houses, kiosk, bar, small shops;
- **Grade B:** Infrastructures made from local material (clay) or covered with straw and zinc cover and small shops ("tents") - Removable structures (unconventional material);
- **Grade C:** Which includes portions of land that have trees (banana trees, mango trees, cashew trees, orange trees, guava trees, avocado trees, coconut trees).

Based on preliminary discussions with the ANE Provincial Delegation and the district authorities, compensation will be made to all individuals within the 5 m range on either side of the road. The compensation process will be done in close collaboration with district authorities, community leaders and traditional authorities.

Information was collected on the infrastructures taking into account the previous classification.

24 6.1.1 Infrastructures and Housing

The implementation of the N1 and N10 rehabilitation project will affect approximately 1000 people in a direct way. Between Quelimane and Namacurra, these people will totally or partially lose their assets/infrastructures. According to the surveys, most of the infrastructures to be affected are reserved to trade of primary products and are made of precarious and removable construction (barracks/tents). Compensation, in this type of infrastructures, should include the removal of the entire area of the tent and parts of it may be used for the construction of a new tent. During the surveys, the affected area and the total area of the tent were surveyed.

In relation to social and public utility infrastructures, drinking fountains energy and advertisement poles were identified along the road.

It should be noted that no immovable housing structures or other structures of conventional construction were identified, only the walls of some shops.

25 6.1.2 Agricultural Areas

The agricultural areas and the affected trees are located mainly between Nicoadala and Namacurra. In the survey, there were identified 18 hectares, 390 economic trees and trees of exotic forest species at a production age.

The dominant economic trees are cashews, mango, banana and coconut. The magnitude of the impact will depend on when the project begins, vis-à-vis, the agricultural production cycle. The loss of agricultural production poses a serious risk to the food security of the affected families. A total of 30 hectares are currently used for agricultural for the production of rice in the marshy areas.

26 6.1.3 Areas of Cultural and Traditional Interest

Along the road there were identified cemeteries/graves and sacred trees. Although no exhumation is expected, they can be removed to allow the circulation of machines. However, road re-alignment or retention structures are expected to protect sensitive areas such as cemeteries, water wells, holy sites and other areas of common interest. In cases where it is not possible to avoid the removal of these areas, all precautions shall be taken to reduce the impacts of social losses, taking into account the peoples' traditions. The table below summarizes the assets located within the area of direct influence, specifically in the range of 5 m from each side of the road.

Table 9: Summary of the census results**Covered Infrastructures N01/10 Quelimane-Namacurra Road**

Denomination	District	Types of Conventional Infrastructure					Details
		Yes		Semi	No	Total	
		Area in m ²	Unities	Unities	Unities	Unities	
Commercial Infrastructures	Quelimane	84	7	58	89	154	Infrastructures for the sale of basic needs products and second hand clothes
	Nicoadala	673.5	21				
Private Services			8	19	23	50	Small workshops; barber shops; hair salons and carpentry
House/ Garages	Quelimane	22	3	1	2	6	Balconies in block
Fences					6	6	Woods, bamboos and hedge
Wall			8			8	Blocks
EDM Poles			33			33	Concrete and eucalyptus
Advertisements			3			3	Metal
Drinking fountains			7			7	Blocks and cement
Memorials / Cemeteries			9			9	Blocks and cement
Economic trees			125			125	Coconuts trees, mango trees,

							cashew trees and banana trees
Forest trees			265			265	Acacias, eucalyptus and casuarinas
Agricultural areas		15,648	18			18	Rice production (Nicoadala)

It is important to keep in mind that the exact number of families and the magnitude of the impact are likely to increase, since although the surveys have been made, there have been closed or abandoned stores. The owners of these may arise at the time of compensation. In addition, according to local leaders, some new people are building their tents, even though they are warned not to do so, others expand the size of tents in the expectation of a better compensation.

7. THE RESETTLEMENT ACTION PLAN

27 7.1 Resettlement Potential Impacts

It is well known that the rehabilitation of N10/N1 road will have short-term negative impacts on the users, but in the long run it will bring greater benefits to all. The positive impacts occur mostly after the completion of the work, while the negative impacts occur mostly during the construction phase.

Positive impacts are generally related to improved road traffic, improved trade and reduced transportation costs. On the other hand, some of the negative impacts are related to the potential increase in prostitution, reduction in school attendance to embrace rehabilitation business, corrosion of existing organizational structures, cultural shocks, etc. The table below summarizes infrastructures and other products to be resettled by category.

Table 10: Illustration of the losses by category

Category	Losses
<i>Loss of land</i>	<ul style="list-style-type: none"> • 18 hectares cultivated land; • Loss of economic trees and planted forest trees (390 trees)
<i>Loss of infrastructures</i>	<ul style="list-style-type: none"> • 225 tents/barracks
<i>Loss of access to sacred places and of cultural importance</i>	<ul style="list-style-type: none"> • Cemeteries; • Family cemeteries; • Places of sacred value

When resettlement activities are not adequately planned, there is a risk of a delay in the normal return to life and in some cases the surrounding context may end up becoming worse off than before. The potential impacts of resettlement are as follows:

- Cultural and identity loss, or cultural impoverishment;
- Economic and social segregation;
- Reduced access to social infrastructures;
- Food insecurity as a result of the loss of self-sufficiency;
- Loss of access to common resources, such as areas for collecting wood, water and grazing, which can cause deterioration of the living conditions;
- Social disintegration as a result of changes in community structures and social organization and changes into an informal relationships network that undermine and impoverish people.

The magnitude and relevance of these impacts depend on the number of families affected, in addition to the methods adopted for the resettlement/compensation.

28 7.1.1 Loss of Infrastructures

Approximately 225 small tents were identified in Quelimane and Nicoadala, which will be affected by the rehabilitation of the road. These tents are located at the entrance of those urban centres.

During the rehabilitation process, many tents will be totally destroyed, because most of them are made of removable material. To ensure that families continue to put in practice their livelihoods, places should be identified, in partnership with municipalities, to facilitate the accommodation of such persons and the continuation of their business.

Compensations for this group will be made in cash. For the calculation of the compensation, the cost of labour and materials to be used will be included, based on local prices. A percentage will also be added for the installation and for compensation of lost income between the time of withdrawal from the existing facility and resettlement at the new site.

In the case of Nicoadala, the Consultant was informed that there is a Municipal Market that intends to accommodate the informal merchants. However, nobody has yet been transferred. The following figure illustrates the location of the infrastructure affected by the Project.

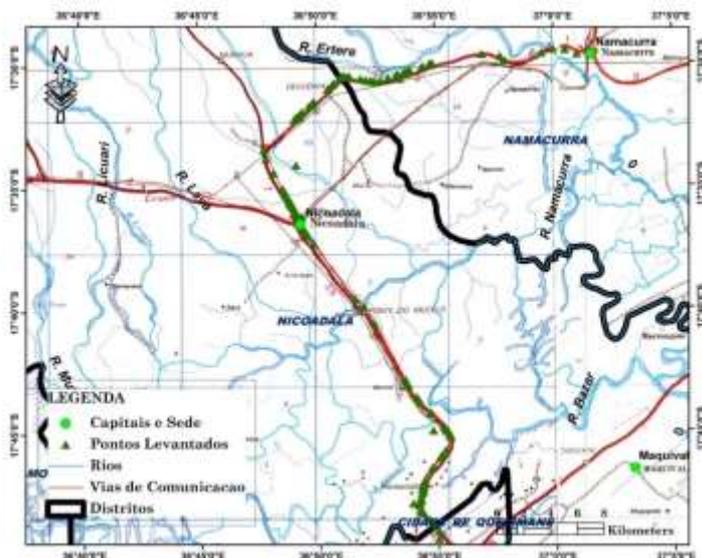


Figure 3: Illustration of the affected infrastructures

29 7.1.2 Loss of land, Agricultural Areas and Economic Trees

According with the land law, in Mozambique land belongs to the State and therefore does not have a market price, thus compensation relate to land will cover compensation for

replacement cost of the crop lost based on the price given by the Provincial Directorate of Agriculture and Food Security (DPASA). In contrast, the World Bank OP/BP 4.12 compensation for land includes also compensation for labour used to prepare the land and cultivate the crop. For the WB the term “Land” refers to an area or homestead in cultivation, being prepared for cultivation, or cultivated during the last agricultural season. This definition recognizes that the biggest investment a farmer makes in producing a crop is his or her labour. There is also a Voluntary Land Contribution a process, on which an individual or communal owner agrees to provide small portion of the land or property for project-related activities. The voluntary Land Contribution will be based on the following criteria:

- ✓ Voluntary Land Contribution or right of use of the land (DUAT) will be applicable if the expected that losses are smaller;
- ✓ Impacts on individual households should be marginal limiting up to 10% of the productive assets and the remaining assets are economically viable to ensure livelihood or shelter;
- ✓ The individuals/households making voluntary land contribution will be considered as direct beneficiaries of the project;
- ✓ The Voluntary Land Contribution is made freely in public and shall not affect the household’s food security;
- ✓ In the event of few people’s remaining assets becomes unviable, they will be provided suitable assistance and support,

Based on the land legal framework the VLC is not common in Mozambique, as the land belong to state and only the right to use the land (DUAT) can be donated. In general, the rehabilitation of the road will have a minimal impact on the reallocation of agricultural areas, as no detours are expected to be open. In addition, the prevailing ecosystem between Quelimane and Nicoadala is not conducive to the development of agriculture, with farms being at a considerable distance from the road, that is, outside the direct area of influence. Thus, based on the surveys, it is concluded that the affected agricultural area is not substantial and is not expected to have a high impact on the availability of food at the family level.

The implementation of the Project will involve the cutting of some economic trees that are located within the area of direct influence. As shown in the table below, the most affected trees will be coconut trees, mango trees, cashew trees and banana trees.

Table 11: Affected Agricultural Items

Description	Number	Area (ha)	Type
Economic Trees	125		Coconut trees, mango trees, cashew trees and banana tress
Non-economic Trees	265		Acacias, eucalyptus and casuarinas
Agricultural Areas	18		Essentially of rice (Nicoadala)

30

31 7.1.3 Loss of Social Infrastructures

During data collection, no social infrastructures were identified that need to be removed. Rehabilitation of the road will have an impact on infrastructure in terms of increased dust and noise. Some family and public cemeteries may be affected, but the construction will be carried out in a way as to prevent this from happening, by building retaining walls wherever necessary.

Seven water fountains were identified along the roadway. These water fountains could be partially affected due to the movement of the machines. Considering their importance to communities, works will be carried out in a way that minimizes impacts on these infrastructures.

32 7.2 Compensation Tables

33 7.2.1 Calculation Methodology

It is extremely important to establish a methodology for calculating compensation in the context of a resettlement process, which should be applied to all affected parties. To facilitate the process, the following basic principles should be agreed with all those involved in the resettlement process:

- The value (level) of the compensation should be sufficiently acceptable and ensure that the affected have conditions to recover their productivity and living standards after the compensation and resettlement process;
- Unless payments are escalated after resettlement, compensation must be paid before the project starts and before resettlement occurs. With this, it is expected that the affected can use the money for the intended purpose and restore their forms of life and subsistence;

- Compensations should be paid only for assets inventoried and verified by the households, in the presence of local authorities, except in cases reviewed and approved under the complaints system;
- Compensations should not put beneficiaries at risk. Depending on the level/amounts involved, it should be preferred to pay through bank accounts and/or other recognized institutions.

A communication system will be used to present information about resettlement. An information sheet explaining eligibility, remuneration rates and other entitlements, an implementation schedule and information on grievance procedures will be produced. Information on progress in the resettlement process will be updated regularly. To avoid resentment and misunderstanding, it is essential that all efforts be made to ensure that affected parties are informed of their rights and responsibilities.

