



ELECTRICITY SUPPLY CORPORATION OF MALAWI LIMITED

MOZAMBIQUE-MALAWI 400 KV INTERCONNECTION PROJECT

RESETTLEMENT ACTION PLAN

**MALAWI SECTION – FROM THE MOZAMBIQUE BORDER TO THE PHOMBEYA
SUBSTATION (76 KM)**

WSP REF.: 181-17150-00

DATE: SEPTEMBER 23, 2021

CONFIDENTIAL





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REPORT (FINAL VERSION)

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ABBREVIATIONS AND ACRONYMS

CAHMP	Cultural and Archaeological Heritage Management Plan
CBO	Community Based Organizations
EAD	Environmental Affairs Department
EDM	Electricidade de Moçambique
ESCOM	Electricity Supply Corporation of Malawi Limited
ESIA	Environmental Social Impact Assessment
ESMP	Environmental and Social Management Plan
ESS	Environmental and Social Standards
GBV	Gender Base Violence
GVH	Group of Village Heads
HoH	Head of Household
Ha	Hectare
ICVL	International Coal Ventures Private Limited
km	Kilometre
km ²	Square Kilometres
kV	Kilovolt
LGA	Local Government Area
LRC	Local Resettlement Committee
m	Metre
m ²	Square Metres
MAIWD	Ministry of Agriculture, Irrigation and Water Development
MLHUD	Ministry of Lands, Housing and Urban Development
MoU	Memorandum of Understanding
MNREM	Ministry of Natural Resources, Energy and Mining
NGO	Non-Governmental Organization
NSO	National Statistical Office
OP	Operational Policy (World Bank)

PAP	Project Affected Persons
PMU	Program Management Unit
RAIP	Resettlement Action for Implementation Plan
RAP	Resettlement Action Plan
RIC	RAP Implementation Consultant
RPF	Resettlement Policy Framework
SAPP	Southern African Power Pool
SEP	Stakeholder Engagement Program
TA	Traditional Authority
ToR	Terms of Reference
USD	United States Dollar
VDC	Village Development Committee
VH	Village Head
WB	World Bank

GLOSSARY

Compensation: Payment in cash or in kind for an asset or a resource that is acquired or affected by a project at the time the asset needs to be replaced.

Cut-off date: Date of completion of the census and assets inventory of persons affected by the project. Persons occupying the project area after the cut-off date are not eligible for compensation and/or resettlement assistance. Similarly, fixed assets (such as built structures, crops, fruit trees, and wood-lots) established after the date of completion of the assets inventory, or an alternative mutually agreed on a date, will not be compensated.

Host population: People living in or around areas to which people physically displaced by a project will be resettled who, in turn, may be affected by the resettlement.

Economic displacement: Loss of income streams or means of livelihood resulting from land acquisition or obstructed access to resources (land, water, or forest) resulting from the construction or operation of a project or its associated facilities.

Involuntary resettlement: Resettlement is involuntary when it occurs without the informed consent of the displaced persons or if they give their consent without having the power to refuse resettlement.

Land expropriation: Process whereby a public authority, usually in return for compensation, requires a person, household, or community to relinquish rights to land that it occupies or otherwise uses.

Project-affected household: All members of a household, whether related or not, operating as a single economic unit, who are affected by a project.

Project-affected person: Any person who, as a result of the implementation of a project, loses the right to own, use, or otherwise benefit from a built structure, land (residential, agricultural, or pasture), annual or perennial crops and trees, or any other fixed or moveable asset, either in full or in part, permanently or temporarily.

Physical displacement: Loss of shelter and assets resulting from the acquisition of land associated with a project that requires the affected person(s) to move to another location.

Replacement cost: The rate of compensation for lost assets must be calculated at full replacement cost, that is, the market value of the assets plus transaction costs.

Resettlement Action Plan (RAP): The document in which a project sponsor or other responsible entity specifies the procedures that it will follow and the actions that it will take to mitigate adverse effects, compensate losses, and provide development benefits to persons and communities affected by an investment project.

Stakeholders: Any and all individuals, groups, organizations, and institutions interested in and potentially affected by a project or having the ability to influence a project.

Vulnerable groups: People who by virtue of gender, ethnicity, age, physical or mental disability, economic disadvantage, or social status may be more adversely affected by resettlement than others and who may be limited in their ability to claim or take advantage of resettlement assistance and related development benefits.

SUMMARY

INTRODUCTION

This Resettlement Action Plan (RAP) concerns an electricity transmission line Project called the **Mozambique-Malawi 400-kV Interconnection Project**. It applies to the Malawian portion of the line only.

The Governments of Mozambique and Malawi have agreed to interconnect their power systems with the objective to contribute to the interconnection of the Malawian electrical network to the Southern African Power Pool. The transmission line will be a 400-kV line running from the existing Phombeya substation in Balaka to the Mozambican border and ultimately to the Matambo substation in Mozambique over a total distance of 76 km. However, this RAP concerns only the Malawian section. The Project components in Malawi are:

- The Phombeya – Mozambican border wayleave: a 55 m-wide and 76 km-long portion of the 400 kV interconnector, covering the entire Malawian stretch of the interconnector;
- Worker camps and access roads, however, their surface and location are likely to remain unknown until Lead Contractors are identified ahead of construction.

LEGAL AND POLICY FRAMEWORKS

Malawian policies and statutes, which are relevant to this project, have been analyzed to make sure the Project complies.

The World Bank Operational Policies on resettlement, were compared to national rules, to identify any possible gaps that require bridging. The national or international requirements, most advantageous to PAPs, have been proposed to bridge the gaps.

PUBLIC CONSULTATIONS

Public consultations for the RAP were initiated in March 2019 and continued to February 2021. Four rounds of public consultations covered a wide range of rightsholders and stakeholders.

DESCRIPTION OF AREAS AFFECTED BY THE PROJECT: CENSUS OF COMMUNITIES AND HOUSEHOLDS AFFECTED BY THE WAYLEAVE

The Project is entirely located in the Southern Region. It crosses Balaka, Mwanza, and Neno districts, five Traditional Authorities (TAs) and 28 communities. Only 10 of those communities are connected to the electricity grid. The RAP details those communities under the angles of socioeconomic and cultural characteristics, community infrastructure and services, and affected community structures and sites.

A total of 693 households are affected by the Project. Socioeconomic characteristics gathered on them are detailed in the RAP: characteristics of heads of households, household composition, household income and assets, as well as health and vulnerability.

The census of People Affected by the Project (PAPs) and assets (e.g., trees, houses, and secondary structures) was carried out between April and May 2019 and covered 100% of PAPs located in a 55 m-wide wayleave. Final figures from the census reports show that:

- A total of 92 structures will be lost including 57 conventional houses, 14 secondary houses, 1 house without a toilet and bath, 2 churches, 3 gowelo or mphala, and 35 secondary structures (kitchens, external bathrooms and latrines, barns, henneries, corrals and piggeries);
- A total of 707 land parcels will be impacted by the wayleave, representing a total surface of 3,078,386 m². The average affected land parcel surface area is 4,354.2 m². Most of these affected plots are held under Customary law and it should be noted that 73.8% of affected parcels are owned by the head of household, whereas 23.6% are owned by their wife. These parcels are used to grow a variety of crops, with maize, pigeon peas, groundnuts, rice, cowpeas, sweet potatoes, cassava, black eyed peas, and cowpeas being the most common;
- A total of 143,680 trees are in the wayleave with the large majority being natural trees, followed by banana, blue gum, fungo and mango trees;
- One tomb has been inventoried in the wayleave, in Mwanza district. No other private religious, spiritual, or cultural heritage structures were reported.

Many of these impacted households are affected by more than one category of impacts.

PROJECT IMPACTS ON THE HUMAN ENVIRONMENT

Most resettlement impacts will be felt in and around the line's wayleave.

Resettlement impacts will be mostly associated with the displacement of all houses and structures, the permanent land unavailability under pylons, and the clearing of trees in the preconstruction phase. Temporary or permanent access roads, borrow pits, equipment storage areas, and worker camps will also cause impacts during their construction and dismantling. However, the exact location of these components is unknown and will be determined by the Contractor responsible for the construction of the line. Resettlement required for temporary auxiliary infrastructures such as temporary access roads, borrow pits, equipment storage areas and worker camps shall be under the responsibility of the Contractor.

- Land: impacts are permanent under the pylons, as farmers will not be able to use the land beneath the pylons but will be able to continue farming annual crops elsewhere in the wayleave;
- Private and community structures: the Project will involve the relocation of structures (houses, secondary and commercial structures, and community buildings) currently located in the wayleave. In most cases, these will be demolished and rebuilt (i) on the original parcel if space outside the wayleave is sufficient, (ii) on an adjacent land parcel owned by the affected household, or (iii) elsewhere in the community, if desired by the affected households;
- Community forests and trees: the Project will involve clearing of forests and trees located in the wayleave. When community-owned, the approach to be adopted by ESCOM is to compensate communities as a whole for loss of community trees, via identification and implementation of community development projects;
- Tombs and Sacred sites: socioeconomic surveys revealed the presence of two (2) community-owned cemeteries, four (4) sacred sites, and one (1) private grave (owned by a household) affected by the wayleave. Impacts will be reduced via provision of adequate protection or relocation measures for these sacred sites in agreement with the communities prior to construction works. Specific measures have already been agreed upon with the communities owning the impacted cemeteries which include not installing pylons within cemetery perimeters;

- Women: the socioeconomic survey carried out in the project area showed that 33.4% of affected parcels are owned or co-owned by women, which points towards existence of a matrilineal ownership system in part of the project area. However, a majority (66.6%) of land parcels remain controlled by men. In such cases, control of resources (ex., land and other important assets) by men makes the situation unfavorable for women. A control and information mechanism may also reduce these risks;
- Vulnerable groups: households headed by women and/or widows, as well as households with members presenting disabilities or living with severe chronic diseases are considered vulnerable. A limited number of PAPs (currently estimated at 2) could lose 80% or more of their land holdings, putting their livelihoods at high risk. Specific mitigation measures are planned to help these economically vulnerable households maintain their livelihoods and revenues.

VALUATION AND COMPENSATION

The RAP has determined the various impacts and mitigation measures, has identified and classified PAPs, and defined entitlement and compensation, as summarized below.

Categories of PAPs are determined by the type of impact that people may face. Typically, people may be impacted as follows:

- **Physical resettlement:** people living in the wayleave will be physically resettled prior to construction. 57 primary structures including 38 primary houses will be compensated in kind before Project construction with 50 m² houses with 2 bedrooms, made of cement bricks, a cement mortar floor, and a corrugated iron roof. Total budget for house reconstruction is MWK 274,417,000 (USD 381,612). Replacement of residential parcels with a 200 m² surface will also be provided for households who do not own land outside the wayleave and applicable administrative costs and taxes will also be compensated, bringing the grand total for primary structures to MWK 288,793,610 (USD 401,605). 34 households also have a total of 35 secondary structures affected by the Project (external kitchens, external bathrooms, traditional latrines, corrals, etc.). The total cost for the replacement of secondary structures represents MWK 468,400.
 - **Community structures and natural sites:** one borehole, one forest, two cemeteries, three sacred sites, eight natural areas, and 11 hills with natural trees (and one with a sacred place) are affected by the powerline. Based on building materials and their functions, as well as on impacted natural sites, the compensation cost for the borehole and sites is estimated at MWK 9,063,488 (USD 12,604).
- **Permanent loss of agricultural land and crops under the towers (pylons):** certain small areas of agricultural land may be impacted by the physical footprint of pylons, because access under a pylon will be permanently restricted and land will be acquired by ESCOM. The 89,401 m² of annual crops located under the towers (169 pylons X 529 m²) will be compensated (MWK 1,698,619 or USD 2,362). Pieces of land will also be bought to replace the affected parcels under the towers at the cost of MWK 35,760,400 (USD 49,729.38) and prepared for cultivation at the cost of MWK 21,875,022 (USD 30,420). Assistance in the search for new land as well as in clearing, and preparation (upgrading) and acquisition, will be considered for farmers who will lose 20% or more of their productive land. Since the location of the pylons is not yet determined, the exact cost associated with these substantial losses will need to be determined once the final location of the pylons will be determined. PAPs in this situation will be identified when final siting of the pylons is known, but the current estimate is that there will be less than 11 of them.
- **Crop losses in the rest of the wayleave (outside pylon bases):** a compensation for crop damages that may be caused during the construction of the line will be the responsibility of the contractor. A compensation for the decrease in land value, caused by restrictions on possible land uses in the wayleave, will be given to owners of lands in the wayleave. This compensation is justified by the fact that landowners will have limited rights to use their land (annual farming only) compared to their current rights. It can therefore be assumed that the value of their land will be reduced if they try to sell it. Compensation is based on 10% of the current value of lands (excluding pylon bases), therefore MWK 87,375,040 (USD 121,506).
- **Trees to be cut down:** a total of 143,680 trees (fruit and natural trees) will be cut down because they interfere with the line. People will be compensated for the market value of the tree and the total compensation for affected trees is estimated at MWK 1,057,977,103 (USD 1,471,252).
- **Private graves and private religious sites:** only one PAP has a private grave in the wayleave. The compensation for the rituals and displacement is estimated at MKW 500,000.

INCOME AND LIVELIHOOD RESTORATION STRATEGIES

The RAP has determined the various livelihood restoration measures applicable to the various Project impacts, as summarized below.

— Land Base and Agriculture:

- PAPs losing 20% or more of their productive land under the pylon bases (estimated at less than 11 PAPs) will be compensated in kind. The choice of the parcel to be acquired however, remains the PAPs'. The replacement land parcel will be improved (cleared, tilled, weeded, fertilized, etc.) if required to reach the productive condition of the original land. A transitional food package will also be provided for one year following relocation to make up for the time it takes until the crops and fruit trees have grown again and produced the same yield. This package will be equivalent to USD 60 per household for a 12-month period for those losing between 20% and 79%, and USD 100 for those who will lose more than 80% of their land.
- PAPs losing less than 20% of their productive land under the pylon bases will be compensated in cash and will be free to use this compensation to acquire replacement land or otherwise. Those who choose to acquire a replacement parcel will be eligible to ESCOM's assistance in handling legal aspects of the transaction as well as land titling. Transaction costs such as registration fees, transfer taxes or customary tributes will be paid by ESCOM via the RAP Implementation Consultant (RIC) and the replacement land parcel will be improved (cleared, tilled, weeded, fertilized, etc.) where necessary to reach the productive condition of the original land.
- All PAPs whose crops are to be negatively impacted by the Project will receive:
 - Seedlings and seeds for their fields and crops;
 - Technical assistance for a 1-year period which could include elements such as training on improved agricultural techniques, improved crop varieties, fertilization and pest management;
 - A formal agreement with ESCOM in the form of a memorandum of understanding, allowing continued farming of plots in the wayleave with appropriate limitations justified by line operation security.

— **Trees:** in addition to cash compensation for the loss of trees, ESCOM will assist affected households to plant trees.

— **Structures:** a moving allowance of USD 200 shall be provided to physically affected PAPs to cover their moving costs, as well as a disturbance allowance of USD 200 to cover time lost from other efforts in addressing moving and other activities associated with resettlement. A transitional support will also take the form of food baskets for physically affected households over a three-month period. The size and composition of the food basket will be tailored to fit local preferences and the demographic profile of households. This will be provided by the Project as part of their transitional support and is equivalent to USD 100 per household / per month.

The RAP determines **cash compensation payment modalities** to minimize risk of impoverishment in cases where the money is mismanaged or misused. Cash compensations will only be paid in bank accounts, and ESCOM will provide support to PAPs for opening them when necessary. Financial training will be offered. Finally, payments of amounts larger than USD 500 will be done through installments.

378 **vulnerable households** are impacted by the Project. Vulnerable groups include low income families, households headed by a woman, elderly, child or handicapped heads of households, as well as those with one or more disabled members. Vulnerable households will be consulted at the onset of the operation, to evaluate their concerns and needs. They will receive an income support allowance of USD 2 per day and per vulnerability for each member of the household for 30 days, allocated due to the inconvenience and time constraints related to the resettlement. The total MWK 91,987,272 (USD 127,920) and will be provided respecting cash payment modalities described above.

The RAP determines applicable **employment and other benefits** to be provided by the Project. Priority must be given to all able-bodied members of resettled households during the labour recruitment process and examples of applicable job types are provided.

Furthermore, wood from trees cut on PAP parcels are to be left there for their own use or sale, as for materials salvaged from the affected structures. All goods and services (sand, cement, food, etc.) must be bought locally when possible and follow ESCOM's gender policy where such awards shall not have less than 40% of either gender.

Livelihood restoration at community level is also prescribed, among which a budget of MWK 253,885,446 shall be utilized to compensate indirectly affected people in communities crossed by the Project by improving existing community facilities and services by funding the construction or refurbishment of public buildings (schools), services (dispensaries), and infrastructure (water supply and roads). The development of infrastructure improvement shall be done equitably between the crossed communities. The RAP details development project suggestions that were formulated by communities crossed by the project, to be validated by ESCOM.

IDENTIFICATION OF POTENTIAL HOST AREAS

A total of 57 households are physically affected and will need to be permanently relocated outside the wayleave. However, due to the linear nature of the Project, resettlement requirements will be distributed over the 76 km of the Project and not all concentrated to a single site. Any requirements for large-scale resettlement in one given location or community are therefore excluded, and resettlement will be much smoother if PAPs are relocated in the same localities and communities they currently live in, and as near as possible to their current place of residence.

Stakeholder consultations confirmed that enough community land is available in affected communities to accommodate resettlement of their community members, except in 4 communities in which private parcels are available for sale.

Stakeholders have agreed that agricultural parcels located in the wayleave will not require relocation since agricultural activities will be allowed to continue with certain restrictions deemed acceptable. To ensure PAPs maintain land tenure security and autonomy over their lands, a contract between ESCOM and affected people will be drafted, stating that PAPs can use the land, and if ESCOM or any other government agency requires use of the land, or places additional restrictions at a later date or any other point, PAPs will need to be compensated with pieces of land of at least the same size and with the same market value.

INSTITUTIONAL ARRANGEMENTS FOR RAP IMPLEMENTATION

As Project owner, ESCOM is responsible for Project and RAP implementation. It will oversee most RAP activities including resettlement and provide funds for RAP implementation. A Project Management Unit will also be set-up within ESCOM's structure to be responsible for high level monitoring of the RAP implementation.

The RAP Implementation Consultant (RIC) will be hired by ESCOM and will be responsible for coordinating the day-to-day resettlement process, including the monitoring activities, and will operate for approximately 24 months. It is also recommended that an Independent Witness Institution be hired to provide independent advice and report on RAP implementation and management focusing on consultation activities, compensation and resettlement related activities, and grievance management.

Resettlement Committees will be set-up at district and community levels. District level Local Resettlement Committees (LRCs) will work with ESCOM and the RIC to ensure proper and fair treatment to all PAPs and communities. A maximum of 5 community level LRCs will also be created at ward level and their role will be centered on the grievance redress mechanism. They will be involved in the second level of the grievance process (see below).

The Project Contractor will also have some responsibilities related to resettlement, chief of which will be to avoid and minimize it whenever possible by locating temporary facilities under its responsibility in the Project

wayleave. When technically or financially impractical and additional resettlement will be required, the Contractor will be responsible for proceeding in full compliance with principles in the RAP including the GRM. Finally, the Resettlement House Contractor will be responsible for building resettlement houses.

GRIEVANCE REDRESS MECHANISM

The preliminary Grievance Redress Mechanism (GRM) is a cross-cutting mechanism that concerns the ESIA and the RAP. It aims at facilitating amicable solutions to grievances related to resettlement to avoid costs and delays associated with the formal court system. It provides a phased approach where PAPs can submit their unresolved grievances successively to:

- 1st level: Village leaders and Independent Witness Institution;
- 2nd level: Community-level Resettlement Committees;
- 3rd level: District-level Resettlement Committees;
- 4th level: Tribunals and/or Court System.

MONITORING AND EVALUATION

Internal monitoring will be implemented by the RAP Implementation Consultant through monthly and quarterly performance monitoring reports, submitted to PMU and available to the Independent Witness Institution. ESCOM will then perform an evaluation of the RAP implementation to appreciate its successful implementation.

The Independent witness institution will also be solicited to ensure external oversight of the RAP implementation process by the RIC. Internal and external monitoring will be completed with the final audit of the RP.

ESTIMATED RESETTLEMENT BUDGET AND SCHEDULE

Compensation and assistance will cost MWK 2,554,487,772 or USD 3,552,340.

This amounts to 10.1% of the total construction cost of the Project in Malawi which is USD 35,306,000.

This sum includes all compensations and allowances described above, a contingency sum of 10% to cover unexpected impacts, a sum of 2.5% to cover for compensation of permanent access roads whose locations are still unknown (temporary facilities will be under the responsibility of the Contractor), as well as budgets dedicated to hiring the RIC and the Independent Witness Institution.

An indicative RAP schedule has also been developed based on typical milestones and foreseen timelines. The RAP implementation schedule covers a period of 30 months to include all planned activities excluding monitoring and evaluation. The monitoring and evaluation programs will be a continuous process, until the end of the first year of operation, when a RAP completion audit will be done.

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1 INTRODUCTION

1.1 PROJECT CONTEXT

Malawi integrated the Southern African Power Pool (SAPP) at the time of its creation in 1995. At this time, only the utilities of nine of the twelve members (countries) were already interconnected, that is, Botswana, the Democratic Republic of Congo, Lesotho, Mozambique, Namibia, South Africa, Swaziland, Zambia and Zimbabwe. The remaining member countries to connect were Angola, Malawi and Tanzania. Ensuring that all member countries are interconnected is a high priority for the SAPP which is why, in the SAPP's 2013 Annual Report, the Mozambique-Malawi Interconnection was identified as a high priority project.

On April 3, 2013, the Governments of Malawi and Mozambique signed a power interconnection agreement that includes two phases: (i) the construction of the Mozambique-Malawi 400 kV Transmission Line from the Matambo Substation in Tete, Mozambique, to the Phombeya Substation in Balaka, Malawi; and (ii) construction of a second Transmission Line from Balaka (Malawi) to Nacala (Mozambique). The current report only considers the first phase of this interconnection agreement and concentrates on the Malawi section of the proposed interconnection line as per the terms of reference in WSP's contract. This Project will link the 2 075 MW Cahora Bassa hydropower systems in Mozambique, to the 282 MW hydropower systems installed on the Shire River in Malawi. The selected alignment of the power line corridor, concerning the Malawi section, is in the Southern Region of this country, more specifically in the districts of Mwanza, Neno and Balaka. The powerline has a total extent of 218 km, 76 km of which are in Malawi (approximately 35%). More details on the power line routing and the technical aspects of the project can be found in the next chapter.

Currently, Malawi's installed electricity generation capacity is 362.65 megawatt (MW), against a generation requirement of 596 MW, with a projected peak demand of 757 MW by 2020 (Malawi Government, 2014). Over 90% of this power is generated from the Shire River, and in the past two years, there has been generation challenges resulting from climate change effects (floods and droughts), causing intermittent power supply. The power interconnection is very much needed in Malawi, as it will address some of these problems.

The Project is completely in phase with Malawi's power sector strategy, which includes "... (i) implementation of the interconnection with the SAPP network ...; and (ii) expansion of low cost domestic generation capacity.

1.1.1 PROJECT DESCRIPTION

On April 3, 2013, the Governments of Malawi and Mozambique signed a power interconnection agreement that includes, notably, the construction of the Mozambique-Malawi Interconnection Transmission Line from the Matambo Substation in Tete, Mozambique, to the Phombeya Substation in Balaka, Malawi. This Project will link the 2 075 MW Cahora Bassa hydropower systems to the 282 MW hydropower systems installed on the Shire River, in Malawi. The power line corridor is in the Southern Region of Malawi, more specifically in the districts of Mwanza, Neno and Balaka. The power line has a total extent of 218 km, of which 76 km are in Malawi (approximately 35%).

The proposed alignment was initially evaluated through the analysis of a 2-km wide corridor originating from the initial ESIA's of 2003 and 2004. This corridor was first optimized between 2005 and 2016 prior to the initiation of the Final ESIA, and again through successive refinements done in the Final ESIA process (completed in 2019).

The selected alignment enters Malawi according to a northeastern axis, less than 1 km north of the Thambani Forest Reserve, then follows its northern limit for approximately 6 km. It then turns to the southeast to pass between the southern part of the Nankudwe Estate and northern part of the Michiru Estate. It continues towards the east, keeping this direction until reaching the southern side of the M6 National Road, which it follows for 28 km, perpendicularly crossing the new Railway corridor originating from the Vale Mine site and the S137 Road. After crossing the M6 National Road to the southwest of the community of Zalewa it follows the

northwestern side of the M6 and of the M1 National Road until reaching the proposed construction site of the Phombeya Substation. This alignment has a length of 76 km in Malawi for a total of 218 km for the entire Project (approximately 35% in Malawi) (see Map 1-1 on the next page). Table 1-1 presents the line's technical characteristics.

The following table summarizes the main characteristics of typical 400 kV transmission lines.

Table 1-1 Characteristics of the Proposed 400 kV Transmission Line

Technical Aspect	400 kV Line
Total estimated length	218 km
Length in Malawi	76 km
Width of wayleave	55m
Type of towers	Self-supporting towers
Tower spacing	450 m
Height of the towers	44 to 53 m*
Width of base	18 to 23 m
Type of conductors	ACSR Tern conductor
Capacity of transport currently required	1200 MVA per circuits
Height of line from ground (minimum)	10 to 12 m

* Regarding river crossings, note that it may need to be higher depending on the river's width.

The workforce that will be required for construction is currently grossly estimated to be at least 200 workers (150 specialized and 50 non-specialized) for the construction of the transmission line and probably from 50 to 100 (37 to 75 specialized and 13 to 25 non-specialized) for the substation. It should be noted however that the exact number of workers is difficult to estimate at this time as it will depend, amongst other factors, on the availability of mechanical equipment.

1.2 EFFORTS TO REDUCE IMPACTS AND RESETTLEMENT

Generally, to reduce impacts and resettlement, the line alignment is chosen to avoid residential housing, businesses, or industries.

This measure helped decrease the project's potential impacts, as dense urban areas were circumvented. Also, areas known to be occupied by individuals that have already been resettled in previous projects were avoided.

Furthermore, the proposed line route was modified to avoid private estates where there is a higher concentration of agricultural activities such as the Nankudwe Estate.

Also, as a general measure, where possible, project components were designed and re-designed to avoid or minimize impacts to known physical cultural heritage resources based on input from cultural heritage specialists. In some instances, towers and the line alignment were adjusted to avoid cultural and archaeological sites.

Two significant modifications of the selected corridor were implemented in Malawi:

- The first modification starts just west of the S136 road crossing and passes the Mwanza area to the south of the privately owned Nankudwe Estate. It consists in a section of approximately 10 km.
- The second modification starts approximately 3 km west of the community of Tedzani, in Malawi, and is located on the southeastern side of the M6 National Road. It concerns a section of approximately 12 km.

The proposed modification at the level of Mwanza has two major advantages in comparison to the original path of the studied corridor, because it passes to the west and south of the Estate, thus, avoids crossing it, and it moves the corridor away from the extending southern suburbs of the City of Mwanza, thus not impairing any future development.

The proposed modification at the level of Tedzani avoids the crossing of the northwestern extension of this community and minimizes the crossing of cultivated parcels and of isolated households and farms. Furthermore, just before crossing the M6, the modification follows existing lines for its last 4 km, which limits the dispersion of the wayleaves.

Concerning the infrastructures, general design parameters were followed for road and railway infrastructure crossings. Towers were located at least 30 m from existing roads and, whenever possible, crossings were designed at 90-degree angles. As for railway infrastructure, the railway's 120 m wayleave was respected. The towers were also implemented to follow the minimal 15 m height for the line cables passing over the railway.

Finally, regarding implementation, a major adaptation made to avoid resettlement is to acquire land only under the pylon bases. By doing that, the Project's land acquisition is minimized and brought down to only a fraction of the total wayleave surface area. Limitations to land rights will therefore be the following:

- Area located under pylon bases: land acquired by ESCOM;
- Wayleave outside pylon bases:
 - PAPs remain land owners, ESCOM acquires wayleave rights;
 - Usage limitations are imposed on the PAPs: prohibition to erect buildings and grow crops other than annual crops.

1.3 GOALS AND OBJECTIVES OF THE RESETTLEMENT ACTION PLAN

Based on the nature of the project, it is inevitable that activities lead to either land acquisition and/or denial of restriction to, or loss of, access to economic assets and resources, and therefore, ultimately to compensation and resettlement of people.

The RAP is prepared to the standards of the Government's own policy on resettlement and compensation and to those of the World Bank, OP 4.12.

The Resettlement Action Plan (RAP) establishes the Project Affected People (PAPs) eligibility to the compensation aspect, and resettlement program details to be presented to the local community. The information provided during the consultations (see Chapter 3) reduced concerns that may be raised by the PAPs, favouring their approval and their collaboration through the census and socio-economic survey. Further consultation and information activities will be performed during implementation of the resettlement compensations.

The RAP's objectives are listed below and are further discussed in subsequent sections, as required:

- To minimize involuntary resettlement through the optimization of the line route, in collaboration with the environmental, social, and technical specialists, and relevant stakeholders;
- To address social issues related to land acquisition and to address livelihood restoration due to construction activities and resettlement (see Chapter 7);
- To optimize compensation measures and to support all stakeholders through the identification and consultation of stakeholder and PAP concerns (see Chapter 3);
- To prepare cost estimates for resettlement/compensation through measuring the affected assets and socio-economic status of the PAPs, identifying vulnerable PAPs and households, and assessing compensation and mitigation measures (see Chapters 4-5-6-7);
- To assess opportunities for affected communities and PAPs, for them to benefit from the project's positive impacts (see Chapter 7);
- To provide baseline information to be able to, through post-project comparison, assess whether the PAP's socio-economic situation resulting from the project has positively changed or has maintained a status quo (see Chapter 4);
- To comply with applicable laws in Malawi, to obtain the environmental and social authority's approval (see Chapter 2);
- To integrate the Project standards in Project implementation, to comply with funding agencies' guidelines, namely the World Bank (WB) and Kreditanstalt für Wiederaufbau bank (KfW), and therefore facilitate international funding.

1.4 METHODOLOGY

Several approaches were employed for the field investigations, public consultations and household surveys, which were carried out from April 6th to May 5, 2019 to collect both primary and secondary data.

A socioeconomic survey, a census of affected households and communities, as well as a property survey and valuation of private and community assets affected by the project were completed. These field investigations (targeting 100% of the affected land and property) were conducted to identify the structures, parcels of land, crops, fruit and natural trees, tombs and sacred sites, and any other property to be affected by the project, within the 55-metre wayleave of the transmission line.

These community and private surveys were conducted by specialized social and economic teams, and supported by certified valuers. All data was collected through electronic tablets and treated via data processing software. GPS devices were used to establish the location and size of the land parcels, structures and other assets likely to be affected. For this purpose, a demarcation work (markstones) was carried out by a surveying team before and during the surveys, facilitating the delimitation of the wayleave. Photographs of affected structures and their owners were also captured.

The data collected included:

- 1 Property sizes, location, ownership, construction materials for structures, current use and condition, resettlement areas (if possible and available), etc.;
- 2 Number and size of trees to be affected by the project including types (whether indigenous or exotic; or fruit or not);
- 3 Type of crops likely to be affected by the project;
- 4 Tombs and private spiritual sites.

Public consultations were conducted through project presentations at the national, regional and local levels, the community survey and Focus Group Discussions with the PAPs, in the different locations across the five affected Traditional Authorities (TAs). Structured questionnaires, consultation guides and checklists were administered to effectively conduct these public consultations, surveys and interviews with each of the PAP's heads household or proxies (see Chapter 3).

2 LEGAL AND POLICY FRAMEWORKS

Malawian laws and regulations which are relevant to this project, as well as ESCOM policy, have been analyzed to make sure the project complies. The WB policies on resettlement and rehabilitation of PAP and indigenous population development plans, were compared to national and ESCOM rules, to identify any possible gap that requires bridging. The national or international requirements most advantageous to PAPs have been proposed to bridge the gap, unless clearly contradictory to national laws.

The following subsections summarize the legislative framework in which the projects shall be implemented with respect to social issues as well as international standards and policy on resettlement.

The relevant WB Operational Policy and Bank Procedure 4.12 (OP/BP 4.12) are also analyzed.

2.1 POLICY FRAMEWORK

Clauses pertaining to property rights, ownership of land, and expropriations of land by agencies of the Government were originally drafted in two chapters of the Constitution of the Republic of Malawi: Chapter IV (Human Rights) and Chapter XXII (Transitional Issues). The Government's power to confiscate, condemn, or otherwise expropriate property in Malawi is, according to the Constitution, limited and curtailed, being confined to the development of the public good or a national state of emergency, and even then, only through the result of due process. Concerning individual property rights, Article 28.1–28.2 states that “Every person shall be able to acquire property alone or in association with others,” and that “No person shall be arbitrarily deprived of property.” Article 44.4 of Chapter IV details the exception to these and other related rights granted to the citizens of Malawi. Limitations on rights, specifically the expropriation of property, “shall be permissible only when done for public utility and only when there has been adequate notification and appropriate compensation, provided that there shall always be a right to appeal to a court of law.”

2.1.1 NATIONAL LAND POLICY (2002)

The National Land Policy recognizes the Government's duty to protect the free enjoyment of legally acquired property rights in land and for that reason a landholder is entitled to fair and adequate compensation where the Government acquires the owner's property for public use. The National Land Policy emphatically dispels the popular notion that customary land has no value and stipulates that compensation valuation for customary land, at the time of acquisition by the Government, should be based on the open market value of the land and all improvements on the land. The National Land Policy notes that the inadequacy of compensation is always a direct result of excluding certain items or qualities from the factors considered when determining value and delays in payment of compensation. According to Section 4.11 the land policy ensures that security of land tenure can be guaranteed on an equitable basis to all citizens in accordance with the statement that “Any citizen or group of citizens of Malawi can have access to land in any part of Malawi provided that:”

- 1 Land is available where it is being sought;
- 2 The person agrees with the land owner and the laws governing disposal of land;
- 3 The proposed land use is compatible with land use plans, environmental regulations and community land management duties and obligations.

Land values shall be determined by open market procedures for customary lands acquired through compulsory acquisition by the government. The Ministry responsible for land matters has an ad-hoc resettlement policy which is usually used to help in emergencies. Usually the Ministry deals with matters of resettlement in relation to land redistribution.

2.1.2 DECENTRALIZATION POLICY (1998)

The Decentralization Policy was adopted in 1998 and it:

- Devolves administration and political authority to the district level;
- Integrates governmental agencies at the district and local levels into one administrative unit, through the process of institutional integration, manpower absorption, composite budgeting and provision of funds for the decentralized services;
- Diverts the center of implementation responsibilities and transfers these to the districts;
- Assigns functions and responsibilities to the various levels of government;
- Promotes popular participation in the governance and development of districts.

The District Council (City Council for Cities and Municipality Council for Municipalities) is an administrative unit which is created at the district level by the provisions of the Policy and it comprises of elected members (councillors) with full executive powers as well as non-voting members (traditional and political leaders). Public sector heads at the district level form a secretariat headed by the District Commissioner. The line ministries still retain responsibilities such as policy formulation, establishment of standards, international representation, law enforcement and inspectorate; and training/curriculum development.

The policy, among others, empowers the local councils to make by-laws for regulating specific matters under the Local Government administration; it empowers the council to implement and facilitate development projects, to ensure development projects in their area are implemented in a sustainable manner, and to mobilize masses for socioeconomic development at the local level. Thus, District Councils are administrative entry points for any project implementer in the districts. As such, stakeholder engagement at the district level, as described in Section 4, begins with meetings with the District Commissioners. The District Executive Committee and the Village Development Committee are also established by the mandate of the Decentralization Policy.

The Decentralization Policy also provides many functions and services to be assigned to the District Council and under land resource utilization, the functions include valuation of properties, valuation of public and customary land, surveys of land, and enforcement of lease agreements as agents of central government. Hence, the District Council must be involved during the RAP development process and implementation of resettlement, compensations and, livelihood restoration.

2.2 LEGAL FRAMEWORK

In Malawi, land can be privately owned, publicly owned, or owned by the Government. Private land can be held by individuals under “freehold tenure” (ownership) or by Traditional Authorities, communities, families, and individuals under customary law. Public land can be held in trust and managed by the Government or by Traditional Authorities but must be openly used or accessible to the public at large. Government land is typically used for a specific purpose such as schools, hospitals, or Government buildings. The Government may expropriate land for Government use or redevelopment but must pay a fair compensation to the land holder.

2.2.1 LAND ACT 2016

The Land Act of 2016 makes provisions for land administration and management in Malawi and for all matters related to land. The Act also repeals the Land Act of 1965. The Act maintains two categories of land, “private land” and “public land” comprising government land and unallocated public land.

Section 5 (1) gives powers to ESCOM to own land in line with the provisions of the Electricity Act 2004. The section states: “Land shall not be assured to or for the benefit of, or acquired by or on behalf of a body corporate, unless the body corporate is authorized by a licence issued by the Minister in consultation with the President to hold land in Malawi, but this section shall not apply to a body corporate incorporated in Malawi in

accordance with the Companies Act or a body corporate established by or under a written law which empowers it to hold land in Malawi”.

Section 13 (1) provides powers to the minister or local government in whose Traditional Land Management Area the required land for acquisition is situated, to be served with notices on the same. It states that "Where it appears to the minister or local government authority that any unallocated customary land is needed for public utility, the minister or local government authority shall serve notice on the Traditional Authority within whose Traditional Land Management Area, the customary land is situated..."

Section 13 (2) provides powers too, for the said authorities, to grant temporary use and occupation of customary land for a period greater than seven years, while such land shall remain customary throughout the said period and upon expiry of such period the authorities may authorize such temporary use and occupation for a further 3 years.

The section further requires the Minister or the local government authority to give notice, publishing in the Gazette, and invite any person to which the notice relates, to submit characteristics of his claim to the minister or local government authority within two months of the date of publication of such notice in the gazette.

While Section 13 provides the powers to minister or local government authority to acquire or authorize use and serve notice for such use, Section 14 provides that "any person who by reason of any acquisition made under section 13 (1) or Sections (2) and (3)), suffers any disturbance of or loss or damage to any interest which he may have or immediately prior to the occurrence of any of the events referred to in this section, may have had in such land shall be paid such compensation for such disturbance, loss or damage as is reasonable." The Act has therefore maintained the provisions (of the Land Act of 1965) for compensations to individuals for loss, damage, or disturbance because of permanent acquisition or temporary use of land.

Thus, the Act provides powers to Minister or local government within which the required land falls to acquire or authorize its use, as long as appropriate compensation is paid. The Act however, does not stipulate factors to be considered in the compensation process.

Part II of the act provides for the office of the Commissioner of Land, whose duties include: to administer land; to sign, seal, execute, perfect, and accept grants, leases, or other dispositions of public land and surrenders; and sign and issue documents including documents of consent.

If the office is established, the Land Commissioner must be involved in the acquisition of wayleave and acquisition of land process, during the implementation of the Project. ESCOM must also ensure that it gets proper documents of consent to use land and or transfer of ownership.

2.2.2 LAND ACQUISITION AND COMPENSATION ACT (2016)

When gazetted, this will be a Principal Act dealing with land acquisition and compensation in Malawi. The Act provides powers to Minister or local government authority to acquire land for public utility either compulsorily or by agreement and pay appropriate compensation thereof.

Section 4 provides powers to the acquiring authority to enter, dig, clear, set out and mark the boundaries of the proposed land, do all other acts necessary to ascertain whether the land is or may be suitable, provided such entry is preceded by a notice to the occupier 7 days before, and the acquiring authority is ready to pay for the damage done by the persons entering such land.

Part IIA provides for compensation assessment and matters to be considered.

Section 9 states that the acquiring authority shall pay appropriate compensation and that it shall be in one lump sum.

Section 10 lists the grounds for compensation being: loss of occupational rights, loss of land, loss of structure, loss of business, relocation costs, loss of good will, costs of professional costs, injurious affection, nuisance, loss or reduction of tenure or disturbance.

Section 10A lays down matters to be taken into consideration in assessing compensation for alienated land and matters to be disregarded when calculating compensation.

Section 11 brings in matters of injurious affection and the need to consider environmental and social impacts of the Project and depreciation.

2.2.3 CUSTOMARY LAND ACT (2016)

The Act has formalized the powers and duties of traditional leaders in land administration and management through creation of committees and tribunals to carry out allocations, adjudication and management of land and settlement of customary land disputes.