Information can be provided through a community-level facilitator who speaks the local language to enable better organization and discussion of procedures and implications of resettlement and compensation processes.

The concerns of the most vulnerable groups may be submitted through channels established for possible complaints. When communities verify that their concerns are addressed and corrective actions are implemented, they will have greater confidence and will participate more seriously in the resettlement activities.

The quantitative evaluation of monetary compensation involves the evaluation of all existing assets based on national guidelines, best international practice and the assessment of local prices. The results of the process should include a set of measurable values for each asset category.

This process should be used to determine the value of the assets of a particular family, which will have to be compensated and agreed upon with the family. Compensation arrangements should be established with affected families and should be recorded and signed in the presence of local witnesses. Local authorities will check signatures. Copies of all documentation will be given to all affected families.

According to the Decree 181/2010, approved by MICOA, the Ministry of Finance and the Ministry of Justice provide specific guidance on the calculation of compensation as well as on the calculation of any consequential damages and profits lost by owners resulting from loss of assets.

The Resettlement Plan provides a detailed description of the calculation methodology and the attachments present individual calculations for each family included in the inventory.

34 7.2.2 Procedures for the Evaluation of the Affected Persons Assets

The Mozambican legal framework provides a formula for calculating the value of compensation according to the property in question. The value is assessed as the current cost of construction and/or of the infrastructure substitution.

The procedures for calculating compensation values involve:

- (i) Allocation of monetary or material values to assets belonging to families;
- (ii) Allocation of monetary values for annual field crops. This is calculated on the basis of the average production/ha per marketing year and the value set by the agriculture sector adjusted to the negotiation with households. The value is defined based on the following factors: tree type, age, general sanitary condition, average annual production and its market cost.

In situations where there are new allocations of land for agriculture, these should present the same or better potential for cultivation, and whenever possible be closer to their areas of residence.

Table 12: Alternatives for compensations

TYPE OF impact	Measures TO BE IMPLEMENTED (alternative 1)	Measures TO BE IMPLEMENTED (alternative 2)
House/shops with walls and balconies affected	Monetary compensation	Reconstruction of the affected area or delivery of construction material
Affected fruit and forest trees	Monetary compensations according to the agreed table	
Affected annual crops	Compensations based on DPASA values	<ul style="list-style-type: none"> • Sensitization before the planting season; • Allocation of new lands with similar quality in areas close to the previous one; • Allocation of inputs and technical assistance
Affected perennial crops	Compensations based on DPASA values	<ul style="list-style-type: none"> • Sensitization before the planting season; • Allocation of new lands with similar quality in areas close to the previous one; • Allocation of inputs and technical assistance
Formal and informal shops (immovable and movable) in markets	Assistance in obtaining the space to build the Market	Monetary compensations
Isolated shops	Monetary compensation	

35 7.3 Compensation Process

Resettlement costs are the result of the sum of the amount to be paid, the resettlement management and the support services. The resettlement preparatory process should identify

where those affected will be resettled. Compensation for loss of crops may be paid at a different time from that of the payment of physical compensation, and may be made as soon as the areas are identified and allocated to each affected family.

Monetary compensation must be paid at one time. Whenever possible, payments should be made through commercial banks or any other authorized institution established at the local or district level. It is also possible to introduce a coupon system, which should include the name of the beneficiary.

If applicable, families that have graves throughout the affected area should be supported in the process of transfer to new places, including through the payment of monetary amounts to cover the associated traditional ceremonies.

36 7.4 Grievance Redress Procedures

Any grievances from the PAPs or from the host community should be directed to the Local Leaders who will attempt to resolve them amicably at the local level through the existing village grievance resolution mechanisms within two weeks. If the grievance is resolved then there will be no further action but if the Local Leader cannot resolve the issue, he will refer it to the District Resettlement Committee established per district (see chapter 9).

All grievance will have to be brought to attention of ANE for their information and record or appropriate assistance, where necessary. ANE must be formally informed, by the project Consultant, of the grievance proceeding at each stage of grievance presentation and resolution.

8. ESTIMATION OF COST

37 8.1 Introduction

The estimated costs associated with the implementation of the RAP provide an indication of the magnitude of the amounts required for the compensation process.

In the following sections, the methodology used for the elaboration of the Estimated Costs associated with the RAP for the rehabilitation of the N1/N10 roads linking Quelimane, Nicoadala and Namacurra is presented.

Physical infrastructures are those considered as commercial infrastructures, house/garages, walls and service. Compensation for this type of infrastructures will be made on the basis of payment of a monetary value.

The estimate resettlement and compensation costs will be based on the unit cost obtained during fieldwork as from:

- (i) Practices in the project area;
- (ii) Information of affected persons and builders;
- (iii) Amounts used in the past resettlements occurred in neighbouring provinces.

Taking into account the three previous sources of information, the cost of materials and labour costs are as follows:

- **Market Stalls/tents:** Made with conventional material (A): 7,500.00 MT;
Market stalls: Made with local material (B) - 500.00 MT.

The calculation of the compensation amount was made based on the following formula:

$$V_{liq} = P_{tmat} \times A_{afect} \times f_{cor}$$

Where:

- V_{liq} Payable net amount
- P_{tmat} Price of the material/price/m²
- A_{afect} Affected Area
- f_{cor} Correction Factor.

A 30% factor will be added in order to pay for any additional costs that may arise during the resettlement process and to compensate for the infrastructures that were closed during the assessment.

For both categories (A and B), the resettlement cost was estimated at **4,456,570.00 MZN** for the affected area and **13,285,350.00 MZN** if considered the total area of the infrastructure. It should be noted that it was not possible to have total area information for all the infrastructures, so the figure presented here is indicative of the magnitude of the plan. In addition, in the case of infrastructures made of concrete, only the affected part will be paid, whereas the unconventional infrastructures will have to be completely removed since they are made of removable structures (i.e. removable tents).

As previously mentioned the project will be done in such a way as to avoid damages on water fountains. However, the cost of manual pump wells/holes eventually damaged was estimated at **80,000 MZN**.

38 8.2 Agricultural Land

Based on ANE and Local Administration consultation, it was agreed that there is no need to compensate for crop losses, because the resettlement will be carried out after the harvest period. The only compensation will be with area for cultivation in another place.

Where there are crops in the field, compensation will be provided through the provision of inputs and extension services. The total area to be affected is estimated at 16 ha.

39 8.2.1 Economic Trees

Based on the surveys, mango, coconut, banana and cashew trees were identified, making a total of 125 units. The calculation of the compensation to each owner is made on the basis of a reference value defined by the DPASA and added a correction factor.

The cost of compensation related to the loss of economic trees is estimated at **45,370.00 MZN**. In addition to the monetary compensation, the family should receive 5 fruit plants.

40 8.2.2 Forest and Shadow/ Non-economic Trees

Utility trees that have been identified should be removed to allow the machines to operate. According to the surveys, about 265 of these trees were identified, including Eucalyptus, Casuarinas and Cassias. There are no reference prices in the province. Based on consultations of those affected, they sell the wooden stakes obtained from these trees at the average price of 1,500.00 MT. To this value a correction factor of 30% must be added.

The cost related to the compensation of these trees will thus be of approximately **520,000 MZN**.

41 8.3 Social Infrastructures

In addition to the above items, social infrastructures have been identified which, because of their nature, are difficult to quantify in terms of market prices. These include memorials, family cemeteries, among others. Although the project implementation does not foresee that this type of infrastructure might be affected, in this plan it was considered the option of removal in order to cover the possibility of even being necessary to do so, and thus, the owners should be compensated for their removal. Thus, a lump sum of **2,000,000.00 MZN** was considered in the final cost of the plan.

42 8.4 Compensations Total Amount

The table below shows the estimated total cost of the amounts to be spent for the purpose of compensations under the Project. For private infrastructures, two options are considered: compensate for all infra-structure no matter the affected area (option 1), and the other in which only the affected area is compensated including the transport to other place (option 2).

Table 13: Total Budget

No.	ITEM	Total costs (Meticais)-Option 1	Total costs (USD)-Option 1	Total costs (Meticais)-Option 2	Total costs (USD)-Option 2
1	Private infrastructures	13,285,350.00	221,422.50	4,456,570.00	74,276.17
2	Wells/ Water fountains	80,000.00	1,333.33	80,000.00	1,333.33
3	Agriculture		-		-
4	Economic trees	45,370.00	756.17	45,370.00	756.17
5	Forest trees	516,750.00	8,612.50	516,750.00	8,612.50
6	Social infrastructures	2,000,000.00	33,333.33	2,000,000.00	33,333.33
7	Consultation/Stakeholder engagement (cost of the District/provincial Resettlement Committee)	316,800.00	5,280.00	316,800.00	5,280.00

8	Supervision	1,000,000.00	16,666.67	1,000,000.00	16,666.67
9	Census update	3,225,000.00	53,750.00	3,225,000.00	53,750.00
10	Sub total	20,469,270.00	341,154.50	11,640,490.00	194,008.17
11	Contingency – census update and final (10 – 20%)	3,070,390.50	51,173.18	1,746,073.50	29,101.23
12	Total	23,539,660.50	392,327.68	13,386,563.50	223,109.39

The Budget includes:

- cost of the supervision that will be carried out by ANE delegation and HdQ. In this budget line is included flight cost from Maputo to Quelimane and back, per diem for the staff;
- Cost of consultation engagement during the census update and along the implementation of RAP. In this budget line is also included to cost of establishment and run the resettlement committee (District and provincial committees).
- The cost of resettlement compensation based on 2014 data, which will be updated. Therefore, a contingency of 15% is included to compensate, any increase of the PAPs from previous census.
- Census Update: The census will be updated during the 19 to 28/02/2018.

The total budget for the Resettlement Plan, including the compensation to the PAP's is **23,539,660.50 MZN** (twenty-three million, five hundred and thirty -nine thousand, six hundred and sixty meticaís and fifty cents) in the case of compensation for the entire private infrastructure area or **13,386,563.50 MZN** (thirteen million, three hundred-eighty six, five hundred and sixty three Meticaís and fifty cents) in the case of compensation to be paid to the part that will be effectively affected.

9. GRIEVANCE REDRESS MECHANISMS AND CONFLICT RESOLUTION PROCESS

43 9.1 Organizational elements and procedures for delivery of entitlements

The compensation process will involve several steps. Public Participation with the local communities would initiate the compensation process as part of an on-going process that would have started at the land selection/screening stage and at the time the socio-economic assessment is being carried. This would ensure that no affected individual/household is simply “notified” one day that they are affected in this way. Instead, this process seeks their involvement and wishes to inform communities in a participatory approach with the project, from the beginning. It is important to stress that for the PAP’s that will lose their homes, a resettlement in a new location will be avoided, if a household have an area movement of resettled people to new location will be avoided, in a case that the AP has an area at back yard of their home, the new house will be constructed in that area.

Notification of land resource holders – the respective local/district heads involved in identifying the land will notify the District, Village leaders and village community who will help to identify and locate the property users. The users will be informed through both a formal notification in writing and, as many people are illiterate, by verbal notification delivered in the presence of the Village leader or his representative. In addition, the Village Committees and individuals who control land will accompany the survey teams to identify sensitive areas. Results of the census surveys, including:

Documentation of Holdings and Assets: Village, and District Officials to arrange meetings with affected individuals and/or households to discuss the compensation process. For each individual or household affected, the District Official completes a compensation dossier containing necessary personal information on the affected party and those that s/he claims as household members, dependents, total landholdings, inventory of assets affected, and information for monitoring their future situation. This information is confirmed and witnessed by Village Officials and Technical Planning Teams. Dossiers will be kept current and will include documentation of all assets surrendered and/or impacted. Each individual will be provided a copy of the dossier at the time of negotiations. This is necessary because it is one way in which individuals and households can be monitored over time. All claims and assets will be documented in writing.