Section 20 (1) (c) stipulates that a customary estate shall be allocated to a partnership or corporate body, most of whose members or shareholders are citizens of Malawi. Thus ESCOM, as a corporate body may acquire customary estate by normal procedure of acquisition. Subsection 2) further states that a customary estate shall be (d) "liable, subject to adequate notification and prompt payment of full and appropriate compensation, to acquisition by government in the public interest, in accordance with the Land Acquisition Act".

2.2.4 PHYSICAL PLANNING ACT (2016)

The Act seeks to provide, for all matters connected, physical planning. It makes provision for orderly and progressive development of land both in the urban and rural areas.

Part VII (Sections 64 to 67) provides for the acquisition of land and compensation in accordance with the provisions of the Land Acquisition and Compensation Act where it is desirable to acquire land compulsorily.

2.2.5 FOREST ACT (1997)

The Forestry Act of 1997 affirms the role of Department of Forestry on control, protection and management of forest reserves and protected forest areas.

In addition, the Act recognizes the need to promote participatory social forestry and empowerment of communities for conservation and management of trees within the country. In this regard the act encourages community involvement in woodlots and management of forest reserves through co-management approaches. Section 86 of the Forestry Act has provided guidelines on values/rates for sale of both indigenous trees and exotic trees. These rates are gazetted and reviewed from time to time on a needs basis to reflect current values by senior government officials. The current values were gazetted in 2010 and are used so that those who are involved in forestry are paid reasonable compensations on their timber trees and fruit trees. In case the department has not reviewed the rates at the material time, the department of Forestry normally assigns an officer to value the trees for immediate sale or compensation. Normally, the valuation of people's trees is done based on species of trees, measured diameter of breast height, and market price in kwacha per cubic metre.

2.2.6 THE MONUMENTS AND RELICS ACT (1991)

The Act covers management and conservation of monuments that are of importance both nationally and locally. It also provides for proper preservation of monuments if there is a change in the use or development of land. This Act also applies to situations where the removal of graves/graveyards is required due to a project's land acquisition.

2.3 INTERNATIONAL GUIDELINES

The project falls within the scope of intervention of the World Bank. Environmental and social procedures and guidelines for these institutions are presented in the following sections.

2.3.1 **WORLD BANK OP. 4.12 ON INVOLUNTARY RESETTLEMENT**

The World Bank has adopted several policy objectives in relation to involuntary resettlement which are found in its Operational Policy 4.12:

- Involuntary resettlement should be avoided where feasible, or minimized, exploring all viable alternative Project designs;
- Resettlement activities should be conceived and executed as sustainable development programs, providing sufficient investment resources to enable the persons displaced by the Project to share in Project benefits. Displaced persons should be meaningfully consulted and should have opportunities to participate in planning and implementing resettlement programs;
- Displaced persons should be meaningfully consulted and given opportunities to participate in planning and implementing resettlement programs;
- Displaced persons should be assisted in their efforts to improve their livelihoods and standards of living or at least to restore them, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of Project implementation; whichever is higher.

According to the World Bank, a resettlement action may include: (i) the loss of land or physical structures on the land, including business; (ii) the physical movement; and (iii) the economic rehabilitation of Project Affected Persons (PAPs), to improve (or at least restore) the levels of income or life prevailing before the action causing the resettlement has taken place.

Where resettlement on a bank-financed project is unavoidable, the bank has provided the following guiding principles to achieve the above-mentioned objectives:

Preparation of a resettlement action plan that ensures that displaced people are:

- Informed about their options and rights pertaining to resettlement, Consulted on and offered choices among technically and economically feasible resettlement alternatives, and Provided with prompt and effective compensation at full replacement cost for losses of assets attributable directly to the Project (WB OP 4.12. para. 6a);
- Provided with assistance (such as moving allowances) during relocation, Provided with residential housing, or housing sites, or, as required, agricultural sites for which a combination of productive potential, locational advantages, and other factors are at least equivalent to the advantages of the old site (WB OP 4.12 para. 6b&c);
- Offered support after displacement, for a transition period, based on a reasonable estimate of the time likely to be needed to restore their livelihood and standards of living. This development assistance comes in addition to compensation measures such as land preparation, credit facilities, training, or job opportunities;
- Provided with development assistance, in addition to compensation such as land preparation, credit facilities, training, or job opportunities.

The policy also advocates that:

- Particular attention should be paid to the needs of vulnerable groups among those displaced, especially those below the poverty line, the landless, the elderly, women and children, indigenous peoples, ethnic minorities, or other displaced persons who may not be protected through national land compensation legislation (WB OP 4.12 para. 8);
- Implementation of resettlement activities should be linked to the implementation of the investment component of the Project to ensure that displacement or restriction of access does not occur before necessary measures for resettlement are in place. These measures include provision of compensation and of other assistance required for relocation, prior to displacement, and preparation and provision of resettlement sites with adequate facilities, where required. Taking of land and related assets may particularly take place only after compensation has been paid and, where applicable, resettlement sites and moving allowances have been provided to the displaced persons;
- Payment of cash compensations for lost assets may be appropriate where livelihoods are land-based but only when the land taken for the project is a small fraction (less than 20%) of the affected assets and the residual is economically viable (WB OP 4.12 para. 12a);
- Displaced persons and their communities, and any host communities receiving them, are timely provided with relevant information, consulted on resettlement options, and offered opportunities to participate in planning, implementing, and monitoring resettlement. Appropriate and accessible grievance mechanisms are established for these groups (WB OP 4.12 para. 13a);
- In new resettlement sites or host communities, infrastructure and public services are provided as necessary to improve, restore, or maintain accessibility and levels of service for the displaced persons and host communities. Alternative or similar resources are provided to compensate for the loss of access to community resources (such as fishing areas, grazing areas, fuel, or fodder);
- Patterns of community organization appropriate to the new circumstances are based on choices by the displaced persons. To the extent possible, the existing social and cultural institutions of resettled people and any host communities are preserved and the preferences of the resettled people with respect to relocating in pre-existing communities and groups are honored.

The policy also sets out the following guiding principles on which to base the criteria for determining eligibility for compensation, resettlement and rehabilitation assistance measures for PAPs:

- Persons that have formal legal rights to land, including customary and traditional; and religious rights recognized under the laws of Malawi;
- Persons who do not have formal legal rights to land or assets at the time the census begins; but have a recognized claim to such land or assets through the national and customary laws of Malawi. This class of people includes those that come from outside the country and have been given land by the local authorities to settle, and/or to occupy in matrimonial society;
- Persons who have no recognizable legal right or claim to the land they are occupying, using or getting their livelihood from. This class of people includes those that settle at a place on semi-permanent basis, or those settling at a place without any formal grant or authority.

PAPs classified under paragraphs (i) and (ii) shall be provided compensation, resettlement and rehabilitation assistance for the land, buildings or fixed assets on the land and buildings taken by the Project. The compensation shall be in accordance with the provisions of this RAP and if PAPs occupied the Project area prior to the cut-off date (date of commencement of the census).

Persons covered under sub-paragraph (iii) above are to be provided with compensation for the improvements on the land. In addition, they need to be given the necessary assistance to satisfy the provisions set out in this Project, if they occupy the Project area prior to the established cut-off date.

Communities including districts, towns, neighborhoods and villages permanently losing land, resources and/or access to assets shall be eligible for compensation. Compensation to communities will include for example: public toilets, market places, car parks and health posts or other appropriate compensation chosen by the community. Compensation measures shall ensure that pre-resettlement socioeconomic status of the communities is restored or improved.

Appropriate and accessible grievance mechanisms need to be established to sort out any issues arising (WB OP4.12 para. 13a).

OP 4.12, Annex A (Paragraphs 17-31), describes the scope (level of detail) and the elements that a resettlement plan should include, covering objectives, potential impacts, socioeconomic studies, legal and institutional frameworks, eligibility, valuation and compensation of losses, resettlement measures, relocation planning, community participation, grievance management procedures, implementation schedule, costs and budgets, and monitoring and evaluation.

2.4 GAP ANALYSIS

The following table highlights the main differences between Malawi's national legislation and the WB operating procedures. Recommendations are made to bridge the gap between the two.

Table 2-1 Gap Analysis

Evaluated Components	National Legislation	ESCOM Policy	WB OP 4.12 ¹	Recommended Measures to Bridge the Gap
Resettlement Topics				
Stakeholder consultation	N/A ¹	ESCOM Policy refers to National Legislation.	Displaced persons should be meaningfully consulted and should have opportunities to participate in planning and implementing resettlement programs. PAPs should be consulted throughout the process and a Stakeholder Engagement Plan prepared.	Develop a Stakeholder Engagement Plan as part of the RAP, which will be updated for key project stages of (i) RAP preparation; (ii) implementation, and (iii) monitoring & evaluation.
Minimization of displacement	N/A	ESCOM Policy refers to National Legislation.	Requires that resettlement be avoided, and where not possible, minimized to the extent possible.	Include line optimization measures to minimize displacement in project design, and document them in RAP.
Baseline surveys	N/A	ESCOM Policy refers to National Legislation.	Comprehensive baseline surveys are required detailing demographic and socio-economic characteristics of communities and households, as well as asset inventories, for the development of appropriate compensation, resettlement and livelihood measures, as well as M&E.	A household census and socio-economic surveys of all affected households, using meaningful indicators together with asset surveys, are done for developing appropriate resettlement and livelihood restoration measures. The census will be updated for RAP implementation.
Entitlement cut-off-date	N/A	ESCOM Policy refers to National Legislation.	Requires that a cut-off Date be ideally agreed upon between parties and enacted following the inventory of all assets.	Census will be conducted, and cut-off date will be established & agreed upon with PAPs at the RAP stage. The cut-off date does not preclude continued farming, and this will be clearly communicated.
Compensation choices	N/A	ESCOM Policy refers to National Legislation.	In-kind compensation is preferred to ensure PAPs are adequately rehoused and reestablished, due to the risks associated with cash compensation. Cash compensation may be appropriate when impacts are minimal (less than 20% of land holdings).	The RAP will include consultations with PAPs on potential in-kind replacement as an option for housing. An analysis will be undertaken for proportion of land impacted per landowner/farmer. Where this is significant, efforts will be made to offer replacement land and/or develop comprehensive livelihood assistance.
Payment of compensation and moves	N/A	ESCOM Policy refers to National Legislation.	Compensation should be paid before resettlement, and PAPs should be assisted in opening bank accounts as required, accompanied by financial management training.	Compensation payment will occur before relocation but timed so as not to force early relocation before all livelihood and vulnerable assistance measures are in place.
Grievance management	Minister or the local government authority must give notice of acquisition for public purpose in the Gazette, and invite any person to which the notice relates, to submit his claim to the minister or local government authority within two months of the date of publication of such notice in the Gazette.	ESCOM Policy refers to National Legislation.	Complaints & Grievance mechanisms should be put in places which are accessible, without cost, and restitution free.	The RAP details a grievance procedure which will be accessible to all PAPs and allow grievances in relation to all aspects of the Project, at all stages, while ensuring compatibility with national law and traditional mechanisms.
Monitoring and evaluation	N/A	ESCOM Policy refers to National Legislation.	Monitoring and evaluation activities should be integrated into the overall project management process, and the RAP must provide a coherent monitoring plan that identifies organizational responsibilities, methodology, and the schedule for monitoring and reporting.	This RAP details an M&E Plan involving participation of stakeholders, which will continue for the duration of implementation and livelihood restoration measures.
Indemnization/Compensation				
Lands	Compensations for land or arrangement lands for land replacement/in-kind compensation for private land. No compensation is made for customary land.	ESCOM Policy refers to National Legislation.	Compensations in kind are recommended. Assistance should be provided for the restoration of productivity and achieving production levels (at least equivalent to the land replaced). Cash compensation is possible if the affected area accounts for a small portion of the economically viable remaining portion.	Only land taken by pylon footprints will be acquired. Compensation in kind is to be prioritized for PAPs losing 20% or more of their land holdings. See section 6.5.4.1 for details. In compliance with the World Bank, legal and customary forms of tenure will be compensated. Rest of wayleave will not be acquired, therefore no compensation for land. Farming of low-lying crops will be allowed (but no trees). However, any missed crop cycle during Project implementation or maintenance should be compensated for. Memorandums of Understanding (MoUs) will be signed with PAPs cultivating the wayleave, formalizing allowed/prohibited uses under the wayleave. See section 6.5.4.2 for details.

¹ Nothing is mentioned about this in the National Legislation.

Evaluated Components	National Legislation	ESCOM Policy	WB OP 4.12 ¹	Recommended Measures to Bridge the Gap
Buildings (houses, annexes and other affected property) Community structures	Compensations in cash (determined by District Council) at depreciated replacement cost and market value in rural and urban areas respectively.	ESCOM Policy refers to National Legislation.	Compensations in kind are recommended. Compensation should be based on the full current replacement cost, without depreciation, of buildings /assets /structures, as well as all transaction costs (taxes, permits, etc.).	Compensation in kind based on the full replacement value with improvement to reach minimum standards (cement floor, tin roof, earth and cement or concrete block walls, and separate cement latrine) as well as all transaction costs. The client (ESCOM) will provide physically displaced people with a choice of options for adequate housing (with minimum legal requirements) with security of tenure on an infrastructure land. The PAP may receive cash compensation for reconstruction through carefully planned installments at each step of the reconstruction process. This aims to reduce the risk of compensation being squandered by granting amounts according to the progress of reconstruction. Community structures should also be replaced at full replacement value without depreciation. If shrines and graves are encountered, the client (ESCOM) will pay for necessary ceremonial and resettlement costs.
Crops and trees	The law is silent. But the practice has it that for perennial crops, consideration is given to the average productive period, price per kg, yield per year per tree or crop and establishment cost; or duration before production, price/kg, yield per plant/year plus establishment cost. For annual crops, they can be harvested or compensated based on the highest market price, land size, and yield per hectare.	ESCOM Policy refers to National Legislation.	For perennial crops, compensation shall consider the production of maturity of crops, the production levels, and production delivery time. For annual crops, the land offered as compensation should allow the restoration of production.	Crop substitution at the cost of replacing such production. For perennial crops and trees, compensation considers the production delivery time (maturity period for trees). For annual crops, the land offered as compensation allows the restoration of production (prepared lands and compensation for the loss of crops).
Economic impact (loss of income)	N/A	ESCOM Policy refers to National Legislation.	The resettlement program should allow the owner to gain full trade income flow (replacement of infrastructure, working site, lost profit and any other transition losses).	Resettlement program that allows the owner to gain full trade income flow. Compensation offered for the recovery cost of commercial activities elsewhere, the loss of net income during the transition period; and moving fees and relocation of the plant, machinery or other equipment, as applicable. Compensation for the loss of income due to loss of employment at affected businesses and/or assistance in finding a new one. Provide replacement property of equal or greater value, or cash compensation at full replacement cost to all persons which are recognized or recognizable under national laws. For persons with no legal rights or rights to claim the land, land compensation is not applicable, but it may be necessary to provide alternative work sites to restore their livelihoods.
Assistance to resettled PAPs	N/A	ESCOM Policy refers to National Legislation.	PAPs should, in addition to the relocation allowance, receive assistance in their resettlement and monitoring thereafter.	PAPs should, in addition to the relocation allowance, receive assistance in their resettlement and monitoring thereafter to improve their standard of living on another suitable site.
Livelihood restoration, additional assistance and vulnerable assistance	N/A	ESCOM Policy refers to National Legislation.	Displaced persons shall be offered support after displacement, for a transition period, based on a reasonable estimate of the time likely to be needed to restore their livelihood and standards of living; and provided with development assistance, such as land preparation, credit facilities, training, in addition to the compensation they receive. They will be given assistance for their efforts to improve their living standards or to at least restore them to the highest standard between pre-displacement or standards prevailing prior to the beginning of the project implementation.	Different restoration packages will be required for each of the various categories of PAPs and will depend on the type and magnitude of loss suffered, the vulnerability level of the PAP's household, the indicated preferences associated to their family characteristics and other relevant circumstances.
Eligibility				
Legal or customary owners of land and titled land; Holders of other rights in land	Eligible to what is said above.	ESCOM Policy refers to National Legislation.	Eligible to what is said above.	Eligible to what is said above.
Non titleholders (illegal occupants – squatters and encroachers: • with no customary or formal ownership • with no customary or formal tenancy right)	Not eligible.	ESCOM Policy refers to National Legislation.	Relocation assistance and compensation for loss of assets (other than land).	Relocation assistance and compensation for loss of assets (other than land), and support for the resumption of activities, if any.
Tenants	N/A	ESCOM Policy refers to National Legislation.	They must be compensated, whatever the type of legal recognition of their land tenure (formal or informal).	Compensation for whatever the type of legal recognition of the land tenure, and support for the resumption of activities, if any.

1 World Bank, 2001.

3 STAKEHOLDER ENGAGEMENT

Stakeholder engagement is an integral part of the RAP development process. It is defined as an iterative process by which the public's input on matters affecting them is sought and incorporated in project planning as early as possible.

This chapter outlines the public information and consultation process conducted in Malawi to support development of the Mozambique–Malawi Power Interconnection Project RAP. The process implemented by the consultant to enable the informed consultation and participation of stakeholders in the development of the study is first described. Stakeholders were reached at the different stages, sharing their concerns, expectations and recommendations in view of the compensation and resettlement process to be reported. Finally, indications are provided on how stakeholder inputs have influenced the study's final recommendations.

Meeting minutes, information documents distributed as well as the list of persons present for each of the consultation activities can be found in Appendix 3-1 (Round 1), Appendix 3-2 (Round 2), Appendix 3-3 (Round 3), Appendix 3-4 (Round 4).

3.1 OBJECTIVES

General stakeholder engagement objectives for this study were to:

- Respect national and international requirements, practices and expectations for compensation and resettlement processes;
- Inform and allow participation of every level of governance and other stakeholders during all stages of the RAP preparation;
- Develop a thorough understanding of national requirements, practices and expectations for compensation and resettlement processes;
- Ensure a transparent, inclusive and participative RAP elaboration process;
- Provide displaced persons and their communities, and any host communities receiving them, timely and relevant information on resettlement options, and offer opportunities to participate in the complete RAP planning;
- Mobilize stakeholders for the implementation and steps following the RAP elaboration.

3.2 STAKEHOLDER GROUPS

Stakeholder groups for the RAP development process are identified and briefly described in Table 3-1. A comprehensive list of Project stakeholder organizations is appended.

Table 3-1 Target Stakeholder Groups

Stakeholder Groups	Description
Relevant ministries and agencies at national level	Department of Lands, Agriculture, Husbandry, Tourism, Gender, Wildlife, Forests and Protected Areas, Civil Aviation, Roads, Rural Electrification and Cultural Heritage
Provincial / Regional authorities and technical services	ESCOM's, Regional Lands offices (Planning, Lands, Agriculture, Environment, Social Affairs, etc. at regional level), the Southern region (Malawi)
District authorities and technical services (LGA)	District Commissioners and Officers from the affected Districts (Mwanza, Neno and Balaka)
Traditional authorities	Traditional authorities (TA), GVHs and VH are affected by the line route: Phalula, Neno, Mlauli, Kanduku, Nthache
Affected communities	All communities (villages and towns) affected by the line route. They are represented by village headmen and Group Village Headmen
Potentially displaced households	Potentially affected persons (PAPs), that are likely to be either physically or economically displaced by the project
Industrial and commercial stakeholders	Industrial or commercial organizations potentially affected by the line route. May include large commercial farms and industrial sites (Nankudwe Estate in Mwanza)
NGOs	Relevant NGOs in the fields of social development and human rights, at national or provincial levels

3.3 CONSULTATION PROGRAM AND RESULTS

Four stakeholder information and consultation rounds have been conducted through the development of the RAP study. Those are planned according to key stages, or decisional moments, throughout the study where the informed participation of stakeholders was likely to make the most significant contribution to the ongoing analysis, namely the RAP Initiation stage (1st round), the Census stage (2nd round), the Draft Report stage (3rd round) and the Final Report stage (4th round). The next table outlines the stakeholder engagement process and presents, for each consultation round, the specific engagement objectives, target groups and estimated implementation periods¹.

¹ It should be noted that the timeline is estimated. It is possible that, for various reasons, these periods may not be respected.

Table 3-2 Objectives, Target Groups, Meeting Formats and Implementation Periods for the Different Consultation Rounds

RAP Activities	Engagement Objectives	Target Groups	Timeline
<p><u>Consultations Round 1</u> Start of RAP preparation process, information and key stakeholders' mobilization</p>	<ul style="list-style-type: none"> – Review of the project and previous activities done during the RPF elaboration – Validate territory issues raised during the ESIA / RPF process and identify potential new issues – Inform key stakeholders of the RAP preparation steps and activities for them to inform their constituents and be mobilized – Presentation of the stakeholder engagement programme – Discussion on upcoming census, including the cut-off date – Discussion on wayleave marker installation activities – Collect concerns and expectations associated with the RAP – Validate or enhance elements of the stakeholder engagement plan 	<ul style="list-style-type: none"> – Central ministries and national agencies – Regional administrative authorities and technical services – District administrative authorities and technical services (LGA) – Traditional authorities – NGOs 	<p>March 12 - 18, 2019</p>
<p><u>Consultations Round 2</u> Census and affected communities' consultations and participation</p>	<ul style="list-style-type: none"> – Undertake the census survey: households and communities – Involve stakeholders in the identification of sensitive elements or to consider in the RAP, including displacement of heritage sites and future development projects – Expose, validate or enhance key elements of the previous RPF, such as entitlement matrix and compensation / livelihood restoration options, grievance mechanism and procedures – Allow potentially displaced households to voice their preferences, concerns and suggestions with regards to compensation options and resettlement assistance needs, including identification of new resettlement sites and host communities – Identify vulnerable groups and their particular needs – Organize focus group consultations with specific stakeholders such as women, elders, borders authorities, etc. to list their opinion, concerns and advice 	<ul style="list-style-type: none"> – Potentially displaced households (through socio-economic surveys) – Potentially affected industrial / commercial stakeholders – Community leaders in affected villages, villages and senior headmen (through socio-economic surveys) – Vulnerable groups (through socio-economic survey and focus group consultations) – Border authorities 	<p>April 6 - May 5, 2019</p>

RAP Activities	Engagement Objectives	Target Groups	Timeline
<p><u>Consultations Round 3</u> Preliminary census results and RAP key content validation</p>	<ul style="list-style-type: none"> – Present, preliminary results of the census to key stakeholders – Validate and agree on key elements for the final Draft RAP, including: <ul style="list-style-type: none"> ▪ Eligibility criteria ▪ Entitlement matrix and compensation ▪ Livelihood restoration measures ▪ Grievance mechanism and procedures ▪ Host communities and potential resettlement site alternatives ▪ Capacity building program ▪ Institutional framework and organizational responsibilities – Discussion on land, crops and structure replacement costs – Discuss identified vulnerable groups and specific assistance needs and agree on resettlement measures for each group, including cross-border groups 	<ul style="list-style-type: none"> – Regional administrative authorities and technical services – District administrative authorities and technical services (LGAs) – Traditional authorities and community leaders – NGOs 	<p>July 18 – August 9, 2019</p>
<p><u>Consultations Round 4</u> Final Draft RAP report presentation</p>	<ul style="list-style-type: none"> – Presentation of the Final Draft of the RAP and all its components – Collect concerns, comments on RAP key components such as: entitlement matrix and compensation / livelihood restoration, grievance mechanism and procedures, host community, resettlement potential sites, etc. – Present and discuss on the institutional framework and organizational responsibilities 	<ul style="list-style-type: none"> – Central ministries and national agencies – NGOs 	<p>April 26 – May 7 2021</p>

3.3.1 CONSULTATION ROUND 1: START OF RAP PREPARATION PROCESS, INFORMATION AND KEY STAKEHOLDER MOBILIZATION

3.3.1.1 ORGANIZATION AND METHODOLOGY

The first round of consultations served to present the Project and previous activities done during the RPF elaboration.

A total of 11 meetings were held between March 12 and 18, 2019. The meetings were to inform key stakeholders of the RAP preparation steps and activities (ex.: upcoming census, cut-off date, wayleave marker installation, etc.) and allow the participants to ask questions. Leaflets and an introductory letter were given to the participants which are presented in Table 3-3.

Table 3-3 STAKEHOLDERS CONSULTED IN THE FIRST ROUND OF CONSULTATIONS

Date	Location	Organization
12-03-2019	Lands Office	Lands Department
12-03-2019	Lands Office	Ministry of Lands
12-03-2019	MERA	Malawi Energy Regulatory Authority (MERA)
12-03-2019	Antiquities Department	Department of Antiquities
12-03-2019	District Education Manager Office Balaka	Government – Environmental District Officer
		Government – Trade and Industry
		Phalula Group Village Head
		Government – Assistant District Forest Officer
		Government – Assistant Community Development Officer
		Government – Environment Health Officer
		Government – Acting Water Officer (ACWSO)
		Government – District Coordinating Team Member
		Organisation for Everyone’s (ONSE) Health WASH officer
		Government – District Information Officer
		Government - District Lands Officer
		Government – District Social Welfare Officer
		Government – Malawi Social Action Fund (MASAF) Project
		Government – District Sports Officer
		Government – Principle Nutrition HIV and AIDS Acting Officer (PHHAO)
Water Waste and Consultant (WWCE)		
Electricity Supply Corporation of Malawi (ESCOM)		
Traditional Authority (TA) Phalula		

Date	Location	Organization
13-03-2019	Mwanza District Council	Government – District Water Officer
		Government – District Water Supervisor
		Government – Youth
		Senior Chief Kanduku
		Senior Chief
		Government – Principle Nutrition HIV and AIDS Acting Officer (PHHAO)
		Government – Forestry Department
		Director of Planning and Development for Mwanza District Council
		Water Waste and Environment Consultants (WWEC)
		Electricity Supply Corporation of Malawi (ESCOM)
13-03-2019	District Conference Room – Neno	Water Waste and Environment Consultants (WWEC)
		Government – District Community Development Officer
		Government – District Forestry Officer
		Government- District Land Officer
		Government – District Social Welfare Officer
		Government- Gender Officer
		Government- District Roads Supervisor (DRS)
		Government – District Youth Officer
		Government – Local Government
		T/A
		Government- Director of Planning and Development
		Government- District Commissioner (DC)
		Government
14-03-2019	Tourism and Information Boardroom (Blantyre)	Government-District Agriculture Development Officer (DADO)
		Government – District Communications Manager
		Electricity Supply Corporation of Malawi (ESCOM)
		Government-Regional Forestry Office
		Government-Regional Tourism Office
		Lands- Regional Lands Officer/ Principal Valuation Officer
		Water, Waste and Environment Consultants (WWEC)
15-03-2019	Department of Agro-Economic Survey	Government – Assistant Statistician
17-03-2019	Department of Gender, Lilongwe	Government-Ministry of Gender, Children, Disability and Social Welfare
18-03-2019	Human Right’s Commission	Government – Human Right’s Commission

3.3.1.2 CONCERNS, RECOMMENDATIONS AND EXPECTATIONS RAISED

As per concerns, recommendations and expectations, most stakeholders already faced situations from past projects and could give advice based on those experiences. It was mentioned that the agenda for the upcoming activities was good but that adequate notice should be given before conducting the meetings, and that the local government authorities should be involved during the Census and Asset Inventory studies. It was also mentioned that not all the affected households were consulted during the first run and this should not be repeated in future.

Stakeholders also stated that chiefs and the District Lands Office should be involved so that land territory/boundary related problems are sorted out on the spot; hence, reducing the number of grievances during the disclosure or paying out of compensation. Consultant and project implementers should be communicating the same message across to affected people. Cohesion and transparency are key elements to the success of this project.

The main concerns and observations raised during the first round are presented below:

General Concerns about the RAP process

- Adequate time should be allocated to ensure all parties (PAPs, local leaders, etc.) understand the RAP preparation process and implications;
- Adequate sensitization should start before the Census to ensure they understand every step of the RAP;
- PAPs have difficulty to appreciate the difference between preliminary and implementation stages of the RAP. This should be clearly explained;
- Use of Malawi laws and review of World Bank policies are critical in cases where PAPs on the boarder may own land that crosses the nations boundaries;
- Consult the appropriate Malawian department to ensure all parties are on the same page;
- People need to be sensitised on the implications of the cut-off date, that they are not required to do any development on the land as they will not be compensated for the loss. Two factors also need to be considered when setting the Cut-Off date:
 - The time between the set cut-off date and the construction/installation of the poles phase;
 - The time from the set cut-off date to the time of disbursement of the compensation.
- Usual practice in Malawi is to set the cut-off date at the end of the PAP Census.
- A human-rights-based approach, by engaging the locals, should be used at each stage of the Project as they are likely to be impacted (either positive or negative).
- Affected people should be given financial literacy training to equip them with knowledge on how to use the compensation money. Experience from previous projects shows that people do not understand the purpose of the compensation. Consequently, they struggle in providing for themselves after some time;
 - A follow-up should be done to insure proper management of the compensation.



Photo 3-1 Blantyre District Meeting



Photo 3-2 Balaka District Meeting

Land Ownership

- Compensation should be given in less than a year to ensure that agriculture can continue;
 - Compensation should be given before the start of the Project as the affected people will need to buy replacement land for them to settle down.
- There should be a review/study of cultural traditions of the area. This will help in identifying the actual owner of the land and people that are vulnerable;
 - In the project area, most people are of the Matrilineal tribe, as such men move from their place of original (birth) and follow women when they get married. Hence, men are likely to be vulnerable to land ownership issues;
 - Some women might be vulnerable because of village settings, for example, where land belongs to the uncle of the family (Mwinimbumba in Chichewa). This one controls land for the whole family and sometimes might take advantage of the compensation and use it without sharing with the family.
- The Project should be careful when registering landowners. If a landowner moved and left the land to another person, if this other person has been using the land for over five years, they should be the one to be registered for compensation;
- In child headed families, chiefs should be involved during the assessment, as they know the children's closer relative;
- Section 28 of the Constitution states that everyone has a right to property including land. However, the right to property law is limited as the property can be taken away provided it is for public interest/benefit. This requires that people in ownership of the property be notified before the acquisition and be properly compensated for the loss.

Safety

- Wayleave magnetic fields impact people. These should be studied to determine potential effects. If any, these should be minimized/eliminated;
- Cable failure: considering that these are high voltage lines, safe distances for the communities should be determined and people should be continuously and adequately sensitized.
 - Proper sensitization should be made regarding safety and danger.

Heritage

- The Antiquities Department would like to interface and have meetings with the communities;
 - Suggest changing/redirecting of wayleave if monuments/Relics are in the way;
 - Conduct key stakeholder consultations during project;
 - Meet with local chiefs prior to start of the project for effective transmittal of information to community members;
 - Map of artefacts in the nearby locations to the wayleave.

Water sources

- Impacts on water sources will affect women as they will need to travel long distances in search for water;
- Water resources affected by the Project (ex.: boreholes) also need to be compensated for and replaced. There's a need to consider additional costs as it is hard to find aquifers, as the project area is hilly. The water resource sector should be consulted so that some of these issues are sorted out on time.

Trees

- The 2010 Forestry Gazetted for compensation rates for trees, although revised rates are available but are not officially used;
 - There is a need to consult the Department of Forestry for values of fruits and other types of trees, so people are compensated properly.
- All assets including trees should be recorded (assessed) and properly compensated for so that grievances are reduced;
- For forestry, sensitization should also include prevention of tree cutting because of the assumption that the wayleave will affect the trees;
 - Get compensation values for different types of trees from the Department of Forestry in the districts and at national level. In addition, all protected forests to be affected should be compensated even if under government ownership.

3.3.2 CONSULTATIONS ROUND 2: CENSUS AND AFFECTED COMMUNITY CONSULTATIONS AND PARTICIPATION

3.3.2.1 ORGANIZATION AND METHODOLOGY

The second round of consultations took place during the socio-economic survey and the inventory of affected assets at the community and household level. These surveys, in which a consultative component was integrated, took place from April 6 to May 5, 2019.

Chiefs and their advisers were informed of the proposed line route and the sites selected for the positions. The latter were asked about the envisaged changes that could be caused by the construction of the new line as well as their concerns about it. Regarding these aspects, the communities were also asked about the mitigation or improvement measures that could be applied to avoid or optimize the potential intended impacts.

Affected households, for their part, benefited from the socio-economic survey and the property inventory to discuss their concerns and expectations regarding the new line project.

A second part of the round was also realized during the surveys in the form of focus groups with diverse represented populations, such as women, elders and other vulnerable people.

MAIN CONCERNS AND OBSERVATIONS RAISED BY COMMUNITY LEADERS

Even if they are few, the main concerns and observations raised by the community leaders during the second round of stakeholder consultations are presented below.

NEGATIVE IMPACTS

- There will not be enough land since there is scarcity, soil degradation, and loss of vegetation (trees).
 - Measures: the Project should either find the lands for the PAPs, provide monthly allowances (MKW 40,000.00/month), fertilizer and seeds, machinery, water, boreholes, pesticides and herbicides, agriculture extension services, loans and business trainings.
- Some difficulties to find replacement land and build new houses are expected for vulnerable people, especially women and elders.



Photo 3-3 Public Meeting at Chifunga Primary school

- Measures: the Project should build houses for the women and vulnerable groups, and help the community development with the construction of some infrastructure (ex.: secondary school, clinic, bridge, and borehole).
- There is a high risk of spreading sexually transmitted infections (STI).
 - Special awareness should be done around this possible impact for both workers and the communities. Communities are afraid that women are going to be sexually involved with the construction workers which could lead to HIV/AIDS and could also end in breaking the families up;
 - Measures: conduct awareness meetings to sensitize people about sexual transmissible diseases and protect girls from indecent project employees.
- The Project should ensure safety and security, especially for children, are well managed during the construction of the line and demolition of structures.
 - Measures: conduct awareness campaigns about safety measures. ESCOM should also put some posters with notices.
- The Project should protect people from dust and careless dumping of hazardous materials.
 - Measures: inform villages about possible hazardous materials and dump site.

POSITIVE IMPACTS

- The Project should give employment and business opportunities to locals during the construction phase;
 - Employment of unskilled labour in the community could benefit the livelihood of many. The construction workers will also need food and water which should benefit the businesses in the community.
- ESCOM should give the communities the opportunity to connect their infrastructure and houses to the power grid.

MAIN CONCERNS AND OBSERVATIONS RAISED BY AFFECTED HOUSEHOLDS

In addition to the information on the different demographic and socioeconomic characteristics of the household, heads of the household were able to talk about their concerns regarding the resettlement during the socio-economic survey and the inventory of affected assets.

Even if there was no special fear mentioned by the households, the major concern was regarding the money compensation and employment through the Project. Others were also concerned that new lands would not be found since there is scarcity at the moment and that the compensation would not be given on time to cultivate their crops.

Of the 55 households responding to the survey, 17 households said that they wanted their houses to be rebuilt by an entrepreneur contracted by the Project. The reason is because those households would not be able to rebuild their own place. The other 38 households said they prefer receiving financial aid and material provided by the Project, mostly because they could rebuild their house and use the remaining money for other developments and a better livelihood.

For the land, seven households said they would prefer to stay on the same land. No specific reason was given. The majority of households (42) said they wanted to be relocated on a different land secured by the Project as they do not have another land, and the one currently used is too small. Only six households said they had another accessible land to move to, and they will be more comfortable moving there as they already know the place.



Photo 3-4 Focus Groups at GVH Biriwiri Headquarters

Regarding the tombs, the grave site should be relocated outside of that wayleave, and no accidents should arrive on the grave during the construction of the project.

The main concerns/opportunities raised by households in relation to resettlement are:

- Receive money compensation either for houses or lands (210 households);
- Improve the electricity distribution and help reduce the blackouts (22 households);
- Be employed by the Project (8 households);
- Receive bigger and fertile lands (37 households);
- Receive seedings (60 households);
- Improve houses (bigger rooms, cement floors, fences, windows, etc.), and associated structures such as bathrooms and toilets.

It should be noted that in some regions, such as Phombeya and Biriwiri, certain previously registered houses were damaged by the Idai Cyclone. It was said that no improvement was to be compensated after the cut-off date, but those houses will have to be rebuilt as per standard living conditions and be compensated for.

MAIN CONCERNS AND OBSERVATIONS RAISED BY WOMEN

Focus group discussions with women were conducted in 50% of communities, distributed evenly over the entire Project area. The villages where the focus group discussions were held are:

- Mwanza District: Siredi, Nkulira 2, Mulongolora, Kagonamwake, Jonathan, Biriwiri, and Chirimpira;
- Neno District: Ntingala, Kandoje, Kam'Mwamba, Chikapa, Kazonga, and Chasesa.

The main economic concerns raised by women, regarding the Project and the relocations, are:

- The loss of fertile land, livestock, woodlots and fruit trees, which could result in food and household supply shortages or loss of income among families;
- A decrease in agricultural production, especially from irrigation farming, as some will be relocated to areas without water sources (e.g., rivers) needed for irrigation;
- The loss of housing and land, which would mean that the children would not get an inheritance;
- The scarcity of good and affordable land for relocation and the fear of finding replacement land which might not yield as much as their current land;
- An increase of everyday living because service providers will raise prices of goods and services due to the increase of cash flow in the area, or because the cost of living might be higher at the place of relocation;
- A decrease in carbon sequestration and the reduction of climate change impacts due to the destruction of forest reserves;
- The disturbance of quarry stone mining activities.

A general economic concern shared by the women is whether or not the compensation received will be sufficient to replace the affected assets and support the household, and if it will take into account long term sustainability (e.g., number of production years of fruit trees and the health benefits derived from the different nutrients they provide). The women also suggest that compensation be distributed in a timely manner, so they have enough time to properly prepare for the relocation and the replacement of assets, as well as the 2019-2020 growing season.

The main social concerns raised by the women, regarding the Project and the relocations, are:

- The disturbance of social cohesion derived from the relocation and the fear and anxiety of not knowing what to expect from the people or where they will be relocated to;
- Fear of being relocated to areas far from social services such as schools, hospitals, and boreholes;
- The spread of diseases due to the presence of travelling workers and money, for which the women suggest providing them with community sensitisation on how to avoid STIs and the distribution of contraceptives.

Regarding compensation options, most participants noted that the cash compensation would be preferred over the in-kind compensation, although some women noted that they would prefer to be given a house rather than cash as it would deter their husbands from money mismanagement. Indeed, one of the concerns expressed was that families are likely to experience domestic disputes upon receipt of the compensation, especially in cases where family owned land is affected. Also, there is concern that cash compensations might not be equivalent to the value of lost assets. The women of every community indicated that they would like to be trained on financial management and literacy, preferably before receiving the compensation, to avoid financial mismanagement. They also mentioned that if bank accounts were needed, the Project should be responsible for the cost and procedures for opening them.

Many participants expressed fear and anxiety regarding their security, as they feel there will be an increase in thefts and murders after the compensations have been paid. It has thus been suggested that compensations be received through the bank to avoid theft, and that they be issued privately, and the amount kept confidential. Some women, however, mentioned they would prefer not receiving money through the bank, as this would mean that access would be restricted to one person, which could later cause disputes amongst families. As suggested by some of the women, a solution to this dilemma would be to have bank officials present at the time of compensation payment so that those who wish to, can open an account.

Regarding resettlement assistance and Livelihood Restoration, some participants who would opt for in-kind compensation mentioned they don't want to find temporary homes while waiting for their replacement homes to be constructed, mainly because they fear that the compensation received might not be enough to cover the cost of temporary shelter and the construction of replacement homes. Relocation should happen prior to the start of the rainy season as it makes it more difficult to find proper land for resettlement and agriculture at that time. Many livelihood restoration measures have been proposed by the participants:

- Assist them with agricultural inputs and provide them with livestock, improved seeds and fertilizers;
- Provide training for technical, vocational and entrepreneurial skills such as carpentry, welding, tailoring and computer skills;
- Provide capital to start small scale businesses;
- Drill boreholes for those who will be relocated to areas where access to water might be a challenge;
- Provide food aid in case harvesting from the new land is less due to incompatible environmental conditions.

It also has been mentioned that work opportunities should be equally provided to men and women during the construction phase. As well, the Project should follow up on the social welfare of the PAPs after compensations have been given to see how they are coping. In terms of sustainability of the environment, it was stressed by the women that they would like the seedlings to be provided from local nurseries to help the economics of the local markets. They also believed that the local nurseries have better survival rates for trees.

It should be noted that although the communities affected by the Project are from a matrilineal society, many parcels have been declared as owned by men. This is mainly because men are commonly the head of households, and thus it is a sign of respect to register the land in their names. Some women mentioned that it is because men are the ones who developed the land (construction of houses and tree plantation), despite it being the women's, which makes them better at handling land issues. In some cases, it has been reported that either the men took advantage of the women, or that the women declared the land in the men's names out of fear and to avoid conflicts in the family. Some women were not present during the asset evaluation exercise, and so the men claimed ownership of the land.

Other reasons mentioned include the fact that some women did not have national IDs, or that they are married and moved to other areas, leaving the land to their brothers. In some cases, the land parcels do indeed belong to the men.

3.3.3 CONSULTATIONS ROUND 3: PRESENTATION OF ELIGIBILITY CRITERIA AND COMPENSATION MATRIX

3.3.3.1 ORGANIZATION AND METHODOLOGY

The third round of consultations served to present the Draft RAP report, including the eligibility criteria and compensation matrix, and to collect comments from key government officials. The list of stakeholders consulted is presented in Table 3-4.

Table 3-4 Stakeholders Consulted in the Third Round of Consultations

Date	Location	Organization
18-07-2019	Ministry of Lands	Government – Ministry of Lands
		Government – Ministry of Agro-Economic Survey
		Government – Housing and Urban Development
18-07-2019	Ministry of Agro-Economic Survey Department	Government – Ministry of Agro-Economic Survey Department
22-07-2019	No response	Human Rights Commission
27-07-2019	By email	MERA
05-08-2019	By email	Government – Ministry of Gender Disability and Social Welfare
06-08-2019	Mwanza District Council	Government – Mwanza District Council
		Government – Mwanza Education
		Government – Mwanza Forestry
		Government – Mwanza Community Development
07-08-2019	Neno District Council	Government – Neno District Council
		Government – Neno Education
		Government – Neno Agriculture
		Government – Neno Forestry
		Government – Parliament MP
08-08-2019	Red Cross Hall – Balaka District	Government – Balaka District Council
		Government – Balaka Social Welfare
		Government – Balaka Gender
		Government – Balaka Agriculture
		Government – Balaka Education
		YONECO
		Government – Balaka Local Development
		Government – Balaka Fisheries
		Government – Balaka Rural Housing
		BDC
09-08-2019	Blantyre Regional Offices	Women’s Legal Resources Centre (WOLREC)
		Department of Tourism
		Department of Lands

3.3.3.2 MAIN CONCERNS AND OBSERVATIONS

Following the presentation of the Draft RAP report to the participants, the main concerns and observations are as follows:

Sharing of information and stakeholder engagement:

- District Council officials should be part of the institutional arrangement and be involved in the monitoring and evaluation processes and must be properly informed about all activities related to the Project. This includes being provided with a list of vulnerable people identified by the Project and the criteria used in the selection process as well as the valuation standards, so that the District Office can safeguard information and help with resolving grievances;
- A recommendation should be made that the chiefs (TA or their representatives) be part of the grievance redress committees since they are able to help with resolving conflicts that local chiefs cannot resolve.
- The Lands officer recommends including a step in the Grievance Redress Mechanism process (presenting Grievances to appropriate Ministry at National level). This should be placed before the presentation of the grievances to the courts at National level.

PAP sensitization:

- Sensitization on financial management and financial literacy training for both men and women should be provided before the disbursement of compensation, notably to avoid money being used for reasons other than the intended purpose of replacing affected assets;
- PAPs should be educated on the different types of compensation (in-kind and cash) so they can make an informed decision, as well as be informed on the compensation and the grievance processes;
- Sensitization on human rights issues is especially important during the disbursement of compensations and/or the implementation of the Project, as this would help the PAPs in becoming familiar with their rights;
- The report should recommend the need for economic empowerment in the affected communities, such as the locally sourced procurement of seedlings for replacement trees.

Improvement of livelihood:

- The report should recommend a Corporate Social Responsibility for the affected communities in addition to the livelihood restoration programme for the PAPs, for example construction of boreholes;
- Emphasis should be made on giving ample time to PAPs to look for replacement land and/or homes prior to the start of the construction phase of the Project, and moving allowances should be given;
- Livelihood restoration programmes should also consider long-term circumstances.

Finances/Compensation:

- Compensation should be given to every PAP with affected assets, and thus an asset verification exercise is recommended;
- PAPs should be given a chance to choose between cash and in-kind compensation and not have the form of payment dictated to them;
- Inflation should be considered in the disturbance amount proposed.

Gender Issues:

- The objectives and efforts to reduce impacts and settlements as presented in the report are very gender neutral and do not mention how the Project will differently affect gender groups;
- Affirmative actions that aim at gender equality and women empowerment should be included in the report.

Others:

- In the event infrastructure such as roads are damaged during the construction phase, ESCOM should be responsible for the maintenance and repair of the affected infrastructure;
- Rerouting of the powerlines to avoid the graveyards would be ideal, though not required if technically impossible (opinion from district officials, contrary to that expressed by relevant communities, see sections 5.1.4.1, 6.5.3 and Appendix 5-1);
- The report should include the details of compensation as well as a sample of the agreement form to be signed by PAPs.

3.3.3.3 SPECIFIC MEETING WITH CLN RAILWAY

CLN is the operator of the railway crossed by the Project, which starts from Vale’s coal extraction facilities in Mozambique and crosses Malawi to reach the port of Nacala (the Vale railway).

CLN has approached ESCOM following conduction of the RAP inventories expressing concern about the fact that they were not aware of the project and had not been consulted. They also mentioned that land located in their railway reserve had already been compensated to its respective owners and that as such it should not be compensated again by ESCOM.

Following a request to that effect, a meeting was held at ESCOM’s offices on August 9, 2019, where Vale officials provided the limits of their railway reserve. 3 officers from Vale attended the meeting with Mr. Precious Mpekansambo from ESCOM and valuer Mabvuto Mkuziwaduka as representatives from the RAP team.

Following analysis of the railway wayleave provided by Vale officers during that meeting it was possible to confirm that existence of this railway was disclosed in the ESIA, officers from the railway company (CLN) were consulted as part of the ESIA, their technical requirements for crossings were obtained and those requirements were transmitted to the feasibility consultant for integration in the Project design.

It was also confirmed that in order to avoid double compensations, land cultivated by potential PAPs within the railway reserve would not be included in compensated areas. It was later found that only 3 parcels overlap with the Vale railway reserve. Sections located in the railway reserve were excluded from compensations.

Finally, a prescription has been added in the grievance redress mechanism (see section 10.6), so that if any grievances arise from compensations falling under CLN’s responsibility the parties concerned will be redirected to CLN’s contact.

All issues related to the Vale railway crossings have therefore been addressed satisfactorily.

3.3.4 CONSULTATIONS ROUND 4: FINAL DRAFT RAP REPORT PRESENTATION AND DISCLOSURE

3.3.4.1 ORGANIZATION AND METHODOLOGY

The purpose for this last round of stakeholder information and consultations is to disclose the Final Draft of the RAP and all its components to key stakeholders such as central ministries and government agencies as well as NGOs, district authorities and the general population.

Their concerns and comments on the RAP key components such as: entitlement matrix and compensation / livelihood restoration, grievance mechanism and procedures, etc., were collected. Additionally, the institutional framework and organizational responsibilities were presented and discussed.

It should be noted that the Project definition is not entirely completed yet: the final locations of line pylons as well as ancillary infrastructure such as worker camps and access roads, are to be determined as part of the detailed design studies to be done by the Contractor who will be selected for Project implementation. The RAP report disclosed in this consultation round was therefore not the final one and it was explained that updates will be done prior to project implementation to account for all persons and households to be impacted by the Project. This however does not preclude reaching an agreement on other report components.

Due to the COVID-19 pandemic which is ongoing, large meetings needed to be avoided. Stakeholder comments were therefore collected using two parallel approaches.

GOVERNMENT, DISTRICT AND NGO REPRESENTATIVES

Stakeholders such as government, district commissioners and NGO representatives were invited to an online meetings where the report was presented and comments collected.

The list of stakeholders who attended the Government, district and NGO representatives meeting and were consulted is presented in Table 3-5.

Table 3-5 Government Stakeholders Consulted in the Fourth Round of Consultations

Date	Location	Organization
26-04-2021	Online	Regional Forestry office for the South
		Malawi Human Rights Commission - Directorate of Gender and Women Rights
		Ministry of Gender, Community Development and Social Welfare, Department of Gender Affairs
		Southern Region Gender, Children and Social Welfare Services, Department of Gender and Social Welfare
		Ministry of Information-Department of Antiquities
		Ministry of lands-Lands and Valuation department
		Water, Waste and Environment Consultants (WVEC)
		Mwanza District Commissioner

COMMUNITY MEMBERS

In parallel to online and in-person meetings held with government, district and NGO representatives, the RAP report was publicly disclosed by making it available at District Offices for a period of 2 week (April 26th to May 7th) for community members to consult and comment on. This approach was selected in order to avoid large gatherings during consultation meetings in a period of COVID-19 pandemic. At the DC offices, a book for comments was made available so people can write their questions and comments.

A public disclosure notice was announced on the local radio (Zodiak) in English and Chichewa to advertise this consultation exercise. Advertisements mentioned that the RAP is available for consultation at DC's office, inviting community members to consult the RAP at the district office and make comments. The radio was used because it reaches a wide group of people, including local population, making it very effective to disseminate the information in the project area. Announcements were made between 24th and 29th April two times per day during prime time slots. The text of the announcement is appended in Appendix 3-4.

Newspapers adverts were also distributed in The Nation and The Daily Times newspapers alternatively, between 28 April and 7 May, allowing to reach a complementary audience. The published notice was similar to that made via radio and also provided a WeTransfer link at which stakeholders could download the report and make comments via email, and a Whatsapp number to leave comments, for those who could not walk to the DC's office. The text of the announcement is provided in Appendix 3-4.

The list of stakeholders consulted in physical meetings is presented in Table 3-6.

Table 3-6 Local Stakeholders Consulted in the Fourth Round of Consultations

Date	Location	Organization
28-04-2021	Mwanza District Council	District Commissioner
		Councillors
		Council chair
		Mwanza District- Social Welfare Office
		Mwanza District Council- Youth Office
		Mwanza District Council-District Education Manager
		Mwanza District Council- Assistant District Social Welfare Office
		District Environmental Office
		Monitoring and Evaluation
		District Forestry Office
		Nutrition officer
Nthache		
29-04-2021	Neno District	Neno District Council- Acting District Commissioner
		Neno District- Councillors
		Neno District Council- Lands Office
		Neno District Council- District Forestry Office
		Neno District Council- Gender Office
		Neno District Council- Social Welfare Office
		Neno District Council- DRS
		Neno-STA Symon
30-04-2021	Balaka District	Monitoring and Evaluation Office
		Labour office
		Community Development Office
		Lands Office
		Inkosi Chanthunya
		STA Phalula
		Forestry Office
		Water Development Office
		District Social Welfare office
		Planning office
		Councillor
Environmental Health Office		

Some of comments were also received in written form and are detailed below.

3.3.4.2 MAIN CONCERNS AND OBSERVATIONS

NATIONAL AND REGIONAL STAKEHOLDERS

Following the presentation of the Draft RAP report to the participants, the main concerns and observations are as follows. Detailed minutes of the discussions are available in Appendix 3-4:

Heritage and Archeological assessment

- Representatives of the Ministry of Information - Department of Antiquities made the following remarks and recommendations:
 - An archeologist from the National Museums and Monuments should be included during the construction phase of the project to:
 - Identify artifacts and relics in the community as community members can only identify the visible graves since they don't have an archeological eye;
 - Ensure proper procedures are applied in case of chance finds, with regards to preservation or rescue of relics and artifacts.
 - Not all archeological and Historical sites within the wayleave were included in the inventory of affected cultural and archaeological heritage site i.e. iron sites and human settlements sites; existence of more archeological sites is possible, therefore they recommend a complete inventory of all heritage resources along the wayleave.
 - Destruction of relics and artifacts during construction is possible, and they should be rescued or preserved; an assessment of archeological sites and relics on the areas where worker camps are to be located is therefore proposed, so as to rescue any existing archeological sites.
 - Contractor training about identification of different archeological artifacts in preparation for possible chance finding of archeological sites during construction phase of the project should be considered.
 - Concerns were expressed with regards to procedures in place for handling of resources after compensation, like maintenance, disposal, preservation or destruction of artifacts and relics
- The Consultant answered to the concerns expressed above during the meeting. Management of “hidden” archaeological heritage sites have been addressed in the ESIA which was submitted and approved by the Environmental Affairs Department (EAD) in September 2020. An inventory of cultural and archaeological sites was conducted (ESIA section 6.5.9), as well as an assessment of impacts on this component. Mitigation measures include presence of an archaeologist during excavation work (ESIA section 7.3.4.7). The ESIA provides for preparation and implementation of a Cultural and Archaeological Heritage Management Plan (CAHMP, ESIA section 8.1.1), as well as a chance find procedure requiring to contact the Antiquities department in case of chance finds. A specific budget is planned for CAHMP implementation, including the presence of an archaeologist during excavation activities (ESIA section 8.6), and an outline of said plan is provided in ESIA Appendix 13, section 1.4. It should also be noted that the Antiquities department was consulted as part of the ESIA (ESIA Appendix 12). Archaeological and cultural heritage issues were therefore satisfactorily addressed in the ESIA, with inputs from the Antiquities Department and as demonstrated by its approval by the EAD. The purpose of the present RAP is limited to managing compensation of assets and archaeological/cultural heritage that were inventoried.

PAP sensitization

- The PAPs should be engaged and sensitized further during the RAP implementation by the RAP implementation consultant to better understand the contents of the RAP MoU.
- Further Sensitization of the local community and affected households to better understand what level or type of compensation they are entitled to.
- Fear of the possibility that the PAPs feel like their rights to owning land were being infringed due to the restrictions on utilisation of the affected parcels of land, therefore need for proper sensitization and consultation with the affected households.

Perceived safety

- Concerns were expressed that some PAPs may feel uncomfortable occupying or cultivating the lands with pylons, as they consider them hazardous.

Finances/Compensation

- Concerns were expressed on the criteria for land compensation by the representative from the Lands and Valuation department. Additionally, the portion of the land to be owned by the project should be defined clearly.
- Compensation of the PAPs should be based on the market value of the land as at the time of compensation and the department of lands and valuation should be involved so as to ensure the process is fair and up to standard.
- Affected lands located in the wayleave will suffer a reduction in value caused by usage limitations. Therefore, the PAPs should be given additional compensation for loss of value of their land. The Consultant explained the compensation mechanism for this loss of value.
- Need for setting aside a realistic budget for exhumation and relocation of the identified graveyard, considering the nature and cost of activities involved in this type of activity. The Consultant explained that Jonathan and Liyenda communities where graveyards are located showed strong preference for keeping graves in their current locations and that therefore management of those locations has been designed so as to avoid exhumation.

Gender Issues

- A recommendation was made for the inclusion of the department of gender and women rights during the compensation process to ensure human's rights are not violated. The Consultant then explained that human rights are at the core of the RAP and that external experts will be included in the project to give insight to the project and ensure implementation of project is carried out according to plan on human rights gender aspects.

Law and policy

- RAP implementation process to be conducted in accordance with provisions of the national laws and applicable international laws and standards especially the monuments and relic act, world policy on heritage, World Bank/IFC safeguard standards.

Other issues

- The representative from the Regional Forestry Office for the South queried about the extent of project impacts on the Thambani forest reserve; specifically, whether forest trees will be cut down and the cost associated in the event that the project intersects the forest reserve. The Consultant explained that the project routing avoids Thambani forest reserve altogether and that therefore the reserve will not suffer any tree losses.

DISTRICTS AND GENERAL POPULATION

Following the presentation of the Draft RAP report to the participants, the main concerns and observations are as follows. Detailed minutes of the discussions are available in Appendix 3-4.

1 MWANZA DISTRICT COUNCIL;

Following the presentation of the Draft RAP report to the participants present at the Mwanza District Council, the main concerns and observations raised are as follows:

Finances/Compensation:

- Inflation rates should be considered by ESCOM due to the increase in costs of building materials and land prices since the valuation was done in 2019.
- Clarifications were requested on whether affected secondary physical structures will be relocated. Such clarifications were provided by the consultant.
- Income support allocation rates for the affected households with vulnerable people should be specified per group in the report and not in range (2-4\$) as currently presented in the current RAP. The consultant clarified that the income support allocation is calculated individually, according to the disabilities affecting a specific household.

Cultural heritage sites:

- It was mentioned that trampling on graves is culturally prohibited. This is expected to happen to some level during the construction phase. Confirmations were also sought on whether there will be exhumation of bodies and the exact way the graves will be treated. Hence, consultations with the TAs and other local leaders have to be conducted thoroughly to establish procedures for working in the graveyards.
 - The consultant clarified that the RAP includes a requirement not to exhume the graves from the cemeteries, as per requested by local communities. No ground disturbance will occur in cemeteries. Specific additional consultations in coordination with the District Commissioner and Department of Antiquities on this subject will be done at the RAP implementation stage to address those concerns and establish procedures for working in the graveyards (sections 5.1.4.1 and 9.2.2) .

Safety concerns:

- A concern was raised on health and safety of people that will be using the land under the power lines. It was proposed that ESCOM should compensate fully (100%) for the pylon base as well as the power lines for health and safety issues and acquire the land totally.
- A request was made that the report should include the measures that are put in place to avoid accidents under the power lines and clarify on the responsible institutions for payment of compensation in case an accident has occurred. The consultant mentioned that this issue is treated as part of the ESIA.

Gender Issues:

- Proposed that the RAP report should consider social interactions impacts such as extra marital affairs, HIV and AIDs and breaking up of families among others. The consultant answered by referring to the ESIA report on these topics.

General Concerns about the RAP process:

- Concerns raised on possibility of the PAPs encroaching the wayleave as project implementation has delayed starting.
- Inquiry on start date of the project and if it will affect the current growing or harvesting season. It was proposed that the proponent's Responses to the stakeholders be channeled through the District Commissioner's office.
- Recommended use of eco friendly cement blocks instead of burnt bricks during construction of houses for the resettled PAPs, to minimize firewood consumption.

2 NENO DISTRICT COUNCIL:

Following the presentation of the Draft RAP report to the participants present at the Neno District Council, the main concerns and observations raised are as follows:

Finances/Compensation:

- Inflation rates should be factored in during compensation considering the current delay in the project implementation and compensation
- Clarifications were sought on procedure for in-kind compensation for affected structures, on who will be responsible to provide house plans (PAPs or contractor?) and whether PAPs will be allowed to select land for reconstruction outside of the affected district. The Consultant mentioned that the RAP Implementation Consultant will clarify this at RAP implementation stage.
- Verification exercise should be done before payment of compensation is implemented to ensure the rightful owners are compensated as there were disparities to this during the initial assessment.
- Inquiry on when the project will commence and when the compensation funds will be disbursed.

PAP sensitization:

- RAP implementation consultant to conduct consultation meetings with the affected community to determine criteria for in-kind compensation

Livelihood restoration Programs:

- The meeting stressed the need for provision of training to the PAPs especially on financial management and literacy throughout the project cycle as stipulated in the RAP. The consultant confirmed that the RAP does provide for delivery of livelihood restoration and financial literacy training.
- In kind compensation was preferred and was proposed to be prioritized so as to avert the likelihood of the PAPs livelihoods deteriorating due to misuse of the monetary compensation.

Gender Issues:

- Involvement of the Gender Department during the implementation of the RAP was recommended.

General Concerns about the RAP process:

- Environmental restoration to be done by provision of tree seedlings to be planted by the affected communities to replace the ones that will be cut.

3 BALAKA DISTRICT COUNCIL:

Following the presentation of the Draft RAP report to the participants present at the Balaka District Council, the main concerns and observations raised are as follows:

Finances/Compensation:

- Stakeholders enquired on compensation criteria for natural tree losses since in ESCOM's past projects this was not catered for. The consultant confirmed that compensations will be paid for exotic trees as well as natural trees.
- It was proposed to lower the threshold of land losses to 60% to consider a PAP vulnerable, especially for districts with poor terrain such as Neno. The consultant mentioned that many other vulnerability criteria are in place to ensure that vulnerable people will not be left behind and that the RAP also plans for thorough compensation of all losses.
- The meeting queried on control measures being put in place or included in the report over mismanagement of community compensations. The consultant confirmed that communities will be compensated through developmental activities which strongly reduces risks of compensation mismanagement. Monitoring will be conducted at each stage of the project and awareness campaigns will be conducted in affected communities.
- Clarification required on if labour costs will be provided to the PAPs that will choose to be provided with construction materials. The consultant confirmed that PAPs choosing to rebuild themselves will be paid to do so.

PAP sensitization

- The people in the affected communities have to be sensitised on all the 3 types of compensations and their implications.

Livelihood restoration Programs:

- Inquiry on whether there are any consequences or recourse in the event that a PAP misuses their compensation.
- The client to consider issuing tree seedlings for each tree cut.
- Consideration of specialised assistance to the vulnerable PAPs like the physically impaired in accessing compensation through regular visits to them to facilitate remittance of the funds. The consultant confirmed that vulnerable households will be consulted at the onset of consultations to assess their special needs and adapt assistance provided.

Gender Issues:

- The report should clarify how issues on human trafficking, HIV and AIDs transmission, early marriages and breaking up of families will be handled. The Consultant referred to the ESIA on these topics.

General Concerns about the RAP process:

- Recommended use of eco friendly cement blocks instead of burnt bricks during construction of houses for the resettled PAPs.

Grievance Redress Mechanism Concerns

- It was recommended that initial grievance redress levels should comprise only of independent people in the affected communities without the local leaders as these leaders will likely be directly involved in some of the issues.

4 COMMENTS RECEIVED VIA EMAIL/WHATSAPP:

Only two comments were received via email following the newspaper advertisements, both of them asking for the RAP report to be sent. No further comments were received after sending the report as requested.

5 WRITTEN COMMENTS LEFT AT DISTRICT OFFICES:

No comments were left by PAPs at district offices where paper copies of the RAP had been made available between 26 April and 7 May 2021.

3.4 FINAL RAP DISCLOSURE PROCESS (IMPLEMENTATION STAGE)

The Malawian resettlement practices require that the RAP be approved by the Ministry of Lands before its disclosure to the general public. Disclosure of the RAP compensation entitlements to the affected public will be done at the RAP implementation stage. This section presents the process to be followed by the RAP Implementation Consultant (RIC) and ESCOM who will share responsibilities for this disclosure.

Disclosure shall be done in a similar way as the cut-off date announcements, for the RAP to be communicated effectively to PAPs. Both public and individual announcements will need to be made:

- The full RAP report (in English) shall be published on ESCOM’s website and paper copies will be distributed to the project district offices where they will be made available to the public for perusal and comments. This document shall include all details such as the entitlement matrix to inform people on what they can expect in terms of compensation and assistance. However, individual information on PAPs and their compensation packages shall remain confidential and will not be publicly disclosed;
- Official announcements in English and Chichewa shall be published by ESCOM in national papers as well as on ESCOM’s website to disclose the RAP in electronic and paper formats;
- Following that publication, the same official announcements shall be printed and posted by the RIC team in communities crossed by the Project, along with a copy of the RAP report being made available at the District Offices, making sure the full disclosure information is made available to each PAP as well as inhabitants of the affected project areas themselves. Again, individual compensation packages will not be published at large in order to minimize risks of jealousy and conflict towards vulnerable PAPs and/or gender-based violence;
- The RAP shall be presented by the RIC in every community as part of its stakeholder engagement program for the RAP implementation;
- Individual disclosure shall also be done during the process of compensation agreement signing with each PAP. Individual asset summaries and compensation packages will be presented and updated, if need be, prior to the signing of compensation agreements.

4 DESCRIPTION OF AREAS AFFECTED BY THE PROJECT: CENSUS OF COMMUNITIES AND HOUSEHOLDS AFFECTED BY THE WAYLEAVE

4.1 SURVEY METHODOLOGY

To ensure the census, socio-economic survey, and inventory of assets were carried out successfully, several tools and initiatives were developed and implemented.

An enumerator's notebook was initially developed to support training and serve as a reference during fieldwork. This notebook included the project description, the principles of a resettlement plan and its objectives, the field work processes, instructions on the use of tablets, survey software, GPS, health and safety measures, as well as various instructions for specific potential problems with the people surveyed. A copy of the two questionnaires used (see Appendix 4-1) was also inserted with comments on the nature of the expected responses.

This notebook was completed by enumerators who took notes during the theoretical and field trainings. Field training focused on the use of electronic tablets and the data collection software used (SNAP Survey), the understanding of the survey questionnaires, and the field survey process. Tests carried out in the area of influence supported the technical training and made it possible to adapt the tools to the realities encountered during fieldwork and get representative results.

Data entry monitoring was also conducted throughout the surveys using the SNAP Survey software. The incongruities observed in the database were processed and corrected simultaneously with the field work (see Appendix 4-2 for the databases and photos of the community and household surveys which will be appended to the final RAP, and Appendix 4-3 for signature sheets). An atlas presenting the agricultural areas and location of affected buildings is also presented in Appendix 4-4.

Sections 4.2 and following present the data for the 28 villages that the line could potentially affect as well as the 683 households physically and/or economically affected by the Project. The survey was held along the entire project footprint. In each village crossed by the project, village leaders and their councillors were first interviewed, followed by households affected by the wayleave.



Photo 4-1 Field Work Team in Mwanza

4.1.1 CUT-OFF DATE

4.1.1.1 JUSTIFICATION AND TIMING

In the context of resettlement, a cut-off date is the date after which new occupants or assets built in the wayleave are not eligible for compensation. The establishment of a cut-off date is required to prevent people from migrating into the selected sites in hopes of receiving compensation. Therefore, establishment of a cut-off date is of critical importance. The cut-off date must however be communicated effectively to potential PAPs and the surrounding local villages/communities.

Malawian legislation does not provide for the declaration of a cut-off date. In order to comply with OP 4.12, the RAP consultant and ESCOM have worked collaboratively to decide on a cut-off date and its publication process after consultation with relevant stakeholders on the subject.

One of the objectives for the first consultation round was to collect comments from key stakeholders on publication of the cut-off date (see section 3.3.1). To that effect, key stakeholders such as the Lands Department, Ministry of Lands, affected district land officers as well as the Regional Lands Officer/ Principal Valuation Officer were met in various meetings held between March 12 and 18, 2019. In particular, the Regional Lands Officer mentioned in one of those meetings that when a cut-off date is set, usual practice in Malawi is to set it at the end of the PAP Census. No mention of a clear and defined legal publication procedure was made.

In consultation with ESCOM, the cut-off date has therefore been set for April 26, 2019, which was planned to be at the end of the RAP census. The cut off date was announced from April 2 to 4 according to the day of the public awareness meeting with the community (see community consultation registers - public awareness meetings). Nevertheless, the census survey was completed on May 5, 2019, after the cut off date. However, all PAPs, even those surveyed after the cut off date, signed the inventory sheet. The signed inventory sheet has all records for the property that was present on the cut off date and beyond, if any. Hence, the validity of the cut off-date, in terms of property to be valued, is not affected.

4.1.1.2 ANNOUNCEMENT

The process for announcing the cut-off date was developed and implemented collaboratively by the RAP consultant and ESCOM. It involved both public and individual announcements.

Public announcements target the national population at large as well as that of the Project area. To this end, official announcements in English and Chichewa (see Appendix 4-5) were published in national papers as well as on ESCOM's website¹ prior to beginning of the inventories. Following that publication, the same official announcements were printed and posted by the RAP survey team in communities crossed by the Project, making sure the announcement of the cut-off date had been made available to inhabitants of the affected communities themselves². Publications were made as follows:

- Daily Times/ Malawi News: March 31, April 4, April 9, and April 16;
- The Nation/Week End Nation: March 28, April 2, April 6, and April 13;
- ESCOM website: March 26, 2019, still available as of January 10, 2020;
- Communities affected by the Project: During RAP inventories (ex., discussions with each PAP, consultations with the communities, including the population and the leaders, etc.).

¹ <http://www.escom.mw/downloads.php#>.

² The consultations, as well as the socioeconomic census/survey, raised awareness of the prohibition to build any new structures in the wayleave after the cut off date. The village chiefs are responsible for advising their villagers of this ban and reminding them that compensations will not be granted for these structures.

Individual announcements are meant to inform or remind every PAP of the cut-off date. All survey interviews therefore ended with a mention and explanation of the cut-off date, as per the survey questionnaire attached in Appendix 4-1.

4.2 COMMUNITY CHARACTERISTICS

The Mozambique-Malawi Interconnection Project will be implemented in the Southern Region of Malawi. The Project crosses three of the 13 districts of the region, namely Mwanza, Neno and Balaka, five Traditional Authorities (TAs) as well as 28 communities. Of the communities crossed, only 35.7% are connected to the electricity grid (10 communities).

Table 4-1 shows the administrative divisions involved in the Project, an estimate of their populations and the status of the network connection.

Table 4-1 Communities Crossed by the Line Route from the Mozambican Border to Phombeya Substation

District	Traditional Authority	Locality / Village	Population (number of inhabitants)	Connected to the Power Grid
Mwanza	TA Nthache	Mkulira	800	No
Mwanza	TA Nthache	Golowa	1,450	No
Mwanza	TA Nthache	Kasapha	1,680	No
Mwanza	TA Nthache	Kagonamwake	1,986	No
Mwanza	TA Nthache	Kagulo	3,121	No
Mwanza	TA Nthache	Dzilima	2,700	No
Mwanza	TA Nthache	Biriwiri	540	No
Mwanza	TA Kanduku	Siledi	2,250	No
Mwanza	TA Kanduku	Chilimbira	720	No
Mwanza	TA Kanduku	Mulongolora	1,400	No
Neno	TA Mlauli	Chasesa	2,280	No
Neno	TA Mlauli	Kazunga	1,626	Yes
Neno	TA Mlauli	Dzikolatha	400	No
Neno	TA Mlauli	Jonathan	2,500	Yes
Neno	TA Mlauli	Chapita	3,000	Yes
Neno	TA Symon	Liyenda	850	Yes
Neno	TA Symon	Joseph	894	No
Neno	TA Symon	Mtingala	1,930	Yes
Neno	TA Symon	Chikapa	4,326	Yes
Neno	TA Symon	Kandoje	2,000	No
Neno	TA Symon	Chikwekwe	2,162	No
Neno	TA Symon	Mbemba	600	Yes
Neno	TA Symon	Kamwamba	2,304	Yes
Neno	TA Symon	Mkoka	500	Yes
Neno	TA Symon	Salafosi	550	No
Neno	TA Symon	Phokoso	450	No
Balaka	TA Chanthunya	Yonamu	630	No
Balaka	TA Chanthunya	Phombeya (group village)*	2,646	Yes

Notes: The populations of the communities crossed are based on an estimate of the village chiefs and their representatives.

* In the report data, Phombeya also covers Mpandasoni village.

4.2.1 SOCIOECONOMIC AND CULTURAL CHARACTERISTICS

4.2.1.1 ETHNIC GROUPS

In the three districts crossed by the wayleave, the Chewa, the Ngoni and the Lomwe are the main ethnic groups, and represent respectively 30.8%, 28.4%, and 20.9% of the populations in the affected villages (Table 4-2).

Among villages crossed by the project, the Ngoni are more numerous in the Balaka district (44.2%), followed by the Lomwe (33.8%).

In Mwanza district, the Chewa form the main part of the populations (70.4%), and in Neno district, the Ngoni (36.6 %) and the Lomwe (27%) represent the main portion of the populations in the affected villages.

No indigenous groups are present throughout this project. The present groups participate in the community and political life of Malawi and do not claim ancestral territory in this area.

Table 4-2 Ethnic Groups of Community Populations Crossed by the Project

Population Ethnic groups		District (%)			Total
		Balaka	Mwanza	Neno	
Ethnic Group	Chewa	5.8	70.4	8.9	30.81
	Ngoni	44.2	12.2	36.6	28.38
	Lomwe	33.8	8.6	27.0	20.86
	Mang'anja	12.1	6.7	14.2	11.37
	Yao	4.0	0.0	4.2	2.69
	Nyanja	0.0	0.0	4.3	2.43
	Sena	0.0	0.0	3.9	2.21
	Nyugwi	0.0	1.0	0.0	0.35
	Tumbuka	0.0	0.0	0.5	0.27
	Other	0.0	0.0	0.2	0.12
	Do not know	0.0	0.2	0.0	0.09

Some special groups were identified in three villages crossed by the wayleave. 15 pastoralists are in the group village of Phombeya (Balaka district), 8 migrants are in Liyenda (Neno district), and the village of Mkulira (Mwanza district) hosts five pastoralists, five migrants, and five refugees, which represents almost 2% of the population of this village. In the two other villages, the special groups are below 1% of the population.

4.2.1.2 RELIGION

Populations of the villages crossed by the wayleave are predominantly Christian (82.3%) (Table 4-3). This category includes the Catholic and the Protestant as well as all its movements (e.g.: evangelist), denominations and associated currents, but excludes Jehovah's Witnesses. 13.6% of the population are Muslims, but two villages (Dzilima in Mwanza, and Kazunga in Neno) are composed of more than 85% of Muslims. Finally, two villages in Mwanza display a relatively higher rate of traditional religion (22% in Chilimbira and 20% in Kagulo), compared to the other villages.

Table 4-3 Religions of Community Populations Crossed by the Project

Population Religions		District (%)			Total
		Balaka	Mwanza	Neno	
Religion	Christian	88.1	72.8	87.7	82.3
	Muslim	11.9	18.7	10.6	13.6
	Traditional / Ethnic religion / Animist	0.0	8.6	1.8	4.1
	Other	0.0	0.0	0.0	0.0

4.2.1.3 OCCUPATIONS

Villagers in communities crossed by the Project are mostly farmers (76.1%) (Table 4-4). Self-employment is the second occupation (19.0%). In one of the Balaka district villages (Yonamu), 95.0% of the villagers are self-employed. Neno district also includes villages with a high rate of self-employed, namely Mkoka (80.0%), Salafosi and Jonathan (60.0%). Moreover, two villages of this district show a high rate of public servants (Jonathan 15.0%, and Kamwamba 13.0%). The highest proportion of pastoralists (10.0%) is in Kagulo (Mwanza), and includes 312 persons.

Table 4-4 Occupations in Communities Crossed by the Project

Population Occupations		District (%)			Total
		Balaka	Mwanza	Neno	
Occupation	Farmer	57.3	88.0	71.0	76.1
	Self-employed	36.0	9.3	22.9	19.0
	Public employee	2.4	0.4	4.1	2.7
	Pastoralist	2.6	2.1	1.1	1.6
	Private employee	0.8	0.1	1.0	0.7

4.2.1.4 SPECIAL GROUP – MOZAMBICAN MIGRANTS

The Project area counts a limited number of Mozambicans who sought refuge in Malawi during the Mozambican civil war or other periods of turmoil. Other Mozambicans may also be living in Malawi, considering that the border is in many places unmarked and undefended, and that people on both sides of the border often speak the same language. Mozambicans living in Malawi constitute a special group for the purpose of the present RAP and were the object of specific investigations aimed at determining whether they are susceptible to suffering disproportionately due to the Project because of their nationality whether they are PAPs or not.

As mentioned in section 4.3.1, only one PAP is a Mozambican migrant. His profile can be found in his individual asset summary sheet (PAP #8 from Mwanza district), found in Appendix 4-6.

Communities living near the border also count a limited number of Mozambicans which are not directly affected by the project. One such family was interviewed in a targeted data collection meeting held in Mkulira on July 23, 2019, in order to provide a general appreciation of the presence of Mozambicans in the Project area. Minutes of that meeting are found in Appendix 4-7, and do not constitute a full research on Mozambicans in the Project area.

According to interviewees, 4 families of Mozambican refugees live in Mkulira, counting 16 people in total. It was later learned that of those families returned to Mozambique, 3 families are left.

This figure indicates that presence of Mozambicans near the border is not exceptional but not widespread either. It also indicates that the situation is fluid and that the number of Mozambicans in Malawi is susceptible to change over time.

The family interviewed mentioned making a living by doing piece work from the other community members and shoe repairing, accumulating enough resources to secure a piece of land suitable for agriculture, which is not affected by the Project. They were to start cultivating it in the 2019/2020 growing season. They mentioned that in their situation, the Project could have potential indirect impacts if PAPs currently in their client base were relocated far from the village. This information indicates that the Project would not be susceptible to having significant indirect impacts for migrants who are not PAPs, if RAP implementation is designed and implemented to minimize impacts on communities and avoid disruptions to the community structures.

No assistance from NGOs was mentioned in the interview. However, the migrant family mentioned not having any challenge on land as well as other social services like schools and hospitals because they access them without problem.

4.2.1.5 MATRILINEAL SOCIETY

As mentioned at the end of section 3.3.2.1, women focus group meetings conducted during consultations round 2 revealed a few reasons why even in a part of the country with a matrilineal land holding system, many land parcels have been declared as owned by men:

- Men are commonly the heads of households, and thus it is a sign of respect to register the land in their names;
- Men are usually the ones developing the land (house construction and tree plantation). Therefore, despite it being the women's, they are sometimes considered better at handling land issues and negotiations;
- In some cases, it has been reported that either the men took advantage of the women, or that the women declared the land in the men's names out of fear and to avoid conflicts in the family;
- Some women were not present during the asset evaluation exercise, and so it is possible their husbands claimed ownership of the land;
- Some women did not have national ID;
- Some women married and moved to other areas, leaving the land to their brothers. In those cases, the land parcels do indeed belong to the men.

According to the RAP team's national sociologist, other legitimate situations can also occur where men can own land:

- Men are sometimes allocated land by their parents/relatives, depending on the availability of land, after allocating to their sisters;
- Some men inherit land from their parents/relatives;
- Sometimes the men can take their wives to their home village, depending on availability of land for residential and agricultural activities in the man's area and it's allowed only by marriage counsellors (ankhoswe) agreement. In that case the man has ownership and control of the land resource and this is common nowadays (from informal consultations with a village chief in Mwanza district);
- Men can buy land in which they are the owners.

Consultation results above highlight that land ownership by men in the Project area is sometimes legitimate and/or accepted by the communities, and sometimes less legitimate. Hence, land ownership should not automatically be awarded to the wife in the RAP implementation even if the Project area is matrilineal. However, it seems clear that 1 - land ownership of parcels will need to be validated at the RAP survey update stage with husband, wife, and community representatives present. 2 - in all cases, it is recommended that women co-sign for compensations. Those measures are indicated in section 7.1.1.2.

4.2.2 COMMUNITY INFRASTRUCTURE AND SERVICES

4.2.2.1 COMMUNITY INFRASTRUCTURE

A total of 386 community infrastructures are in villages crossed by the wayleave, including both those affected and unaffected by the Project. 258 of them are in Neno district.

There are 18 school infrastructures in affected villages. Of those, 14 primary schools and high schools are in Neno district. 11 of the 28 villages crossed by the wayleave don't have any school infrastructure (Table 4-5).

In terms of health infrastructure, villages of Neno district count five health clinics, and there is an additional one in Mwanza district. There is no hospital nor health center among the 28 communities.

In the commercial sphere, Neno district holds two markets (in Dzikolatha and Kandoje). Nine other trading centers are present in affected communities. No slaughterhouse is present in the affected villages.

Neno district includes most of the communities crossed by the wayleave (16 out of 28) and also the largest amount of other infrastructure: 109 water supply facilities, 24 heritage and cultural centers, 10 machinery and production centers, five lodging facilities, two administrative buildings and one police center. Two other administrative buildings are also located in Mwanza district. All villages in Balaka and Mwanza districts also own water supply facilities and heritage or cultural sites. Almost half of them have a machinery and production center as well.

Finally, almost all affected villages count at least a mosque, and three villages (in Neno) count a church.