Agreement on Compensation and Preparation of Contracts. All types of compensation are clearly explained to the individual or household. The RAP implementer will draw up a contract, listing all property and land being surrendered and/or assets impacted, and the types of compensation (cash and/or in-kind) selected. A person selecting in-kind compensation has

an order form, which is signed and witnessed. The compensation contract is read aloud in the presence of the affected party and the respective, Village officials and other village leaders prior to signing.

Compensation Payments: All handing over of property such as land and buildings and compensation payments will be made in the presence of the affected party and the village officials.

44 9.2 Complaint and conflict resolution

An independent team comprising local administration, central government officials, affected people, and NGOs will play key roles in establishing a grievance mechanism needed to solve problems and manage unforeseen issues, which may arise during implementation of the RAP. It will be organized in such a way that they are accessible to all, with particular concern for the situation of vulnerable groups. This mechanism will be available for the sub-project affected persons to be able to address their issues and to solve prior to use formal legal grievance system. Once the subproject is defined and the preliminary foot prints of the site specific project are defined, public consultation will be organized with communities. In these meetings, people will be informed about grievance mechanism as well. Grievance mechanism will involve the establishment of Resettlement Committee in each district (Nicoadala and Namacurra) and in Quelimane Municipality, the committee will be have the representatives of the district government (representatives of the education, health, Infra structure and Agriculture sectors). Representative of ANE HdQ and Delegate, representative of local leaders, where the settlement belongs. The committee will facilitate procedures about the issues raised by the AP's during the implementation process and to verify at the time of project implementation, if any of the community members has ownership claims on the property in case this is a public land. Therefore, the main responsibilities of the committee are as follow:

- ✓ Validate eligibility criteria and for the assets evaluation methods;
- ✓ Monitor resettlement activities;
- ✓ Receive and respond to complaints within its scope;
- ✓ Facilitate appropriate assistance to those affected;
- ✓ Provide support to families in the selection of alternative livelihoods activities.

If someone has such ownership claims. Through this mechanism, PAP's will be able to react on any damages occurred during the works or any other issue that might arise during compensation process. The task of the committee will be to facilitate relations between the PAP and the owner of the project to come up with the fair compensation. A simple and easier system for GRM should be established. ANE at provincial level to assist PAP's to obtain property titles and compensate them for the expropriated property and also include an additional expropriation reserve fund, for any unexpected claim on land compensation from

PAPs, who may require additional compensation. ANE should contract a RAP implementation agency.

A pre-disclosure phase is recommended in cases when PAPs are not identified as they could no longer reside in the expropriated areas (migrated in another region of the country or emigrated abroad). The notification should be done by the implementing Agency through publication of PAPs name at the site-project level or through the local leaders.

At the time that the individual RAPs are approved and individual compensation contracts are signed, affected individuals and households will have been informed of the process for expressing dissatisfaction and to seek redress. The grievance procedure will be simple and will be administered as far as possible, at local levels to facilitate access by PAPs. All grievances concerning non-fulfilment of contracts, levels of compensation, or seizure of assets without compensation shall be addressed to the district resettlement committee.

All attempts shall be made to settle grievances harmoniously. Those seeking redress and wishing to state grievances will do so by notifying their Local Leader in writing. Where the affected person is unable to write, she should obtain assistance to write the note and emboss the letter with his/her thumbprint.

The Local Leader will inform and consult with the District resettlement committee to determine validity of claims. If valid, the Local Leader will notify the complainant and s/he will be assisted. The Local Leader should respond within 10 days during which any meetings and discussions to be held with the aggrieved person should be conducted. If the grievance relates valuation of assets, experts may need to be requested to revalue the assets and this may necessitate a longer period of time. If the complainant's claim is rejected, the matter shall be brought before the local government authority for settlement.

It has to be noted that in the local communities, people take time to decide to complain when aggrieved. Therefore, the grievance procedures will ensure that the PAPs are adequately informed of the procedure, before their assets are taken. The grievance redress mechanisms is designed with the objective of solving disputes at the earliest possible time, which will be in the interest of all parties concerned and therefore, it implicitly discourages referring such matters to a Tribunal for resolution. Compensation and resettlement plans (contracts) will be binding under statute, and will also consider that customary law governs land administration and tenure in the rural/village areas. This is the law that inhabitants living in these areas, are used to and understand.

All objections to land acquisition shall be made in writing, in the language that the PAPs understands and are familiar with, to the Local Leader. Copies of the complaint shall be sent to the Resettlement Technical committee at provincial level and to DPTADER within 15 days after the public notice. Channelling complaints through the Local Leader is aimed at addressing the problem of distance and cost that the PAP may have to face. The Local

Leaders shall maintain records of grievances and complaints, including minutes of discussions, recommendations and resolutions made. The procedure for handling grievances should be as follows:

- (a) The affected person should file his/her grievance in writing, to the Local Leader. The grievance *note should be signed and dated by the aggrieved person. Where the affected person is unable to write, s/he should obtain assistance to write the note and emboss the letter with his/her thumbprint. A sample grievance form is provided in Annex 1.*
- (b) The Local Leader should respond within 10 days during which any meetings and discussions to be held with the aggrieved person should be conducted. If the grievance relates to valuation of assets, experts may need to be requested to revalue the assets, and this may necessitate a longer period of time. In this case, the aggrieved person must be notified by the Local Leader that his/her complaint is being considered.
- (c) If the aggrieved person does not receive a response or is not satisfied with the outcome within the agreed time he lodges his grievance to the District Administration.
- (d) The Local Administration will then attempt to resolve the problem (through dialogue and negotiation) within 14 days of the complaint being lodged. If no agreement is reached at this stage, then the complaint is taken to the provincial level and to national level until the complaint is solved.

The main steps of land and other permanent assets acquisition process are:

- ✓ ANE delegation in coordination with local authority will inform local people about the road reserve and project corridor of impact,
- ✓ The Consultants will identify individual land owners, amount of affected land and remaining holding, damage/loss of residential structure and its percentage and loss of livelihood and minor structural damage or loss, at the time of social screening and inform the affected people about their damage/loss;
- ✓ After availability of detailed records of impacts, ANE through the Consultant will publish notice about land and other permanent assets acquisition;
- ✓ ANE in coordination with Consultant, Local authority and resettlement committee will raise awareness of local people about the benefit of the road and inform them about the provision of the project about land acquisition and structure affected or damage;
- ✓ ANE in coordination with Consultant, Local authority and resettlement committee will provide assistance to seriously project affected people (above 10% land and structure damage household). In case of any complaints, the people can approach the grievance

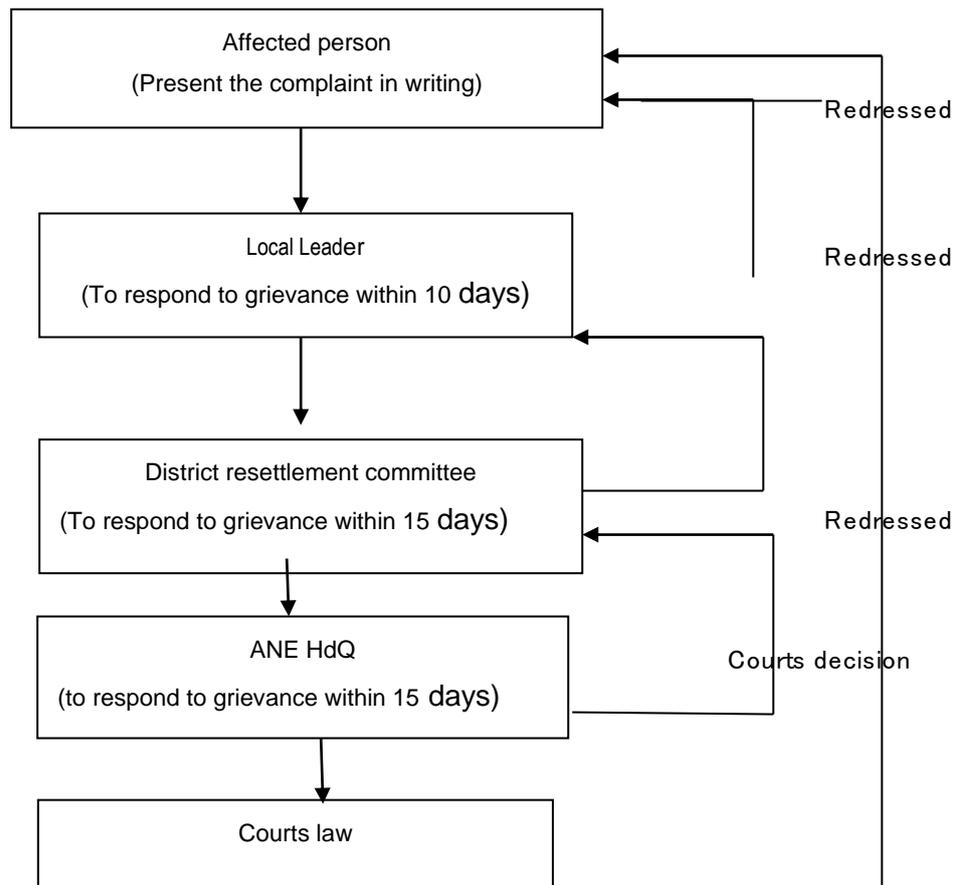
redress mechanism team formed to hear complaints related to voluntary donation process.

45 9.3 Consensus, Negotiations and Conflict Resolution

Consensus and negotiations are central to addressing grievances. In general, people are aware of their rights. However, some projects have been known to stall due to delays in disbursement of compensation. Prior negotiations, between Government representatives and project beneficiaries, are therefore crucial to the success or failure of the project. As a guiding principle emphasis shall be placed on simplicity and proximity of the conflict resolution mechanisms to the affected persons and the following shall be noted:

- a. Negotiation and agreement by consensus will provide the best avenue to resolving any grievances expressed by the individual landowners or households affected by the project. These grievances shall be channelled through the Local Chiefs or leaders.
- b. ANE Delegate in Zambézia, Quelimane Municipality representative and SDPI (Nicoadala and Namacurra) shall ensure that the main parties involved achieve any consensus freely. The relevant government representative shall clearly advise the general public, as to who is responsible for the activity and the procedure for handling grievances or compensation claims.
- c. Grievances for which solutions have not been found shall be referred back to the community for discussion where the Local Leader and Resettlement District Committee will redress the matter of concern to assist the claimants. The mediation process will be implemented according to traditional methods of mediation/conflict resolution. The resolution will then be documented on the relevant consent forms and verified.
- d. If an agreement cannot be reached at community level the aggrieved party or parties shall raise their concerns to the Project Planning teams who shall refer them to the respective District Administration, within 15 days of the verification meeting. Grievances that cannot be resolved at the Local and District level shall be submitted to the Local Government, the District Administration and to executing agencies. Should grievances remain unresolved at this level, they can be referred to the court of law of Zambézia province.

The GRM can be described as follow:



46 9.4 Monitoring and evaluation arrangement

The implementing agency of the RAP will be ANE and during the implementation of RAP a monitoring plan will be required, to assess whether the objectives are being met. The monitoring plan will indicate parameters to be monitored and the responsible to carry out the monitoring activities.

A number of objectively verifiable indicators (OVI's) shall be used to monitor the impacts of the compensation and resettlement activities. These indicators will be targeted at quantitatively measuring the physical and socio-economic status of the PAPs, to determine

and guide improvement in their social wellbeing. Therefore, monitoring indicators to be used for the RAP will have to be developed to respond to specific site conditions.