Table 4-5 Infrastructure in Communities Crossed by the Project

Infrastructure		District						Total	
		Balaka		Mwanza		Neno			
Percentage of communities with at least one infrastructure (%) and number of infrastructures (No)									
School	Primary	50.0%	(1)	30.0%	(3)	75.00%	(12)	57.1%	(16)
	Secondary	0.0%	(0)	0.00%	(0)	6.25%	(1)	3.6%	(1)
	Tertiary	0.0%	(0)	0.0%	(0)	6.3%	(1)	3.6%	(1)
Health facility	Health center	0.0%	(0)	0.0%	(0)	0.0%	(0)	0.0%	(0)
	Public health clinic	0.0%	(0)	10.0%	(1)	25.0%	(4)	17.9%	(5)
	Private health clinic	0.0%	(0)	0.0%	(0)	6.3%	(1)	3.6%	(1)
	Mission hospital	0.0%	(0)	0.0%	(0)	0.0%	(0)	0.0%	(0)
	District hospital	0.0%	(0)	0.0%	(0)	0.0%	(0)	0.0%	(0)
Religious sites	Church	0.0%	(0)	0.0%	(0)	18.8%	(3)	10.7%	(3)
	Mosque	100.0%	(16)	80.0%	(28)	93.8%	(83)	89.3%	(127)
	Other religious sites	0.0%	(0)	0.0%	(0)	0.0%	(0)	0.0%	(0)
Market/Trading center	Market	0.0%	(0)	0.0%	(0)	12.5%	(2)	7.1%	(2)
	Trading center	50.0%	(1)	20.0%	(2)	37.5%	(6)	32.1%	(9)
Slaughterhouse		0.0%	(0)	0.0%	(0)	0.0%	(0)	0.0%	(0)
Administrative buildings		0.0%	(0)	20.0%	(2)	12.5%	(2)	14.3%	(4)
Heritage or cultural site		100.0%	(5)	100.0%	(15)	93.8%	(24)	96.4%	(44)
Machinery/Production centre		50.0%	(2)	40.0%	(4)	37.5%	(10)	39.3%	(16)
Water supply facilities		100.0%	(10)	100.0%	(41)	93.8%	(109)	96.4%	(160)
Lodging facilities		0.0%	(0)	0.0%	(0)	18.8%	(5)	10.7%	(5)
Police centre		0.0%	(0)	0.0%	(0)	6.3%	(1)	3.6%	(1)
Number of infrastructures			34		94		258		386

4.2.2.2 AVAILABLE WORKFORCE

Workers from various sectors are encountered in the different villages crossed by the wayleave (Table 4-6). Most of these villages (around 90 %) present carpenters, masons, taxi drivers, and painters. Welders are found in half of them, and electricians and mechanics in more than a third of villages. Heavy machinery operators are found in two villages. Even though experienced pylon assemblers are not numerous (11 persons in total), some of the people in the wayleave area could participate in the project construction, based on their specific skills.

Table 4-6 Workforce in Communities Crossed by the Project

Workforce	District (%)			Total
	Balaka	Mwanza	Neno	
Experienced pylon assembler	0.0	10.0	6.3	7.1
Carpenter	100.0	100.0	87.5	92.9
Welder	50.0	30.0	62.5	50.0
Electrician	100.0	30.0	37.5	39.3
Truck driver	50.0	20.0	18.8	21.4
Taxi (car, tricycle, and motorcycle)	100.0	90.0	93.8	92.9
Heavy machinery operator (shovel operator, caterpillar, etc.)	50.0	10.0	0.0	7.1
Mechanic	50.0	30.0	37.5	35.7
Mason	100.0	90.0	93.8	92.9
Painter	100.0	90.0	87.5	89.3
Chainsaw operator	0.0	0.0	0.0	0.0
Commercial farm workers	0.0	50.0	25.0	32.1
Other workforces	0.0	0.0	0.0	0.0
Number of villages	2	10	16	28

Note: The percentages presented in the table correspond to the number of villages crossed where these types of workers are found.

4.2.2.3 AVAILABLE SERVICES

Different service providers are available within the project area (Table 4-7). Villages in Mwanza and Neno districts are the most resourceful ones. As an example, in Neno, Jonathan offers materials, restaurants, rest houses and entertainment services), and Chapita offers truck or lorry services, mechanical services, and materials. Affected villages in Balaka district only offer mechanical services and materials (wood, stone, sand, cement, etc.). However, some villages are not equipped well enough to be part of needed services.

Table 4-7 Available Services in Communities Crossed by the Project

Services	District (%)			Total
	Balaka	Mwanza	Neno	
Trucks / lorry	0.0	10.0	12.5	10.7
Mechanical services (dealers, repairs. etc.)	50.0	30.0	31.3	32.1
Petroleum products (sales, storage, etc.)	0.0	20.0	0.0	7.1
Heavy machinery (crane, bulldozer, excavator. etc.)	0.0	0.0	0.0	0.0
Materials (wood, stone, sand, cement, etc.)	100.0	80.0	68.8	75.0
Restaurant	0.0	10.0	18.8	14.3
Sleeping place (hotel, lodge)	0.0	0.0	18.8	10.7
Logging companies	0.0	0.0	0.0	0.0
Bank / mobile money	0.0	0.0	0.0	0.0
Post office	0.0	0.0	0.0	0.0
Security company	0.0	0.0	0.0	0.0
Other services	0.0	20.0	37.5	28.6
Number of villages	2	10	16	28

Note: The percentages presented in the table correspond to the number of villages crossed where these types of workers are found.

To be noted that only two villages in Mwanza can offer a service of gas storage/petroleum (Kasapha and Mkulira). No village offers banking machines, banking services, post offices or security companies, nor logging or heavy machinery.

4.2.3 AFFECTED COMMUNITY STRUCTURES AND SITES

No community building, natural, ceremonial or patrimonial sites are affected in the Balaka district. However, one borehole and 20 community sites are affected in Mwanza district. These sites are forests or hills with natural trees (8), natural areas (forest³, grassland and scrubland) (8), and different places with sacred sites (4). Five community sites are also affected in Neno, including 3 hills with natural trees and 2 cemeteries (Table 4-8).

Map 4-1 specifies geographic locations of these various affected community structures and sites.



Photo 4-2 Nachilawe Sacred Site (Mulongolora Village)

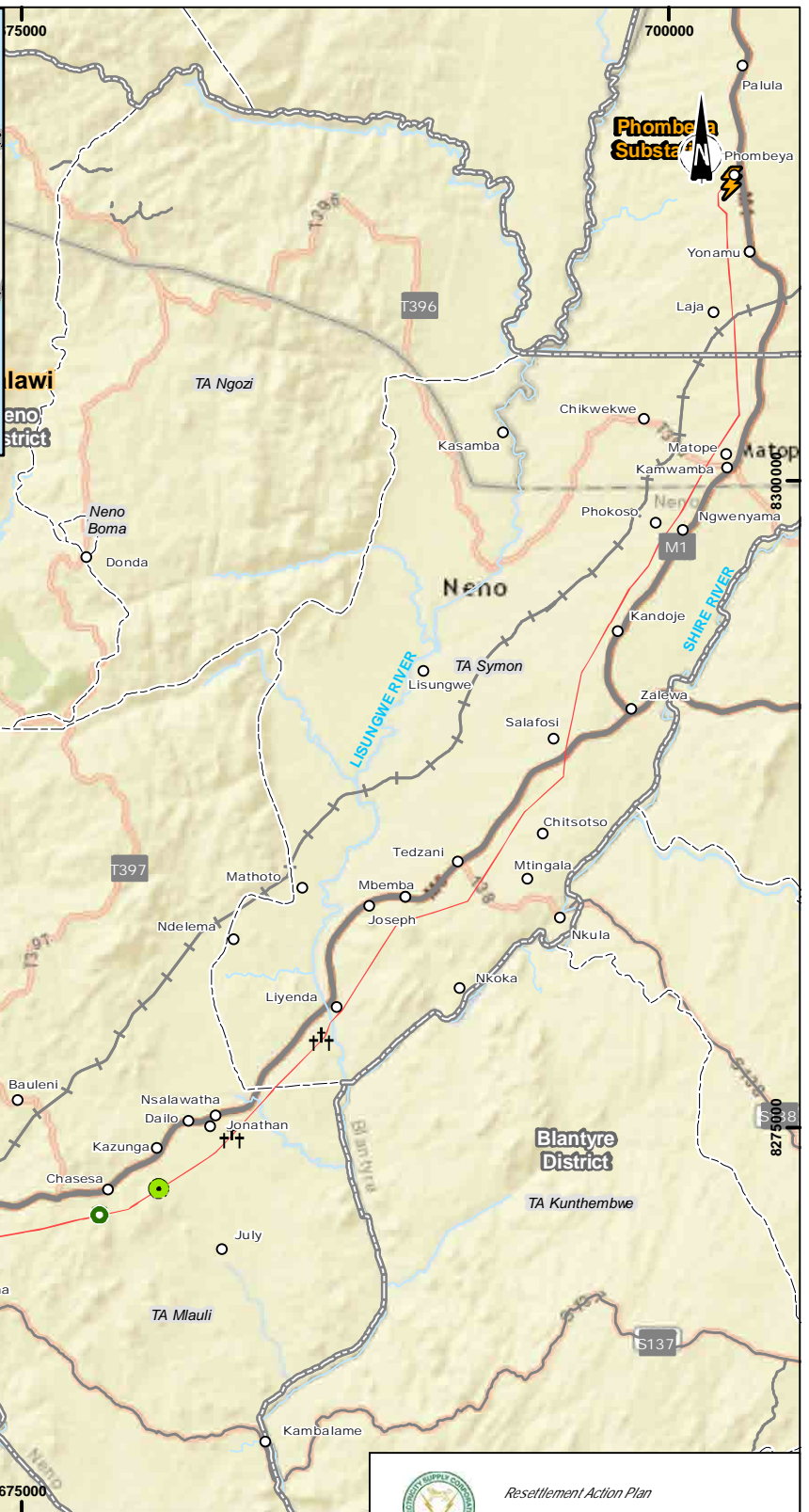


Photo 4-3 Forest with Natural Trees (Siledi Village)


³ Trees on community lands are mainly used as firewood.

Table 4-8 Community Structures and Sites Located in the Wayleave

Type	District (No)			Total
	Balaka	Mwanza	Neno	
Community structure				
Borehole	0	1	0	1
Community sites				
Cemetery	0	0	2	2
Forest with natural trees	0	1	0	1
Hill with natural trees	0	7	3	10
Natural area - forest	0	3	0	3
Natural area - grassland	0	1	0	1
Natural area - scrubland	0	4	0	4
Hill with natural trees + sacred place	0	1	0	1
Sacred site	0	1	0	1
Sacred site + natural forest	0	2	0	2
Total number of structures	0	1	0	1
Total number of sites	0	20	5	25



- | | | |
|--|---|---|
| <p>Project Components</p> <ul style="list-style-type: none"> Phombeya Substation (Under Construction) Proposed Line Route <p>Environmental and Social Issues</p> <ul style="list-style-type: none"> Forest Reserve or Private Estate | <p>Human Environment</p> <ul style="list-style-type: none"> City Airport District Boundary Traditional Authority Boundary International Boundary <p>Infrastructures</p> <ul style="list-style-type: none"> Primary Road Secondary Road Railroad | <p>Affected Community Assets</p> <ul style="list-style-type: none"> Cemetery Forest with natural trees Hill with natural forest Hill with natural trees Hill with natural trees and sacred place Natural area - forest Natural area - scrubland Sacred site Sacred site + natural forest |
|--|---|---|



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**Map 4-1
Location of Affected Community Assets**

Sources:
 Base map: ESRI World Street Map
 International Boundaries: Map Library, www.maplibrary.org
 District Boundaries: OCHA 2007
 Proposed Interconnexion Line: Lahmeyer International (April 2008), Mozambique - Malawi Transmission Interconnection Project
 Proposed Substations: Millennium Challenge Account (2015-12-17) and Lahmeyer International

Projection: WGS84, UTM Zone 36S

2020-01-15

Preparation: P. Alary-Paquette
 Drawing: C. Theriault
 Verification: P. Alary-Paquette
 181_17150_00_RAPMA_1_008_CommAssets_201115.mxd

4.3 AFFECTED HOUSEHOLD CHARACTERISTICS

As mentioned before, the project goes through Balaka, Mwanza and Neno districts, within which respectively 2, 10, and 16 communities are affected. The number of affected households is presented in Table 4-9. It should be noted that some of the heads of households were absent during the survey. Their absence was compensated in part by other community representatives and collaborative neighbours, however some questions regarding these households could not be answered.

Table 4-9 Number of Affected Households which Responded to the Socioeconomic Survey

Affected Household	District			
	Balaka	Mwanza	Neno	Total
Total number of responding affected households	14	305	338	656
Number of affected households whose head was absent and/or informant was unable to answer socioeconomic questions for him/her	2	9	26	37
Total number of affected households	16	308	359	693

Some characteristics of affected households are mentioned in individual asset summary sheets found in Appendix 4-6.

4.3.1 HEADS OF HOUSEHOLDS

Heads of affected households (HoHs) are mostly men (72.1%), while 27.9 are women. The highest proportion of female HoHs is in the Mwanza district (29.2%) (Table 4-10).

Most HoHs are married and monogamous (68.9%). A small proportion are married and polygamous (4.4%) with the highest polygamy rate in Mwanza district (6.9%), while none were inventoried in Balaka. Divorced persons represent 8.8% of the heads of households, and widows, almost 14%. The large majority of these two groups are women.

Inventoried HoHs are mostly employed by the informal sector. About 66.1% of HoHs are farmers, with almost half of them having both agricultural and livestock occupations. The proportion of farmers is lowest in Neno (58.6%) compared to Balaka (78.6%) and Mwanza (73.8%). Self-employed persons like merchants and craftsmen comes in second. Neno district is distinguished by a slightly larger number of these types of workers (23.4%), compared to the affected households in the two other districts (14.3% in Balaka and 16.7% in Mwanza).

A large majority of affected HOHs is Christian (83.8%), whether Catholic or Protestant, with mostly Protestants (including Evangelists). No other faiths were inventoried among Balaka HoHs.

In terms of education, most of the HoHs have a primary (56.1%) or high school level (21.0%) education. Some heads of households of Neno district also went to university (2.4 %) or had a tertiary education (2.7%). The highest number of HoHs reporting not having any formal education was in Mwanza (29.5%), compared to Balaka (14.3%) or Neno district (10.4%). A small number of HoHs also had an informal education, as a technical or vocational training (4.1%), mainly in Balaka (14.3%).

Regarding ethnicity, HoHs of the three districts are mainly Chewa (37.4%) and Ngoni (33.5%). However, a strong difference is noted between these districts. Thus, in Neno, among the 338 heads of households, 39.1% are Ngoni, followed by the Lomwe (28.4%), the Chewa (10.7%), and the Mang'anja ethnic groups (10.4%).

In Mwanza district, the heads of households are mainly Chewa (68.2%), followed by Ngoni (27.5%). Finally, in Balaka, about the third of the 14 heads of households are Lomwe, followed mainly by Ngoni (28.6%).

Table 4-10 Head of Household Characteristics

Sociodemographic Characteristic		District (%)			
		Balaka	Mwanza	Neno	Total
Gender	Male	85.7	70.8	72.7	72.1
	Female	14.3	29.2	27.3	27.9
Marital Status	Single	7.1	3.0	3.6	3.4
	Married – monogamous	78.6	66.9	70.3	68.9
	Married – polygamous	0.0	6.9	2.4	4.4
	Married – not specified	0.0	0.7	0.6	0.6
	Divorced / separated	0.0	7.2	10.7	8.8
	Widowed	14.3	15.4	12.4	13.9
	Do not know	0.0	0.0	0.0	0.0
Main occupation	Farmer	78.6	73.8	58.8	66.2
	Pastoralist	0.0	0.0	0.9	0.5
	Self-employed	14.3	16.7	23.1	20.0
	Private employee	0.0	2.6	3.3	2.9
	Public employee	0.0	0.7	2.1	1.4
	Do not know	0.0	1.3	6.5	4.0
	Other	7.1	4.9	5.3	5.2
Religion	Protestant (including Evangelical)	57.1	54.8	59.3	57.2
	Catholic	42.9	29.2	23.7	26.7
	Seventh Day Adventist	0.0	0.0	5.6	2.9
	Do not practice any religion (atheist)	0.0	4.3	0.6	2.3
	Other	0.0	1.6	3.0	2.3
	Abraham	0.0	3.0	0.6	1.7
	African international church	0.0	3.0	0.0	1.4
	CCAP	0.0	1.0	1.8	1.4
	Muslim	0.0	0.0	2.7	1.4
	DNK	0.0	0.7	0.9	0.8
	Zionist / Zion	0.0	0.3	1.2	0.8
	Jehovah's witnesses	0.0	1.3	0.0	0.6
	Assemblies of God	0.0	0.3	0.6	0.5
	Animist	0.0	0.3	0.0	0.2
	No religion (atheist)	0.0	0.3	0.0	0.2

Sociodemographic Characteristic		District (%)			
		Balaka	Mwanza	Neno	Total
Formal education	No formal education	14.3	29.5	10.4	19.4
	Primary	50.0	56.1	56.4	56.1
	Secondary	35.7	13.4	27.3	21.0
	Tertiary	0.0	0.3	2.7	1.5
	University	0.0	0.0	2.4	1.2
	Do not know	0.0	0.7	0.9	0.8
Informal education	No informal education	85.7	95.1	93.2	93.9
	Adult education	0.0	1.3	1.5	1.4
	Technical / vocational training	14.3	3.6	4.1	4.1
	Koranic School	0.0	0.0	0.0	0.0
	Do not know	0.0	0.0	0.0	0.0
	Other	0.0	0.0	1.2	0.6
Ethnic group	Lomwe	35.7	1.6	28.5	16.2
	Yao	14.3	0.0	4.2	2.4
	Nyanja	0.0	0.0	2.4	1.2
	Ngoni	28.6	27.5	38.9	33.4
	Sena	7.1	0.7	4.5	2.7
	Chewa	14.3	68.2	10.7	37.5
	Mang'anja	0.0	2.0	10.4	6.3
	Do not know	0.0	0.0	0.0	0.0
	Other	0.0	0.0	0.6	0.3
Number of responding households		14	305	337	656

Note: Rates are calculated based on the number of responding households, excluding absent households and those with a third party unable to respond.

One of the PAPs in Mwanza district is a non-citizen of Malawi. This Mozambican married a Malawian woman, and their land belongs to her. He is not a refugee from the Mozambican civil war. His profile can be found in his asset summary (#8), found in Appendix 4-6. It should also be noted that this number could be higher, considering that nationality could not be asserted for absent PAPs. The revised inventory to be done at the time of implementation should therefore take that into consideration.

4.3.2 HOUSEHOLD COMPOSITION

The average number of members in affected households goes from 5.1 in Neno district to 5.7 in Balaka. There are more women than men overall. This difference tends to increase with age.

Members of affected households are mainly young. In all three districts and excluding the HoHs, slightly more than half of the affected populations are less than 15 years of age (56%). They are 54.3% of the household members in Neno district, 56.8% in Mwanza, and 72.7% in Balaka. Overall, the largest proportion of the affected population is aged between 5 and 15 (43.5%). Men over 35 years of age represent 1% of the affected population, while women of the same age represent 9.2% (Table 4-11).

Table 4-11 Age Distribution of Affected Household Members (excluding HoHs)

Age Group	Gender	District (%)			
		Balaka	Mwanza	Neno	Total
0 - 4 years old	Male	6.1	6.4	5.4	5.9
	Female	7.6	7.0	6.2	6.6
	Total	13.6	13.4	11.5	12.5
5 - 15 years old	Male	36.4	20.7	20.3	20.9
	Female	22.7	22.7	22.4	22.5
	Total	59.1	43.4	42.8	43.5
16 - 35 years old	Male	9.1	14.2	15.2	14.6
	Female	13.6	19.3	18.5	18.7
	Total	22.7	33.4	33.6	33.2
36 - 54 years old	Male	0.0	0.9	1.2	1.0
	Female	4.5	6.1	7.8	6.9
	Total	4.5	7.1	8.9	8.0
55 years old and more	Male	0.0	0.6	0.4	0.5
	Female	0.0	2.0	2.7	2.3
	Total	0.0	2.7	3.1	2.8
Total	Male	51.5	42.8	42.5	42.9
	Female	48.5	57.2	57.5	57.1
	Total	100	100	100	100
Total number of members of responding households		66	1,272	1,376	2,714

Notes: Age distribution data excludes heads of households.
Rates are calculated based on the number of responding households, excluding absent households and those with a third party unable to respond.

Education levels are relatively similar between HoHs and other household members, and between males and females. Almost 80% of household members have a primary (63.3%) or secondary (14.1%) level education. However, 15.2% of women have a secondary, tertiary or university level education, compared to 18.8% for the men (Table 4-12). For the heads of households, this percentage rises to 23.7% (Table 4-10).

Table 4-12 Distribution of Highest Levels of Education Attained by Gender (excluding HoHs)

Gender	Education Level	District (%)			
		Balaka	Mwanza	Neno	Total
Female	No formal education	18.8	25.7	17.4	21.4
	Primary	75.0	65.3	61.0	63.3
	Secondary	6.3	8.9	19.2	14.1
	Tertiary	0.0	0.0	1.8	0.9
	University	0.0	0.0	0.4	0.2
	Do not know	0.0	0.0	0.3	0.1
Male	No formal education	20.6	22.6	15.9	19.2
	Primary	70.6	64.8	58.6	61.9
	Secondary	8.8	12.3	23.1	17.6
	Tertiary	0.0	0.2	1.9	1.0
Male	University	0.0	0.2	0.3	0.3
	Do not know	0.0	0.0	0.2	0.1
Total	No formal education	19.7	24.4	16.8	20.4
	Primary	72.7	65.1	60.0	62.7
	Secondary	7.6	10.4	20.8	15.6
	Tertiary	0.0	0.1	1.8	1.0
	University	0.0	0.1	0.4	0.2
	Do not know	0.0	0.0	0.2	0.1
Total number of women in responding households		32	727	791	1,550
Total number of men in responding households		34	545	585	1,164
Total number of individuals in responding households		66	1,272	1,378	2,714

Notes: Data excludes heads of households.
Rates are calculated based on the number of responding households, excluding absent households and those with a third party unable to respond.

4.3.3 HOUSEHOLD INCOME AND ASSETS

Household incomes are known to be diverse. Knowing, as mentioned before, that most HoHs are farmers (66.1%) it is not surprising that agriculture is the main source of income.

4.3.3.1 CROP PRODUCTION

Over the last year, more than half of the affected households (61.9%) cultivated maize and 17.7% were able to make an income through the sale of part of its production, while the rest was used for auto-consumption (Table 4-13). Mwanza district households had the highest maize production; approximately 321,417 kg were produced and about a quarter was sold (Table 4-14).

Pigeon peas are also largely cultivated with 42.2% of the households producing 89,200 kg in total, of which a large proportion is sold. Moreover, more than the third of the households also cultivate groundnut (32.3%), with more than the half of that production sold (32,534 kg). Mwanza district households seem to have a diverse agricultural production as more of them grow almost all crops under consideration, except for cowpeas. Almost half of this annual production is sold (4,900 kg). Sorghum, sweet potato, cassava, pumpkin, and beans are among the other crops cultivated in a lesser rate, and mostly in Mwanza.

Finally, in Mwanza and Neno, cotton, hyacinth bean, leafy vegetables, and beans are almost only cultivated as cash crops. These crops are not cultivated by Balaka affected households.

Table 4-13 Crop Production and Sales by Affected Households (%)

Crop	District ()						Total	
	Balaka		Mwanza		Neno			
	Produces . Grows or Owns	Sells	Produces . Grows or Owns	Sells	Produces . Grows or Owns	Sells	Produces . Grows or Owns	Sells
Bambara nuts	0.0	0.0	0.3	0.0	0.0	0.0	0.2	0.0
Beans	0.0	0.0	8.9	4.9	3.6	2.1	5.9	3.4
Black eyed peas	0.0	0.0	5.6	3.6	5.6	2.1	5.5	2.7
Cabbages	0.0	0.0	1.0	0.7	0.0	0.0	0.5	0.3
Cassava	0.0	0.0	8.5	6.6	1.2	1.2	4.6	3.7
Cotton	0.0	0.0	0.3	0.3	3.9	3.6	2.1	2.0
Cowpeas	35.7	0.0	10.2	4.9	15.7	5.9	13.6	5.3
Cucumber	0.0	0.0	1.6	0.3	5.9	1.5	3.8	0.9
Ground beans	0.0	0.0	0.3	0.3	0.3	0.0	0.3	0.2
Groundnuts	7.1	0.0	38.4	27.9	27.9	12.2	32.3	19.2
Hyacinth beans	0.0	0.0	0.3	0.3	0.0	0.0	0.2	0.2
Irish	0.0	0.0	0.3	0.3	0.0	0.0	0.2	0.2
Leafy vegetables	0.0	0.0	1.3	1.0	0.6	0.6	0.9	0.8
Maize	57.1	0.0	67.5	29.2	57.0	8.0	61.9	17.7
Millet	0.0	0.0	4.3	2.6	0.9	0.0	2.4	1.2
Mustard	0.0	0.0	0.3	0.3	0.0	0.0	0.2	0.2
Pigeon peas	14.3	7.1	66.2	51.5	21.7	10.4	42.2	29.4
Pumpkins	0.0	0.0	6.6	1.0	8.3	2.4	7.3	1.7
Rice	0.0	0.0	0.3	0.0	0.0	0.0	0.2	0.0
Sorghum	0.0	0.0	14.8	8.9	5.0	1.8	9.5	5.0
Soya beans	0.0	0.0	0.7	0.3	0.6	0.3	0.6	0.3
Sugarcane	0.0	0.0	6.9	3.0	2.4	1.5	4.4	2.1
Sweet potatoes	0.0	0.0	13.1	8.5	6.8	3.6	9.6	5.8
Tobacco	0.0	0.0	0.3	0.3	0.0	0.0	0.2	0.2
Tomatoes	0.0	0.0	2.6	2.6	0.0	0.0	1.2	1.2
Vegetables	0.0	0.0	0.7	0.3	0.9	0.9	0.8	0.6
Watermelon	0.0	0.0	0.0	0.0	0.9	0.9	0.5	0.5

Table 4-14 Crop Production and Sales by Affected Households (kg)

Crop	District						Total	
	Balaka		Mwanza		Neno		Quantity Produced	Quantity Sold
	Quantity Produced	Quantity Sold	Quantity Produced	Quantity Sold	Quantity Produced	Quantity Sold		
Bambara nuts	0	0	25	0	0	0	25	0
Beans	0	0	1,975	1,190	4,000	3,050	5,975	4,240
Black eyed peas	0	0	2,859	1,600	2,710	420	5,569	2,020
Cabbages	0	0	3,000	2,900	0	0	3,000	2,900
Cassava	0	0	7,025	4,550	1,150	950	8,175	5,500
Cotton	0	0	200	200	5,720	5,670	5,920	5,870
Cowpeas	225	0	3,135	1,500	6,675	3,400	10,035	4,900
Cucumber	0	0	335	18	2,480	325	2,815	343
Ground beans	0	0	150	100	50	0	200	100
Groundnuts	100	0	33,818	20,034	25,995	12,500	59,913	32,534
Hyacinth beans	0	0	250	200	0	0	250	200
Irish	0	0	200	50	0	0	200	50
Leafy vegetables	0	0	4,000	3,500	1,950	1,950	5,950	5,450
Maize	1,400	0	202,643	56,140	117,374	21,050	321,417	77,190
Millet	0	0	1,710	765	250	0	1,960	765
Mustard	0	0	500	500	0	0	500	500
Pigeon peas	150	50	67,410	47,255	21,640	14,620	89,200	61,925
Pumpkins	0	0	1,922	303	10,451	5,890	12,373	6,193
Rice	0	0	50	0	0	0	50	0
Sorghum	0	0	5,570	2,480	2,160	1,250	7,730	3,730
Soya beans	0	0	300	250	150	50	450	300
Sugarcane	0	0	2,670	1,995	1,200	800	3,870	2,795
Sweet potatoes	0	0	12,880	7,285	7,825	5,100	20,705	12,385
Tobacco	0	0	300	300	0	0	300	300
Tomatoes	0	0	11,150	11,100	0	0	11,150	11,100
Vegetables	0	0	1,950	1,750	9,050	9,050	11,000	10,800
Watermelon	0	0	0	0	2,050	1,680	2,050	1,680

4.3.3.2 LIVESTOCK

Most affected HoHs are not big livestock farmers and the diversity of farmed livestock is therefore limited (Table 4-15). However, most households own at least one animal. In Neno, some households own more than 50 animals (mostly chickens, but also cows and goats for two of them).

Almost half of households own poultry (47.6%). This livestock is particularly important for affected households in Neno (51.9% own them), and less so in Balaka (28.6%). Although this breeding is done for selling, it is mainly used for personal consumption as presented in Table 4-16.

Goats are also important animals, particularly in Neno district where 38.5% of the impacted households breed them. The average number of goats per household is similar in all districts (7 animals on average for Neno, 7 for Mwanza, and 11 for Balaka). Like for the other animals, some of them are sold, thus 411 goats out of 1,898 were sold in the villages crossed by the Project.

The responding households also breed pigs (10.7%), cows (6.6%), and a smaller proportion of them also own pigeons, sheep and rams for their own consumption and for sale.

Table 4-15 Livestock Breeding by Affected Households (% of households)

Animal		District						Total	
		Balaka		Mwanza		Neno			
Cow	Nb of households that own / sell	2	0	8	4	33	9	43	13
	% of households that own / sell	14.3%	0.0%	2.6%	2.5%	9.8%	4,0%	6,6%	2,0%
	Average number owned / sold	1.5	-	7.1	2.3	12.9	12,6	11,5	9,4
	Uses	Self-consumption	0.0%		75.0%		54.5%		55.8%
Exchange		0.0%		0.0%		0.0%		0.0%	
Sale		100.0%		62.5%		66.7%		67.4%	
Pig	Nb of households that own / sell	1	0	58	25	11	8	70	33
	% of households that own / sell	7.1%	0.0%	19.0%	15.5%	3.3%	3,6%	10,7%	5,0%
	Average number owned / sold	2.0	-	4.9	3.6	6.9	3,0	6,5	3,5
	Uses	Self-consumption	0.0%		51.7%		72.7%		54.3%
Exchange		0.0%		3.4%		0.0%		2.9%	
Sale		100.0%		63.8%		54.5%		62.9%	
Chicken	Nb of households that own / sell	4	0	133	66	175	64	312	130
	% of households that own / sell	28.6%	0.0%	43.6%	41.0%	51.9%	28,4%	47,6%	19,8%
	Average number owned / sold	8.3	-	13.2	9.2	15.7	15,2	16,5	12,2
	Uses	Self-consumption	100.0%		94.0%		94.3%		94.2%
Exchange		0.0%		4.5%		0.6%		2.2%	
Sale		25.0%		63.2%		51.4%		56.1%	
Goat	Nb of households that own / sell	3	3	81	45	151	72	235	120
	% of households that own / sell	21.4%	60.0%	26.6%	28.0%	44.8%	32,0%	35,8%	18,3%
	Average number owned / sold	11.0	3.7	7.2	3.7	7.3	3,2	8,1	3,4
	Uses	Self-consumption	66.7%		51.9%		66.2%		61.3%
Exchange		0.0%		3.7%		0.7%		1.7%	
Sale		100.0%		79.0%		64.2%		69.8%	
Sheep	Nb of households that own / sell	0	0	0	0	3	1	3	1
	% of households that own / sell	0.0%	0.0%	0.0%	0.0%	0.9%	0,4%	0,5%	0,2%
	Average number owned / sold	-	-	-	-	19.0	7,0	19,0	7,0
	Uses	Self-consumption	-		-		33.3%		33.3%
Exchange		-		-		0.0%		0.0%	
Sale		-		-		100.0%		100.0%	

Animal		District						Total		
		Balaka		Mwanza		Neno				
Ram	Nb of households that own / sell	0	0	1	1	0	0	1	1	
	% of households that own / sell	0.0%	0.0%	0.3%	0.6%	0.0%	0,0%	0,2%	0,2%	
	Average number owned / sold	-	-	15.0	2.0	-	-	17,0	2,0	
	Uses	Self-consumption	-		100.0%		-		100.0%	
		Exchange	-		0.0%		-		0.0%	
Sale		-		100.0%		-		100.0%		
Pigeon	Nb of households that own / sell	0	0	10	4	6	2	16	6	
	% of households that own / sell	0.0%	0.0%	3.3%	2.5%	1.8%	0,9%	2,4%	0,9%	
	Average number owned / sold	-	-	19.4	10.5	14.7	4,0	20,3	8,3	
	Uses	Self-consumption	-		100.0%		83.3%		93.8%	
		Exchange	-		20.0%		0.0%		12.5%	
Sale		-		60.0%		66.7%		62.5%		
Other	Nb of households that own / sell	0	0	0	0	1	0	1	0	
	% of households that own / sell	0.0%	0.0%	0.0%	0.0%	0.3%	0,0%	0,2%	0,0%	
	Average number owned / sold	-	-	-	-	4.0	-	4,0	-	
	Uses	Self-consumption	-		-		100.0%		100.0%	
		Exchange	-		-		0.0%		0.0%	
Sale		-		-		100.0%		100.0%		
Number of households that practice livestock breeding		5		161		225		391		
Number of responding households		14		305		337		656		

Note: Rates are calculated based on the number of responding households, excluding absent households and those with a third party unable to respond.

4.3.3.3 OTHER INCOME SOURCES

Aside from agriculture and breeding, affected households' other sources of income are not considered as very important due to their low popularity among households and low levels of income generated.

However, income from commerce or small-scale businesses, such as brewing and selling beer, and making and selling homemade items, generate income for 22.9% of the impacted household. Moreover, occasional work contracts are significant for about 24.1% of the impacted households. In Balaka, this number reaches 50% (Table 4-16).

Almost 20% of the households have also declared charcoal production as a source of income (30.3% in Neno, 8.5% in Mwanza, and 14.3% in Balaka). Moreover, wood collection is a source of income for 10.8% of the affected households in Mwanza, and for half of them (5%) in Neno.

Table 4-16 Other Sources of Income for Affected Households

Source of income	District (%)			
	Balaka	Mwanza	Neno	Total
Fishing	0.0	0.3	0.0	0.2
Hunting	0.0	0.0	0.3	0.2
Production of charcoal	14.3	8.5	30.3	19.8
Collection of wood	0.0	10.8	5.0	7.6
Business	28.6	16.1	21.7	19.2
Remittance	0.0	2.6	1.8	2.1
Pension	14.3	0.7	2.7	2.0
Money transfer (family)	0.0	1.6	12.5	7.2
Renting (land, house, etc.)	0.0	3.6	7.4	5.5
Salary (official)	0.0	3.9	6.8	5.3
Small scale business	0.0	5.9	1.8	3.7
Odd or casual contract work	50.0	18.4	28.2	24.1
Aid from non-governmental organization	0.0	3.3	0.0	1.5
Other sources	0.0	2.6	2.4	2.4
Number of responding households	14	305	337	656

Note: Rates are calculated based on the number of responding households, excluding absent households and those with a third party unable to respond.

4.3.3.4 LAND HOLDINGS

Affected households have an average of 1.6 parcels that they use both inside and outside the wayleave and have an average size of 12,716 m² (1.2 ha). This average size varies from 5,341 m² (0.5 ha) in Mwanza to 20,071 m² (2.0 ha) in Neno district (Table 4-17). The total surface area of the parcels used by Neno district affected households is 1,048 ha, while it is 40.9 ha for Balaka households.

Most of these parcels used by households are cultivated (53.6%). Other uses are for houses or stores (21%), planted trees (13%), or are savanna and natural bush (8.6%). These lands are mostly owned under customary law by the affected households (for 75.3% of the parcels). Note, however, that a significant proportion of the parcels was bought by the affected households (17.8%), with a higher percentage in Neno (26.8%) and a lower in Mwanza (8.7%).

Table 4-17 Number and Characteristics of Land Parcels Used by the Affected Households

Used Land Parcel		District			
		Balaka	Mwanza	Neno	Total
Average used land parcel per household (including affected lands)		1.6	1.7	1.5	1.6
Total land parcel area (ha)		40.9	284.2	1,045.7	1,370.7
Average land parcel area (ha)		1.6	0.5	2.0	1.3
Land parcel characteristics (%)					
Use	Crop growing	61.8	58.2	48.7	53.6
	House/store	26.5	21.8	20.0	21.0
	Rented to others	0.0	0.3	0.0	0.1
	Pasture	0.0	2.1	2.8	2.4
	Planted trees	0.0	13.7	12.8	13.0
	Savana -Natural bush	5.9	3.1	14.2	8.6
	Fallow	0.0	0.0	0.4	0.2
	Uncultivated (excluding fallow)	0.0	0.4	0.0	0.2
	Unusable	0.0	0.1	0.9	0.5
	Other	5.9	0.4	0.1	0.4
Total number of declared uses		34	780	794	1,608
Ownership / use rights	Leasehold / Certificate of ownership	4.2	0.6	0.6	0.6
	Customary law	66.7	85.1	66.1	75.3
	Bought	20.8	8.7	26.8	17.8
	Rented	0.0	1.9	1.3	1.6
	Borrowed	0.0	0.2	0.0	0.1
	Shared cropping	8.3	0.0	4.3	2.3
	Other form of tenure	0.0	3.6	0.9	2.2
Total number of declared ownerships / use rights		24	529	535	1,088
Ownership of the use rights	HoH	82.8	60.8	73.6	67.7
	Wife	10.3	35.2	21.4	27.7
	Son/Daughter	3.4	3.2	3.9	3.6
	Father of the HoH	0.0	0.0	0.2	0.1
	Mother of the HoH	3.4	0.2	0.2	0.2
	Other male relatives	0.0	0.2	0.5	0.3
	Other female relatives	0.0	0.5	0.3	0.4
Total number of declared ownership of the use rights		29	620	645	1,294
Number of used land parcels		25	532	521	1,078

Notes: The used land parcel characteristics are calculated based on the number of households that could provide this information. They exclude households that were absent or those with a third party unable to answer.

4.3.3.5 EQUIPMENT AND OTHER GOODS

The types of equipment most-owned by the affected households are mobile phones (58.9%), radios (39.0%), irons (14.5%), and televisions (10.7%). 38.5% of households have a bicycle, and less than 10% own a motorbike, a scooter, or a car, mainly in Neno for the latter (Table 4-18). Electric generators were barely observed in affected households of all three districts (1.7%).

Table 4-18 Equipment Owned by Affected Households

Household Facility	District (%)			
	Balaka	Mwanza	Neno	Total
Power generator	0.0	0.7	2.7	1.7
Gas cooker / kerosene	0.0	0.0	1.2	0.6
Refrigerator / fridge	7.1	1.0	8.6	5.0
Television	14.3	7.9	13.0	10.7
Radio / cassette / music system	42.9	33.8	43.6	39.0
Tape or CD / DVD player	0.0	5.2	13.3	9.3
Telephone / cellular	57.1	42.3	74.0	59.0
Sewing machine	0.0	2.3	6.2	4.3
Iron (for pressing clothes)	0.0	7.9	21.0	14.5
Electric or gas stove / hot plate	0.0	0.7	5.9	3.4
Car / truck	0.0	0.7	5.0	2.9
Motorbike / scooter	0.0	6.9	6.2	6.4
Bicycle	21.4	37.4	40.4	38.6
Plow	0.0	0.3	0.6	0.5
Ox cart	0.0	0.0	0.0	0.0
Town house	0.0	2.6	5.9	4.3
City land	0.0	3.0	3.3	3.0
Number of responding households	14	305	337	656

Note: Rates are calculated based on the number of responding households, excluding absent households and those with a third party unable to respond.

4.3.3.6 BUILDINGS

Roofs of affected household residences are mainly composed of thatch (50.0%) and corrugated iron sheets (48.8%). Burnt bricks (67.7%) and the mud bricks (27.9%) are preferred for wall construction (Table 4-19). As for the floors, they mainly consist in smoothed mud (49.2%) or smooth cement (29.3%), except for the affected households in the Mwanza district, where 33.8% have a floor composed of soil, sand, and hay.

Table 4-19 Characteristics of the Main Residence of Affected Households

Material		District (%)			
		Balaka	Mwanza	Neno	Total
Roof	Corrugated Iron Sheets	42.9	42.0	55.2	48.8
	Asbestos	0.0	1.0	0.3	0.6
	Concrete/cement	0.0	0.3	0.0	0.2
	Plastic canvas	0.0	0.0	0.3	0.2
	Thatch	50.0	56.4	44.2	50.0
	None	7.1	0.0	0.0	0.2
	Other	0.0	0.3	0.0	0.2
Walls	Burnt bricks	64.3	72.5	63.5	67.7
	Compacted	0.0	1.6	1.2	1.4
	Concrete	0.0	0.7	1.5	1.1
	Grass	0.0	0.0	0.3	0.2
	Mud	0.0	0.7	0.6	0.6
	Mud bricks	35.7	23.3	31.8	27.9
	Plain mud	0.0	0.7	0.9	0.8
	Wood	0.0	0.3	0.0	0.2
Floor	Other	0.0	0.3	0.3	0.3
	Earth/sand/dirt/straw	0.0	33.8	9.8	20.7
	Smoothed mud	71.4	43.0	54.0	49.2
	Smooth cement	28.6	22.6	35.3	29.3
	Ceramic tiles	0.0	0.3	0.6	0.5
Number of responding households		14	305	337	656

Note: Rates are calculated based on the number of responding households, excluding absent households and those with a third party unable to respond.

4.3.3.7 ENERGY

Affected households mainly use firewood (biomass) as a source of energy for cooking (90.1%) (Table 4-20), while Charcoal, much less popular as a cooking medium, is used by only 8.7% of the affected households.

As for lightning, torches are the most used in all three districts (82.2%). A small proportion of the responding households also use electricity (12.5% in Neno district, 3.3% in Mwanza, and none in Balaka). Surveys have shown that only 7.9% of affected households are connected to ESCOM's electricity grid.

Table 4-20 Energy Sources of Affected Households

Source		District (%)			
		Balaka	Mwanza	Neno	Total
Energy for cooking	Firewood	100.0	92.8	87.2	90.1
	Charcoal	0.0	7.2	10.4	8.7
	Electricity	0.0	0.0	2.1	1.1
	Diesel	0.0	0.0	0.0	0.0
	Generator	0.0	0.0	0.0	0.0
	Car batteries	0.0	0.0	0.0	0.0
	Batteries	0.0	0.0	0.0	0.0
	Other	0.0	0.0	0.3	0.2
Energy for lightning	Batteries	0.0	2.3	0.3	1.2
	Candles	7.1	3.0	1.5	2.3
	Car batteries	0.0	0.3	0.3	0.3
	Electricity (ESCOM)	0.0	3.3	12.5	7.9
	None	7.1	1.6	0.0	0.9
	Paraffin	0.0	1.6	0.3	0.9
	Solar energy	0.0	3.9	3.3	3.5
	Torch	78.6	83.6	81.0	82.2
Wood	7.1	0.3	0.9	0.8	
Number of responding households		14	305	337	656

Note: Rates are calculated based on the number of responding households, excluding absent households and those with a third party unable to respond.

4.3.3.8 DRINKING WATER

The main source of drinking water is boreholes, in all three districts and both in the dry and wet seasons (about 92%). Other sources of drinkable water supply, such as piped water, well, surface water, etc., are very little used (Table 4-21).

Table 4-21 Water Sources of Affected Households

Source		District (%)			
		Balaka	Mwanza	Neno	Total
Drinking water: dry season	Borehole	100.0	92.1	92.3	92.4
	Community well	0.0	1.3	0.3	0.8
	Piped community water	0.0	0.0	0.9	0.5
	Piped water in the house	0.0	0.3	4.7	2.6
	Piped water in yard	0.0	1.0	0.9	0.9
	River / lake	0.0	3.0	0.6	1.7
	Stream	0.0	0.0	0.3	0.2
	Well in the backyard	0.0	2.3	0.0	1.1
Drinking water: wet season	Borehole	100.0	92.8	91.4	92.2
	Community well	0.0	0.7	0.6	0.6
	Piped community water	0.0	0.0	0.9	0.5
	Piped water in the house	0.0	0.3	4.7	2.6
	Piped water in yard	0.0	1.0	0.9	0.9
	Rainwater	0.0	0.7	0.3	0.5
	River / lake	0.0	3.0	0.3	1.5
	Stream	0.0	0.0	0.9	0.5
Well in the backyard	0.0	1.6	0.0	0.8	
Number of responding households		14	305	337	656

Note: Rates are calculated based on the number of responding households, excluding absent households and those with a third party unable to respond.

4.3.4 HEALTH AND VULNERABILITY

4.3.4.1 HEALTH

The main healthcare facilities attended by affected households to receive health care are the district hospitals with 94.8% of Mwanza district's responding households. Responding households in Balaka district go to a health center (100%) and sometimes to a private health clinic (7.1%). Households in Neno district mainly frequent a health center (75.7%), a district hospital (14.8%) or a health clinic, either public (8.6%) or private (7.4%) (Table 4-23).

Table 4-22 Healthcare Facilities Attended by Affected Households

Location of Health Care	District (%)			
	Balaka	Mwanza	Neno	Total
Health Centre	100.0	3.6	75.7	42.7
Public health clinic	0.0	1.0	8.6	4.9
Private health clinic	7.1	0.3	7.4	4.1
Mission hospital	0.0	3.0	1.2	2.0
District hospital	0.0	94.8	14.8	51.7
Other	0.0	1.0	0.0	0.5
Number of responding households	14	305	337	656

Note: Rates are calculated based on the number of responding households, excluding absent households and those with a third party unable to respond.

Affected households must travel a considerable distance to access health care (Table 4-23). Only 11% of them walk less than 30 minutes to receive care. More than half of the respondents must walk between 30 minutes and 2 hours. In Mwanza, 42.3% of the households walk more than 2 hours to reach the desired healthcare facility.

Table 4-23 Walking Times from Home to Healthcare Facilities (excluding home care)

Walking Time	District (%)			
	Balaka	Mwanza	Neno	Total
Less than 30 minutes	14.3	2.3	18.7	11.0
30 minutes to 1 hour	71.4	30.5	37.1	34.8
1 hour to 2 hours	14.3	24.9	18.7	21.5
More than 2 hours	0.0	42.3	25.5	32.8
Number of responding households	14	305	337	656

Note: Rates are calculated based on the number of responding households, excluding absent households and those with a third party unable to respond.

In the last year, malaria was the main disease facing affected household members (88.9%). Other reported health problems, to a lesser extent, include influenza (32.8%), diarrhea (20.0%), and migraine (13.9%) (Table 4-24).

Table 4-24 Main Diseases Affecting Households in the Last 12 Months

Diseases	District (%)			Total
	Balaka	Mwanza	Neno	
Malaria	85,7	92,1	86,1	88,9
Influenza	21,4	40,3	26,4	32,8
Diarrhea	0,0	27,5	13,9	20,0
Migraine	14,3	11,1	16,3	13,9
Asthma	0,0	8,9	8,6	8,5
Blood pressure/hypertension	14,3	5,9	8,3	7,3
Skin disease	0,0	9,2	3,3	5,9
HIV	7,1	3,3	7,1	5,3
Pneumonia	14,3	4,9	4,5	4,9
Tuberculosis	0,0	3,6	2,4	2,9
Anemia	0,0	2,6	2,7	2,6
Epilepsy	0,0	3,9	1,2	2,4
Headache	0,0	1,6	2,4	2,0
Headache	0,0	1,6	2,4	2,0
Rheumatism	0,0	2,3	1,5	1,8
Cholera	0,0	2,0	0,9	1,4
Dysentery	0,0	0,7	1,8	1,2
Heart disease	0,0	0,7	0,9	0,8
Flu	0,0	1,3	0,3	0,8
Ulcers	0,0	0,0	0,9	0,5
Toothache	0,0	0,7	0,3	0,5
Dizziness	0,0	0,7	0,0	0,3
Swollen legs	0,0	0,7	0,0	0,3
Eye problems	0,0	0,0	0,3	0,2
Gout	0,0	0,0	0,3	0,2
Mental illness	0,0	0,0	0,3	0,2
Nose bleeding	0,0	0,3	0,0	0,2
Shingles	0,0	0,3	0,0	0,2
Stomach pains	0,0	0,3	0,0	0,2
Stroke	0,0	0,0	0,3	0,2
Swollen body	0,0	0,3	0,0	0,2
Whooping cough	0,0	0,3	0,0	0,2

68 households faced a death with one of their members in the year preceding the survey and 70 deaths were reported, but none among the Balaka affected households (Table 4-25). In the two other districts, malaria was the most fatal disease, and 26.5 % of the deaths reported for the last 12 months were due to this disease.

Table 4-25 Cause of Death Distribution in the Last 12 Months

Cause of Death	District			
	Balaka	Mwanza	Neno	Total
Malaria	0,0	30,0	21,4	26,5
Accident	0,0	7,5	14,3	10,3
DNK	0,0	10,0	7,1	8,8
Tuberculosis	0,0	5,0	14,3	8,8
Cancer	0,0	7,5	3,6	5,9
Diarrhea	0,0	5,0	3,6	4,4
Epilepsy	0,0	7,5	0,0	4,4
HIV	0,0	2,5	7,1	4,4
Migraine	0,0	2,5	7,1	4,4
Old age	0,0	5,0	3,6	4,4
Infant loss	0,0	2,5	3,6	2,9
Backache	0,0	0,0	3,6	1,5
Cholera	0,0	2,5	0,0	1,5
Diabetes	0,0	2,5	0,0	1,5
Fever	0,0	2,5	0,0	1,5
Heart disease	0,0	2,5	0,0	1,5
Kidney disease	0,0	0,0	3,6	1,5
Killed	0,0	0,0	3,6	1,5
Stroke	0,0	2,5	0,0	1,5
Swollen body	0,0	2,5	0,0	1,5
Swollen legs and fever	0,0	2,5	0,0	1,5
Total number of deaths	0	42	28	70
Number of households affected by death	0	40	28	68

Notes: Rates are calculated based on the number of households responding and having experienced a death in the last 12 months.

Most affected households (62.7%) eat two meals a day, and about a third eat three. However, most of them do not have meat in their plates (Table 4-26). In fact, more than 80% of households eat meat one time or less per week (almost 93% in Balaka). Fish is a more prominent part of the diet; more than half of the households in Neno eat fish two days or more per week, but less so in the other districts. More than a third eat fish at least two times a week in Mwanza, but only 21.4% of the responding households in Balaka do so.

A large proportion of affected households have difficulty fulfilling their food needs. 89.6% are unable to fully support themselves through farming and livestock production alone and must buy food to compensate.

Table 4-26 Food Consumption by Affected Households

Meal Characteristics	District (%)			
	Balaka	Mwanza	Neno	Total
Meal(s) per day (%)				
0 meal per day	7.1	1.0	2.7	2.0
1 meal per day	7.1	1.6	2.7	2.3
2 meals per day	78.6	67.9	57.3	62.7
3 meals per day	7.1	29.5	37.4	33.1
Meat consumption per week (%)				
0 day	71.4	75.1	54.3	64.3
1 day	21.4	11.8	21.7	17.1
2 days	7.1	9.2	13.9	11.6
3 days	0.0	3.0	6.8	4.9
4 days	0.0	0.7	1.5	1.1
5 days	0.0	0.3	0.6	0.5
6 days	0.0	0.0	0.3	0.2
7 days	0.0	0.0	0.9	0.5
Fish consumption per week (%)				
0 day	57.1	42.3	31.5	37.0
1 day	21.4	20.0	13.9	16.9
2 days	0.0	21.3	23.7	22.1
3 days	21.4	10.2	18.3	14.6
4 days	0.0	2.0	3.8	2.9
5 days	0.0	3.3	4.4	3.8
6 days	0.0	0.0	1.8	0.9
7 days	0.0	1.0	2.4	1.7
Meeting food needs of households, by the heads of households (%)				
Never	7.1	2.3	0.6	1.5
Seldom	0.0	6.9	6.5	6.6
Sometimes	35.7	40.0	40.9	40.4
Often	50.0	30.5	27.9	29.6
Always	7.1	20.3	24.0	22.0
Households that purchase food for their needs (%)	64.3	88.5	91.7	89.6
Number of responding households	14	305	337	656

Note: Rates are calculated based on the number of responding households.

4.3.4.2 VULNERABLE HOUSEHOLDS

Many households have higher levels of vulnerability because of the characteristics of some family members. Vulnerability criteria that have been adopted for this RP are risk factors for resettlement (Table 4-27). These individuals are likely to experience greater negative impacts from physical and/or economic resettlement because of these characteristics. They may not be able to fully benefit from resettlement assistance and community development benefits. Special attention must therefore be paid to the needs of these individuals.

Surveys have found that 183 of the 656 affected households (27.9%), are headed by women. In addition, 81 of these women are widows.

Some HoHs are also struggling with a disability or chronic illness. This number is largest in Neno district where 46 out of 337 HoHs are in this situation. This situation is also found in Balaka with 5 out of the 14 responding households, and in Mwanza where 26 heads of households out of the 305 are struggling with a disability or chronic illness. In this latter case, almost half of them (12) are women.

In addition, several households also have one of their members (other than the HoH) living with a disability. 81 of the Mwanza households include a handicapped or a chronically sick member, and 75 in Neno. The main chronic health problems identified among all household members (including HoHs) are associated with HIV, blood pressure/hypertension, and asthma.

People suffering from albinism were also considered as vulnerable. However, no member of affected households was listed as living with this congenital disorder.

In total, 378 households correspond to one or more of the vulnerability categories, which represent more than half of all the affected households. The full list and details of vulnerable households will be included in the final RAP database.

A limited number of households losing 80% or more of their land holdings may be added to that amount. However, it is not possible at this stage to identify those additional households since land losses will only be defined once the pylon locations are known. However, estimates have been made for the budgeting of livelihood restoration measures (see section 6.1.1).

Table 4-27 Vulnerability of Affected Households

Vulnerability		District (No)			
		Balaka	Mwanza	Neno	Total
Heads of Households	Female ¹	2	89	92	183
	Child ²	0	0	0	0
	65+ years old	2	52	66	120
	Female 65+ years old	0	20	20	40
	Male 65+ years old	2	32	46	80
	Handicapped or chronically sick	5	26	46	77
	Female handicapped or chronically sick	1	12	18	31
	Male handicapped or chronically sick	4	14	28	46
	Child handicapped or chronically sick	0	0	0	0
Number of households with at least one handicapped or chronically sick member (excluding the HoH)		0	81	75	156
Households losing 80% or more of their land holdings ³		tbd	tbd	tbd	tbd
Number of vulnerable households ⁴		6	179	193	378
Number of responding households		14	305	337	656

- Notes:
- 1 Among the female heads of households, 81 are also widows, one in Balaka, 42 in Mwanza, and 38 in Neno.
 - 2 The category "Child" means a head of household aged 18 and under.
 - 3 Identification of PAPs permanently losing 80% or more of their land holdings due to pylon bases is currently impossible, figure presented is an estimate (see section 6.1.1). Final identification to be performed at project implementation.
 - 4 The number of vulnerable households refers to households that correspond to one or more of the vulnerability categories (it considers overlaps).

4.3.5 PROPERTIES AFFECTED BY THE WAYLEAVE

An inventory of the properties, carried out during the field surveys, made it possible to list the lands, structures and buildings (primary, secondary or commercial), crops and trees, as well as the graves and spiritual / private sacred sites which will be, by their geographical location, partially or totally affected by the new line.

The following sections detail these private properties. All individual affected assets are also detailed for each PAP in individual asset summary sheets found in Appendix 4-6.

4.3.5.1 PRIMARY, SECONDARY AND COMMERCIAL AFFECTED STRUCTURES

57 primary structures and 35 secondary structures are currently partially or entirely affected by the future line and will have to be relocated. Except for one church in Balaka, all structures belong to households in Mwanza (24) and Neno (32) districts (Table 4-28). No commercial structures will be impacted.

Affected houses have an average of three rooms and all of them have been built by the households themselves. Most have grass roofs and clay floors, while the walls are mainly composed of unplastered and unburnt bricks.

No affected primary or secondary structures are connected to the power grid (ESCOM).

Table 4-28 Affected Structures

Type of Affected Structure	District (No)			
	Balaka	Mwanza	Neno	Total
Primary structures				
Conventional house	0	16	21	37
Secondary house	0	5	9	14
House w/out toilet and bath	0	1	0	1
Church	1	1	0	2
Gowelo or mphala	0	1	2	3
Total primary structures	1	24	32	57
Secondary structures				
External kitchen	0	6	3	9
External bathroom	0	3	1	4
Conventional bathroom	0	0	1	1
Traditional latrine	0	7	2	9
Improved latrine	0	1	0	1
Barn	0	2	1	3
Hennery	0	2	3	5
Corral for goats	0	1	0	1
Piggery	0	1	0	1
Cattle corral	0	0	1	1
Total secondary structures	0	23	12	35
Commercial structures				
Business/shop	0	0	0	0
Total affected structures	1	47	44	92



Photo 4-4 Conventional house in the village of Siledi



Photo 4-5 Secondary house in the village of Chilimbilira



Photo 4-6 Traditional latrine (pit latrine) in the village of Kagona Mwake

4.3.5.2 AFFECTED LAND PARCELS

A total of 707 land parcels will be impacted by the wayleave, representing a total surface of 3,078,386 m² (Table 4-29). The average affected land parcel surface area is 4,354.2 m². This figure is larger in Balaka municipality where parcels have an average surface area of 6,486 m², compared to 2,180.6 m² in Mwanza, and 6,147.7 m² in Neno.

Most of these affected plots (53.2%) are under Customary law especially in Balaka district. In Mwanza district, 43.6% of the affected parcels were acquired by inheritance. It should be noted that 73.8% of affected parcels are owned by the head of household, and 23.6% of the parcels owned by their wife.

Table 4-29 Affected Land Parcels

Affected Land Parcel	District				
	Balaka	Mwanza	Neno	Total	
Number of households that own affected parcels	16	307	358	681	
Average affected land parcels per household	1.0	1.0	1.0	1.0	
Total affected area (m2)	103,776.4	699,977.2	2,274,632.5	3,078,386	
Average land parcel area (m2)	6,486	2,180.6	6,147.7	4,354.2	
Land parcel characteristics (%)					
Parcel acquisition	Purchase	18.8	7.5	25.4	17.1
	Inheritance	6.3	43.6	17.6	29.1
	Customary law	75.0	48.3	56.5	53.2
	Rental	0.0	0.3	0.3	0.3
	Loan/borrowing	0.0	0.0	0.0	0.0
	Other	0.0	0.0	0.3	0.1
Owner	HoH	93.8	64.8	80.8	73.8
	Wife	6.3	33.0	16.2	23.6
	Son	0.0	0.9	1.1	1.0
	Daughter	0.0	0.6	0.3	0.4
	Father of HoH	0.0	0.0	0.0	0.0
	Mother of HoH	0.0	0.3	0.3	0.3
	Other male relatives	0.0	0.0	0.3	0.1
	Other female relative	0.0	0.0	0.0	0.0
	DNK	0.0	0.0	1.1	0.6
Number of land parcels affected	16	321	370	707	

4.3.5.3 AFFECTED CROPS AND TREES

Crops inventoried in the project wayleave is shown in Table 4-30. Field surveys revealed that maize and pigeon peas are by far the most popular crops planted by the households in the affected area, followed by the groundnut.

Although the total cultivated area under the wayleave is significant, it is important to note that agriculture will be tolerated after the line construction. Therefore, only crops under the pylons will be permanently lost.

Table 4-30 Affected Crops of Households Cultivating in the Wayleave (%)

Crops	District (%)			Total
	Balaka	Mwanza	Neno	
Crops and cultures				
Cassava	0,0	13,8	5,8	10,7
Cotton	0,0	0,4	1,3	0,7
Maize	100,0	82,6	51,3	71,0
Millet	0,0	8,3	1,3	5,6
Mustard	0,0	2,8	1,3	2,2
Okra	0,0	0,0	0,6	0,2
Rice	0,0	22,5	17,5	20,5
Sorghum	0,0	9,5	1,9	6,6
Sugarcane				
Legumes and nuts				
Bambara nuts	0,0	0,8	0,0	0,5
Beans	0,0	6,3	3,2	5,1
Black eyed peas	0,0	9,9	5,8	8,3
Cowpeas	33,3	11,9	24,0	16,6
Crown peas	0,0	0,0	0,6	0,2
Groundnut	0,0	35,6	22,7	30,5
Hyacinth bean	0,0	0,0	0,0	0,0
Pigeon peas	66,7	78,3	56,5	70,0
Soya	0,0	0,8	0,0	0,5
Velvet bean	0,0	0,4	0,0	0,2
Vegetables				
Cabbage	0,0	2,8	0,6	2,0
Cucumber	0,0	1,2	1,3	1,2
Leafy vegetables	0,0	0,4	0,0	0,2
Pumpkin	33,3	9,5	12,3	10,7
Rutabaga	0,0	0,4	0,0	0,2
Sweet potato	0,0	11,5	22,1	15,4
Tomato	0,0	1,2	1,3	1,2

The Project wayleave affects a total of 143,680 trees. This figure was obtained during two censuses, the first one being the main RAP inventory conducted in May 2019, while the second one was a data verification for 47 important tree owners that had more than 1,000 trees. Data from the initial census was kept for tree owners that had less than 1,000 trees. This second census allowed to review the figures and lower the total number of trees by more than 90,000 (from 234,781 to 143,680 trees). This new figure seems more realistic and may reflect the fact that, for important tree owners, the initial count had overstated the number of trees.

Table 4-31 clearly shows that affected households in Neno district will suffer the greatest tree losses (112,836 trees in total). Natural trees are the most affected (105,621 in Neno, 12,943 in Mwanza, and 5,146 in Balaka). Besides that, the main affected species are the banana, blue gum tree, fungo (in Neno), mango and acacia. In Mwanza, except for many natural trees, the main affected species is, by far, the banana tree (8,612 trees). Private fruit trees are mainly used for sale and self-consumption (also see Table 4-13).

Table 4-31 Affected Trees

Trees	District			Total
	Balaka	Mwanza	Neno	
Natural tree	5,146	12,943	105,621	123,710
Banana	-	8,612	2,075	10,687
Blue gum tree	-	916	1,975	2,891
Fungo	-	-	1,200	1,200
Mango	2	828	181	1,011
Acacia	-	156	844	1,000
Nanche	-	291	5	296
Other medium	-	396	37	433
Other small	-	229	152	381
Guava	-	214	40	254
Bamboo	-	96	101	197
Gmelina	-	176	10	186
Indian jujube	-	55	126	181
Mponza	-	128	1	129
Sisal/Hedge	-	4	114	118
African blackwood	-	-	96	96
Avocado	-	93	-	93
Muputu	-	89	-	89
White bauhinia	-	12	70	82
Baobab	1	1	48	50
Papaya	-	23	27	50
Wild syringa	-	41	-	41
Camel's foot	-	39	-	39
Horn-pod tree	-	39	-	39
Msolo	-	34	-	34
Neem	-	1	27	28
Other large	-	24	4	28
African teak	-	25	2	27
India	-	1	24	25
Mufuti tree	-	25	-	25
Wild Loquat	-	25	-	25
Clusterleaf	-	16	5	21
Live-long	-	19	-	19
Tamarind	-	15	4	19
Turpentine tree	-	3	14	17
Poison Grub Commiphora	-	16	-	16
African bubblegum	-	7	7	14
Blue Jacaranda	-	-	13	13
Tangerine	-	13	-	13
Zebra wood	-	13	-	13
Kachere	-	11	-	11
Lemon	-	10	-	10
Carrot tree	-	9	-	9
River tamarind	-	7	-	7
Glossy flat-bean	-	5	-	5
White thorn	-	5	-	5
Bushwillow	-	4	-	4
Leeds	-	4	-	4

Trees	District			Total
	Balaka	Mwanza	Neno	
Monkey Orange	-	4	-	4
Sterculia	-	-	4	4
Buffalo thorn	-	3	-	3
Chiwi	-	3	-	3
Moringa Oleifera	-	1	2	3
Orange	-	3	-	3
Poison-pod albizia	-	-	3	3
Cabbage tree	-	2	-	2
Chidoule	-	2	-	2
Mstiu	-	2	-	2
Large-leaved jackal-berry	-	1	-	1
Mobola plum	-	1	-	1
Muchesa	-	-	1	1
Velvet-fruited zanha	-	-	1	1
Mulberries	-	-	2	2
Total	5,149	25,695	112,836	143,680

Note: The categories “Other large, medium or small trees” refer to trees for which it has not been possible to identify the species.

4.3.5.4 GRAVES AND RELIGIOUS OR SPIRITUAL SITES

One tomb has been inventoried in the wayleave, in Mwanza district. No other religious, spiritual or cultural heritage structures were reported (Table 4-32).

Table 4-32 Graves and Religious or Spiritual Sites Located in the Wayleave

Religious, Spiritual or Heritage Structures	District (No)			Total
	Balaka	Mwanza	Neno	
Tombs	0	1	0	1
Sacred/religious sites	0	0	0	0

5 IMPACT OF THE PROJECT ON THE HUMAN ENVIRONMENT

This section presents a summary description of the Project's impacts on the human population. Potential environmental impacts are described in the ESIA report of the Project, but this chapter will focus on social impacts of resettlement. These impacts were assessed using data collected from field investigations, relevant documents and consultations with various stakeholders and PAPs.

5.1 IMPACTS OF THE TRANSMISSION LINE

5.1.1 GENERAL

The Project will require the construction of a 400-kV line pylon over a total length of about 76 km. The construction, operations and maintenance or repair activities of the wayleave and transmission line will involve periodic access to the structures.

The characteristics of the wayleave (55 meters) and equipment, as well as restrictions on the use of the wayleave by the population, are based on Malawian practices and Project technical standards, including protection against electromagnetic fields.

Most of the impacts that will occur will be felt in and around the line's wayleave. The most important impacts will be those associated with the displacement of structures and the tree cutting in the preconstruction phase, while the construction operations will result in negative impacts (dust, noise, etc.) and positive impacts (jobs, local purchases by workers and entrepreneurs, etc.). It should also be noted that access roads, temporary or permanent, and worker camps, will also cause impacts during their construction and dismantling. The exact locations of these components, however, are unknown and will be determined by the contractor responsible for the construction of the line.

For the Project affected households and communities, potential negative impacts related to resettlement occurring during the construction phase include:

- Loss of land;
- Loss of trees and damage to crops;
- Loss of livelihoods;
- Household structures displacement;
- Resettlement of commercial structures such as shops and markets;
- Impacts on public services such as schools, health clinics, etc.;
- Impacts on community assets such as water supply and other utilities;
- Displacement or loss of sacred sites (ex.: trees, groves, religious buildings, etc.).
- The main long-term impacts, at the tower and substation location, and clearance of the wayleave are:
 - Lost crop areas under the pylons and tree plantation in the permanent wayleave;
 - Prohibition of building any structure (houses, shed, etc.) in the wayleave.

5.1.2 LAND AND AGRICULTURAL ACTIVITIES

Impacts are permanent under the pylons, as farmers will not be able to use the land beneath the pylons but will be able to continue farming elsewhere in the wayleave. However, trees over five meters at maturity will be prohibited.

Moreover, infringement on crops by machinery during wayleave maintenance will be prevented by conducting maintenance activities outside of the growing and grazing seasons.

The economic impact for farmers losing 20% or more of their productive land because of a pylon could, however, be significantly greater. Various forms of assistance, such as assistance in finding new land for farming, clearing and preparation of alternative lands with similar characteristics in the same area, will be offered to relevant PAPs to mitigate negative repercussions. However, given the average area of affected land (see Section 4.3.3.4), the Project is unlikely to cause this type of impact on a large scale.

It can thus be said that the permanent economic impacts will be minimal if households have sufficient time to prepare themselves, are duly compensated and receive as many benefits as possible (jobs during construction, restoration of compacted soils, ownership of timber cut on their plots, etc.).

5.1.3 PRIVATE AND COMMUNITY STRUCTURES

Other than the impacts on agricultural activities, the Project will involve the relocation of structures (houses, secondary and commercial structures, and community buildings) currently located in the wayleave. In most cases, these will be destroyed and rebuilt:

- 1 On the original parcel if there is sufficient space outside the wayleave;
- 2 On an adjacent parcel;
- 3 Elsewhere in the community, if desired by the affected households.

The space for this relocation is available in the rural areas crossed by the project since the land area required for each displaced house is small. In addition, customary rules require village chiefs and the community to respond to the need for plots for the reconstruction of residences. Therefore, the impact on these households' lifestyle will be reduced considerably. Indeed, PAPs will be resettled near their original place of residence and not in other communities, while having access to the same arable land.

However, this relocation will result in loss of time, income and disruption of the organization of daily life of affected households. With the establishment of travel procedures (ex. adequate time) and appropriate and cost-effective compensation measures (ex. reconstruction of homes and related facilities prior to the destruction of affected structures, relocation assistance, etc.), the impact of the project on physically affected households will be minimized.

The socioeconomic surveys identified 57 primary structures (houses, gowelos or mphalas, and churches) 35 secondary structures (kitchen, toilet, etc.) and zero (0) commercial structure, belonging to 8.1% of the total impacted households. A total of four (4) households have only a secondary structure in the wayleave. All of them must be demolished and new ones rebuilt. As indicated in the survey results, 96% of physically affected households indicated they do not have non-impacted land for the resettlement of at least one (1) of their houses.

Although few impacted households reported owning land outside the wayleave to rebuild their main structures, the census found that these same households have an average of 1.6 parcels covering an average of 1,3 ha (see Section 4.3.3.4), and that the average area of parcels affected is 0,44 ha. Hence, average parcel area is large enough to allow most PAPs to move their residence (s) to the un-affected area of their land, outside the wayleave.

The consultations conducted as part of this preliminary assessment (see Chapter 3) have shown that many affected households are concerned about not receiving adequate compensation for their resettlement. It will be necessary to ensure that adequate compensation be granted and that the new homes of the displaced households be built before the start of construction activities.

In cases where this option is not possible due to the unavailability of land for the house relocation within a PAP's current land holdings, particular assistance will be offered to find equivalent land, suitable for exploitation and household resettlement in another area. With proper displacement procedures and appropriate and cost-effective compensation measures (reconstruction of houses and related facilities before the destruction of affected structures, relocation assistance, etc.), the impact of the Project on the affected households will be minimized. Proper time and care to assist communities and households are both crucial elements to minimize the impact of these relocations.

It is important that a team of professionals managing displacement and compensation measures be established at least one year before the start of construction. This team must include estate surveyors and valuers, specialists in community development as well as agricultural and social workers who will have the task of assisting affected households and addressing their concerns (see Chapter 9 for more details).

One (1) community borehole is also affected (see Table 4-8). Again, the key to minimize this impact is to start early in the process (at least one (1) year before construction) to leave time to the community to properly plan the resettlement. This structure must be replaced in kind and respect Malawian specifications.

Community sites have also been inventoried, including four (4) community forest, ten (10) community hills and four (4) community scrublands and one (1) grassland. Trees higher than 5 meters on these sites will need to be cut and properly compensated to communities.

5.1.3.1 FORESTS AND TREES

Specific enquiries were made during consultations round 3 with district forestry officers who attended the larger meetings, regarding ownership of community forests and trees referenced above and that are crossed by the Project. Main conclusions from these side discussions developed below and the rest of the present report is prepared accordingly:

- Community land is compensated depending on ownership and tenure, and responsibility in terms of care. The information on ownership is mostly gathered from the village chiefs and the community (which we already did in the second phase). Normally, in terms of ownership and land tenure, customary land is owned by village chiefs who are also responsible for land allocation in the communities. Hence, if land has not been allocated to anyone (for example the hills and the natural trees on them), the owner of the land is the chief. The chiefs, however, are encouraged to use the compensation money for developments that will benefit the whole community (a list of potential development projects requested by communities is presented in Table 7-1). From similar projects, the compensation money is also shared with the TAs. The same was noticed in Neno district during consultations at district level where TAs were also present. The TAs mentioned that the compensation money is supposed to be shared with them as the heads of the communities.
- If the trees are owned and taken care of by the community (for example community forests), the compensation money goes to the community. The community decides what to do with the money but mostly they are encouraged to replace the affected assets. However, the disbursement of compensation money needs to be done in a transparent manner to avoid conflicts and grievances.
- The same also applies to sacred sites like 'dabwe' where the compensation is given to the village chiefs that benefit from the site so that it may be replaced. Again, transparency will be key when the compensation money is given.
- Considering the above, the approach to be adopted by ESCOM is to compensate communities as a whole for loss of community trees, via identification and implementation of community development projects using the processes described in section 7.2. Responsibilities for project identification, validation, implementation, and monitoring are detailed in sections 9.2.1, 9.2.2, and 11.2.

Outside specific uses identified in the present report, community lands are mostly used for firewood collection and contain natural trees, as opposed to private lands which contain mainly fruit trees.

5.1.4 TOMBS AND SACRED SITES

Whether private or communal, graves, sacred and spiritual sites located in the wayleave will be impacted by the construction of the new line. The impacts will however be limited by the compensations granted and the mitigation measures that will be applied.

Socio-economic surveys revealed the presence of two (2) community-owned cemeteries, four (4) sacred sites and one (1) private grave (owned by a household) affected by the wayleave. Adequate protection or relocation measures for these sacred sites needs to be agreed with the communities prior to construction works. Whenever possible, it will be important to optimize the Project routing in order to avoid them, which is often possible by shifting pylons from a few meters.

5.1.4.1 CEMETERIES

Specific consultations were held with the Liyenda and Jonathan villages regarding their community cemeteries referenced above and that are crossed by the Project. In both cases, main conclusions from these consultations are that the Project is welcome, but the graveyards should not be relocated. Instead, communities requested that areas which will be affected by the Project should stay under the line, while they will be using the unaffected parts. Such an arrangement is made possible by the fact that the graveyards are quite large. However, in case of any damage during Project construction, affected graves should be rehabilitated – not moved – and a fence should be erected around the affected areas. A report on consultations conducted for these cemeteries is attached in Appendix 5-1.

Considering the above, ESCOM will adopt the following strategy in order to minimize disruption to Liyenda and Jonathan communities, while also minimizing costs and delays related to the displacement of graves.

- 1** Design the Project to ensure no pylons are installed in the cemeteries' footprints. The Project crosses Jonathan graveyard over 175 meters and Liyenda graveyard over 290 m. With an average tower spacing of 450 m, this can easily be arranged if properly planned.
- 2** Agree with Liyenda and Jonathan communities on modalities regarding the Project crossing over their cemeteries. This agreement shall include, among others:
 - a** A commitment to compensate all trees that will be felled within the wayleave via community development projects to be selected in consultation with the Liyenda and Jonathan communities;
 - b** An offer to maintain low height trees or shrubs within the wayleave (where trees will be felled);
 - c** A commitment that the Project will rehabilitate graves that may be damaged in the tree felling process;
 - d** Modalities of line construction and maintenance for the sections passing over cemeteries.

The RAP budget for the cemeteries has therefore been calculated accordingly. Compensation for trees has been factored in via community development projects, with no considerable relocation costs which are not desired by communities (see sections 6.5.3 and 12.1).

As requested by TA Nthache during consultation round 4 (see section 3.3.4.2), specific additional consultations in coordination with the District Commissioner and Department of Antiquities will be done on this subject at the RAP implementation stage to address any remaining concerns and establish procedures for working in the graveyards.

5.2 IMPACTS ON WOMEN

Women are often the first victims of poorly planned or executed relocations. Because of gender discrimination, women sometimes do not have full access to the resources and opportunities needed to improve their living conditions. However, the socioeconomic survey carried out in the project area showed that 33.4% of affected parcels are owned or co-owned by women.

This points towards existence of a matrilineal ownership system in part of the project area. However, a majority (66.6%) of land parcels remain controlled by men. In such cases, control of resources (ex.: land and other important assets) by men makes the situation unfavorable for women.

Project impacts on women will primarily be felt during the construction phase. Impacts are related to the fact that women are primarily responsible for field work and crop production, which is their main livelihood activity. Women in the project area are young since 32.7% of them are aged between 16 and 35 and 51.2% are under 15 years of age. About 28% of households (183) are headed by a woman. Women-headed households can be more vulnerable than men-headed ones due to gender discrimination described above. Inequality related to employment opportunities is also likely to occur.

Since ownership and control over resources are limited for most of them, women are often restricted to a very minor role in decision-making processes. This situation increases the risk of negative impacts for women, since numerous cases from various development projects show that men tend to use compensations for purposes other than those for which they are dedicated, such as reconstruction and land acquisition, leaving their families in difficulty afterwards. This situation illustrates the importance of compensations in kind (land for land and house for house) rather than cash. A control and information mechanism may also reduce these risks (see Chapter 6).

5.3 IMPACTS ON VULNERABLE GROUPS

The characteristics of some household members make them more vulnerable to the physical and/or economic relocation generated by the project. According to IFC, 2002, vulnerable person means:

"People who by virtue of gender, ethnicity, age, physical or mental disability, economic disadvantage, or social status may be more adversely affected by resettlement than others and who may be limited in their ability to claim or take advantage" (IFC, 2002).

Vulnerable groups in this project include households headed by women and/or widows, as well as households with members presenting disabilities or living with severe chronic diseases. As mentioned previously, women-headed households represent 28% (183 households) of the total. In addition, 81 heads of household are widowed, but none are younger than 18. Moreover, there are also 77 heads of household who are handicapped or chronically ill and 156 households must take care of one or more of their members that are either handicapped or chronically sick (excluding the HofH). No person with albinism was mentioned among the affected households at the time of this RAP. However, this characteristic will need to be reviewed during the RAP implementation and the review of affected households as new family members living with this particularity may be present. Finally, a limited number of PAPs (currently estimated at 2, (see section 6.1.1 for details) could lose 80% or more of their land holdings, putting their livelihoods at high risk.

Vulnerable people are more likely to experience resettlement with more difficulties than other physically or economically displaced persons. Moving, rebuilding, and relocating may take longer due to additional constraints they face and/or their reduced adaptability. Furthermore, on the economic level, some vulnerable PAPs may suffer significant impacts on their incomes (ex., loss of agricultural production or income from trade).

Specific mitigation measures, such as prioritizing local people and businesses for job opportunities and procurement, participation of able members of these households to work on their land (cutting trees, reconstruction, etc.), leaving them to make use of cut trees, salvaging material from displaced houses or other structures (houses, shelter, etc.), could help these economically vulnerable households maintain their livelihoods and revenues.

At the same time, some vulnerable people are at greater risk of fraud, theft or threat, especially when compensations are in cash. Compensation distribution can make these people more vulnerable to social and family pressures that would reduce their ability to use the funds. This negative impact can be mitigated by ensuring that legitimate leaders collaborate, and an adequate follow-up with the PAPs regarding compensation distribution and management.

As for those households (371 cases) who have only one land parcel and whose land is affected by the wayleave, the impoverishment risk is high. In some of these cases, a large portion (+20%) of the parcel is inside the wayleave, so a new parcel must be found if more than 20% is permanently impacted by tower bases. Each of these PAPs will be helped and ESCOM will pay for a new parcel for the PAP to comply with World Bank standards.

Administrative burden of compensation procedures must be reduced to a minimum, especially for the vulnerable households giving them timely information, enhanced access that reduces their strain in the compensation process and ultimately, minimizes incidental costs to them.

5.4 RISKS

The risks and difficulties anticipated for this project are related to various types of problems.

Mismanagement of compensation and reconstruction could create frustration among PAPs and delay the project. If the negotiations are spread out over time and/or a significant number of grievances need to be resolved, delays in the RAP process may occur. Transparency in establishing compensations, valuation rates used, supervision of the process by an accompanying independent witness institution (see sections 9.2.4 and 10.4.1.1), rapid establishment of Local Resettlement Committees (see section 9.2.5), and grievance mechanisms (see Chapter 10), as well as rapid RAP implementation, are all measures that can reduce this risk.

Also, employment opportunities and improvement of infrastructure may lead to a labor influx in the area. The workforce required for construction is currently grossly estimated to be at least 200 workers (150 specialized and 50 non-specialized) for the transmission line and probably from 50 to 100 (37 to 75 specialized and 13 to 25 non-specialized) for the substation. Skilled jobs will be filled by workers outside the affected communities, while local labour can be used for more general work. Associated risks are discussed in the ESIA report (2020) as they are not specifically related to resettlement.

Some risks related to opportunism could also arise. Opportunistic people may be tempted to move into the project's wayleave to receive compensation, get a job and/or sell goods and services to workers. Although this risk is low, steps will be taken to avoid this situation. To this end, village leaders and PAPs have already been made aware of the cut-off date (end of surveys – see section 4.1.1). No new structure is therefore allowed in the wayleave. Appropriate signage and sensitization, and involvement of village leaders will be required to ensure no land is given by village leaders to new settlers in the wayleave and to ensure illegal structures be removed before their occupancy (while ensuring no forced eviction). These measures will be reiterated during the last round of consultation. Early implementation of the project will go a long way towards reducing this risk.

6 VALUATION AND COMPENSATION

6.1 ELIGIBILITY CRITERIA

Households residing in the wayleave, or holding assets impacted at the time of the survey, are eligible for compensation. Throughout the Project line route, 682 households with a land parcel and/or affected structure were enumerated. The cut-off date was set to April 26, 2019. PAPs have been notified that only property registered on this date will be compensated. The District authorities and the village chiefs, or their representatives, participated in the census and are therefore aware of this procedure.

As shown in Table 6-1, there are different types of impact affecting households. Among those, 2 tenant farmers are affected.