(a) Indicators to determine status of affected people

A number of indicators would be used in order to determine the status of affected people (land being used compared to before, standard of house compared to before, level of participation in project activities compared to before, how many kids in school compared to before, health standards, etc). Therefore, the resettlement and compensation plans will set two major socioeconomic goals by which to evaluate its success:

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

(b) Indicators to measure RAP performances

In order to assess whether these goals are met, the resettlement and compensation plans will indicate parameters to be monitored, PIU will monitor milestones and provide resources necessary to carry out the monitoring activities. For example, the following parameters and verifiable indicators will be used to measure the resettlement and compensation plans performance: Each individual will have a compensation dossier recording his or her initial situation, all subsequent project use of assets/improvements, and compensation agreed upon and received.

- ✓ maintain a complete database on every individual impacted by the sub-project land use requirements including relocation/resettlement and compensation, land impacts or damages
- ✓ Percentage of individuals selecting cash or a combination of cash and in-kind compensation,
- ✓ Proposed use of payments
- ✓ The number of contentious cases out of the total cases
- ✓ The number of grievances and time and quality of resolution
- ✓ Number of impacted locals employed by the civil works contractors
- ✓ General relations between the project and the local communities

(c) Indicators to monitor and evaluate implementation of RAPs

Financial records will be maintained by the ANE to allow calculation of the final cost of resettlement and compensation per individual or household. Each individual receiving compensation will have a dossier containing:

- ✓ Individual bio-data information,
- ✓ Number of people s/he claims as household dependents
- ✓ Amount of land available to the individual or household when the dossier is opened.
- ✓ Level of income and of production

- ✓ Inventory of material assets and improvements in land.

47 9.5 Organizational Framework

The Government, through ANE, plays a fundamental role in the creation of an institutional framework for the development and rehabilitation of roads. This will therefore have a preponderant role in the implementation of RAP.

The main steps that will guide the execution of the RAP are the following:

- ANE should identify service provider responsible for the implementation of this action plan. This person should have the authority and capacity to make decisions on the implementation of policies, operational planning, coordination and supervision of the resettlement activities;
- ANE should disburse the funds needed for resettlement;
- The ANE representative at the local level will be responsible for resettlement operations, participating in meetings with the affected parties and have the authority to make decisions on the allocation of resources on behalf of ANE;
- This representative will be responsible, together with the contractor and the supervisor, to participate in the monthly work meetings, to report on the progress of the resettlement process. He/she will also be responsible for timely resolution of emerging issues and should work closely with the local resettlement commission.

48 9.6 Implementing Agencies

Given the size of the project and the need for its rapid implementation, the management of the resettlement process can be done by a contracted service provider (NGO or company), who knows the region and has a solid background in resettlement. The service provider should work with local authorities at all levels and be responsible for:

- ✓ Facilitate consultations (where possible in coordination with the local governments) with the affected parts to validate prior agreements on the details of the type of compensation and amounts to be received;
- ✓ Call up meetings and awareness-raising campaigns of affected parts on the procedures and progress of the resettlement plan;
- ✓ Ensure documentation and archiving of all documents related to all public consultations;
- ✓ On behalf of ANE, and in agreement with the competent authorities, organize and supervise the process of identifying and allocating alternative areas for the implantation of the lost activity (areas for the installation of barracks/tents, farms, etc.);

- ✓ Support the organization and implementation of compensation payments prior to resettlement;
- ✓ Monitor and make a follow up on the resettled families to verify their participation in recovery activities that promote the rapid reestablishment of their livelihoods;
- ✓ Monitor and follow up the use of the channels for the submission of complaints.

9.7 Communication and Dissemination of RAP information

The public consultation was an important session to explain the project objectives, the preparation of the resettlement action plan, including the stakeholder's opinions, views and recommendations, that contributed to improve the RAP report. As a legal requirement the stakeholder's participation in the project is a continued action along the project preparation and implementation. The implementation of RAP will run from October 2018 to July 2019. During this period a further consultation with all PAP's and dissemination of RAP information to affected populations and stakeholders shall be done and include the following components:

Local resettlement Committees

The local RAP Committee, which includes the local leaders, representatives of the PAPs, and local government authorities, will be the first point of contact in the communities to disseminate the RAP information to affected populations and stakeholders.

This local RAP committee will meet once a week and as needed during the preparation and implementation of the RAP, and have the mandate to provide RAP information to PAPs regarding the progress of the RAP process, preparation of the compensation stage and any other relevant information of the RAP process.

Community radios

Through the community radios, the communications outreach official of ANE will prepare detailed information to be broadcasted via community radio, with RAP information and important progress on site. In addition, the ANE officials in Zambezia province, will also participate in the radio interview programs to disseminate RAP information. This information shall be broadcasted two to three times a week in Quelimane, Nicoadala and Namcurra.

Estimated Budget: 60,000,00 MZN at unit cost of 500, 00 MZN

ANE in coordination with local leaders

As part of ANE efforts in coordination with local leaders to prevent occupation of the ROW, community meetings will be organized to disseminate the RAP information and identify measures for all situation that can affected the RAP.

ANE Delegation staff will visit the project site twice a month and hold a focus group meeting, with PAP's in Quelimane, Nicoadala and Namacurra.

Estimated Budget: 230 000,00 MZN

This communication and dissemination process will be done during the RAP implementation, as proposed in the work plan below:

Table 14: Draft Working Plan for the Rap implementation



10. LIST OF BIBLIOGRAPHY

- GoM (1998) Regulamento da Lei de Terras. Decreto 66/98: Boletim da Republica, Maputo.
- GoM (2013): Regulamento de Reassentamento para actividades económicas e sociais. Decreto 31/2012;
- GoM (2004): Regulamento sobre o processo de Avaliação de Impacto Ambiental, BR, Maputo de 29 de Setembro de 2004. Decreto 45/2004
- GoM, Decreto 54/2015: Regulamento sobre o processo de Avaliação de Impacto Ambiental, BR, Maputo de 31 de Dezembro de 2015; IFC (2017) Sustainability Policy Framework. www.ifc.org. Consulted on the 15 of January
- GoM (2014): Regulamento de Uso de Estradas e suas Zonas de Protecção. Decreto 109/2014
- Ministerio da Justiça -Gabinete do Ministro (1968): Regime Jurídico das Expropriações por Utilidade Pública. Decreto nº 43 587 de 5 de Junho de 1967, boletim da República. Governo Português, extensivo ao Ultramar
- Ministerio da Justiça (1948): Lei das expropriações, Lei nº 2:030 de 22 de Junho de 1948, boletim da Republica. Governo Português, extensivo ao Ultramar
- World Bank (2017) Safeguard Policies. Safeguards Website www.worldbank.org/safeguards. Consulted on the 15 of January

ANNEX 1: ENTITLEMENT CONFIRMATION TO BE POTENTIALLY AFFECTED BY THE ROAD REHABILITATION PROJECT QUELIMANE-NICOADALA AND NAMACURRA (N10/N1)

I _____, ID nr. _____, issued by _____ in ____/____/____, resident in village_____ Locality_____ Administrative Post_____ District of _____, Declare that the during the survey carried out by the consultant, the following assets were identified and are my belongs and there will be potential affected by the road rehabilitation project.

N ^r	Designation of asset	Quantity/area	Latitude	Longitude
1				
2				
3				
4				
5				
6				
7				

Truthfully, I sign as it is on my ID

PAP Signature: _____

Witness:

Enumerator _____ signature: _____

Spouse signature or another Household member

_____ in _____ of _____ of 20____.

ANNEX 2: COMPENSATION AGREEMENT FORM

COMPENSATION AGREEMENT FORM FOR THE PROJECT AFFECTED PERSONS (PAPs)¹

<i>Full name of Project Affected Person (picture to be attached on this form)</i>		<i>Identification Document and number</i>	
<i>Village Municipality</i>	<i>or Administrative Post</i>	<i>District</i>	
<i>Address</i>	<i>Cell phone (if available)</i>	<i>PAP number as Per RAP database</i>	<i>Asset Numbers in database (if applicable)</i>

1. **Total compensation payments²** for crops, trees, infrastructures ancillaries, business and allowances:.....Mt. If total falls below 1000 MT, minimum payment to the PAP will be designated as 1000MT.

2. **Payment values for crop and trees:**

<i>Type</i>	<i>Crops(Ha)</i>	<i>Trees(Nr)</i>	<i>Value (MT)</i>
Total			

3. **Payment of affected infrastructure and ancillaries**

<i>Type</i>	<i>Infrastructure or ancillary</i>	<i>size(m²)</i>	<i>Value (MT)</i>
Total			

4. **Payment of affected business income and assets**

<i>Type</i>	<i>Business</i>	<i>Monthly Earnings (MT)</i>	<i>Value (MT)</i>

¹ If PAP is a tenant, fill out the PAP information, Section 1, 4, 5, 6, 7(a), 8, 9 and 10.

² Payment is by check if 10,000 Mt or below. Payment must be through bank account if 10,001 Mt or more.

Total			

5. Land replacement

Type	Size	Use	Replacement in kind/allowance for substitution (market plus transaction) in has/MT

6. Agreed form of compensation:

(a) Direct cash payment (crops and trees in cash only)

Total Amount:

(b) Formal attribution of -----ha of substitute farming/business land by -----
-----District Administration (other party), in replacement site identified by the District Services for Economic Activities and accepted by PAP, with DUAT title. [or land replacement allowance: **Total Amount:**]

(c) Direct cash payment (infrastructures and ancillaries)

Total Amount:

Information on Bank Accounts (If no Bank account, Bank account will be established for payment of all sums above 10.001,00 MZN).

(a) Bank Account:

<i>Bank Name</i>	<i>Branch</i>	<i>Full name of bank account holder</i>	<i>Account Number</i>

5. I agree to vacate the site ... [x Days/Months] after in-kind compensation has been made available and all cash payments have been completed.

6. Tenants: Yes/No.....

If yes, tenant receives compensation for lost crops and trees and disturbance allowance including all transitional losses. The owner receives the land, structures, clearance allowance and disturbance allowance (lost income). *Both Tenant and owner sign the compensation agreement.*

7. Allowances

(a) Disturbance/inflation corrective factor (20% of the value of crops for one year)
_____MZN

(b) Transport allowance (3,000.00 MZN or as agreed per local costs)
 _____MZN

Sum of Total Allowances _____ Mt

8. I _____ confirm to have read and understood information in this form, accept the compensation amount and the allowance amounts, substitute assets and livelihood restoration actions stipulated in the RAP as full release of all claims. I understand that the calculation of my in-kind replacement assets and monetary replacement compensation was undertaken by a professional and independent consultant based on international good practice at full replacement value (market value plus transactional costs). I also agree to salvage assets from my farming plot/place of residence as I may wish, and take these with me and in accordance with project safety procedures; and to vacate the site xx days/month (s) after in-kind compensation has been made available and all monetary compensation has been paid and while livelihood restoration actions are proceeding in a timely manner.