Table 6-1 Household Distribution According to the Type of Impact and the District Crossed

Type of impact		District (no.)			Total
		Balaka	Mwanza	Neno	
Vulnerability	Woman HofH	2	89	92	183
	HofH <18 years old	0	0	0	0
	HofH ≥65 years old	2	52	66	120
	HofH chronically sick	5	26	46	77
	Another member of the household chronically sick	0	81	76	157
Affected Structures	Primary structure only	1	12	21	34
	Secondary structure only	0	3	1	4
	Primary and secondary structures	0	11	6	17
Affected Crops and/or Trees	Affected crop only	0	11	1	12
	Affected tree only	13	52	199	264
	Affected crop and tree	3	242	153	398
Affected Land Parcels in the <u>wayleave</u>	Less than 20% affected	4	63	115	182
	Between 20% and 79% affected	8	189	197	394
	More than 80% affected	2	54	40	96
	Area affected unknown	2	2	6	10
Affected Land Parcels <u>under the pylons</u>	Less than 20% affected	tbd	tbd	tbd	tbd
	Between 20% and 79% affected	tbd	tbd	tbd	tbd
	More than 80% affected	tbd	tbd	tbd	tbd
	Area affected unknown	tbd	tbd	tbd	tbd

Notes: The same household can fall into more than one category (type of impact).

Physically affected households are those whose residence will have to be relocated but whose income and livelihood will not be affected. Only one household will be only physically affected (and not economically affected).

Economically affected households are those who will lose at least one productive asset (for example a fruit tree) that can be replaced either by another similar asset or by monetary compensation. Nearly 91,9% of the households impacted by the Project implementation will be affected exclusively in an economic way.

Households with pylons being built on their field will lose land under the pylon bases and will also be considered as economically affected. However, as the pylon locations are not known at this stage of Project development, it is currently impossible to specify which households will fall under that category. This information will be added at the RAP implementation stage when that technical information is available.

6.1.1 ESTIMATE OF PAPs WITH 20% AND 80% LAND LOSSES

PAPs losing 20% or more of their land holdings under the pylon bases will benefit from livelihood restoration measures such as assistance in finding replacement land, land titling for the replacement land, as well as compensation for upgrading of their replacement parcels. Those losing 80% or more under pylon bases, on the other hand, will be considered as vulnerable PAPs since a very high proportion of their livelihood will be impacted (see section 6.3).

Unfortunately, PAPs with 20% and 80% land losses cannot be identified at the moment due to the fact that pylon base locations are not known at the current stage of Project development. However, the specific livelihood restoration measures targeted at those households make it important to estimate the number of PAPs who will fall in those two categories, for budgeting purposes.

An estimate was therefore made based on the proportion of the wayleave surface area occupied by pylon bases:

- The total wayleave surface area is estimated at 4,180,000 m² (76 km length X 55 m width), while the total area to be occupied by pylon bases is estimated at 89,401 m² (169 pylons with a 450 m spacing over the entire wayleave, each occupying 529 m²). The pylon bases will therefore occupy approximately 2.14% of the total wayleave surface area;
- That proportion was then applied to the numbers of PAPs with respectively 20-79% and 80%+ of their land holdings in the wayleave, based on the assumption that they are proportionally related:
 - While 96 PAPs have 80% or more of their land in the wayleave, it can be estimated that only 2.05 PAPs will find 80% of their land holdings to be affected by pylon bases (2.14% of 96);
 - While 394 PAPs have between 20% and 79% of their land in the wayleave, it can be estimated that only 8.43 PAPs will find between 20% and 79% of their land holdings to be affected by pylon bases (2.14% of 394).

The figures above demonstrate that it is likely very few PAPs will permanently lose significant (20%-79%) or heavy (80%+) proportions of their land under the pylon bases. Those figures will need to be updated once pylon locations are known, and PAPs in those situations will need to be identified and treated accordingly. For purposes of the present report, however, those estimates will be used for budgeting resettlement and livelihood restoration measures targeted at such PAPs.

6.2 CATEGORIES OF PROJECT AFFECTED PERSONS

Based on field observations, stakeholder consultations and socio-economic surveys, the following categories of project affected persons (PAPs) will be eligible to compensation and resettlement assistance:

- Owners of dwellings and outlying structures;
- Owners of titled lands (leasehold or freehold);
- Owners of customary lands;
- Tenant farmers;
- Communities (for losses of community assets and productive areas);
- Informal occupants or users of any type of land.

As per our assessment, the number of dwellings likely to be affected by the wayleave is estimated at 57. In all cases, these are occupied by the owners. Commercial structures were not found in the proposed line route. Customary landowners constitute the most important group of PAPs, by far (53,2%). This category includes farmers who have been allocated land under the traditional land tenure system.

6.3 ENTITLEMENT AND COMPENSATION MATRIX

Considering the apparent gaps between Malawi laws on resettlement and World Bank OP 4.12 requirements (see Chapter 2, section 2.5), this RAP has mostly been prepared to align with the World Bank Operational Policy which generally indicates best practices for rehabilitation of livelihoods of people affected by the implementation of the Project.

The entitlement and compensation strategies for the different types of losses and categories of PAPs are exposed in Table 6-2, using an Entitlement and Compensation Matrix. These compensation measures have been revised by social experts and natural resource specialists and apply to the various structures, lands, trees, and crops affected.

Table 6-2 Entitlement and Compensation Strategies for the Different Types of Losses and Categories of PAPs

Type of Loss	PAPs	Losses Incurred (details)	Entitlement	Nature of Compensation
PRIVATE ASSETS				
Primary structures (residences)	Owners	Loss of structure as an asset and living quarters Moving expenses Loss of revenue / livelihood during moving process If structure is rented: loss of rent revenues	The displaced structure will be rebuilt identically or in a higher standard than the original one and all related costs (taxes, registration, etc.) will be provided by the Project. As much as possible, the reconstruction will be done on the non-affected part of the parcel in the wayleave. Otherwise, the structure will be moved to another land parcel belonging to the PAP. If this is not possible, an equivalent parcel will be purchased to rebuild the displaced residence.	In-kind (improved home) (first option), materials (second option) or cash (full replacement cost) (as a third option)
			Moving allowance (USD 200)	Cash
			Disturbance allowance (USD 200)	Cash
			Compensation for the loss of rent (until a new lease – up to six months)	Cash
	Tenants	Loss of living quarters (legitimate) Moving expenses Loss of revenue / livelihood during moving process	Moving allowance (USD 200)	Cash
			Disturbance allowance and assistance in locating suitable property In case of high vulnerability, an option to be included in the resettlement housing	Cash
	Informal occupants or users	Loss of living quarters (illegitimate)	Assistance in locating suitable property Compensation for structures built (if any) and/or for improvements (on structures and land (e.g., drainage), etc.)	In-kind (assistance) and in cash (compensation)
Secondary structures (e.g., kitchen, bathroom, latrine, etc.)	Owners	Loss of structure as an asset	Full replacement cost compensation for secondary structures associated with housing or a production activity	In-kind (first option), materials (second option) or cash (as a third option)
Commercial structures (this information is given as a guide since no such structures were identified during the census)	Business owners	Loss of structure as an asset and location of revenue-generating activities Moving expenses Profit losses	Compensation at full replacement cost	Cash
			Moving allowance (USD 200)	Cash
			Loss of profit allowance (covering for three months' business or time necessary to re-establish business)	Cash
Loss of income due to loss of employment at affected businesses	Permanent loss (closure of business)	Permanent loss of employment revenue	Severance pay (until a new job is found – up to six months of salary)	Cash
			Helps to find a new job (improvement of the job search technique, interview, etc.)	In-kind
			Reorientation assistance (training to improve or acquire new job opportunities)	In-kind
	Temporary loss (relocation of business)	Temporary loss of employment revenue during business relocation	Temporary loss equal to three months of average salary	Cash

Type of Loss	PAPs	Losses Incurred (details)	Entitlement	Nature of Compensation
Lands	Owners (titled and customary lands)	Loss of land as an asset and livelihood generation asset	Compensation at full replacement cost for land under the towers + transaction costs	For farmers losing 20% or more of their total productive land: in-kind For farmers losing less than 20% of their productive land: cash
			Compensation at full replacement cost for land outside the tower base if the remaining portion of the plot is uneconomic to cultivate	
		Lowering of land's economic value caused by usage limitations	Partial compensation for land under the overhead lines (easement agreement). The value of the compensation will be no less than 10% of the market value of the land. The calculation of the compensation will be based on the income losses induced by land use restrictions under the line over the period required to replace the income sources. This however excludes the incomes derived from trees (as these are covered by the compensation proposed for crops and trees, below).	Cash
	Loss of livelihood during replacement land search and preparation for production	For farmers losing 20% or more of their productive land: assistance in finding new land to farm + Cost of acquiring, clearing and preparing replacement land of similar characteristics in the same area	In-kind	
				Assistance through agricultural extension services over a transition period of three years
	Tenant farmers	Loss of livelihood during replacement land search	Assistance in finding new land to farm	In-kind
		Rental agreement/fees	Reimbursement of rental or lease fees already paid	Cash
District Councils	Loss of land as an asset	Replacement of municipal land losses through agreed community investment / development projects	In-kind	
Crops and productive trees	Owners (formal or informal)	Loss of crop revenue / livelihood	Compensation at market value for any lost production, if annual crops	Cash
			Compensation at full replacement cost for seeds, labor, etc. and compensation for the production lost at market value over the period required for the new crops or trees to reach maturity	Cash
Tombs	Family	Costs of displacement	Compensation for ritual and displacement of the grave.	In-kind (assistance) and cash (rituals) (see section 5.1.3.1)
COMMUNITY ASSETS				
Graveyard	Cost of graveyard displacement		Fees for required rituals	Cash
			Assistance in relocation of tombs	Cash or in-kind, as preferred by PAPs
Boreholes	Loss of drinking water source	Construction of replacement boreholes	In-kind	
Sacred sites	Cost of sacred site displacement	Fees for required rituals and ceremonies	In-kind (first option) or cash (second option)	
Natural areas (forests, hills, etc.)	Loss of livelihood resources (i.e., timber) lost due to wayleave	Maintain or provide alternative access to livelihood resources (ex.: trees)	In-kind (first option) or cash (second option)	

Notes: Vulnerable persons, in addition to the rights enumerated above, are entitled to special assistance in kind and in cash from ESCOM, according to the needs (opening of bank account, help to the banking management, re-registration of a land title, etc.) and household income support of USD 2/day/household member/per day/ for 30 days). Within vulnerable households, members who are not vulnerable also receive USD 2/per day for 30 days because they live with a person with vulnerability(ies). Vulnerabilities are, however, cumulative for the same person (see Chapter 7 for details). In addition, all women in these resettled households will be informed of the compensation benefits specifically available to them. The fees are presented separately for each household category/entity affected. Some households may qualify for entitlements in more than one category (for example, a physically and economically displaced household may qualify for residential structure loss and farmland loss rights). Compensation in kind is preferable to cash.

6.4 COMPENSATION RATE EVALUATION METHODOLOGY

A rigorous evaluation process was carried out to produce fair, equitable, and current compensation rates for all affected assets inventoried.

The rates have been developed following consultations with various stakeholders. These consultations were conducted with the District Councils Directors of Planning and Development (DPDs), the District Agricultural Development Officers (DADO), and the Department of Forestry. Independent valuers were involved in providing prevailing market rates for assets in the districts.

The consultations were conducted from April 17, 2019, to May 3, 2019, in Balaka, Neno, and Mwanza districts. See Appendix 6-1 for all compensation rates. The rates to be used are market-based and reconcile between the 2010 government rates and inflation aspects.

6.4.1 LOSS OF STRUCTURES

The cost approach of valuation will be used in assessing structures in this project. This method is effective where there is no market or sufficient direct comparable market evidence thus precluding the use of the comparison method of valuation.

A hypothetical rural dwelling, of 25 m², was considered for developing the rates to find a replacement cost for a building. Quantity and cost of materials, and labour and transport for materials for a construction of a hypothetical dwelling, were considered.

This gross replacement cost was divided by the total floor area of the house to obtain a unit cost of construction per square metre. Different types of houses, with different finishes, were considered as prevalent in the rural set-up. This also required different amounts and types of materials which resulted in different unit costs. These unit costs will be applied to structures of similar construction to find the gross replacement costs per square metre for each dwelling type.

Compensation for structures shall be at full replacement cost for all physically affected PAPs.

6.4.2 LOSS OF LAND

In deriving the land values that are to be used under the Project, land tenure was considered in relation to the prevailing land values per hectare for each district. Comparisons were also made with similar projects that were implemented in the project area.

There are three categories of land tenure which are: customary, public, and leasehold. Customary land is held in trust by the Traditional Authorities and is allocated to heads of households for their use and occupation. The right to control and allocate customary land is vested in the local chief or village headman. Customary land cannot be owned, bought, or sold by an individual. Public land is occupied, utilized, or acquired by government for public use. Private land is land leased to individuals or corporations for a period of 21-99 years, or owned under freehold title, taken either from customary or public land.

One of the comparable projects is the Infrastructure Development Program funded by Millennium Challenge Corporation (MCC) which includes a 400-kV overhead transmission line between Phombeya and Lilongwe. This line was commissioned and energized in September 2018¹.

1 Government of Malawi, 2019. Post-Compact M&E Plan, p. 6. [online] <https://assets.mcc.gov/content/uploads/malawi-compact-me-plan-post-compact.pdf>

This project started in 2014 and ended in September 2018. The land value was set at MWK 2,000,000.00 per hectare (customary land) and MWK 5,500,000.00 per hectare (leased/private land).

The PAPs were compensated 10% of the land value per hectare. The aim was to compensate for loss of use during the construction of the power line (a kind of disturbance allowance for land), after which the PAPs continued to use the land. One of the districts affected by the MCC project was Balaka district.

In 2014, there was also a Railway project from Mozambique passing through Malawi (Mwanza, Neno, and Balaka). The project used MWK 5,000.00 per square metre for land compensation which is equal to MWK 50,000,000.00 per hectare, which is very high considering that the affected area was mostly rural.

A recent RAP project was carried out in 2018 by ESCOM in which the land value was pegged at MWK 4,000,000.00 per hectare. Ministry of Lands was responsible for the valuation of assets.

Looking at comparables above, the proposed land value for customary land is MWK 4,000,000.00 per hectare for customary land and MWK 5,500,000.00 per hectare for leased/private land. These values shall be managed in the following way:

- Land under pylon bases and other permanent land take: compensations shall be at 100% and land rights shall be transferred to ESCOM;
- Land in the rest of the wayleave excluding pylon bases: compensations shall be at 10% of the land value per hectare considering usage limitations during construction and operation. Land rights shall remain with the PAPs.

6.4.3 COMPENSATION FOR CROPS

A field/market study was carried out through the District Agricultural Development Officer (DADO) on assessment of crops in the affected areas. Information on various crop yields per hectare/kilogram were collected at the district level whereby this was computed by using prevailing market prices for those affected crops. The computation for crops is as shown below:

Affected area X yield/hectare/kilogram X market price for the subject crop/kilogram = Value

6.4.4 LOSS OF EXOTIC AND INDIGENOUS TREES

This project adopts the 2010 Forest Gazette values for assessing indigenous and exotic trees. The Department of Forestry has endorsed the gazetted prices which are currently in use and the Local councils are also using the same rates. These are thus prevailing market prices for natural as well as exotic trees².

Trees are split into the following three categories:

- Small with a circumference of 6 cm to 10 cm around the trunk;
- Medium with a circumference of 11 cm to 20 cm around the trunk;
- Large with a circumference of 21 cm and above.

The large category was worth the full rate of that species of trees, while the medium and the small categories will be worth half the value of the large tree, and a third, respectively.

² The compensation rates applicable with the inflation recorded since 2010 according to the Reserve Bank of Malawi were also applied as a comparison with the market survey conducted. These inflation rates, which apply to all non-food products, give a compound interest of 457%. This rate was not applied, giving results far off from what was observed during the market study. These rates are presented in Appendix 6-2.

6.4.5 LOSS OF FRUIT TREES

The consultations with the Department of Forestry indicated that fruit trees are valued at higher prices because of the income it brings to their owners. The Department of Lands at Local councils indicated that the derived rates are determined by compensating for loss of income from the period of planting to the period of maturity (ex.: the time at which the PAP will be able to, once again, begin to make an income from the fruit tree).

The rates are developed by considering, the period from planting to maturity, the yield per year, as well as the average market price of the fruit. Considerations were made by comparing rates used under different projects implemented by the district councils and under the MCC projects.

6.5 COMPENSATIONS

6.5.1 PRIMARY STRUCTURES

The RAP inventory made it possible to identify the private dwellings in the wayleave. The home compensation valuation methodology includes materials and labor, as per described above, as well as the cost of acquiring new land. In total, 57 primary structures were inventoried in the wayleave. Of these, 38 are main dwellings (primary houses).

As recommended in the World Bank OP 4.12, rebuild dwellings at a higher standard than they were is preferable. The replacement houses must provide PAPs with minimum, sustainable living standards, such as a house of 50 m² (with two rooms) made of cement bricks, a cement mortar floor, and a corrugated iron roof (compensation cost 105,000 MWK/m² in the region)³. The Project will not go lower than this standard.

A budget of MWK 274,417,000 (USD 381,612⁴) has therefore been calculated for the reconstruction of all affected primary structures (Table 6-3).

Table 6-3 Compensation for the Reconstruction (only) of Primary Structure (in MWK)

Affected Primary Structures	District			Total Mt	Total USD
	Balaka	Mwanza	Neno		
Conventional house	-	84,750,000 (16)	110,250,000 (21)	195,000,000 (37)	271,172
Secondary house	-	26,250,000 (5)	47,250,000 (9)	73,500,000 (14)	102,211
House w/out toilet and bath	-	22,000 (1)	-	22,000 (1)	31
Church	900,000 (1)	900,000 (1)	-	1,800,000 (2)	2,503
Gowelo or mphala	-	1,575,000 (1)	2,520,000 (2)	4,095,000 (3)	5,695
Total primary structures	900,000	113,497,000	160,020,000	274,417,000	381,612

Note: Numbers in brackets indicate the number of structures involved - reference to Table 4-28.

If possible, affected houses will be rebuilt a few meters from their current locations (outside the wayleave). The structures will have to be moved on another land parcel that belongs to the same household, or on a new land parcel to be purchased. In each case, the new parcel must be located near the Project area. In the case of a compound, if only one primary structure is impacted, it is still required to move all the compound. The organization of the structure will be discussed with each household to determine the layout of the rooms. Compensation in kind will be encouraged instead of cash compensation.

³ Note that the primary structure budget is based on the market value rather than replacement value.

⁴ As of May 30, 2019, the conversion rate was MWK 719.1 for USD 1. This rate is based on the reference of the XE site: <https://www.xe.com/>.

The possibility of reconstruction by the PAPs will also be offered to the households while being supervised to ensure respect of predetermined standards.

The survey indicated that 52 affected households do not own land outside the wayleave, and therefore a new piece of land will have to be found and bought for the reconstruction of the property. For the household that already has one that they can use, a residential parcel still needs to be acquired as compensation. It is estimated that 200 m² per house (residential land) is necessary to move them. Based on the average price of MWK 200 per square meter in the region, the cost for replacement parcels (the parcel or the compensation parcel for the reconstruction of the 52 structures) is expected to be MWK 2,080,000. Applicable administrative costs and taxes must be added to these costs (registration fees, land taxes, etc.). This amounts to USD 300 for each new structure, bringing the grand total for primary structures (including the compensation for the reconstruction – Table 6-3) to MWK 288,793,610 (USD 401,605). All relevant purchase charges are included in that estimate.

6.5.2 SECONDARY STRUCTURES

The survey shows that 34 households have a total of 35 secondary structures affected by the Project. They are: external kitchen, external bathroom, traditional latrines, corral for goats, etc. The total replacement costs represent MWK 468,400 (Table 6-4).

Table 6-4 Compensation for Reconstruction (only) of Secondary Structure (in MWK)

Affected Secondary Structures	District			Total Mt	Total USD
	Balaka	Mwanza	Neno		
External kitchen	-	81,600	40,800	122,400	170
External bathroom	-	135,000	45,000	180,000	250
Conventional bathroom	-	-	45,000	45,000	63
Traditional latrine	-	49,000	14,000	63,000	88
Pit latrine	-	6,000	-	6,000	8
Hennery	-	6,000	3,000	9,000	13
Corral for goats	-	6,000	9,000	15,000	21
Piggery	-	3,000	-	3,000	4
Cattle corral	-	3,000	-	3,000	4
Other (Fallen house)	-	-	22,000	22,000	31
Total secondary structures	-	289,600	178,800	468,400	651

All toilets and latrines will respect the minimum requirements of “improved sanitation” with at least one ventilated improved latrine (VIP). They will be built on an area of 3 m², with burnt bricks, an iron roof, cement floor, plus two (2) chamber systems. Furthermore, one household with an affected house does not have a latrine or toilet. The reconstruction of these houses must also include sanitation facilities. Thus, latrine construction for displaced homes will amount to MWK 7,000.

Provision of efficient wood stoves is required where kitchens are to be constructed, to reduce the consumption of firewood or charcoal, and to create best practice examples within the communities. These stoves are inexpensive (MWK 2,000-3,000 (below USD 5)) and are produced in local potteries. These stoves must be included in the resettlement package and be included for households who have an affected kitchen. In total, nine (9) stoves will be added for a total of MWK 27,000.

All relevant purchase charges are included in that estimate. The total compensation for secondary structures (including the compensation for the reconstruction – Table 6-4) amounts to MWK 502,400 (USD 699).

6.5.3 COMMUNITY STRUCTURES AND NATURAL SITES

Under this project, one (1) borehole, one (1) forest, two (2) cemeteries, three (3) sacred sites, eight (8) natural areas and 11 hills with natural trees (and one with a sacred place) are affected by the power line (Table 6-5).

Based on building materials and their functions, as well as on impacted natural sites, the compensation cost for the borehole and sites is estimated at MWK 9,063,488 (USD 12,604).

Table 6-5 Community Structure and Natural Site Compensations (in MWK)

Type	Types of Compensation					Total MWK	Total USD
	Trees Value	Land Value	Structure Value	Disturbance Allowance	Shifting Allowance		
Structure							
Borehole	-	-	4,114,198	-	-	4,114,198	5,721
Total structure						4,114,198	5,721
Sites* **							
Cemeteries*	-***	-	-	-	-	-	-
Forest with Natural Tress	-	-	-	-	-	-	-
Hills with natural trees	-	-	-	-	-	-	-
Natural areas - forests	-	-	-	-	-	-	-
Natural area - grassland	-	-	-	-	-	-	-
Natural areas - scrublands	-	-	-	-	-	-	-
Hill with natural trees + sacred place	-	-	-	-	-	-	-
Sacred site	-	1,213,600	-	364,080	71,910	1,649,590	2,294
Sacred sites + natural forests	-	2,427,600	-	728,280	143,820	3,299,700	4,589
Total sites						4,949,290	6,883

* As explained in section 5.1.4.1, compensation for trees has been factored in via the Community development projects and grave relocation is not desired by communities. There will be no graveyard relocation costs in those cemeteries.

** All community trees will be compensated via Community development projects (see section 5.1.3.1).

*** The (-) sign means that it is not applicable.

6.5.4 AGRICULTURAL PRODUCTION AND PARCELS

ESCOM does not have a policy of firmly acquiring land for the creation of the power line wayleave in agricultural areas, other than the pylon bases. Compensation for agricultural production and parcels will therefore be treated differently depending if the location is under a pylon or in the rest of the wayleave.

6.5.4.1 PYLON BASES

As previously mentioned, only the area of land under the pylons will be a permanent loss. A total of 681 households have a cultivated land in the Project area. The 89,401 m² of annual crops located under the towers (169 pylons X 529 m²) will be compensated (MWK 1,698,619 or USD 2,362).

The compensation is at market price for one year of production and was calculated on maize (the more frequent and expensive crop surveyed).

A piece of land must also be bought to replace the affected parcels under the towers. According to the prices of land in the region (value 400 MWK/m²), this compensation is estimated at MWK 35,760,400 (USD 49,729.38) (see budget in chapter 12).

In addition, the replacement of the area lost under the pylons requires that the replacement land be prepared for cultivation by land clearing, fertilization operations, seeds, etc. The compensation cost for the preparation of the replacement spaces is MWK 21,875,022 (USD 30,420).

For farmers who will lose 20% or more of their productive land, assistance in the search for new lands, clearing, and preparation (upgrading) and acquisition costs must be considered. As mentioned, since the location of the pylons is not yet determined, the exact cost associated with these substantial losses will need to be determined once the final location of the pylons will be determined, but section 6.1.1 presents an estimate of PAPs with 20% and 80% land losses that have been considered. The schedule (see Chapter 12) also specifies the need for an information update regarding pylon and temporary infrastructure locations by the contractor.

6.5.4.2 REST OF THE WAYLEAVE

In general, agricultural crops in the wayleave (excluding pylon bases) will not be compensated because ESCOM commits to allow those owners to continue their agricultural activities, provided that only annual crops are grown. This commitment will be formalized in a Memorandum of Understanding (MoU) signed by each PAP with land in that category, where rules applicable to land uses inside the wayleave will be detailed. Recommendations for contents for such an MoU are provided in Appendix 6-3.

However, a compensation for agricultural production must be given to compensate crop damages that may be caused during the construction of the line. That compensation will be the responsibility of the contractor and paid by the Project Contractor (see section 9.2.6.2).

Finally, a compensation for the decrease in land value, caused by restrictions on possible land uses in the wayleave, will be given to owners of lands in the wayleave. This compensation is justified by the fact that landowners will have limited rights to use their land (annual farming only) compared to their current rights, which include any use they can imagine. It can therefore be assumed that the value of their land will be reduced if they try to sell it. Compensation is based on 10% of the current value of lands (excluding pylon bases), therefore MWK 87,375,040 (USD 121,506).

6.5.5 TREES

The compensation cost of trees, often referred to as the "replacement cost", has been calculated considering agronomic characteristics (non-production period and period before reaching full production) and economic data (price of one year), plant, selling price of production, labor, degree of maturity, etc.) obtained during the market survey carried out in April-May 2019.

A total of 143,680 trees (fruit and natural trees) are possessed by households in the wayleave. All these trees will have to be cut and compensated⁵, and cannot be replanted in the wayleave. This will be a permanent loss over the years.

All natural or planted trees in the wayleave have been registered for compensation (Table 6-6).

Table 6-6 Tree Compensations (in MWK)

Trees	District			Total MKW	Total USD
	Balaka	Mwanza	Neno		
Natural tree	28,154,650	85,535,972	647,626,382	761,317,004	1,058,708
Banana	-	174,774,684	42,110,714	216,885,398	301,607
Blue gum tree	-	9,686,667	16,160,004	25,846,671	35,943
Fungo	-	-	7,519,997	7,519,997	10,458
Mango	10,667	8,477,333	1,394,666	9,882,666	13,743
Acacia	-	1,463,333	7,990,001	9,453,334	13,146
Nanche	-	3,409,370	58,580	3,467,951	4,823
Other medium	-	3,128,000	296,000	3,424,000	4,762
Other small	-	1,221,333	810,666	2,031,999	2,826
Guava	-	1,621,333	336,000	1,957,333	2,722
Bamboo	-	1,050,000	1,010,000	2,060,000	2,865
Gmelina	-	2,033,333	86,667	2,120,000	2,948
Indian jujube	-	384,000	997,333	1,381,333	1,921
Mponza	-	813,333	5,333	818,666	1,138
Sisal/Hedge	-	40,000	1,133,333	1,173,333	1,632
African blackwood	-	-	512,000	512,000	712
Avocado	-	941,333	-	941,333	1,309
Muputu	-	584,000	-	584,000	812
White baubinia	-	82,667	373,333	456,000	634
Baobab	16,000	16,000	608,000	640,000	890
Papaya	-	591,304	694,140	1,285,444	1,788
Wild syringa	-	242,667	-	242,667	337
Camel's foot	-	298,667	-	298,667	415
Horn-pod tree	-	221,333	-	221,333	308
Msolo	-	264,000	-	264,000	367
Neem	-	5,333	208,000	213,333	297
Other large	-	328,000	64,000	392,000	545
African teak	-	375,000	20,000	395,000	549
India	-	10,000	200,000	210,000	292
Mufuti tree	-	154,667	-	154,667	215
Wild Loquat	-	245,333	-	245,333	341
Clusterleaf	-	85,333	40,000	125,333	174
Live-long	-	101,333	-	101,333	141
Tamarind	-	80,000	32,000	112,000	156
Turpentine tree	-	24,000	74,667	98,667	137
Poison Grub Commiphora	-	85,333	-	85,333	119
African bubblegum	-	37,333	56,000	93,333	130
Blue Jacaranda	-	-	104,000	104,000	145
Tangerine	-	152,309	-	152,309	212
Zebrawood	-	69,333	-	69,333	96
Kachere	-	88,000	-	88,000	122

5 The number of trees has been multiplied by the amount of compensation established per tree. The compensation rates per tree are presented in Appendix 6-1.

Trees	District			Total MKW	Total USD
	Balaka	Mwanza	Neno		
Lemon	-	74,667	-	74,667	104
Carrot tree	-	72,000	-	72,000	100
River tamarind	-	37,333	-	37,333	52
Glossy flat-bean	-	40,000	-	40,000	56
White thorn	-	26,667	-	26,667	37
Bushwillow	-	21,333	-	21,333	30
Leeds	-	40,000	-	40,000	56
Monkey Orange	-	24,000	-	24,000	33
Sterculia	-	-	26,667	26,667	37
Buffalo thorn	-	16,000	-	16,000	22
Chiwi	-	16,000	-	16,000	22
Moringa Oleifera	-	20,000	20,000	40,000	56
Orange	-	16,000	-	16,000	22
Poison-pod albizia	-	-	24,000	24,000	33
Cabbage tree	-	10,667	-	10,667	15
Chidoule	-	10,667	-	10,667	15
Mstiu	-	10,667	-	10,667	15
Large-leaved jackal-berry	-	5,333	-	5,333	7
Mobola plum	-	5,333	-	5,333	7
Muchesa	-	-	8,000	8,000	11
Velvet-fruited zanha	-	-	16,000	16,000	22
Mulberries	-	-	10,667	10,667	15
Total	28,181,317	299,168,637	730,627,150	1,057,977,103	1,471,252

Due to the large number of trees, it is recommended, during compensation pay-off, to review the number of trees with affected owners.

The total compensation for affected trees is estimated at MWK 1,057,977,103 (USD 1,471,252).

6.5.6 ACCESS ROADS AND WORKER CAMPS

A budget has been calculated for the compensation to be granted for crop damage caused by access roads and worker camps. Infrastructure can cause damage or impacts on land for which property owners must be compensated. The budget for such damages caused by permanent infrastructure, which will be ESCOM's responsibility, is estimated at MWK 40,889,146 or USD 56,862 (2.5% of the RAP subtotal).

The Contractor will be responsible for compensations related to temporary infrastructure (temporary access roads and worker camps).

Expropriation for such temporary facilities will not be compulsory since other alternatives can be found. If the owner of the land parcel refuses consent, they will not be forced, the route will be abandoned, and an alternative route will be explored (see section 9.2.6.2 for contractor responsibilities).

6.5.7 PRIVATE GRAVES AND PRIVATE RELIGIOUS SITES

Only one PAP has a tomb in the wayleave. The compensation for the rituals and displacement is estimated at MKW 500,000.

Table 6-7 Tomb Compensation (in MWK)

Religious, spiritual or heritage structures	District			Total MKW	Total USD
	Balaka	Mwanza	Neno		
Tomb	-	500,000	-	500,000	695
Total religious or sacred structures (MWK)	-	500,000	-	500,000	695

7 INCOME AND LIVELIHOOD RESTORATION STRATEGIES

ESCOM will use the guidelines below and involve the affected communities, local leaders, NGOs, and other stakeholders to gather opinions and assess livelihood restoration procedures.

The World Bank (WB)'s OP, 4.12 paragraph (6c), states the following:

“Displaced persons should be offered support after displacement, for a transition period, based on a reasonable estimate of the time likely to be needed to restore their livelihood and standards of living; and provided with development assistance, such as land preparation, credit facilities, training, in addition to the compensation they receive.” (World Bank, 2001).

Additionally, WB OP 4.12, paragraph (2c), requires displaced persons to be given assistance for their efforts to improve their living standards, or to at least restore them to the highest standard between pre-displacement or standards prevailing prior to the beginning of the project implementation.

Using these guidelines, ESCOM will involve affected communities, local leaders, NGOs, and other stakeholders to define appropriate income and livelihood restoration strategies. The process of defining these strategies must be largely participatory to quickly promote their ownership (see Chapter 3, section 3.3.2). Assistance will be especially critical to the individual that is to be relocated far from their current location, due to reconstruction costs that may be otherwise avoided.

7.1 LIVELIHOOD RESTORATION AND IMPROVEMENT AT HOUSEHOLD LEVEL

Different restoration packages will be required for each of the various categories of PAPs and will depend on the type and magnitude of loss suffered, the vulnerability level of the PAP's household, the indicated preferences associated to their family characteristics and other relevant circumstances.

In the development of the measures for the livelihood restoration and improvement, some guiding principles have been considered:

- Plan and negotiate livelihood restoration and improvement activities with displaced persons;
- Implement pilot activities where possible;
- Focus on investments rather than direct interventions;
- Give priority to the replacement of existing livelihood activities;
- Create, foster, and enhance networks with government and existing civil society organizations and stakeholders.

To limit impoverishment risks, adequate compensation levels and implementation conditions are essential. The conditions discussed in Chapters 6, 9, and 10 need to be given to PAPs and are summarized in sections below.

7.1.1 LAND BASE AND AGRICULTURAL PRACTICES

7.1.1.1 ENTITLEMENTS

As stated in Chapter 6 of this report, the 681 affected households that will lose a piece of land will receive sufficient compensation to have the possibility of buying new land for the losses under the pylons. Compensation in kind (land-for-land) will be given to PAPs losing more than 20% of their land, while monetary compensation for land losses will be allocated to PAPs who lose less than 20% of their parcel.

Compensations for crops will be in cash for all because the risk of impoverishment is very low: crop compensations represent USD 2,362 in total and less than \$3,50 per PAP on average. The administrative burden of in-kind compensation for crops is also important as every farmer harvests many different crops in small quantities, therefore compensation in kind would be disproportionately complicated compared to the amounts at stake. Cash compensations also save PAPs time and effort since they are not forced to sell their extra crops at the market and are free to use the money as needed.

7.1.1.2 LAND ACQUISITION PROCESS

Further investigations paired with experience on similar projects indicate that in most cases it would be difficult and cumbersome for ESCOM to find and propose replacement land for different reasons (risk of speculation, administrative burden, PAP lack of trust, etc.). It is thus preferable to propose to the PAPs that they find alternative parcels themselves and liaise with the RAP Implementation Consultant (RIC), who will ensure PAPs do not illegally resettle within the limits of the Thambani Forest Reserve.

The steps to be followed by ESCOM and the PAPs during the land acquisition process are outlined below:

- As mentioned in the section 4.1.2.5, considering some uncertainties related to land ownership by husbands/wives, ownership of parcels to be compensated shall be validated before payment with husband, wife and community representatives present. Additionally, considering the matrilineal regime in the project area, it is required to ask wives to co-sign compensation agreements;
- As mentioned in 7.1.1.1, PAPs losing 20% or more of their productive land (estimated at 10.48 PAPs for permanent losses under pylon bases, see section 6.1.1) will be compensated in-kind by ESCOM. The choice of the parcel to be acquired, however, remains the PAPs'. It should be noted that the final amount of PAPs benefitting from this assistance is to be revised at RAP implementation when final location of pylon bases is known, and will likely be significantly lower;
- PAPs losing less than 20% of their land holdings under the pylon bases will be compensated in cash and will be at liberty of investing that money in a new land parcel or for other uses. If they choose to invest it in another land parcel, they shall be responsible for identification of available land parcels. ESCOM shall allow them sufficient time to find and evaluate available replacement land options, and organize the resettlement;
 - PAPs shall be responsible for selection, price negotiations and acquisition of their replacement land parcel(s).
- ESCOM will support PAPs in the acquisition process via the RIC by:
 - Handling all legal aspects of the transactions, with collaboration from the PAP;
 - Handling land titling new parcels, land title registration, etc., with collaboration from the PAP (most PAPs ask for help with land titling);
 - Directly paying for all “transaction costs” such as registration fees, transfer taxes, or customary tributes.

- In cases where PAPs choose to invest their compensation in a new land parcel, adequate control by ESCOM, of PAPs, will be facilitated by the active role ESCOM will play in the transaction:
 - The fact that ESCOM will handle legalities, land titling and transaction costs will allow them to have first hand knowledge of the status of transactions;
 - Cash compensations shall only be paid to the PAP once ESCOM is satisfied that the transaction is indeed completed and the last thing remaining is the payment;
 - Compensations shall be paid to the PAP, against a receipt from the vendor.
- In cases where PAPs choose to invest their compensation otherwise than by purchasing land, cash payments will always be made in accordance with sections 7.1.7, and 7.1.8 when the concerned PAP is vulnerable.

7.1.1.3 LIVELIHOOD RESTORATION MEASURES

The replacement land parcel will be improved (cleared, tilled, weeded, fertilized, etc.) where necessary to reach the productive condition of the original land. Affected households will be paid by the Project to do this work as much as possible to provide employment opportunities for affected people, and otherwise the RIC shall coordinate the implementation of those steps for PAPs who are not capable or do not wish to do so. However, fertilizing will be granted during the RAP implementation only if, after soil tests, soil quality is lower than the previous parcel.

PAPs whose crops are to be negatively impacted by the Project will be provided seedlings and seeds for their gardens and crops on their replacement land.

A transitional food package for one year following relocation will be given to those PAPs to make up for the time it takes until the crops and fruit trees have grown again and produced the same yield. This package will be equivalent to USD 60 per household for a 12-months period for those losing between 20% and 79%, and USD 100 for those who will lose more than 80% of their land.

Additionally, technical assistance will be provided for at least a one-year period to help the impacted households improve their situation. As discussed in Chapter 9, a member of the RAP Implementation Consultant (RIC) will be an experienced development specialist. The RIC will also ensure coordination with governmental agricultural departments for the coordination and efficiency of the work. This specialist will assess concerns, needs and the most relevant aspects of livelihood improvement with PAPs and local administration, as well as propose improvement and support activities.

This help must include the following:

- Practical training courses on improved agricultural techniques;
- Improved crop varieties;
- Fertilization;
- Small scale irrigation;
- Animal traction and related equipment;
- Post-harvest grain conservation;
- Agroforestry, and other relevant techniques.

If possible, training and services will be delivered by an experienced organization providing a permanent presence in the area, to ensure PAPs understand the scope of work.

Women will be targeted as a specific group of interest, with specific engagement methodologies. To this effect a female social worker will be included in the RIC and dedicated engagement with women.

Women will be informed of the RAP's activities such as compensation payments, training opportunities, agricultural production programs and other allowances specific to women.

7.1.1.4 FARMING IN WAYLEAVE DURING OPERATION

It should be noted that PAPs will be allowed to cultivate the land within the wayleave for seasonal crops only, within modalities established by the MoUs described in section 6.5.4.2 and Appendix 6-3. ESCOM will be at liberty to carry out maintenance work within the wayleave at any time and the affected PAPs will be appropriately compensated for with respect to any damage that may be caused as a result of such maintenance work.

7.1.2 TREES

A total of 143,680 natural and planted trees are present in the wayleave. These will be destroyed during the construction of the transmission line since only annual crops can be kept in the wayleave. Compensation to households will be allocated according to the prescribed rates up to a total of MWK 1,057,977,103 (see Chapter 6 for details).

The RIC will help the affected households to plant trees to restore their sources of income and livelihood.

7.1.3 PRIMARY AND SECONDARY STRUCTURES

As mentioned, there are 57 primary structures (residences and other buildings deemed important [ex.: private churches, gowelo, etc.]) and 35 secondary ones within the wayleave.

A budget of MWK 274,885,400 was calculated for the reconstruction (only) of primary and secondary structures (including churches and gowelos). A replacement house will be provided to PAPs with minimum sustainable living standards, which is the case for a cement brick, cement mortar floor, corrugated iron roof house with two rooms (compensation cost 105,000 MWK/m²). The Project will not go lower than this standard, and all relevant purchase charges, taxes, and other legal costs are included in that estimate.

No affected primary or secondary structures are connected to the power grid (ESCOM).

To this amount (the valuation for replacement dwellings) a cost for sanitation facilities (irrespective of if the household possessed a toilet before or not) was added. Toilet construction will respect the minimum requirements of "improved sanitation" with at least a ventilated improved latrine, VIP) where houses are not connected to municipal water supply. They will be built on an area of 3 m², with burnt bricks, an iron roof, cement floor, plus two chamber systems.

Provision of efficient wood stoves is required where kitchens are to be constructed to reduce the consumption of firewood or charcoal and to create best practice examples within the communities. These stoves are inexpensive (MWK 2,000-3,000 (below USD 5)) and are produced in local potteries. These stoves will be included in the resettlement package.

Those buildings must therefore be rebuilt on new land where the risk of spatial disruption of household activities is the lowest. All necessary steps will be taken by ESCOM, the RIC and District Councils, to make sure that PAPs find a suitable land for reconstruction and enough time for reconstruction and proper compensation is allocated. Reconstruction is to be done on parcels adjacent to the piece of land being displaced, at best. Registration of the land on behalf of the head of the household with the authorities will be done by the RIC.

In most cases, PAPs generally choose the option of rebuilding their homes under the supervision of a qualified professional to ensure the quality of the structure. This solution has many advantages for the PAPs, who are paid for their work and who have control over the reconstruction, as for ESCOM and the RIC for whom the process is largely simplified.

If, at the request of the PAP, the RIC is responsible for the reconstruction, it will be carried out by a recognized company supervised by the RIC. In this case, the PAP will have to agree on the quality of the work before taking possession of the house.

In all cases, the structures will have to be rebuilt before the beginning of the construction of the line. It is required to begin the reconstruction from six months to one year before the start of the construction of the line to allow enough time for PAPs to rebuild their homes.

To reduce the risk of mismanagement of remuneration and household impoverishment, the RIC staff will control the way compensations are spent by PAPs. Progressive payments will be applied through verification measures of the operation: purchase of land, delivery of construction materials, etc.

7.1.4 MOVING ALLOWANCE

The Project shall provide for transportation of PAP's salvaged materials to the new residential site within the local community. ESCOM shall prioritize the hiring of transport for physically affected PAPs, especially in rural areas where cash allowance may not enable transport of belongings. However, a cash allowance remains as an alternative.

A moving allowance of USD 200 shall be included in the resettlement package. A distance based moving allowance is not considered assessed as the distances will generally not be long (less than 100 m). If no local sites are available, the transport allowance shall cover full costs of the move to the closest available sites that are comparable to the affected plot.

7.1.5 DISTURBANCE ALLOWANCE

The Project shall provide a disturbance allowance to cover time lost from other efforts in addressing moving and other activities associated with resettlement. PAPs will be given a notice of 30 days and requested to vacate the premises. They will get the opportunity to dismantle affected structures prior to Project implementation and they won't have to bear the cost of demolition.

Construction materials that PAPs choose to re-use will not be confiscated and they will not pay any fine or suffer any sanction. Remaining structures and unused material will be dismantled by the implementing agency. As used by the Department of Lands, the disturbance allowance is equivalent to USD 200 for each physically affected household. The same allowance shall be given to PAPs losing the totality of their land.

7.1.6 FOOD BASKETS

A transitional support will take the form of food baskets for physically affected households over a three-month period.

The size and composition of the food basket will be tailored to fit local preferences and the demographic profile of households. This will be provided by the Project as part of their transitional support and is equivalent to USD 100 per household / per month.

7.1.7 CASH COMPENSATION PAYMENT MODALITIES

Based on PAP inventory results, planned project impacts, and preferences expressed by the PAPs, most compensations will likely be paid in cash. While preferred by most PAPs, cash compensations pose a risk of impoverishment in cases where the money is mismanaged or misused. In order to minimize this risk, the following measures shall be applied by ESCOM for payment of all cash compensations, to all eligible PAPs.

Additional measures applicable to vulnerable PAPs are planned in section 7.1.8.

- Cash compensations will only be paid in bank accounts. No “hard cash” payments shall be made;
- ESCOM will support PAPs to open bank accounts when necessary;
- ESCOM will seek full consent of women in the households and explain to them the proposed compensation options;
- Women must be the ones handling compensation where a matrilineal system is practiced. However, as mentioned in Chapter 4, men can also own a land parcel in this kind of system. Verification about owners will have to be done during the RAP implementation before allocating the compensations;
- Where the husband owns the land, compensation amounts shall be disclosed to women in order to help to empower women to have a say on the compensations;
- Training pertaining to opening bank accounts and financial management will be offered to each PAP (vulnerable or not, both husbands and wives). That training will also address the management of cash inflows and outflows to both husband and wife, emphasizing that once agreed, compensation payments are final. The training will insist on the fact that misspending will impoverish households;
- Payment of large compensation amounts (larger than USD 500) will be done through carefully distributed installments (it can be over several months) to mitigate the potential for cash misuse. This rule however will not apply to payments made for verified land purchases (see applicable process in section 7.1.1.2) which needs to be paid in one payment.

7.1.8 VULNERABLE GROUPS

Special focus shall be put on the livelihood improvement of vulnerable groups prior to the construction of the Project. Vulnerable groups include women or handicapped heads of households, or those with disabled members. Vulnerable households will be consulted at the onset of the operation to evaluate their concerns and needs. Special help that could be provided include, among others:

- Support to open bank account;
- Help for administrative transactions (land titling);
- Relocation logistics and other support for the physically resettled households such as:
 - Transport assistance;
 - Reconstruction advice (on materials, type of structures, etc.) to ensure the quality of construction.
- Psychological support (information, counseling, discussion);
- Special transitional funds specific to vulnerable households.

Members of affected households must also benefit from the proposed training programs. Household members within vulnerable households are to be given priority for the allocation of Project related employment and other benefits.

The RIC will assess the applicability of lessons learned from previous projects with relevance to the planned resettlement and compensation activities. The RIC will therefore propose compensation in kind (house reconstruction, equivalent in locally bought food for crop damage) because this type of compensation tends to protect the most vulnerable in the community (females and children and vulnerable people) while cash compensation has been shown to be detrimental to them (Cernea, 1988).

As noted in Table 4-27, 378 vulnerable households will receive an income support allocation of USD 2/day for each member of the household for 30 days.

It must be noted that the compensation for a member living with one or many vulnerabilities will be adjusted according to the number of vulnerability categories to which he/she corresponds (ex., a woman head of household living with a handicap will receive USD 4/day). It must be noted that even other members of the household that are not vulnerable will receive USD 2/day. This is allocated due to the inconvenience and time constraint related to the resettlement of their primary structures and/or the loss/search of land. The total is MWK 91,987,272 (USD 127,920).

When cash compensation is the only acceptable option, the following possible mitigation measures must also be examined and implemented when feasible:

- Women must be the ones handling compensation where a matrilineal system is practiced. However, as mentioned in Chapter 4, men can also own a land parcel in this kind of system. Verification about owners will have to be done during the RAP implementation before allocating the compensations.
- Where the husband owns the land, compensation amounts shall be disclosed to women in order to help to empower women to have a say on the compensations;
- In children headed families, an elder child and siblings can be signatories to the bank. However, Chiefs/Village Committees can assess the responsible siblings to handle the money issues;
- Awareness programs on issues directed towards authorities, local administrators and communities;
- Assistance of the RIC to inform and assist vulnerable people and groups;
- Seeking full consent of women in the households and explaining to them the proposed compensation options. Women must be consulted to assess their specific losses and control their compensations;
- Careful monitoring.

It must be noted that training pertaining to opening bank accounts and financial management will be offered to each PAP (vulnerable or not, both husbands and wives). That training will also address the management of cash inflows and outflows to both husband and wife. Payment of large amounts of cash compensation (larger than USD 500) will be done through carefully distributed installments (it can be over several months) to mitigate the potential for cash misuse.

7.1.9 ADDITIONAL MEASURES: NON-FARM COMPONENTS

7.1.9.1 EMPLOYMENT AND OTHER BENEFITS

Priority must be given to all able-bodied members of resettled households during the labour recruitment process. This applies to the following employment and contract opportunities: clearing of the wayleave path; portage for movement of construction materials to transmission pylon development and other sites, construction of access roads and construction camps, reconstruction of community buildings and houses, provision of services and goods to the workers, administration of the compensation program, monitoring activities, etc.

Furthermore, all the affected households and communities will be given all the wood that is cut on their parcel for their own use or sale. The materials salvaged from the affected structures must also be left to the affected households and communities.

All goods and services (sand, cement, food, etc.) must be bought locally when possible and follow ESCOM's gender policy where such awards shall not have less than 40% of either gender. This applies to all contractors and specific provisions to that effect must be included in the construction Terms of Reference.

7.2 LIVELIHOOD RESTORATION AT COMMUNITY LEVEL

Within the 28 affected communities crossed by the Project, one community structure (a borehole) and 2 communal sacred sites are affected.

It is required to inform the affected communities and PAPs at least one year before the start of the construction and to allocate MWK 9,063,488 for the reconstruction of the affected community structures and displacement of sacred sites (see Chapter 6). Trees present in the community forests will be compensated via community development projects to be selected in collaboration with communities, as explained in section 5.1.4.1 and below.

In all cases, except if the community leaders choose otherwise, the new structure or sacred site will be located near the previous one (ideally on land already belonging to the affected community to reduce disruption of community life, established spatial organization and services).

Many communities along the wayleave have experienced workers that can be hired during the construction phase (see Chapter 4, Tables 4-6 and 4-7). Local experienced workers and entrepreneurs with necessary experience and capacity will be given work opportunities, if applicable. As suggested through consultations, the contractors will liaise with village chiefs to maximize local hiring as well as the purchase of local materials and services. This hiring must appear in the contracts of the contractors.

A budget of MWK 253,885,446 shall be utilized to compensate indirectly affected people in communities crossed by the Project by improving existing community facilities and services by funding the construction or refurbishment of public buildings (schools), services (dispensaries) and infrastructure (water supply and roads). The development of infrastructure improvement shall be done equitably between the crossed communities.

During the socioeconomic survey, communities that will be crossed by the future transmission line talked about some development projects that they would like to benefit from. The community leaders have mentioned schools (primary, secondary, nursery, etc.), teacher houses, clinics, health centres, boreholes, etc. Some communities (6) were not able to comment on this issue during the socioeconomic surveys and consultations. Additional discussions will need to be planned with these communities to take their development needs into consideration at the time of the RAP implementation. Table 7-1 shows the different development projects suggestions proposed by the communities. The RIC will be responsible for preliminary identification of potential development projects in communities via an outline of community development plans respecting the overall budget indicated above. Project validation, implementation, and monitoring are to be performed by ESCOM.

Table 7-1 Development Projects Requested by Communities Crossed by the Project

Communities	Development Projects Requested
Kasapha	Houses for teachers
Kagulo	Health centre
Dzilima	Nursery school
Biriwiri	Primary school
Siledi	Houses for the primary school / electricity connection at the school
Mulongolora	Learning buildings - classrooms at the primary school
Chasesa	A school block at the current primary school
Dzikolatha	Expansion of the health clinic to health centre / Secondary school / Bridge
Jonathan	Primary school
Chapita	Health centre
Liyenda	School blocks for the primary school / Teacher houses
Joseph	School blocks for the local primary school
Mtingala	Primary school
Phombeya	Clinic shelter
Chikapa	Office for teacher at Kasenjere primary school
Kandoje	School blocks and teacher houses / Boreholes
Chikwekwe	Primary schools
Mbemba	Hospital
Kamwamba	Secondary school
Mkoka	Schools / Health centre
Salafosi	Additional class blocks for the primary school
Phokoso	Nursery school

Only eight of the 28 communities crossed by the future transmission line have NGOs that could possibly help with the implementation of these suggested projects. Table 7-2 present the different NGOs in these eight communities.

Table 7-2 NGOs in Communities Crossed by the Project

Communities	Number of NGOs	NGO's names
Mkulira	3	Save the children / Red Cross / Association of Progressive Women (APW)
Golowa	1	Red Cross
Kasapha	2	Red Cross / Save the Children
Siledi	1	Red Cross
Kandoje	2	Save the Children / World Vision
Chikwekwe	4	Save the Children / World Vision / Food and Agriculture Organization of the United Nations (FAO) /Catholic Development Commission (CADECOM)
Mbemba	2	Partners in Health / World Vision
Kamwamba	1	World Vision

8 IDENTIFICATION OF POTENTIAL HOST AREAS

The selection of a resettlement host area has a significant impact on families that will need to be economically and physically relocated. To minimize these impacts, affected households will be relocated within the same communities in which they currently reside. Since the Project is linear, only a narrow strip of land will require resettlement. Although it involves physical relocation of a significant number of households, resettlement will be spread along the line and not all concentrated to a single site. Any requirement for large-scale resettlement in one given location or community is therefore excluded, and resettlement will be much smoother if PAPs are relocated in the same localities and communities they currently live in, and as near as possible to their actual place of residence. This is particularly true in more rural areas where finding resettlement sites is easier than in urban areas.

Resettling affected households in the same localities and communities they currently live in, and as near as possible to their actual place of residence, is a way of mitigating or minimizing some of the socioeconomic impacts of the resettlement process. This approach has many advantages:

- PAPs will still be able to access the same social infrastructure, sacred and spiritual sites, formal employment and agricultural lands they currently use;
- Their social networks will be maintained, especially because resettlement sites will be selected by PAPs themselves. For example, relationships with their families and traditional neighbours will be minimally impacted, therefore the risk of people finding land only far away from their original place and moving back is minimized;
- PAP access to natural resources will be significantly similar to that of their original place, since they will move to the same community and competition will be unchanged;
- PAPs still have the same customers and use the same markets to sell and buy their goods.

As mentioned above, the Project extends over 78 km in Malawi and, according to the field survey conducted in April-May 2019, a total of 57 households will need to be permanently relocated (physically affected). Therefore, resettlement host areas need to be identified for these households.

As required by RAP preparation good practices, possible resettlement sites were discussed during the community survey and Public Participation Process. This topic was discussed with all local leaders and affected households during the second round of consultations. During the meetings, available lands within the localities and resettlement conditions were explored and discussed. Most communities mentioned that there is enough land available in each locality to accommodate resettlement of the PAPs. However, the affected households need to buy a new housing plot from another owner in the area as per the procedure detailed in section 7.1.1.2. Four communities indicated that there is no free (community) land available. However, private parcels are available and can be purchased in those areas also. It is therefore concluded that land will be available for all PAPs who will be physically displaced. PAPs will be supported in this process by ESCOM and the RIC, as per indicated in sections 7.1.1.2, 9.2.1, and 9.2.2. As for PAPs the vast majority requested that the project promoter help them to secure another parcel. A minority mentioned that they prefer to move the structure on the same parcel or on another parcel they already own.

Village leaders, however, were not able to identify resettlement areas since the resettlement area needs to be selected and purchased by the PAP at RAP implementation, in accordance with the procedures outlined in section 7.1.1.2.

With regards to agricultural activities, discussions were held on restrictions and limitations to activities in the wayleave, such as prohibition of growing any crops/trees taller than 5 meters, or prohibition of building any structures on the land. It was confirmed that affected households could carry on with their agricultural activities under the transmission line, within these limits. It was agreed that these limitations will not imply significant changes to PAP activities, except for location of buildings and trees.

Therefore, it was agreed that affected households will be able to carry on with their agricultural activities, in much the same manner as they currently do. Soil tests will be done on the new land parcels to ensure the fertility levels are the same, if not, the RIC will help fertilize the new land.

To ensure PAPs maintain land tenure security and autonomy over their lands, secure tenure will be given to the PAPs by ESCOM. To this effect, a suitable agreement will have to be signed, and any permit or formalization completed by ESCOM as required by the Law.

9 INSTITUTIONAL ARRANGEMENTS FOR RAP IMPLEMENTATION

9.1 INSTITUTIONAL FRAMEWORK

This section highlights relevant institutions (besides ESCOM) through which the planning and implementation of the RAP will be conducted. Many institutions were identified and consulted and will be involved in the overall implementation of this RAP.

These include:

- Ministry of Natural Resources, Energy and Mining (MNREM);
 - Ministry of Agriculture, Irrigation and Water Development (MAIWD);
 - Ministry of Lands, Housing and Urban Development (MLHUD)/ Regional Lands Office – South;
 - Local Government Areas (LGAs)/District Councils/District Tasks Forces.
-

9.1.1 *MINISTRY OF ENERGY*

All consultation efforts are coordinated by the Ministry of Energy, through the Electricity Supply Corporation of Malawi Limited (ESCOM).

9.1.2 *MINISTRY OF AGRICULTURE*

The ministry will ensure that the various aspects of the RAP that are aligned to its mandate are managed within the overall framework of the Local Government Areas/District Councils.

9.1.3 *MINISTRY OF LANDS – THROUGH REGIONAL LANDS OFFICE - SOUTH*

At the regional level, the Ministry of Lands will be responsible for provision of advice to Local Government Areas/District Councils on resettlement matters including planning, approval of sites and providing legal advice on the same. The Ministry is also responsible for review and approval of RAPs at the national level.

9.1.4 *LOCAL GOVERNMENT AREAS (LGA)/DISTRICT COUNCILS*

Although not explicitly concerned with involuntary resettlement issues, the Local Government Act of 1998 aspires to devolve certain powers to local-level government and to make local governments more transparent and accessible. As such, the local government has a central role in the planning for resettlement within its area of jurisdiction and has the capacity to affect the implementation of resettlement planning.

Three Local Government Areas (LGAs) are involved in this Project; one in each district – Mwanza, Neno and Balaka.

The roles and responsibilities of the local authorities in this project shall include the following:

- Liaise with the RIC Coordinator (see section 9.2.2) to verify adequacy of resettlement location and provide approval for such sites;
- Supervise the payment of compensation and livelihood restoration measures;
- Provide additional resettlement areas if the designated locations are not adequate;
- Provide necessary infrastructure in relocated areas;
- Liaise with MNREM and participate in consultations.

The participation of LGA will be organized through the creation of a local resettlement committee (LRC) (see below) where LGA representatives / district councils and chiefs of affected communities will discuss resettlement matters and measures with the RIC.

At the district level, there will be district task forces. These task forces will be composed by subject matter specialists for: Community development, Social welfare, Agriculture, Forestry, Fisheries, Trade, Health, Gender and NGOs working in the area. The District Task Forces act as implementing bodies for RAP related activities at the district level, in Mwanza, Neno, and Balaka. They operate as direct partners to the RIC. District subject matter specialists shall contribute with their expertise, their capacity and competence to the implementation of the RAP, corresponding to the different technical areas they represent (i.e., agriculture, social assistance, forestry, etc.).

9.2 INSTITUTIONAL ARRANGEMENTS FOR RAP IMPLEMENTATION

Responsibilities for implementing and monitoring of elements in the RAP are shared between various actors, including relevant ministries, competent authorities, ESCOM and its consultants/contractors and local authorities.

In this context, ESCOM will set-up an internal team responsible for the Project’s execution. This will help ensure decisions are well coordinated, and that the RAP is properly executed. Figure 9-1 illustrates the structure of this institutional organization. Responsibilities and roles of each of the actors involved are discussed in the following sections.

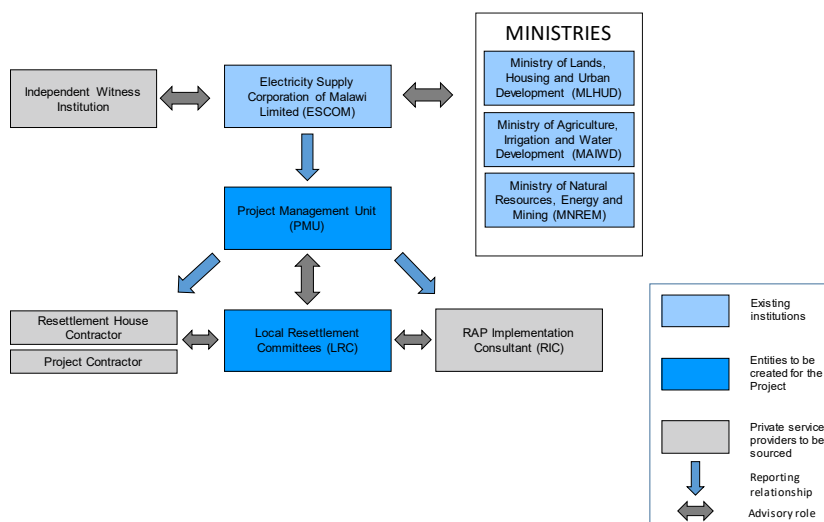


Figure 9-1 Institutional Arrangements for the RAP Implementation

9.2.1 ESCOM

As project owner and beneficiary of the declaration of public utility of the Project, ESCOM is responsible for the implementation of the RAP. ESCOM will manage and coordinate the entire resettlement process and provide funds for RAP implementation. ESCOM will appoint a RAP implementation consultant (RIC) and will monitor and ensure the RAP process is followed adequately with the country's legislation, and is compliant with this RAP and World Bank Resettlement Policy. A project unit within ESCOM is already in place.

ESCOM is responsible for the approval of compensation payments to PAPs. Payment is made by ESCOM through the RIC that will be put in place.

ESCOM will hire an independent witness institution to accompany the Resettlement Plan and Resettlement Action Plan implementation process.

The different responsibilities of ESCOM, will be distributed within an internal team responsible for the Project's execution, and will be as follows:

— Overall responsibilities:

- Be the interface with financial partners regarding resettlement issues;
- Secure the RAP compensation budget and pay the stipulated compensations;
- Interact with government authorities to ensure the transfer of services;
- Coordinate and manage update of the RAP inventory prior to resettlement;
- Implement the resettlement plan according to the RAP documentation and national legislation;
- Guide and support the top management for everything that relates to the Project's resettlement management;
- Ensure the resettlement management process is working well and that no significantly negative and irreversible impact are produced by the Project;
- Take ultimate technical decisions about resettlement issues raised or observed by other Project stakeholders, if need be;
- Centralize all information and documentation regarding the Project's E&S management.
- RAP implementation responsibilities:
 - During the project preparation phase, ensure relevant requirements regarding resettlement are integrated in the Contractor's contract. In particular, integrate:
 - a requirement to locate all access roads, work areas, and worker camps within the wayleave whenever possible, to contain temporary disturbances within the wayleave and minimize resettlement requirements;
 - a requirement to provide compensation in line with the processes and compensation levels/ approaches defined in this RAP (see section 9.2.6.2 below), any temporary disturbances arising during construction;
 - monitoring and reporting requirements on compensation payments made for such temporary infrastructure.
 - Procure services of a RAP implementation consultant (RIC, see section 9.2.2) tasked with coordination of the entire resettlement process, etc.;
 - Procure services of an independent witness institution (see section 9.2.4) to be hired and facilitate their involvement in the consultation, compensation, and resettlement related activities;

- Procure services of a resettlement house contractor;
- Form Local Resettlement Committees in collaboration with the RIC;
- Participate in RAP disclosure activities to the general public in collaboration with the RIC and in accordance with the process outlined in section 3.4;
- Participate in community information and awareness activities in collaboration with the RIC to inform affected communities in advance on the Project description, resettlement process, and schedule of activities;
- Support the implementation of the Grievance Redress Mechanism (Chapter 10);
- Validate and approve procedures and instruments for RAP implementation and monitoring to be developed by the RIC;
- Validate and approve resettlement house plans;
- Validate and approve updated PAP affected asset inventories, compensation rates, compensation packages, compensation agreements for all PAPs and wayleave use MoUs for PAPs with land in wayleave but outside pylon bases, to be prepared and submitted by the RIC;
- Assist the RIC in providing support to concerned PAPs for search, purchase, and titling of new resettlement land as per required by Chapter 7;
- Manage payment of compensations and livelihood restoration packages to PAPs as per Chapter 7;
- Support the RIC during PAP resettlement and freeing of wayleave;
- Manage payments for improvement of replacement parcels with the RIC;
- Review monitoring reports produced by the PMU. Report to other government bodies or Financial Partners as required;
- Validate the preliminary identification of community development projects prepared by the RIC (see section 7.2);
- Implement community-approved development projects (see section 7.2);
- Monitor implementation of community development projects (see section 7.2);
- Ensure respect for social and cultural dynamics of the affected communities;
- Monitor and evaluate the implementation of the resettlement process;
- Monitor the construction activities and impacts on households, and implement the development projects in the crossed communities (considered as livelihood restoration measures);
- Monitor the long-term impact on communities and households.

Community and household fears, regarding the non-payment of the claims, are important and widespread. To reduce those fears, the approval of the start of the construction of the powerline will be conditional to the transmission of a satisfactory progress report from the RIC, namely a RAP completion report. This report must clearly establish, with the support of evidence, that compensations were paid, and that resettlement projects were successfully carried out prior to the initiation of the construction phase. Approval of this report by the independent witness institution of this report is essential.

The internal ESCOM team responsible for the Project's execution will be composed of the following professionals:

- Project Director;
- Project Manager;
- Procurement Specialist Lead;
- Financial Management Lead;
- Financial Management Officers;
- Deputy PM;
- Transmission Planning Engineer;
- Substation Engineer;
- Transmission Line Engineer;
- Distribution Planning Engineer;
- SCADA/Telecommunications Engineer;
- System Protection;
- Fibre Optic Business;
- Economist and M&E;
- System Operation/Power Trading;
- Compensations and Wayleaves Officer;
- Land Surveyor & Management;
- Public Relations Manager;
- Public Outreach/Communications and Visibility;
- Environmental Safeguards Officer;
- Social Safeguards Officer;
- Social and Gender Integration Manager (Safeguards Coordinator);
- Security Services Manager;
- General Office Administration.

9.2.2 *RAP IMPLEMENTATION CONSULTANT (RIC)*

This structure will be procured by ESCOM for the purpose of coordinating the day-to-day resettlement process, including the monitoring activities.

It is estimated that the RIC will need to operate for approximately 24 months (see RAP schedule, section 12.2), after which a limited team within ESCOM will monitor the long-term impact on communities and households.

The RIC will be directed by a Lead Resettlement Specialist who will supervise the work.

The responsibilities of the RIC will include the following:

- Form Local Resettlement Committees in collaboration with ESCOM;
- Develop and deliver an Institutional Capacity Development Program targeted at ESCOM, members of Local Resettlement Committees and Grievance Committees, Contractors, etc;
- Develop procedures and instruments for RAP implementation and monitoring, to be approved by ESCOM;
- Prepare and implement a stakeholder engagement program during the RAP implementation, to be approved by ESCOM. This plan is to include specific consultations on treatment of the Liyenda and Jonathan cemeteries, in coordination with the District Commissioner and Department of Antiquities to address any remaining concerns and establish procedures for working in the graveyards. To be done in reference to sections 3.3.4.2 and 5.1.4.1;
- Prepare and implement activities related to RAP disclosure to the general public and the PAPs, in collaboration with ESCOM and in accordance with the process outlined in section 3.4;
- Provide information on activities and consultations with the PAPs;
- Validate resettlement house plans with the PAPs and submit to ESCOM for approval;
- Update PAP affected asset inventories (including the number of trees to compensate), compensation rates and compensation packages. Sign compensation agreements with each PAP, in line with directives in the present RAP. Sign wayleave use MoUs for PAPs with land in wayleave but outside pylon bases. Submit to ESCOM for approval;
- Maintain a database of the goods to be resettled, a detailed valuation of the compensations and status of payment for each PAP;
- Provide support to concerned PAPs for search, purchase and titling of new resettlement land, in collaboration with ESCOM and as per Chapter 7;
- Offer training to all PAPs (vulnerable or not, both husbands and wives) pertaining to opening bank accounts and financial management;
- Support ESCOM in payment of compensations and livelihood restoration packages to PAPs;
- Supervise the resettlement house contractor during the works. Ensure that houses are built according to plans, that quality standards are respected and that houses built are acceptable to the community;
- Support the resettlement house contractor with community liaisons during house reconstruction activities. Obtain approval from authorities on new houses, community structures, etc. that are built;
- Coordinate PAP resettlement and freeing of wayleave in collaboration with ESCOM;
- Conduct soil tests on replacement parcels and support to PAPs for their improvement;
- Ensure proper information and participation of PAPs and affected communities;
- Conduct continuous monitoring of the resettlement work during its assignment. Pay special attention to vulnerable PAPs;
- Develop and deliver a preliminary Community Development Plan in line with community requests, district development plans, and allocated budget to be submitted to ESCOM for validation and approval (see section 7.2);
- Produce monitoring reports (see Chapter 11) for the RAP implementation to appropriate government authorities, ESCOM, the PMU and the contractor in charge of the line construction;
- At the conclusion of the resettlement process and prior to beginning of the Construction phase, produce a final progress report. This report must clearly establish, with the support of evidence, that compensations were paid, and that resettlement projects were successfully carried out.

The RIC will rely on a team of professionals and support staff able to conduct the needed tasks. The RIC shall have the following:

- Lead resettlement specialist;
- Support staff: secretarial services, drivers, security and legal personnel, general accountants;
- Survey, Identification & Appraisal Team: surveyors, appraisers, “option disclosure and agreement” officers in charge of relations with each PAP household (negotiation, compensation payment, PAP feedback, etc.);
- Resettlement (house and community structures): ad-hoc urban planner and architect (consultants), engineers / construction supervisors;
- Cash compensation: compensation officers, accountant, security officer;
- Database management: database officers;
- Livelihood restoration and community forests: agronomist / agroforestry;
- Assistance to vulnerable people and displaced households: social workers among which at least one woman;
- Communication specialist: community engagement specialist in charge of the information and participation program, supported by a team of community liaison officers.

RIC offices will be in easily accessible communities to facilitate transport, contact with populations, and local authorities. The RIC’s Lead Resettlement Specialist will assess the situation and propose proper locations.

The envisaged compensation amounts and resettlement modalities for each PAP will need to be approved and endorsed by the PAPs, the competent governmental authorities, and by ESCOM.

Community and household fears, regarding the non-payment of the claims, are important and widespread. To reduce those fears, the approval of the start of the construction of the powerline will be conditional to the transmission of a satisfactory progress report from the RIC. This report must clearly establish, with the support of evidence, that compensations were paid, and that resettlement projects were successfully carried out prior to the initiation of the construction phase. Approval of this report by the independent witness institution is essential.

9.2.3 PROJECT MANAGEMENT UNIT (PMU)

A PMU will be established internally within ESCOM’s structure before the Project start, to be responsible for high level monitoring of the RAP implementation.

The PMU will be composed of experts from the fields of resettlement, environment, agronomy, and sociology, etc., and will monitor proper implementation of the measures contained in the RAP. These experts will be from the professional staff of ESCOM, and from district and local authorities.

Acting under the authority of a coordinator, the committee will meet on a bi-monthly basis in the first weeks of the Project, and then on a monthly basis, or more, as necessary. Its responsibilities will include:

- Ensuring applicable national legislation and financial partners’ safeguard policies are implemented and respected, by analyzing RAP monitoring reports received from the RIC specialists and other partners and identifying gaps against financial partners’ safeguard policies. Report on those gaps to ESCOM;
- Maintaining records of monitoring reports and results;
- Maintaining records of grievance redress reports with their results.

9.2.4 INDEPENDENT WITNESS INSTITUTION

To enhance transparency and trust from PAPs, it has been agreed upon that an independent witness institution (IWI) be retained, through a public procurement process to provide independent advice and report on RAP implementation and management focusing on consultation activities, compensation and resettlement related activities and grievances management. This IWI will review RIC reports, meet with PAPs, check the implementation of the measures, reconstruction, etc. in the field and provide comments and recommendations. That institution could be composed of a university or a consortium. The IWI will act as a focal point for anonymous complaints. Terms of reference for the IWI shall be developed and agreed upon prior to engagement of that IWI.

This ‘outside’ look will ensure proper procedures and stated compensation processes are followed, that PAP grievances are well taken care of, and that PAPs are treated fairly. This mode of supervision was experienced in other projects and gave good results, particularly on reduction of grievances.

The IWI must have qualified and experienced staff and the terms of the contract must be accepted by donors. Drafting of contract terms and selection of the IWI will be carried out by ESCOM in collaboration with donors at the beginning of the RAP implementation planning. The IWI must have experience in gender-based violence.

All PAPs will be informed of the IWI’s role and functions, and will have access to his representatives, in a confidential manner if need be, to explain and discuss their difficulties or grievances.

Summary tasks and roles of the IWI at the different stages of the RAP implementation are described below:

RAP IMPLEMENTATION PHASE (PRE-CONSTRUCTION)

- Meet with PAPs regarding the whole process of resettlement and explain the role of the IWI;
 - Inform affected populations of their rights to increase their confidence in the resettlement process;
 - Explain the different forms of assistance that the IWI will provide, including services related to GBV or liaising with local GBV service providers.
- Monitor the compensation and expropriation processes:
 - Reconstruction of houses and community structures;
 - Compensation payments.
- Assist PAPs during the grievance redress mechanism process (Chapter 10):
 - Prepare a leaflet explaining the GRM process in English and in relevant local languages. This leaflet shall include a registry of frequently asked questions (FAQs) and answers, in order to avoid being overloaded with general grievances. Ensure that leaflet is based on pictures for illiterate people and widely distributed (see section 10.3.1)
 - Help PAPs present their complaints when needed;
 - Record complaints on behalf of the PAP (if the PAP cannot write);
 - Prepare a report about each case (description, decision, etc.) and provide to the PMU for follow-ups and ESCOM for record-keeping.
 - Liaise with GBV service providers whenever required.

PROJECT CONSTRUCTION PHASE

- Verify the implementation of the mitigation and improvement measures;
- Provide comments and recommendations about the mitigation and improvement measures that are implemented;
- Assist PAPs in the grievance redress mechanism, including those related to GBV;
- Review monitoring reports.

9.2.5 LOCAL RESETTLEMENT COMMITTEES (LRC)

9.2.5.1 DISTRICT LEVEL

There are 3 districts crossed by the Project.

Local chiefs/councils and elected representatives of affected PAPs need to be involved with LGA authorities in the RAP implementation to ensure proper management of compensation processes, reconstruction, and community-approved projects (as part of livelihood restoration measures). It is proposed that three LRCs, one per district, be created.

The composition of these LRCs will be:

- LGA Lands or works department representative;
- Traditional Authority (TA) of the district;
- Three (3) representatives of affected PAPs with at least one woman and a young adult;
- One (1) representative of a neutral, respected party, like a respected church priest or Iman, that can act as chairman so meeting procedures are followed;
- One (1) representative of the Group Village Heads (the representative of the most affected village or the most populated affected village);
- Political representative of the district or his representative;
- Representative of ESCOM;
- Representative of the Ministry of Agriculture, Irrigation and Water Development;
- Independent witness institution.

District level LCRs are considered local partners for the implementation of the RAP and work with ESCOM and the RIC to ensure proper and fair treatment to all PAPs and communities. Those committees will be involved at various levels during the RAP implementation:

- Representing the interests of PAPs and communities in the district;
- Supporting the Project in identification of PAPs and land, business or livelihood losses;
- Identifying vulnerable people and households, and working with the RIC and ESCOM to address specific concerns of these people;
- Participating in the grievance redress process by acting as an appeal, and exit, point for all grievances lodged by complainants arising from resettlement activities (see section 10.4.3);
- Offering assistance to identify and select resettlement sites;

- Ensuring transparency and accountability during property valuation and loss of livelihood claims through public participation;
 - Being witnesses to the final agreement with the PAPs in relation to compensation valuation, signature of compensation agreements with households and selection of resettlement sites;
 - Being involved in monitoring procedures, particularly the monitoring of management by the PAPs of financial compensation and advancement of recovery measures;
 - Acting as ESCOM’s local monitoring and oversight committee on encroachment and line infrastructure vandalism;
 - Preparing progress reports and presenting them to the PMU/independent witness institution during monthly meetings.
-

9.2.5.2 COMMUNITY LEVEL

A committee shall be created for (at the most) five wards affected by the Project in the same district¹. The committees may at any time co-opt any member to help in resolving grievances if it seems necessary. Community-level LRCs’ role will be centered on the grievance redress mechanism. They will be involved in the second level of the grievance process (see section 10.4.2). Composition of committees is presented below:

- Villages Heads;
 - Village Development Committee (VDC) Chairpersons;
 - Elected PAP representatives;
 - Women representatives;
 - Elder representatives;
 - Independent witness institution.
-

9.2.6 CONTRACTORS

9.2.6.1 RESETTLEMENT HOUSE CONTRACTOR

The Resettlement House Contractor will be an independent contractor who will be involved in the RAP as the contractor responsible for building resettlement houses. His services will be sourced by ESCOM via a tender process. He will work under the supervision from the RIC, who will provide ensure that houses are built according to plans, that quality standards are respected and that houses built are acceptable to the community.

9.2.6.2 PROJECT CONTRACTOR

The Project Contractor’s primary responsibilities are construction of the Project and direct management of a wide variety of environmental and social issues while doing so. As such, the Contractor will not be involved in implementation of the present RAP prior to construction: it is ESCOM who will be responsible for freeing the wayleave and implementing the RAP. In many projects however, social issues encountered during construction include some resettlement for temporary construction needs (i.e., access road construction, installation of work

¹ For example, if in a district, 10 wards are impacted by the Project, two committees will be formed. If the district has only three wards impacted, only one committee will be created.

areas, worker campsites, borrow pits and temporary storage sites, etc.). Some resettlement responsibilities will befall on the Contractor for management of these situations.

The Project Contractor's first responsibility when it comes to resettlement will be to avoid and minimize it whenever possible. As such, the principle stated in section 9.2.1 above will be integrated into the Contractor's contract and will require that all permanent or temporary facilities be located within the existing wayleave whenever possible, to minimize additional resettlement requirements. Also, as mentioned in section 6.5.6 above, expropriation for temporary facilities such as access roads will not be compulsory since other alternatives can be found. If the owner of the land parcel refuses consent, they will not be forced, the route will be abandoned, and an alternative route will be explored.

In cases where it would be technically or financially impractical to locate such facilities within the wayleave, additional resettlement (whether permanent or temporary) will be required for the Contractor to be able to move forward with the works. All principles stated in the present RAP shall be applicable to any such resettlement, whenever the Contractor requires land for its activities. Particularly, Chapters 6 (Valuation and Compensation), and 7 (Income and Livelihood Restoration) and 10 (Grievance Redress Mechanism) will need to be followed and applied by the Contractor. Rates applicable to various units of compensation will also need to be updated whenever the need arises. It will befall on the Contractor to provide all the required legal documents, such as the signed agreements with owners, authorizations for the use of borrow pits and temporary storage sites, etc.

Contractors shall maintain community liaison staff/community outreach specialists to ensure the local and resettled communities are informed and consulted on the construction works. Also, contractors shall maintain a GRM. PMU will be informed of the grievances as it has the responsibility to oversee the GRM and assist the various project actors during meetings with the communities (see Chapter 10 of the Resettlement plan report for more details).

The Project Contractor will appoint a qualified environmental and social manager that will need to be approved by the RIC. This individual will be responsible for the daily management on-site and will review the application of the management measures proposed in the present RAP report that fall under responsibility of the Contractor. This individual will report regularly to the RIC during the construction period.

Additionally, the Project Contractor's environmental and social manager will appoint liaison officers who will be responsible for reviewing the work performed by sub-contractors to ensure they respect the health, safety and environment directives. All the national health, safety, environmental and social regulations, as well as ESMP and RAP requirements, will have to be respected. He must hold all necessary licenses and permits before the work begins.

Finally, the Project Contractor will monitor and report on compensation payments falling under his responsibility, as well as on the application of all other prescriptions of the present RAP such as those described in Chapters 6 (Valuation and Compensation), 7 (Income and Livelihood Restoration), and 10 (Grievance Redress Mechanism). Such reports will be submitted monthly during construction to the RIC and ESCOM.

9.3 STAKEHOLDER ENGAGEMENT PROGRAM (SEP)

To ensure the interests of the affected persons are fully entrenched in the RAP process and income restoration, an engagement program shall be developed at the onset of the RAP implementation process.

The objectives of the communication and stakeholder engagement activities are to:

- Maintain a social and institutional dialogue with the population, authorities, and other concerned organizations about RAP implementation processes at each step;
- Ensure compliance with good public engagement practices;
- Ensure the project implementation process contributes to strengthening ESCOM's efforts to build lasting relationships with affected communities, relevant authorities and other stakeholders.

The target groups must be identified using the available information resulting from the already completed public consultation activities (see Chapter 3).

This participation will be done through the LRCs and a comprehensive program of information and consultation of affected communities and PAPs will be prepared and implemented by the RIC. The latter will be responsible for preparing and implementing the SEP.

The SEP will make sure that information and consultations address compensation rules and procedures, livelihood programs, PAP rights, grievance mechanisms, schedules, etc.