Payee’s Signature (head of household) **Date:**

Spouse of Payee: _____ **Date:** _____

9. Other Signatures

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

District Administration/ Services for Economic Activities:

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

District Administration/ Services of Planning and Infrastructures Activities:

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

Consultant’s Representative

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

Local Community Leader

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

Witness (e.g. neighbour, friend)

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

ANNEX 3: SAMPLE GRIEVANCE AND RESOLUTION FORM

Name (Complaint): _____

PAPs ID Number: _____

Contact Information: _____ (Community; mobile phone)

Nature of Grievance or Complaint:

Date Individuals Contacted Summary of Discussion

Signature _____ Date: _____

Name of Person: _____

Position: _____

Review/Resolution

Date of Meeting on Grievance: _____

People Present at Meeting (see attachment):

Was field verification of complaint conducted? Yes____ No____

Findings of field investigation:

Summary of Conclusions from the Meeting:

Key Issues:

Was agreement reached on the issues? Yes____ No____

If agreement was reached, detail the agreement below:

If agreement was not reached, specify the points of disagreement below and Next Action Step

Agreed:

Signed (Conciliator): _____ Signed (person): _____

Signed (Independent Observer): _____

ANNEX 4: VOLUNTARY LAND CONTRIBUTION PROTOCOL

The Voluntary Land Donation may be used in a very limited case for linear projects, in particular the roads project, this annex will provide details on how these scenarios are intended to be managed. All land acquisition within the COI is subject to compensation as described in the RAP entitlement matrix. On the other hand, the required land acquisition by the contractor outside the COI, (i.e equipment lay-down areas, road diversions, quarry sites, borrow pits/areas the VLD may be applicable, if the PAPs do not lose more than 10% of affected land and PAPs subsistence is not affected.

For small civil works ANE and the Technical Resettlement Committee will follow this Protocol for Voluntary Land Contribution (VLC). This protocol will be applicable in limited situation such as land need to establish a camp sites, borrow areas etc. As described on the section 9.2above, land in Mozambique belongs to the State, therefore PAPs will only be voluntary donate a right to use the Land. All assets over the land are subject to be compensate based on the eligible criteria identified.

Proposals including voluntary contributions will not be submitted or considered for approval where they would significantly harm incomes or living standards of individual owners or users.

During project implementation, ANE and the Technical Resettlement Committee will conform a provincial and district multi-stakeholders committee (“Committee”) to oversee the process and ensure that voluntary land donations process is followed and implemented for limited scenarios described above. The process will include the following protocols:

1. Official information and initial assessment. Determining the appropriateness of VLC in the circumstances of the project. The proponent will inform the village head and villagers or land owners and users through official notification of the areas needed for the project. The proponent and Technical Committee will take in consideration the following details for such documentation:

- What the land will be used for;
- How much land the project will require on both a permanent and temporary basis;
- How much of the land will be donated;
- What alternatives to donation exist (e.g., right of use, temporary permission to use);
- The terms of the donation;
- The identities of the parties who intend to donate;

- The beneficiary of the donation; and
- Any details that are relevant to why donation may be appropriate.

2. Verification of voluntary Contributions for the limited cases described above. The following conditions will be confirmed by the District Resettlement Committee including the village chief:

- Confirmation that affected people agree to donate land , based on a face to face meeting without presence of the proponent;
- No individual PAP or household would lose more than 10% of their total productive assets;
- No physical relocation will be necessary as a result to the donation.

3. Initial Village Consultation. Under the village head leadership, a consultation process will be launched to invite different interested parties, including land owners and users to discuss and ratify the appropriateness of the voluntary basis of land donation.

4. Transferring and formalizing the land. The proponent shall establish and communicate to the PAPs, including potential donors, a process for land donation that includes very clear procedures that explain the process that should be followed to transfer the land, and appropriate ways to formalize the respective transfer. The process must include consideration of the legal and administrative requirements based on the Mozambican legal framework. The process will describe a clear and transparent decision making process.

5. Verification process (surveys) to identify land ownership and use. The proponent and the Technical Committee will carry out specific surveys to understand the type of land rights and uses that exist in the project area, and to identify any particular issues relating to land ownership and use. Specific surveys must be conducted on each parcel of land proposed for donation to identify:

- The owner or owners of the land;
- The users of the land, or any parties that occupy the land (either physically or through ownership of an asset or conduct of livelihood or business activities or resource use on the land);
- Any competing claims of ownership or use;
- Structures and assets on the land;
- Any encumbrances on the land.

6. Scope of Donation. It is important to: (i) identify the right that is being transferred (an ownership right, a use right, etc.); and (ii) check whether the transferor actually has the right s/he claims to have. In many circumstances where careful due diligence is not carried out, significant conflict can arise at a later stage when another party claims that they have the same or a competing right. Documentary evidence that the transferor will has the necessary rights is highly desirable though it must be validated by the due diligence process. However, where no documentary evidence exists, the due diligence can also establish rights by documenting the results of consultations with local community officials and neighbours. There should be a clear agreement as to whether the donation includes the land and all assets on it, or whether compensation for improvements, crops, trees, and any other standing assets as of the cut-off date is expected.

7. Public consultations and disclosure. The decision to donate must be taken on the basis of a full understanding of the project and the consequences of agreeing to donate the land. Accordingly, the parties that will be affected by the donation (the owners and users of the land) must be provided with accurate and accessible information regarding what the land will be used for, for how long, and the impact the donation will have on them and their families. It is important that prior written notification indicating the location and amount of land that is sought be provided and that its intended use for the project is disclosed.

Where the intention is to deprive the parties affected by the donation of the land permanently, or for a significant length of time, this must be made clear. It should be noted that in many communities the concept of alienation of land is uncommon and difficult to understand, and care needs to be taken to ensure that the implications of this are fully understood. It is also important to decide who else should be consulted about the proposed donation; for example, spouses and older children.

There should be a clear agreement as which contractor will pay the costs associated with the transfer of the donated land. This could include measurement costs, documentation and notarial fees, transfer taxes, registration fees. It should also include the costs of re-measuring/re-titling the transferor's remaining land and any new documentation relating to it.

8. Establishing informed consent

The proponent and the technical committee in coordination with the District Resettlement Committee will verify the informed consent or power of choice by the people who would donate the land, assuming that contractor will compensate for all assets on proposed portion

of the land to be donated outside the COI. In particular, the following will be verified and documented in the voluntary donation report:

- What the land is going to be used for, by whom and for how long;
- That the donors and any users will be deprived of the ownership or right to use the land, and what this really means;
- That the donors have a right to refuse to donate the land and any users have the right to object;
- Whether there are alternatives to using this land;
- What the donors will need to do to donate the land (e.g., execute documents, get spousal consents, pay taxes);
- The effect of the donation on their family, and what they can do if they (or their family or heirs) want the land back.
- All conditions provided in the para. 2 above.

The right to refuse must be a legitimate right, unconditional, and the potential transfer or must be capable of exercising it in the local community and political context. For this reason, it is important to be sure that the decision to donate is undertaken without coercion, manipulation, or any form of pressure on the part of public or traditional authorities. For collective or communal land, donation must be based upon the informed consent of all individuals using or occupying the land.

Proper documentation. During the VLC process for each ancillary area, it is important to distinguish between: (a) the agreement to donate the land; and (b) the document that carries out and evidences the legal transfer of the land. While it is important to have evidence of an intention and agreement to donate the land, it is equally important to ensure, where required and appropriate, that the right to use the land is legally transferred. While the process relating to the legal transfer of the land rights is frequently complicated and time consuming, it must be addressed. In specific circumstances, for example where the land is being transferred to or by a community, experience indicates that lack of formal transfer can create significant uncertainty in the future, which impacts on the sustainability of the infrastructure and services, and can have a negative effect on community relations.

The proponent must:

Identify the appropriate documentation, including the agreement to make the transfer and any legal documentation that may be required;

Ensure that the agreement:

- Refers to the consultation that has taken place;
 - Sets out the terms of the transfer;
 - Confirms that the decision to transfer was freely made, and was not subject to coercion, manipulation, or any form of pressure;
 - Confirms that the donors are aware of their right not to donate and/or to be compensated;
 - Attaches an accurate map of the land being transferred (boundaries, coordinates);
 - Sets out who will bear the costs of the transfer (e.g., notarial fees, taxes, title issues) and documenting the residual land rights;
- Ensure that all necessary parties sign the documents, including obtaining consent from spouses and children over a certain age;
- Ensure that the transfer and title is registered or recorded; and
- Ensure that the land remaining after the donated land is excised is properly titled, registered or recorded.

It is also important to maintain a record of the process that has been followed, including:

- The notification indicating the location and amount of land that is sought and its intended use for the project, with a record of when and where this was made public;
- Records of the consultations that were held and what was discussed and agreed;
- Evidence of the due diligence that was conducted, including primary data, photographs, communications interchanged, etc.;
- Copies of each of the formal statements of donation, establishing informed consent as described above, and signed by each owner involved;
- Copies of all documents, registrations or records evidencing the legal transfer of the land;
- A map, showing each parcel of land.

The proponent will maintain a record with documentation for each parcel of land donated. Such documentation must be available for World Bank review, and for review in relation to any grievances that may arise.

9. Grievance redress arrangements. The project provides access to the IFRDP GRM and specifies means by which donors (potentially, persons whose use or occupancy was not recognized in the transfer of land) may raise grievances, and measures to ensure

consideration of, and timely response to, grievances raised. The grievance process includes participation of reviewers not directly affiliated with the proponent. The grievance process imposes no cost upon those raising grievances, and participation in the grievance process does not preclude pursuit of legal remedies under the laws of the country.

ANNEX 5: FORM FOR VOLUNTARY LAND CONTRIBUTION

Province / Region:	
District:	
Community:	
Sub-project ID:	

Name of land owner:	ID Number:	Beneficiary of the project: Y/N		
Sex:	Age:	Occupation:		
Address:				
Description of land that will be taken for the project:	Area affected:	Total landholding area:	Ratio of land affected to total land held:	Map code, if available :
Description of annual crops growing on the land now and project impact:				
	Details	Number		
- Trees that will be destroyed				
- Economic trees				
- Trees used for other economic or household purposes				

– Mature forest trees		
– Other		
Describe any other assets that will be lost or must be moved to implement the project:		
Value of donated assets: Land rights- Other assets-		

The land owner confirms that he/she received information on the project and understands that the above portion of land will be (permanently/temporarily) transferred and that he/she will have no access to the land for (*specify time or restricted uses*).

By signing or providing thumb-print on this form, the land owner agrees to contribute with land to the project. The contribution is voluntary and that he/she understands that **he/she has the choice to require compensation**, and that by signing or providing his/her thumb print he/she agrees not to request any such compensation now or in the future.

If the land user or owner does not want to contribute his/ her assets to the project, he or she should refuse to sign or provide thumb print, and ask for compensation instead.

Date:

Date:

District Leader representative's signature

Affected persons signature
(both husband and wife)

ANNEX 6: DATA BASE AND INFRASTRUTURES CALCULATIONS

Survey Order	Type of infrastructure	Infrastructure Object	Wall material	Roofing	Total area	Affected area m ²	Costs per m ²	Cost of the affected area	Cost of the total area
127	Barrack/tent	Commerce/trade		Zinc sheets		2.5	500.00	1,250.00	-
104D	Barrack/tent	Commerce/trade	Bricks	Zinc sheets	40	10	7,500.00	75,000.00	300,000.00
105D	Barrack/tent	Commerce/trade	Bricks	Zinc sheets	35	10	7,500.00	75,000.00	262,500.00
106D	Barrack/tent	Commerce/trade	Bricks	Zinc sheets	12.5	12.5	7,500.00	93,750.00	93,750.00
107D	Barrack/tent	Commerce/trade	Bricks	Zinc sheets	12.5	12.5	7,500.00	93,750.00	93,750.00
109D	Barrack/tent	Commerce/trade	Others	Zinc sheets	50	20	500.00	10,000.00	25,000.00
111D	Barrack/tent	Commerce/trade	Zinc sheets	Zinc sheets	45	18	500.00	9,000.00	22,500.00
113D	Barrack/tent	Commerce/trade		Zinc sheets	12.5	12.5	500.00	6,250.00	6,250.00
114D	Barrack/tent	Commerce/trade	Others	Zinc sheets	15	15	500.00	7,500.00	7,500.00
115D	Barrack/tent	Commerce/trade	Others	Zinc sheets	10	10	500.00	5,000.00	5,000.00
116D	Barrack/tent	Commerce/trade	Others	Zinc sheets	17.5	17.5	500.00	8,750.00	8,750.00
118D	Barrack/tent	Commerce/trade	Others	Zinc sheets	21	7	500.00	3,500.00	10,500.00

119D	Barrack/tent	Commerce/trade	Zinc sheets	Zinc sheets	66	22	500.00	11,000.00	33,000.00
Survey Order	Type of infrastructure	Infrastructure Object	Wall material	Roofing	Total area	Affected area m²	Costs per m²	Cost of the affected area	Cost of the total area
11E	Barrack/tent	Commerce/trade	Nothing	Nothing			500.00	-	-
122D	Barrack/tent	Complement		Straw		5	500.00	2,500.00	-
123D	Barrack/tent	Complement		Straw		2	500.00	1,000.00	-
124D	Barrack/tent	Commerce/trade		Straw		2	500.00	1,000.00	-
125D	Barrack/tent	Commerce/trade		Zinc sheets		2	500.00	1,000.00	-
136D	Barrack/tent	Nothing	Can/B	Straw	900	30	500.00	15,000.00	450,000.00
142D	Barrack/tent	Commerce/trade	Can/B	Zinc sheets	210	7	500.00	3,500.00	105,000.00
143D	Barrack/tent	Commerce/trade		Straw	24	6	500.00	3,000.00	12,000.00
146D	Barrack/tent	Commerce/trade	Bricks	Straw	15	10	7,500.00	75,000.00	112,500.00
148D	Barrack/tent	Commerce/trade		Straw	28	7	500.00	3,500.00	14,000.00
150D	Barrack/tent	Commerce/trade		Zinc sheets	50	10	500.00	5,000.00	25,000.00
152D	Barrack/tent	Commerce/trade		Straw	14	14	500.00	7,000.00	7,000.00

153D	Barrack/tent	Commerce/trade		Straw	18	18	500.00	9,000.00	9,000.00
154D	Barrack/tent	Commerce/trade	Zinc sheets	Zinc sheets	9	9	500.00	4,500.00	4,500.00
Survey Order	Type of infrastructure	Infrastructure Object	Wall material	Roofing	Total area	Affected area m²	Costs per m²	Cost of the affected area	Cost of the total area
155D	Barrack/tent	Commerce/trade		Straw	24	6	500.00	3,000.00	12,000.00
160D	Barrack/tent	Commerce/trade		Straw	15	6	500.00	3,000.00	7,500.00
161D	Barrack/tent	Commerce/trade		Straw	18	6	500.00	3,000.00	9,000.00
163D	Barrack/tent	Commerce/trade	Others	Straw	36	8	500.00	4,000.00	18,000.00
164D	Barrack/tent	Commerce/trade		Straw	14	3.5	500.00	1,750.00	7,000.00
173D	Barrack/tent	Commerce/trade		Straw	40	40	500.00	20,000.00	20,000.00
179D	Barrack/tent	Commerce/trade	Bricks	Zinc sheets	55	33	7,500.00	247,500.00	412,500.00
17D	Barrack/tent	Commerce/trade		Straw	17.5	17.5	500.00	8,750.00	8,750.00
17E	Barrack/tent	Commerce/trade	Zinc sheets	Zinc sheets		20	500.00	10,000.00	-
180D	Barrack/tent	Commerce/trade	Bricks	Zinc sheets	40.5	27	7,500.00	202,500.00	303,750.00
182D	Barrack/tent	Commerce/trade	Bricks	Zinc sheets	42	18	7,500.00	135,000.00	315,000.00

184D	Barrack/tent	Commerce/trade	Bricks	Zinc sheets	40	10	7,500.00	75,000.00	300,000.00
185D	Barrack/tent	Commerce/trade	Bricks	Zinc sheets	31.5	9	7,500.00	67,500.00	236,250.00
187D	Barrack/tent	Commerce/trade		Straw	36	18	500.00	9,000.00	18,000.00
Survey Order	Type of infrastructure	Infrastructure Object	Wall material	Roofing	Total area	Affected area m²	Costs per m²	Cost of the affected area	Cost of the total area
18E	Barrack/tent	Commerce/trade	Others	Straw		10.5	500.00	5,250.00	-
194D	Barrack/tent	Commerce/trade		Straw	40	40	500.00	20,000.00	20,000.00
202D	Barrack/tent	Commerce/trade	Others	Others	44	11	500.00	5,500.00	22,000.00
22E	Barrack/tent	Commerce/trade	Others	Straw		5	500.00	2,500.00	-
24E	Barrack/tent	Commerce/trade	Others	Straw		4	500.00	2,000.00	-
26D	Barrack/tent	Commerce/trade	Zinc sheets	Zinc sheets	12.5	12.5	500.00	6,250.00	6,250.00
27E	Barrack/tent	Commerce/trade	Others	Zinc sheets		6	500.00	3,000.00	-
27E	Barrack/tent	Commerce/trade	Others	Zinc sheets		108	500.00	54,000.00	-
28D	Barrack/tent	Commerce/trade		Straw	25	25	500.00	12,500.00	12,500.00
28E	Barrack/tent	Commerce/trade	Zinc sheets	Zinc sheets		21	500.00	10,500.00	-

29D	Barrack/tent	Commerce/trade	Others	Straw	15	15	500.00	7,500.00	7,500.00
2E	Barrack/tent	Commerce/trade	Straw	Straw		6	500.00	3,000.00	-
30D	Barrack/tent	Commerce/trade		Straw	10	10	500.00	5,000.00	5,000.00
31D	Barrack/tent	Commerce/trade		Straw	10	10	500.00	5,000.00	5,000.00
Survey Order	Type of infrastructure	Infrastructure Object	Wall material	Roofing	Total area	Affected area m²	Costs per m²	Cost of the affected area	Cost of the total area
32D	Barrack/tent	Commerce/trade		Straw	15	15	500.00	7,500.00	7,500.00
32E	Barrack/tent	Commerce/trade	Others	Straw		2	500.00	1,000.00	-
33D	Barrack/tent	Commerce/trade			17	17	500.00	8,500.00	8,500.00
34D	Barrack/tent	Commerce/trade		Straw	30	30	500.00	15,000.00	15,000.00
35D	Barrack/tent	Commerce/trade		Others	20	20	500.00	10,000.00	10,000.00
36D	Barrack/tent	Commerce/trade	Zinc sheets	Zinc sheets	7	7	500.00	3,500.00	3,500.00
36E	Barrack/tent	Commerce/trade		Straw			500.00	-	-
37D	Barrack/tent	Commerce/trade		Straw	15	15	500.00	7,500.00	7,500.00
37E	Barrack/tent	Commerce/trade	Others	Straw		6	500.00	3,000.00	-

37E	Barrack/tent	Commerce/trade	Others	Zinc sheets		1	500.00	500.00	-
38D	Barrack/tent	Commerce/trade	Others	Straw	10	10	500.00	5,000.00	5,000.00
38E	Barrack/tent	Commerce/trade		Straw		36	500.00	18,000.00	-
38E	Barrack/tent	Commerce/trade	Others	Straw		12	500.00	6,000.00	-
39D	Barrack/tent	Commerce/trade		Straw	20	20	500.00	10,000.00	10,000.00
Survey Order	Type of infrastructure	Infrastructure Object	Wall material	Roofing	Total area	Affected area m²	Costs per m²	Cost of the affected area	Cost of the total area
39E	Barrack/tent	Commerce/trade	Others	Zinc sheets		12	500.00	6,000.00	-
3D	Barrack/tent	Commerce/trade	Bricks	Zinc sheets	144	60	7,500.00	450,000.00	1,080,000.00
40D	Barrack/tent	Commerce/trade		Straw	17	17	500.00	8,500.00	8,500.00
40E	Barrack/tent	Commerce/trade	Others	Straw		6	500.00	3,000.00	-
40E	Barrack/tent	Commerce/trade	Others	Straw		6	500.00	3,000.00	-
41D	Barrack/tent	Commerce/trade			7.5	7.5	500.00	3,750.00	3,750.00
41E	Barrack/tent	Commerce/trade		Zinc sheets			500.00	-	-
42D	Barrack/tent	Commerce/trade			20	20	500.00	10,000.00	10,000.00

43D	Barrack/tent	Commerce/trade			25	25	500.00	12,500.00	12,500.00
43E	Barrack/tent	Commerce/trade	Others	Zinc sheets			500.00	-	-
45E	Barrack/tent	Commerce/trade		Zinc sheets		6	500.00	3,000.00	-
48E	Barrack/tent	Commerce/trade		Zinc sheets		3.5	500.00	1,750.00	-
48E	Barrack/tent	Commerce/trade	Others	Zinc sheets		10.5	500.00	5,250.00	-
49E	Barrack/tent	Commerce/trade		Straw		7	500.00	3,500.00	-
Survey Order	Type of infrastructure	Infrastructure Object	Wall material	Roofing	Total area	Affected area m²	Costs per m²	Cost of the affected area	Cost of the total area
49E	Barrack/tent	Commerce/trade	Others	Zinc sheets		10.5	500.00	5,250.00	-
4D	Barrack/tent	Commerce/trade	Others	Zinc sheets	180	60	500.00	30,000.00	90,000.00
4E	Barrack/tent	Commerce/trade	Bricks	Zinc sheets	18	9	500.00	4,500.00	9,000.00
50E	Barrack/tent	Commerce/trade	Outros	Straw		4	500.00	2,000.00	-
51E	Barrack/tent	Commerce/trade	Zinc sheets	Zinc sheets		4	500.00	2,000.00	-
51E	Barrack/tent	Commerce/trade		Straw		6	500.00	3,000.00	-
53E	Barrack/tent	Commerce/trade	Others	Zinc sheets		6	500.00	3,000.00	-

55E	Barrack/tent	Commerce/trade	Nothing	Nothing		2	500.00	1,000.00	-
56E	Barrack/tent	Commerce/trade		Nothing		2.5	500.00	1,250.00	-
56E	Barrack/tent	Commerce/trade	Others	Zinc sheets		6	500.00	3,000.00	-
57E	Barrack/tent	Commerce/trade	Others	Zinc sheets		13	500.00	6,500.00	-
58E	Barrack/tent	Commerce/trade	Zinc sheets	Zinc sheets		3	500.00	1,500.00	-
59E	Barrack/tent	Commerce/trade	Zinc sheets	Zinc sheets			500.00	-	-
5D	Barrack/tent	Commerce/trade	Bricks	Zinc sheets	180	60	500.00	30,000.00	90,000.00
Survey Order	Type of infrastructure	Infrastructure Object	Wall material	Roofing	Total area	Affected area m²	Costs per m²	Cost of the affected area	Cost of the total area
60D	Barrack/tent	Commerce/trade		Straw	7.5	7.5	500.00	3,750.00	3,750.00
60E	Barrack/tent	Commerce/trade	Others	Straw		5	500.00	2,500.00	-
61D	Barrack/tent	Commerce/trade	Others	Zinc sheets	6	6	500.00	3,000.00	3,000.00
61E	Barrack/tent	Commerce/trade	Nothing	Zinc sheets		3.5	500.00	1,750.00	-
62D	Barrack/tent	Commerce/trade	Others	Zinc sheets	7.5	7.5	500.00	3,750.00	3,750.00
62E	Barrack/tent	Complement	Zinc sheets	Zinc sheets		3	500.00	1,500.00	-

63D	Barrack/tent	Commerce/trade	Others	Straw	24	12	500.00	6,000.00	12,000.00
63E	Barrack/tent	Commerce/trade	Others	Straw		10.5	500.00	5,250.00	-
64D	Barrack/tent	Commerce/trade	Bricks	Zinc sheets	20	12	500.00	6,000.00	10,000.00
65D	Barrack/tent	Commerce/trade	Bricks	Zinc sheets	32	16	500.00	8,000.00	16,000.00
65E	Barrack/tent	Commerce/trade	Others	Straw		15	500.00	7,500.00	-
66E	Barrack/tent	Commerce/trade	Bricks	Zinc sheets		10.5	500.00	5,250.00	-
67D	Barrack/tent	Commerce/trade	Bricks	Zinc sheets	28	12	500.00	6,000.00	14,000.00
69E	Barrack/tent	Commerce/trade	Others	Zinc sheets		6	500.00	3,000.00	-
Survey Order	Type of infrastructure	Infrastructure Object	Wall material	Roofing	Total area	Affected area m²	Costs per m²	Cost of the affected area	Cost of the total area
69E	Barrack/tent	Commerce/trade	Others	Straw		3	500.00	1,500.00	-
70E	Barrack/tent	Commerce/trade	Others	Straw		12	500.00	6,000.00	-
72D	Barrack/tent	Commerce/trade	Others	Zinc sheets	45	9	500.00	4,500.00	22,500.00
73D	Barrack/tent	Commerce/trade	Others	Zinc sheets	32	4.5	500.00	2,250.00	16,000.00
74D	Barrack/tent	Commerce/trade	Bricks	Zinc sheets	90	10	500.00	5,000.00	45,000.00

75D	Barrack/tent	Commerce/trade	Others	Zinc sheets	21	7	500.00	3,500.00	10,500.00
92D	Barrack/tent	Commerce/trade	Others	Zinc sheets	10	10	500.00	5,000.00	5,000.00
95D	Barrack/tent	Commerce/trade	Others	Zinc sheets	50	5	500.00	2,500.00	25,000.00
97D	Barrack/tent	Commerce/trade	Zinc sheets	Zinc sheets	35	10	500.00	5,000.00	17,500.00
16D	Tent under construction	Commerce/trade			40	40	500.00	20,000.00	20,000.00
110D	Tent under construction	Commerce/trade	Others	Zinc sheets	40.5	9	500.00	4,500.00	20,250.00
129D	Tent under construction	Commerce/trade	Bricks	Zinc sheets	240	20	500.00	10,000.00	120,000.00
133D	Tent under construction	Commerce/trade	Outros	Zinc sheets	300	40	500.00	20,000.00	150,000.00
117D	Tent under construction	Commerce/trade	Outros	Zinc sheets	21	7	500.00	3,500.00	10,500.00
Survey Order	Type of infrastructure	Infrastructure Object	Wall material	Roofing	Total area	Affected area m²	Costs per m²	Cost of the affected area	Cost of the total area
35E	Bar	Commerce/trade	Bricks	Zinc sheets		12	500.00	6,000.00	-
16E	Bar container	Commerce/trade	Zinc sheets	Zinc sheets		10	500.00	5,000.00	-
10E	Tent/Barrack	Commerce/trade	Zinc sheets	Zinc sheets			500.00	-	-
122D	Barber Shop	Commerce/trade	Others	Zinc sheets	36	13.5	500.00	6,750.00	18,000.00

126D	Barber Shop	Commerce/trade		Zinc sheets		2.5	500.00	1,250.00	-
151D	Barber Shop	Commerce/trade		Zinc sheets	45	9	500.00	4,500.00	22,500.00
156D	Barber Shop	Commerce/trade	Others	Zinc sheets	21	7	500.00	3,500.00	10,500.00
159D	Barber Shop	Commerce/trade	Others	Zinc sheets	21	7	500.00	3,500.00	10,500.00
21D	Barber Shop	Commerce/trade	Bricks	Zinc sheets	87	7.25	500.00	3,625.00	43,500.00
25E	Barber Shop	Commerce/trade	Others	Zinc sheets		6	500.00	3,000.00	-
28E	Barber Shop	Others	Zinc sheets	Zinc sheets		14	500.00	7,000.00	-
29E	Barber Shop	Commerce/trade	Others	Zinc sheets		8	500.00	4,000.00	-
34E	Barber Shop	Commerce/trade	Others	Straw		3	500.00	1,500.00	-
51E	Barber Shop	Commerce/trade	Others	Zinc sheets		5	500.00	2,500.00	-
Survey Order	Type of infrastructure	Infrastructure Object	Wall material	Roofing	Total area	Affected area m²	Costs per m²	Cost of the affected area	Cost of the total area
63E	Barber Shop	Commerce/trade	Others	Zinc sheets		3.5	500.00	1,750.00	-
66E	Barber Shop	Commerce/trade	Others	Zinc sheets			500.00	-	-
98D	Barber Shop	Commerce/trade	Others	Zinc sheets	36	9	500.00	4,500.00	18,000.00

	Barber Shop						500.00	-	-
10D	Tent/Barrack	Commerce/trade	Others	Straw	99	9	500.00	4,500.00	49,500.00
22D	Tent/Barrack	Commerce/trade	Bricks	Zinc sheets	108	36	500.00	18,000.00	54,000.00
23D	Tent/Barrack	Commerce/trade	Bricks	Zinc sheets	128	80	500.00	40,000.00	64,000.00
24D	Tent/Barrack	Commerce/trade	Bricks	Zinc sheets	196	140	500.00	70,000.00	98,000.00
36E	Tent/Barrack			Straw		20	500.00	10,000.00	-
54E	Tent/Barrack	Commerce/trade		Straw		7.5	500.00	3,750.00	-
67E	Tent/Barrack	Commerce/trade	Others	Straw		3	500.00	1,500.00	-
68E	Tent/Barrack	Commerce/trade		Straw			500.00	-	-
77E	Tent/Barrack		Others	Straw			500.00	-	-
7E	Tent/Barrack	Commerce/trade	Others	Others		6	500.00	3,000.00	-
Survey Order	Type of infrastructure	Infrastructure Object	Wall material	Roofing	Total area	Affected area m²	Costs per m²	Cost of the affected area	Cost of the total area
8D	Tent/Barrack	Commerce/trade	Bricks	Straw	66	33	500.00	16,500.00	33,000.00
96D	Tent/Barrack	Commerce/trade	Zinc sheets	Zinc sheets			500.00	-	-

	Tent/Barrack						500.00	-	-
25D	Tent under construction	Commerce/trade	Bricks	Zinc sheets	405	135	500.00	67,500.00	202,500.00
27D	Tent under construction	Commerce/trade	Others	Zinc sheets	10	10	500.00	5,000.00	5,000.00
13E	Concrete	Complement					500.00	-	-
	Wall	Bricks	Nothing		156	13	500.00	6,500.00	78,000.00
	Wall				630	30	500.00	15,000.00	315,000.00
	Wall	Bricks			5000	100	500.00	50,000.00	2,500,000.00
	Wall	Others			450	9	500.00	4,500.00	225,000.00
	Wall				400	40	500.00	20,000.00	200,000.00
	Wall	Bricks	Nothing	1			500.00	-	-
	Wall	Bricks	Nothing	1		12	500.00	6,000.00	-
	Wall	Bricks	Nothing	1		150	500.00	75,000.00	-
Survey Order	Type of infrastructure	Infrastructure Object	Wall material	Roofing	Total area	Affected area m²	Costs per m²	Cost of the affected area	Cost of the total area
	Fence wall	Bricks	Nothing	Nothing		8	500.00	4,000.00	-

	workshop		Straw	1	50	50	500.00	25,000.00	25,000.00
	workshop	Bricks	Zinc sheets	1			500.00	-	-
	workshop		Straw	1	40	4	500.00	2,000.00	20,000.00
	workshop		Straw	1	21	7	500.00	3,500.00	10,500.00
	workshop	others	Straw	1	45	45	500.00	22,500.00	22,500.00
	workshop		Straw	1	55	55	500.00	27,500.00	27,500.00
	workshop	others	Straw	1	40	40	500.00	20,000.00	20,000.00
	workshop		Straw	1	24	24	500.00	12,000.00	12,000.00
	workshop		Straw	1	24	24	500.00	12,000.00	12,000.00
	workshop		Straw	2		8	500.00	4,000.00	-
	workshop		Straw	1		6	500.00	3,000.00	-
	workshop		Straw	1	78	78	500.00	39,000.00	39,000.00
	workshop		Straw	1	70	30	500.00	15,000.00	35,000.00
Survey Order	Type of infrastructure	Infrastructure Object	Wall material	Roofing	Total area	Affected area m²	Costs per m²	Cost of the affected area	Cost of the total area

	Bicycle workshop	Nothing	Straw	1			500.00	-	-
	Bicycle workshop	Straw	Straw	1		8	500.00	4,000.00	-
	Bicycle workshop		Straw	1		12	500.00	6,000.00	-
9E	Point for the sale of second hand clothes	Commerce/trade	Nothing	Nothing		6	500.00	3,000.00	-
1E	Point for the sale of bread	Commerce/trade	Straw	Straw		6	500.00	3,000.00	-
29E	Point for the sale of clothes	Commerce/trade	Others	Straw		21	500.00	10,500.00	-
15E	Point for the sale of clothes	Commerce/trade	Nothing	Straw		10	500.00	5,000.00	-
23E	Point for the sale of clothes	Commerce/trade		Straw			500.00	-	-
30E	Point for the sale of clothes	Commerce/trade	Others	Straw			500.00	-	-
31E	Point for the sale of clothes	Commerce/trade		Straw		72	500.00	36,000.00	-
32E	Point for the sale of clothes	Commerce/trade	Others	Straw		20	500.00	10,000.00	-
34E	Point for the sale of clothes	Commerce/trade	Others	Straw		30	500.00	15,000.00	-
35E	Point for the sale of clothes	Commerce/trade		Straw		36	500.00	18,000.00	-
80E	Farm						500.00	-	-

Survey Order	Type of infrastructure	Infrastructure Object	Wall material	Roofing	Total area	Affected area m ²	Costs per m ²	Cost of the affected area	Cost of the total area
91D	JAC Advertisement						500.00	-	-
26E	Mobile phones repair		Zinc sheets	Zinc sheets		5	500.00	2,500.00	-
174D	Namitoque fence				1600	80	500.00	40,000.00	800,000.00
31E	Concrete balcony	Complement	Others	Zinc sheets		10	500.00	5,000.00	-
60E	Various fruit tree					400	500.00	200,000.00	-
77D	Variety of trees						500.00	-	-
36E	Fence	Commerce/trade	Others	Straw		7	500.00	3,500.00	-
5E	Fence	Complement	Others	Others		15	500.00	7,500.00	-
83E	Fence						500.00	-	-
84E	Fence						500.00	-	-
61E	Wire fence						500.00	-	-
20E	Zinc sheets fence	Complement	Chapa			60	500.00	30,000.00	-
21E	Wood fence	Complement	Others	Nothing		42	500.00	21,000.00	-

30E	Wood fence	Complement	Others	Nothing		51	500.00	25,500.00	-
Survey Order	Type of infrastructure	Infrastructure Object	Wall material	Roofing	Total area	Affected area m²	Costs per m²	Cost of the affected area	Cost of the total area
53E	Fencing	Commerce/trade	Others	Nothing			500.00	-	-
								3,428,125.00	10,219,500.00
							30%	1,028,437.50	3,065,850.00
							Total	4,456,562.50	13,285,350.00

ANNEX 7: CALCULATION BASIS FOR AGRICULTURE (TREES)

Description	ÁRVORES IDENTIFICADAS PARA COMPENSAÇÕES								
	Mango tree	Cashew tree	Coconut tree	Avocado tree	Papaya tree	Banana tree	Casuarinas	Eucalyptus	Total
Number	31	5	1	1	2	85	141	124	390
Unity Price (MT)	350.00	750.00	1,500.00	600.00	600.00	200.00	1,500.00	1,500.00	
Total Price (MT)	10,850.00	3,750.00	1,500.00	600.00	1,200.00	17,000.00	211,500.00	186,000.00	432,400.00
Correction factor (30%)	3255	1125	450	180	360	5100	63450	55800	129720
Compensation Total Amount	14,105.00	4,875.00	1,950.00	780.00	1,560.00	22,100.00	274,950.00	241,800.00	562,120.00

ANNEX 8: PUBLIC CONSULTATIONS



RESETTLEMENT ACTION PLAN FOR THE N1/N10: QUELIMANE - NICOADALA - NAMACURRA ROAD REHABILITATION PROJECT CONTRACT No. 16/DIPRO-ANE/313/2017



PUBLIC CONSULTATION REPORT

July, 2017

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1 **ACRONYMS**

ANE	National Roads Administration
AP	Affected Parts
CPCS	Provincial Council Against AIDS
DPASA	Provincial Directorate of Agriculture and Food Security
DPTADER	Provincial Directorate of Land, Environment and Rural Development
DPCI	Provincial Directorate of Trade and Industry
DPOHRH	Provincial Directorate of Works and Water Resources
ESMP	Environmental and Social Management Plan
ESIA	Environmental and Social Impact Assessment
HQ	Headquarter
PAP	Project Affected People
RAP	Resettlement Action Plan
SDAE	Economic Activities District Offices
SDPI	Planning and Infrastructure District Offices
SPFF	Forest and Wildlife District Office

1. INTRODUCTION

The Government of Mozambique, through Roads and Bridges Management and Maintenance Project (RBMMP), APL-2, funded by The World Bank, intends to invest part of the funds in the rehabilitation of the N10 road between Quelimane and Nicoadala and N1 between Nicoadala and Namacurra, in Zambézia Province.

The section of the road under assessment has a length of approximately 70 km, and is part of the Zambézia corridor, extending from the Quelimane City (km 0) to the Nicoadala Village (Km 35) and then to Namacurra (Km 70). For the execution of the construction activities extensions of RoW, area of work, borrow pits represents the project activities that may trigger land acquisition. In this regard, a RAP was prepared to identify the affected assets and project affected people to compensate them adequately and restore their livelihoods. As a standard requirement, a public consultation is a fundamental tool to engage and guarantee participation of the Project Affected People (PAP) in the project. Therefore, in Mozambique a public consultation is mandatory process under national legislation Decree 54/2015 of December 31, for Environmental Impact Assessment (EIA) and Decree 31/2012 of August 8, for Resettlement process. As well as under the general directives for public consultation process (Ministerial Diploma 130/2006 of July 19). The public consultation meeting was held in Nicoadala on the 11 of July 2017, registered a significant participation of interested and affected parties in total number of 75 people, of which 10% women. Out of the 75 people the PAPs were represented by 40%, representatives of government and local leaders 54% and non government organizations 6%.

1.1 Objective of the public consultation

The meeting aim to:

- Inform the results of the census survey within the ROW of the N10/N1;
- Consult with the affected people and discuss their views and concern over the RAP and ESMP;

The newspaper announcement of the public meeting follows the requirements under the Mozambican legislation and The World Bank Group. It was announced, 15

days prior to the public consultation meeting through the “*Jornal Noticias*” national newspaper, the provincial and national radio station and invitation letters sent to the main institutions. To guarantee the participation representatives of villages along the road, the consultant provide transport condition for Interested and Affected Parties along the road section to attend the public consultation in Nicoadala.

2. METHODOLOGY

The public consultation focusses on presentation of the ESIA and RAP prepared in 2015 by CPG. These documents were adjusted to be in line with the World Bank safeguards and RPF prepared under the IFRDP. Information and data for preparation of the documents were collected in April 2014.

The presentation was divided in two parts namely:

i) Presentation and discussion of the Environmental and Social Impact Assessment (ESIA) and ii) the presentation and discussion of the Resettlement Action Plan (RAP).

After the ESIA presentation Mr. Roberto Tonissai head of the Technical Department of the ANE Zambezia Delegation, who was acting as moderator, commented briefly on the presentation and drawing attention to the participants on the second presentation and then making room to the questions and answers.

The presentation had the follow contents:

- Introduction;
- Objectives of the RAP;
- Methodology used in RAP;
- Relevant legal framework;
- Principles for resettlement;
- Proposed institutional framework;
- Eligibility criteria for resettlement;
- Categorization of those effects;
- Summary of identified assets;
- Mapping of occupations along the road (in 2015);
- Mapping of occupations along the road (in 2017);
- Total assets identified/district;
- Affected assets listed in the census by categories (N10/N1);
- Type of categories of structures for calculation of compensation values;

- Valuation and compensation for losses; and
- Compensation for affected assets.

After the presentation of RAP and explanation of all the points constituting the presentation, the moderator of the meeting, Mr. Roberto opened space for the intervention of the participants.



Picture 2-1: Intervention of Mr. Mutemba about the project

3. PARTICIPANTS AND LOCATION

Date: 11/07/2017

Time: started at 9:30h and finished at 13:15h

Venue: Nicoadala district Government meeting room

The meeting began at nine thirty minutes and was attended by 75 people being around 10% (7 participants) women, 54% were representatives of government institutions from target districts local leaders from affected communities, province

of Zambezia and Central level from ANE HQ and 40% were PAPs and 6% represents non governmental organization.

The meeting was attended by representatives of SDAE, SDPI of Nicoadala, Namacurra, Murrumbala and Mopeia Districts. From the provincial level there were representatives of DPTADER, DPCI, DPASA, DPOHRH, ANE delegation, CPCS and representatives from ANE HQ.

4. MATRIX OF QUESTION AND RESPONSE

After the presentation the participants were invited to comment, recommend or ask for additional clarification. Out of 75 participants around 10 people requested additional clarification and made recommended, representing 13.3% of the total participants. The following table is summarizing the questions and answers given.

Table 4-1: Matrix of Question and Response

Question	Response
<p>Mr. Chagane: Made the first intervention, questioning whether there was any coordination with community leaders, in order to inform them about the rehabilitation of the Quelimane – Nicoadala - Namacurra road project. He asked also if ANE is doing any awareness campaign to inform communities not to use ROW. Because, when communities are not properly informed and clarified can create problems.</p>	<p>Having been answered that: During the first public consultation done in January 2014, in Quelimane with the participation of the community leaders, Consultant (CPG) and ANE informed about the project. A special campaign about the rules to use the ROW was not undertaken. But, in the public consultation, and during the census survey done in April 2014 an informal information was given to the community leaders along the road, not to allow new construction after the Census be done. With ANE and RPF the Cut of Date for this specific project is the date that the PAP's was identified and surveyed.</p>

	<p>With the approval of the Ministerial Diploma 109/14 ANE has a power to undertake awareness campaign.</p>
<p>Mr. Anivaldo Luis, the District Director of infrastructures of Nicoadala spoke about the occupation of the road reserve area (ROW) that is verified throughout the district of Nicoadala. Said there will be some conflict situations because some constructions were built without any authorization from the district government.</p>	<p>All conflicts arise from the implementation of the project shall be resolved through the Grievance Redress Mechanism (GRM) of the project.</p> <p>all PAP's in the Corridor of Impacts (COI) were identified regardless having DUAT or not.</p> <p>Absence of DUAT is not a reason for no compensation. All PAP's identified in April 2014, during the census are eligible for compensation.</p> <p>It is important understand that on the basis of Land Law, no DUAT is given under the ROW (30m in rural areas and 15 m in urban areas).</p>
<p>The local leaders of the communities crossed by the project; present at the meeting made a point of reminding those present that this public consultation was the Third; local leaders left the first meeting with the recommendation to sensitize communities not to use the roads reserve area. Communities are properly informed about the rehabilitation of the N10/N1 road.</p>	<p>This was a comments. And the Consultant and ANE emphasis that the community leaders shall continue to inform the PAP's, particularly those doing agriculture and having informal business in the COI that they should abandon their activities in that place as soon as they are advised of the progress of the road rehabilitation activities.</p> <p>And also to invite those who have activities on ROW not the install permanent infra-structures in this area to avoid future conflicts.</p>

<p>Mr. Isac, a merchant: spoke of his concern because he could not continue to do his activity in the place where he use to. Because it is near the road. He request that the new place for business activities be close to the road so that traders continue to have incomes close to those they now have</p>	<p>It was explained to him that withdrawal of any activity and structure is a matter of security and safety. A RAP implementation process will take this aspect into consideration.</p>
<p>Mr. Sauca: trader, suggested that the 30 meters of the road reserve area should be only one side of the road, where there are no infrastructures; to avoid demolishing the <i>barracas</i> that are inside the roads reserve area.</p>	<p>It was explained to him that the definition of the size of the ROW is done by law and shall be respected. Is not a responsibility of ANE to change it. Secondly, the road obeys an alignment. The alignment is adjust in a very special case when (improvement of road safety, sensitive ecological or social area).</p>
<p>The Community Leader Namacata recommended that attention has to be paid to the cemeteries that are everywhere throughout the project; he also said that cultural habits should be respected in relation to the subject matter of the cemeteries;</p>	<p>The recommendation was accepted.</p>
<p>The Regulo Maltes: asked for explanation of the procedures to be used for people who built after the year 2014;</p>	<p>In April 2014 a census survey was done and a person entitled to compensation was registered. A data base was generated.</p> <p>April 2014 was defined as a cut of date. The RAP implementation consultant will have to re-confirm the information in the data base. In a case that a new PAP is identified, the RAP</p>

	<p>implementation team will register all them. And in liaison with the Resettlement Committee, case by case, will evaluate if the PAP is subject to be compensate or not.</p>
<p>Mr. Fakir: participant of the technical meeting of the District Services of Infrastructure of Namacura; asked what measures will be taken for the people who have built their infrastructures in the reserve area and without the permission of the institutions with a mandate to authorize;</p>	<p>The Nicoadala District Director of Infrastructure responded to this concern by saying that all such persons were duly informed and notified of the sense of being in compliance with the land law.</p>
<p>Mr. Moises SDPI technician from Namacura spoke about the lack of coordination of the various institutions and therefore there are social infrastructures in the road reserve area, namely health centers and schools, asked how these infrastructures would be accommodated if the alignment does not change;</p>	<p>it was answered that this group deserves attention given the delicacy of the subject.</p>

5. FINAL REMARKS

The Participants requested that there be clear and permanent information in ways that would guide the near future agricultural campaigns, because the communities practice agriculture in the road reserve areas. Mr Antonio Mutemba informed about the stage of the project and the forecast of the work schedule.

In the absence of any further interventions, the Consultant Ms. Eulalia Macome appealed to those present to disseminate the information about the project so that all people are informed and will avoid conflicts; being sure that there were no more interventions, the meeting was finished at thirteen hours and fifteen minutes.



Picture 5-1: Local Leaders of different levels

List of Attendees



LISTA DE PARTICIPANTES

Consulta Pública de apresentação do EIA/PGA da Estrada Quelimane-Nicoadala_Namacurra (N10/1) e Chimuara-Nicoadala (N1)

Nicoadala, 11 de Julho de 2017

NOME	INSTITUIÇÃO	E-MAIL	TELEFONE
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Gastão Samuel Lide de 2ª Escala			
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