Communication methods such as leaflets, community meetings with graphical display to help nonliterate people, focus-groups with vulnerable households and women, elderly and youth, radio messages in local languages, recorded approval of the Project by local authorities, organization of PAP access to RAP implementation committees (district), electronic diffusion on EDM's Website, regular meetings with involved services from other ministries (Environment, Agriculture, etc.), etc.

9.4 INSTITUTIONAL CAPACITY REINFORCEMENT

A training program will be delivered as part of the RAP implementation process, to properly train key personnel involved with the supervision of compensation, evaluation, procedures, and implementation of other mitigation and compensation measures. Training on grievance procedures and negotiations will also be provided to the personnel in charge of supervising compensation and resettlement issues.

A joint Mozambique-Malawi training program shall be considered at least for utility staff (ESCOM and Electricidade de Moçambique): that will ensure uniformity in practices on both sides for the Project and allow cost savings.

Table 9-1 outlines the training proposed for ESCOM's team of resettlement specialists and other project stakeholders. The training is focused on the practical aspects of compensation and resettlement, compensation process, monitoring and management. The proposed content is a minimum that can be expanded according to ESCOM staff expertise and experience. Training will be delivered by the RIC.

Table 9-1 Training Program

Training Recipients	Type of Training	Environmental and Social Issues to be Covered	Training Conducting Agency
ESCOM team of resettlement specialists, PMU, LRCs	<ul style="list-style-type: none"> – Lectures – Workshops – Teamwork – Case studies – On-site 	<ul style="list-style-type: none"> – Overview of the environmental and social issues of the Project – Environmental laws and regulations – Social legislation – Review of RAP report, implementation schedule and activities – Legal requirements on compensation and resettlement, World Bank ESS5 and other financiers (if necessary) about RAP standards – Lessons learned from previous projects – Vulnerable group participation techniques – Monitoring requirements and techniques 	RIC: environmental and social experts, legal advisors, surveyors and valuers
ESCOM team of resettlement specialists, PMU, LRCs	<ul style="list-style-type: none"> – Workshops – Lectures – Case studies 	<ul style="list-style-type: none"> – Grievance management, negotiations, and mediation techniques – Vulnerable group situations and grievance management – Review of ESMP and RPF/RAP reports, implementation schedule, and activities 	RIC: legal and negotiation experts

10 GRIEVANCE REDRESS MECHANISMS

Grievance redress mechanisms are essential tools for allowing project affected persons (PAPs) to voice concerns about the resettlement and compensation process as they arise and, if necessary, for corrective action to be taken in a timely fashion. Such mechanisms are fundamental to achieving transparency in the resettlement process. The grievance redress procedure includes the use of records to determine the validity of claims.

It is essential (and a requirement of ESS5) that all resettlement projects incorporate a Grievance Redress Mechanism, and one that is accessible, free, easily understood, transparent, responsive and effective, and that does not restrict access to official grievance channels (such as the courts, including traditional courts), and causes no fear of negative consequences for its recourse amongst users. Affected individuals and households must be informed about the existence of a grievance redress mechanism. General information regarding the existence of such mechanisms must be made public through community consultations. During this community consultation, the scope of the GM as a non-legal recourse mechanism, as well as the legal procedure, will be presented.

Typically, the difficulties encountered can be classified into two categories: the complaints related to the process and those related to the property. Process complaints and litigation are typically associated with the following causes:

- Heritage omissions in the inventories;
- Incorrect recording of personal or community data;
- Errors in the identities of the people affected;
- Undervaluation impressions;
- Basis for calculating compensation;
- Resettlement conditions;
- Disagreements on parcel boundaries, fields between the affected persons of the same locality, with the property census commission, or between two neighbors;
- Disputes over the ownership of a property or land use (two or more affected persons claim to be the owner of a certain property);
- Disputes over the sharing of compensation.

Complaints and disputes over the right of ownership usually relate to the following cases:

- Recent change in ownership of the asset;
- Succession in inheritance;
- Divorce;
- Appropriation of a common good or production capital put in place by several people;
- Land ownership (i.e., the land user is different from the landowner, which can lead to conflicts over the sharing of land assets, such as trees).

10.1 OBJECTIVES

The objectives of the proposed grievance redress mechanism are to respond to PAP complaints in a fast and transparent manner, and to ensure they have ways of presenting and redressing their grievances related to any aspect of the RAP. All complaints related to resettlement will pass through the same GM process.

The complaint management protocol provides guidance to ESCOM for the management of community and stakeholder complaints throughout the different phases of the Project, including the preparation of the Resettlement Plan and the resettlement implementation phase. This protocol helps in:

- Understanding the community's perception of project risks and impacts, to adjust its measures and actions to address the community concerns;
- Informing affected communities and stakeholders about the process which will be followed in response to grievances;
- Making an effective complaint mechanism, available to the affected communities and stakeholders;
- Mapping community suggestions as an opportunity for continuous improvement, such as creating or changing an existing system and learning process.
- The proposed grievance redress mechanism will consider and be aware of the GBV that can be generated by the resettlement and compensation process. All complaints related to this matter will be carefully examined and will be treated adequately.

The GRM applies to any PAP resettlement and compensation-related grievance arising from project activities, including the main resettlement process itself but also any additional resettlement or compensation that could be required by contractors for construction of access roads, as well as damages caused by contractors / workers / ESCOM building trucks etc. during the construction phase.

10.2 GENERAL PRINCIPLES

The GRM is under the responsibility of ESCOM. An Independent Witness institution will be mobilized to assist in the collection of grievances.

To enable PAPs to make their complaints known, they must know whom to refer to. The question will be settled by giving priority to negotiation/conciliation. The process is independent from the legal (official) mechanism. However, if the PAP wishes to, he is free to use legal recourse at any time.

The system of reparation for damages may require several stages, namely: an informal procedure, the administrative system, and the judicial process. For reasons of efficiency, it is always desirable to solve a problem locally and amicably. The reliance on local conflict resolution systems provides durable and efficient solutions and avoids adding to the burden of conflict through a structure requiring judicial appeal.

Thus, considering the complexity of resolving disputes and grievances, all grievances will be addressed through mediation at the lower level of Government, and through existing committees. This will ensure PAPs do not travel long distances or incur advocacy costs. PAPs shall, however, receive information about their rights and duties, the implications of legal recourse, and the advantages of the GM as a non-legal recourse mechanism.

The claims and complaints regarding compensation and resettlement issues will first need to be brought to the attention of the village Head. They will then forward grievances concerning the non-fulfillment of entitlement contracts, levels of compensation or seizure of land and assets, without compensation, or temporary loss to the higher levels of authorities, as desired. The Grievance Redress Mechanism is expected to have two interrelated tiers: 1) village/community level, and 2) district level.

All PAP grievances, whether related to issues arising from RAP implementation under ESCOM or under the Contractor, shall be directed to the GRM without any procedural differences and overseen by ESCOM.

All cash compensations and payments following any GRM decision shall be paid according to modalities described in section 7.1.7 of the present report (Cash Compensation Payment Modalities).

A summary of the GRM’s overall timeline is presented in table 10-1 below.

Table 10-1 Grievance Mechanism Overall Timeline

Grievance Level	Milestones	Timeline
Level 1	Grievance receipt acknowledgement by IWI	Upon receipt
	IWI meets with concerned parties to discuss possible responses, and responds to the complainant	5 days after grievance receipt
Level 2	Communicate date, time and venue of meeting with the committee to the complainant	5 days after case referral to level 2
	Decision	10 days after case referral to level 2
Level 3	Communicate date, time and venue of meeting with the committee to the complainant	7 days before committee hearing
	Decision	20 days after case referral to level 3
Level 4	As per legal process	As per legal process

10.3 PAP ASSISTANCE

10.3.1 INDEPENDENT WITNESS INSTITUTION

As explained in section 9.2.4, an independent witness institution (IWI) shall be hired by ESCOM through a public procurement process to provide independent advice and report on RAP implementation and management. Its involvement will be particularly important to success of the GRM and compliance with ESS5 because:

- International practices require that all grievances be recorded in a database. Tracking grievances is key to the success of the mechanism and village leaders are accustomed to verbal exchanges and do not usually consider themselves accountable to the Project owner;
- PAPs may fear discussing certain subjects with village leaders. The GRM shall allow people to file a complaint anonymously without fear of social stigma;
- A high number of intermediaries will be involved before a grievance reaches the ESCOM offices. Involving an IWI allows to shorten delays before an action is undertaken;
- It is important to avoid elite capture since village leaders’ interests are sometimes different from those of community members.

10.3.1.1 ROLES IN THE GRM

The IWI has an important role in the GRM which is to ensure through an “outside” look that the GRM procedures are implemented properly, that grievances are well taken care of and that PAPs are treated fairly. In this way the IWI will have an oversight on the GRM to allow it to work properly and fairly. The overall roles of independent witness institution in the GRM are the ones below:

- Act as a focal point for anonymous complaints;
- Understand the local culture and be flexible when taking notes of complaints;
- Prepare a leaflet explaining the GRM process in English and in relevant local languages. This leaflet shall include a registry of frequently asked questions (FAQs) and answers, in order to avoid being overloaded with general grievances. Ensure that leaflet is based on pictures for illiterate people and widely distributed. Its contents shall include namely:
 - Detailed Project schedule, including start of work, method of construction, resettlement schedule, and details such as eligibility criteria, compensation, and assistance package;
 - Photographs of typical pylons and worksites;
 - Decisions regarding the use of the wayleave by communities and the presentation of activities allowed and forbidden under the transmission line.
- Understand the GRM and be able to present it to affected communities in a language they understand;
- Take on a role that will span throughout Project preparation and construction phases because the GRM covers more than just resettlement – see Project ESIA;
- Involvement shall be based on weekly visits to each community and will require transportation. The independent witness institution shall fully understand the Project impacts and affected communities and shall be able to investigate complaints and grievances;
- Meet with community-based champions which are well-respected members of the community selected democratically specifically for the GRM and having no personal interest in the examined grievances. During meetings, the independent witness institution will discuss with them, collect grievances, and meet with complainants and village leaders to further assess and describe the grievance. Community-based Champions will be involved on a voluntary basis;
- Ensure community members, including women and vulnerable people, do not face obstacles when using the mechanism;
- Assist in the resolution of grievances when possible, however without trying to overly influence community decision making processes;
- The independent witness institution has the responsibility to implement their activities in a transparent and inclusive way, free from coercion. They need to avoid all forms of elite capture. They are accountable to ESCOM and they are paid for their involvement.

IWI responsibilities that are more specific to each of the GRM process levels are explained in the following sections. It has a particularly important role in the 1st GRM level.

10.3.2 LEGAL ASSISTANCE

To allow the affected populations to be fully informed of the procedures, legal assistance may be necessary for certain people to understand their rights, since the GRM is not a legal process. This assistance is particularly important for vulnerable PAPs, who often have less knowledge and resources to pursue their grievances. This assistance will be provided by the independent witness institution that will assist ESCOM. ESCOM, with the help of the independent witness institution, will keep a register of the different complaints for all levels of the process. They will ensure the time required to respond to complaints (at the second and third levels of the process) is respected.

The purpose of this assistance is to inform affected populations of their rights to increase their confidence in the resettlement process.

The budget for this assistance is included in the budget foreseen for the RAP implementation. It is expected that this assistance is reserved for more complex or contentious files. General information on the legal assistance will, however, be provided to PAPs whenever they lodge a complaint and during community consultations. Details are presented in section 9.2.4.

10.4 PROCESS

The applicable GRM process for the present RAP implement is explained below.

10.4.1 FIRST LEVEL: VILLAGE LEADER AND INDEPENDENT WITNESS INSTITUTION

Litigation can result from misunderstanding of the Project's resettlement policies and can often be resolved through mediation using traditional mediation rules.

Many disputes can be resolved:

- By additional explanations (I.E., explain in detail how the Project calculated the compensation of the complainant and show him that the same rules apply to all);
- By mediation, by appealing to elderly people or respected people in the community with no personal interest in the litigation.

The first level is illustrated in the following figure and is explained in the following sections.

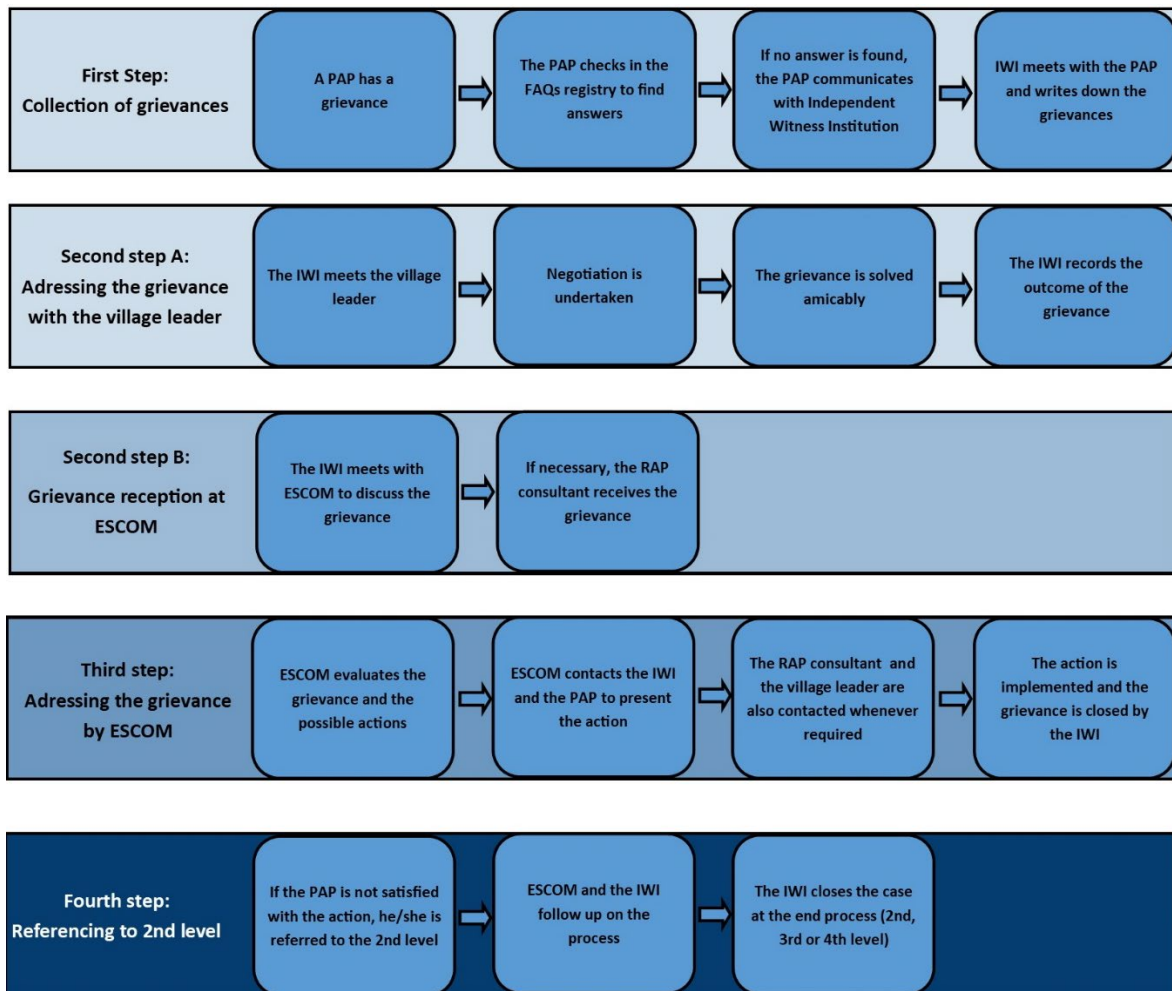


Figure 10-1 First Level of the GRM

PAPs can submit grievances in writing or orally (not all PAPs can write), in their name or anonymously. It will be clear in the RAP implementation communication program that women and other vulnerable people are invited to present their grievances. The independent witness institution will help all PAPs to present their complaints and especially vulnerable ones when needed and will be in charge of handling anonymous grievances upon the request of the complainants.

All grievances shall be addressed to the IWI and treated as follows:

- All disputes directly involving local leaders will jump directly to GRM level 2, see section 10.4.2;
- Grievances related to land or land disputes will be transferred by the IWI to the local leader, with the IWI acting as witness. Land issues shall be immediately reviewed by the local leaders for a quick resolution. Records of such grievances and their resolution shall be maintained by the IWI via appropriate grievance reports;
- Grievances that are not related to land or land disputes but rather to compensation payment and other resettlement related subjects will be deferred to ESCOM with IWI acting as witness. The RIC and the local leader can also be consulted as required. ESCOM immediately examines the grievance upon receipt, and a proposal(s) for resolution are proposed to the PAP.

The independent witness institution must:

- Be presented to communities and village/community leaders during a dedicated public consultation as part of the RAP process. During this public consultation, the GRM will be presented as well as its scope;
- Explain the GRM to the PAP whenever a complaint is lodged;
- Document the complaint in a written statement since village/community leaders are not accustomed to writing grievances and many PAPs are unable to write. It is therefore the responsibility of the independent witness institution to register all grievances (even for orally transmitted grievances). For that purpose, the independent witness institution shall have a template form to complete where questions can be asked, or grievances or complaints can be documented. However, return of experience has shown that most grievances are verbally transmitted or written on pieces of paper, therefore, the GRM must be flexible (e.g., submissions in person, by phone, or text message). The independent witness institution will transcribe grievances and record them in a database (grievance log) and communicate responses in a reasonable and timely manner. The independent witness institution point shall have an “open house” attitude;
- Ask the PAPs if they wish to remain anonymous. In the case that they wish to remain anonymous, the phone number, name, and identification information must not be transmitted. This is particularly relevant if the complaint relates to GBV;
- Meet with the concerned party which can be ESCOM, the RAP Implementation Consultant (RIC), or the village leader (or all of them) to discuss possible responses and actions. An answer is then provided to the complainant within five working days. If the answer requires a specific activity or decision, such as re-evaluating assets or compensation, the complainant will need to accept or reject the proposed activity or decision. In cases of land disputes, the independent witness institution must arrange for negotiations between complainants and involve traditional authorities. The village leader must try to resolve the grievance amicably with the active participation of the aggrieved party within five working days from the date of the filing of the grievance (in all cases, the village leader shall transmit the information about the grievance to the independent witness institution who shall record it into the database). As a last resort, the independent witness institution must provide guidance on available legal remedies for ownership claims and claims on asset evaluation and on the second level of this GRM;
- Provide PAPs with a written acknowledgement as proof;
- Maintain the grievance database, which means to include all answers and grievance outcomes, follow up on grievances, and respect deadlines for answers.

If the grievance is resolved and the PAP is satisfied with the decision, a report of the same shall be prepared by the independent witness institution and included in the database. A copy of the report shall be handed over to the PAP and a copy submitted to the PMU for the record. If the grievance is not resolved, the PAP must pass to the second level. Figure 10-2 presents the specific process for each type of grievance.

In addition to the independent witness institution, ESCOM, the PMU, RIC, and village leaders will also have a role to play in the GRM:

- ESCOM has the ultimate responsibility to oversee the GRM and assist the various Project actors during meetings with the communities. It is ESCOM which is accountable for the GRM and in most cases, ESCOM will need to provide answers to grievances. For this, ESCOM shall have a dedicated person to track and record all answers and decisions in the database. Any action to undertake during Project preparation needs to be done by ESCOM;
- ESCOM has the overall responsibility to ensure compliance of the GRM and enforce it;
- The PMU needs to externally report the results of the mechanism and communicate with Project stakeholders including the project financier;

- The RIC shall oversee monitoring the efficiency of the GRM and take part in discussions regarding corrective actions to implement;
- Conflicts related to claims of ownership of land shall be handled by village leaders who are responsible for reaching an agreement between claimants, unless the claim is against the leader. Village leaders shall also be involved in communications with the independent witness institution and shall be consulted in order to find concerted solutions to land conflicts;
- The independent witness institution should be assisted by Community-based Champions made of local well-respected members of the community elected democratically and having no personal interest in the examined grievances.

10.4.2 SECOND LEVEL: COMMUNITY LEVEL RESETTLEMENT AND GRIEVANCE REDRESS COMMITTEES

If the dispute involved a local leader, the grievance mechanism starts at this level (only the first level is excluded).

If the PAP is not satisfied with the first level's decision or if the dispute involves the local leadership, the case must be forwarded by the independent witness institution to the 2nd level Resettlement and Grievances Redress Committees, which will be composed as described in section 9.2.5.2. The independent witness institution will prepare a preliminary report and act as the focal point. The report must provide details of the grievance, a description of the assessment made by village leaders at the 1st level when relevant (i.e. if the dispute did not involve local leadership), the hearing date, and the decision.

Upon receipt of the grievance, the committee, if desired, may direct the independent witness institution to collect further information related to the grievance and submit the same to the committee for its use while hearing the grievance. The hearing must be completed within 10 working days from the date of the case referral. The date, time and venue of the hearing must be communicated to the PAP at least five days in advance, by the committee.

If the grievance is resolved and the PAP is satisfied with the decision, a report shall be prepared by the independent witness institution. A copy of the report shall be handed over to the PAP and a copy submitted to ESCOM and the PMU for the record. If the grievance is not resolved, the PAP must pass to the third level.

10.4.3 THIRD LEVEL: DISTRICT LEVEL RESETTLEMENT AND GRIEVANCE REDRESS COMMITTEES

If the PAP is not satisfied with the second level's decision, the case shall be forwarded to the District Resettlement and Grievance Redress Committees (see section 9.2.5.1) with a preliminary report prepared by the independent witness institution.

Composition and role of these committees, as formed, are presented in section 9.2.5. The focal point of these committees will be the representative of the Group Village Heads (the representative of the most affected village or the most populated affected village).

The grievance report must have the details of the grievance, a preliminary assessment by RGRC at the village/community level, a hearing date, and the decision of the local government.

The hearing shall be completed within 20 working days from the date the case was referred. The date, time, and venue of the hearing shall be communicated to the PAP at least seven days in advance by the committee.

ESCOM has the general responsibility to ensure compliance of the GRM and therefore facilitate the holding of the hearings. ESCOM shall have a dedicated person to attend the hearings as well as track and record the decisions in the database. ESCOM also needs to forward the GRM database to the PMU for external reporting of the GRM results and communication with Project stakeholders including the project lenders.

If the grievance is resolved and the PAP is satisfied with the decision, a report of the same shall be prepared by the independent witness institution. A copy of the report shall be handed over to the PAP and a copy submitted to the PMU for the record. If the grievance is not resolved, the PAP must pass to the last level.

10.4.4 FOURTH LEVEL: TRIBUNALS AND/OR COURT SYSTEM

If all avenues have been exhausted without success, then the matter will be brought before the existing local court system by the PAPs with the help of the independent witness institution for the administration of justice. All such decisions must be reached within four months, from the day the complaint is lodged by the PAP to a grievance redress system. If the local courts and Land Tribunals cannot settle the matter, it will go to the High Court for resolution. ESCOM will handle such appeals even after the RAP implementation period has ended. The court's decision is final.

ESCOM : Overview of the Grievance Process
PMU: Monitoring and External Reporting

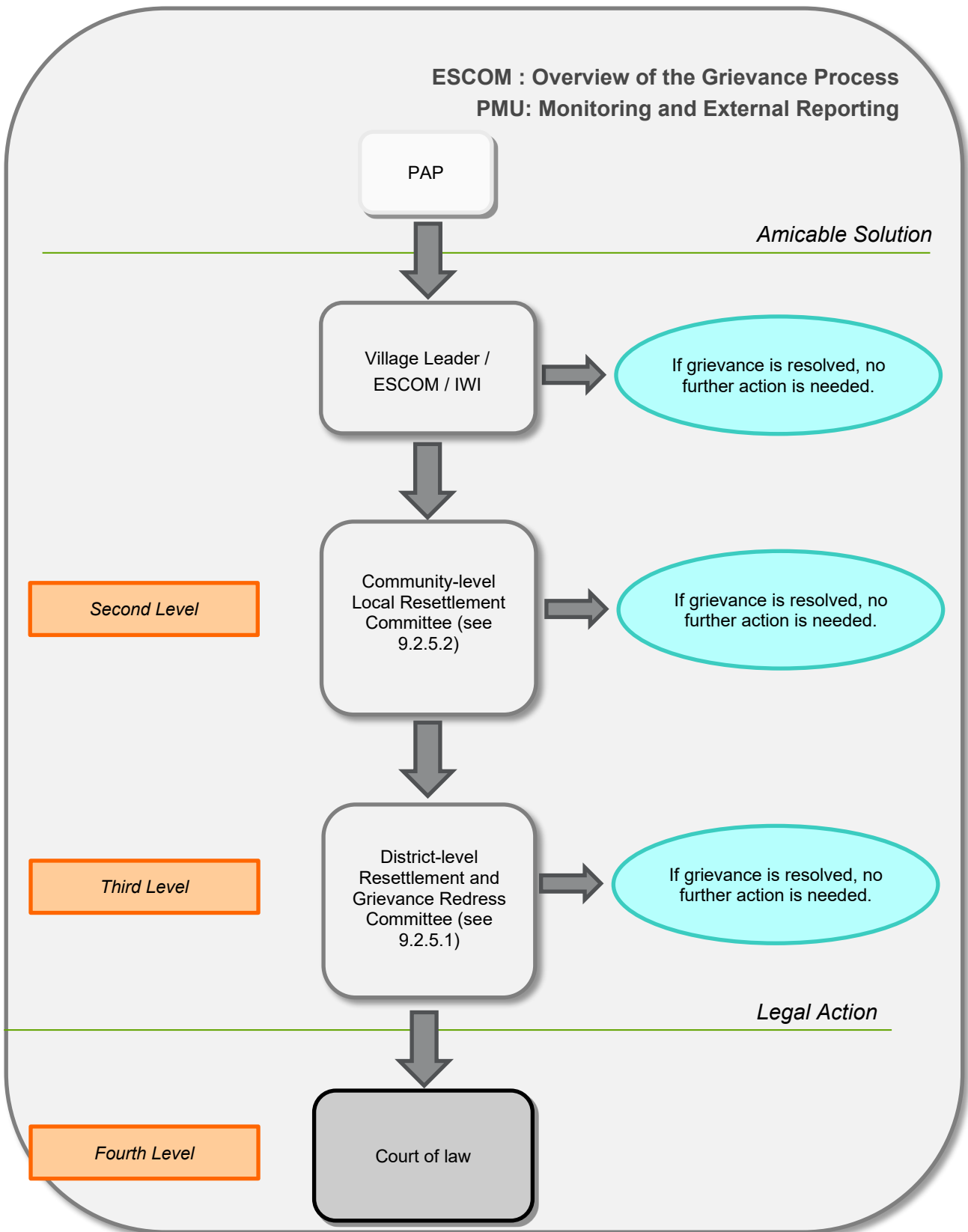


Figure 10-2 Grievance Redress Process

10.4.5 MONITORING GRIEVANCES

The RIC has the primary responsibility for monitoring grievances. The following are performance indicators the RIC must monitor:

- Number of recorded external grievances (communities), number of answers provided to stakeholders, and number of cases solved;
- Number of grievances deferred to second, third, and fourth levels.

Unresolved grievances shall also be monitored and analyzed.

The PMU then has the responsibility of maintaining records of the monitoring reports received, as well as of grievance redress reports with their results.

10.4.6 REPORTING

During the resettlement implementation, the independent witness institution must regularly report the performances of the GRM and hand over the database of grievances to PMU and the RIC. Ultimately, it is the PMU that shall maintain the database.

The RIC must include in his monitoring report, the outcomes of the GRM.

Reporting shall be integrated in the monitoring process as detailed in this report (which includes monthly performance monitoring reports, at the beginning of the RAP implementation process, followed by quarterly performance monitoring reports).

10.4.7 CAPACITY BUILDING

Village leaders need to be sensitized to the GRM and its functioning and receive training.

Grievance collection will be managed by the independent witness institution and will be assisted by Community based Champions made of local well-respected members of the community, elected democratically and having no personal interest in the examined grievances. However, they may not be accustomed to a formal GRM where grievances need to be recorded in a database and where procedures need to be put in place. For this purpose, it is important that capacity building be provided for the independent witness institution and that funds be allocated for its proper functioning (transportation and fuel).

The independent witness institution must also be trained on the scope of potential issues that may be brought up, such as gender-based violence and land disputes.

10.5 SPECIFIC ACTIONS FOR GENDER-BASED VIOLENCE

Cases of GBV can vary, those that are related to resettlement (land grabbing, men spending the money, family break-ups with husbands looking for other women, etc.) need to be addressed by sensitization of village leaders and all PAPs during compensation sign-off. Also, to reduce risks, women shall participate in the negotiation process and be aware of the type of compensation provided to households. Both women and men shall sign the compensation sign-off. This is done to encourage the couples to make informed decisions together.

Other cases of GBV unrelated to resettlement may occur within households, these need to be detected and addressed as well. Since traditional ways of dealing with GBV are usually not in favor of women, and since confidentiality of women needs to be guaranteed, it is not recommended to involve traditional authorities to deal with GBV complaints but to involve a GBV Service Provider (local clinics, one-stop centers or NGOs working on GBV). GBV Service providers offer psychological support to the victim and advice and referral on health services, and psychological and legal support. The Service Provider also liaises with a local health center and the police for severe cases such as sexual abuse and rape.

The PMU is responsible for identifying a potential GBV Service Provider early in the process to deal with potential cases of GBV. This GBV Service Provider shall be presented to communities during dedicated public consultations as part of the RAP process.

The independent witness institution shall also be trained to collect GBV allegations through the GRM and shall advertise that GBV victims can convey their grievances or complaints to them or to an identified GBV Service Provider.

10.6 SPECIFIC ACTIONS FOR GRIEVANCES RELATED TO CLN RAILWAY

As mentioned previously, the Project intersects with the CLN railway project at two locations (see section 3.3.3.3). The railway is already in operation and PAPs with properties in its wayleave were duly compensated by CLN. 3 parcels inventoried as part of the current RAP have been found to overlap with the Vale railway reserve and sections located in the railway reserve were excluded from the RAP inventory to avoid double compensation.

A limited possibility therefore exists that some grievances arising from the CLN compensation process and wayleave management may be wrongfully directed to ESCOM. Such grievances will not be receivable for the MOMA project GRM. Therefore, if such cases arise, concerned parties shall be directed to CLN's management for grievance resolution.

11 MONITORING AND EVALUATION

This step involves the regular collection of data on the status of planned activities under the RAP. It will make it possible to eventually highlight the achievements and/or shortcomings observed between the requirements as contained in the RAP and the implementation on the ground, to take all the necessary measures to remedy this situation and allow the process to reach its end.

11.1 MONITORING

The fundamental objective of monitoring in the context of the process of resettlement of populations is to know if measures for the development phase of the RAP are effectively implemented. In general, the overall objectives of monitoring are:

- Monitoring specific situations and difficulties arising during the implementation of the RAP;
- Verifying compliance of operational implementation with ESCOM policy and compliance with Malawi and donor regulations;
- Verifying that all information and consultation measures, planned with the PAPs, have been implemented and that PAPs are aware of the Project and the compensation measures to which they are entitled;
- Ensuring compensations for lost property, income restoration measures, living conditions and other rights have been properly carried out in accordance with the provisions of the RAP.

Specifically, monitoring will seek to ensure:

- Compensations were paid before construction began;
- Other accompanying measures have been implemented;
- Moves were normal;
- Adequate assistance has been provided to vulnerable groups;
- all complaints were reviewed and resolved;
- The timetable for the process has been met;
- The resettlement has not resulted in any new negative impacts or that these are well controlled;
- Displacement and resettlement of people outside the line are well integrated in their villages without land conflicts and in conditions that respect the environment.

Clear and objectively verifiable indicators will be defined to allow effective and efficient monitoring of the process. These include:

- Information and consultation meetings with PAPs and communities and the number of PAPs involved;
- The number of compensation / displacement agreements accepted by PAPs;
- The actual number of households and persons affected by Project activities;
- The actual number of households and persons physically displaced because of the Project;
- The number of vulnerable persons / households, including women-headed households affected by displacement and their relocation / compensation;

- The number of households compensated and relocated by the Project;
- The number of complaints registered and resolved;
- The total cost of compensation.

The definition of these indicators is essential to measure the performance of the Project in terms of the capacity of accompanying during the displacement and resettlement of affected populations in the implementation of the Project. Table 11-1 presents these indicators.

Table 11-1 RAP Monitoring Indicators

Component	Monitoring Measures	Indicator/Periodicity	Performance Targets
Information and consultations	Ensure that dissemination of information to PAPs and consultation procedures are carried out in accordance with the principles set out in the RAP	Number and types of information sessions for PAPs carried out in villages prior to the start of work Checking the understanding of the rules with the groups of village heads and the LRCs Every three months	At least three information sessions per village (at the start of resettlement, payment of compensation and grievance resolution)
Payment of compensation and income restoration measures	Ensure that compensation measures and income restoration measures are carried out in accordance with the principles set out in the RAP	Compensations paid to PAPs and payment dates, income support and restoration program in place Each month	Financial compensation is paid to all PAPs before their move All PAPs were compensated as planned Income restoration measures have been introduced
Gender equality	Ensure that women and vulnerable groups receive fair and adequate compensation, as proposed in the RAP	Compensation paid and other support to women and vulnerable persons affected by the Project and payment dates Each month	All women affected by the Project were compensated to their satisfaction All vulnerable people have received adequate support No women complaints remained unresolved
Households (reinstalled on new sites)	Ensure that compensation and compensation measures for habitat losses are carried out in accordance with the principles set out in the RAP	Effective physical resettlement before work Number of complaints from affected households Each month	No unresolved complaints from PAPs whose houses are affected All PAPs whose houses are affected are compensated as planned
Right the wrongs	Long-term compensation monitoring	Number of negotiated compensations paid Number of compensations to be paid Ongoing monitoring and monthly reports Number of claims related to compensation and compensations recorded (continuous monitoring) Number of complaints resolved (continuous monitoring) Number of cases brought to court (continuous monitoring)	100% of compensations are negotiated amicably 100% of claims or disputes are settled amicably No litigation brought before the courts

Moreover, the RIC in charge of monitoring will evaluate the possibility of using other indicators such as

- Distribution of causes of death for those displaced persons under five years of age, youth and adults;
- Average household landholding for displaced households including the average landholding for recently married sons;
- Degree of food security among displaced households (missed meals per week – seasonally disaggregated);
- Number and nature of local micro, small and medium enterprises owned or operated by displaced individuals.

11.2 EVALUATION

The evaluation appreciates the successful implementation of the RAP; if it effectively helps to maintain, or improve, the standard of living of the PAP. For this purpose, the evaluation may be based on various results of socioeconomic censuses and surveys carried out during the RAP development process. The objectives assigned to the evaluation of social impacts are:

- To ensure the implementation of social measures is aligned with the RAP content, donor policies, and national regulatory provisions;
- To assess the adequacy of compensation, displacement, and resettlement procedures;
- To ensure compensation is for current damage and PAPs regain their standard of living;
- To assess the impact of available resettlement measures on sources of income, levels and living conditions to see whether they meet the requirements of donor resettlement policies;
- To decide on the amendments made in the context of the monitoring of the resettlement process with a view to improving it.

The evaluation will inform ESCOM of the implementation of the RAP and enable the shortcomings identified in the resettlement process to be corrected in time.

Monitoring of the implementation of the resettlement measures proposed in this RAP will be carried out under the responsibility of ESCOM and implemented by the RIC (see Chapter 9), whose role will include the monitoring, internal evaluation, and coordination of resettlement activities.

Table 11-2 presents the evaluation indicators to be used to determine the success of the actions undertaken.

Table 11-2 RAP Evaluation Indicators

Component	Evaluation Measures	Indicator/Periodicity	Performance Targets
PAP quality of life and standard of living	Ensure the living standards of affected households have not deteriorated since resettlement	PAP claims relating to the standard of living at the host site, re-cultivation of plots after work, reforestation, etc. / Annual monitoring Problems experienced by the relocated PAPs / annual consultation sessions at the host site	No complaints concerning the quality or standard of living at the host site and the re-cultivation of affected plots not resolved No major problems experienced by resettled PAPs or PAPs who possess affected plots PAP satisfaction with support measures and compensation
Quality of life of vulnerable groups	Ensure the living standards of female heads of households, widows and other vulnerable persons have not deteriorated since resettlement	PAP claims on the standard of living at the host site (monitoring once a year) Problems faced by resettled vulnerable persons / consultation sessions (each year) at the host site	No complaints concerning the quality of life or standard of living at the host site and the re-cultivation of affected plots not resolved No major problems experienced by resettled PAPs PAP satisfaction with support measures and compensation
Community development	Ensure communities indirectly affected by the Project also get benefits	Implementation of community development projects as required by sections 5.1.3.1 and 7.2 above	Alignment of selected development projects with community needs and district development planning Respect of the overall budget for this item

11.3 MONITORING RECORD KEEPING AND REPORTING

Monthly performance monitoring reports, at the beginning of the RAP implementation process and then quarterly, will be prepared by the RIC and presented to the PMU. These reports will also be available for consultation by an independent witness institution (see below) and by the donor.

These reports will summarize the information that has been collected and compiled on the various monitoring and follow-up indicators and will highlight the key issues that have been raised, the difficulties encountered, and the solutions implemented.

The RIC will be responsible for keeping records of all information related to grievances, monitoring compensation payments, and livelihood restoration, etc. These records will be submitted to the RIC for the project archives at the end of the RAP implementation process.

11.4 EXTERNAL SUPERVISION

As mentioned earlier in Chapter 9, it is expected that an independent witness institution (NGO, University and/or Consortium) is solicited to ensure external oversight of the RAP implementation process by the RIC.

The general objectives of external monitoring are to:

- Provide an independent source of assessment during the resettlement and compensation process;
- Provide advice to resolve issues that may arise during the RAP implementation;
- Provide an overall assessment of RAP programs from a broader socioeconomic perspective in the longer term.

The following parameters will be monitored and evaluated through the RIC reports and site visits:

- Public consultations and awareness-raising on the modalities of clearing and supporting PAPs;
- Knowledge of PAPs regarding activities and rules for resettlement, compensation, and income support;
- At least once a month, the representative of the independent witness institution must attend a public meeting to monitor consultation procedures, problems and issues raised during meetings, and proposed solutions;
- PAP satisfaction levels with various aspects of resettlement and compensation will be monitored and recorded; and the functioning of the grievance mechanism, its results, and the effectiveness of the resolution of grievances will also be monitored;
- Throughout the RAP implementation, the standard of living of the PAPs will be observed and they will be interviewed; the potential problems in the restoration of the standard of living will be recorded and reported to the RIC and PMU.

In addition to verifying the information provided in the internal reports, the independent witness institution will visit 10% of PAPs in each community, twice a year, to verify the following elements of the RAP implementation:

- Determine whether the participation procedures and the delivery of allowances to the PAPs have been carried out in accordance with the RAP;
- Assess whether the RAP's socioeconomic objective of improving, or at least restoring, the standard of living and income levels of PAPs has been met;
- Collect qualitative indications of social and economic impacts, from the Project implementation, on the PAPs;
- Propose a change in the RAP implementation procedures, where appropriate, to achieve the principles and objectives.

Internal and external monitoring will be completed with the final audit of the RAP.

11.5 RAP COMPLETION AUDIT

A final audit of the RAP will be undertaken when monitoring shows that there are no longer outstanding issues related to resettlement.

It is expected that this final verification will be carried out three years after the start of the RAP implementation, at the latest. The RAP completion audit will be carried out by an accredited agent with the support of the RIC and the PMU, as required.

Verification of the completion of the RAP will provide a final indication that livelihood restoration is sustainable and that no further action is required. The evaluation report will be made public through the meeting of the PMU Environmental and Social Committee and messages through the appropriate media.

12 ESTIMATED RESETTLEMENT BUDGET AND SCHEDULE

12.1 RAP BUDGET

The RAP implementation budget is summarized in Table 12-1 below. This budget includes all costs related to the implementation of all RAP activities and is based on the number of PAPs identified. The total budget is estimated at MWK 2,554,538,064 or USD 3,552,410.

This amounts to 10.1% of the total construction cost of the Project in Malawi which is USD 35,306,000.

Table 12-1 RAP Implementation and Monitoring Costs

Elements		Cost Local Currency (MWK)	Cost (USD)
Land, Crops, and Trees			
Annual crop and tree compensations	Annual crops under the pylons	1,698,619	2,362
	Trees	1,057,977,103	1,471,252
Agricultural land compensations	Value of agricultural land (400 MWK / m ²) for under the pylons	35,760,400	49,729
	Transaction fees (administrative costs and taxes)	3,576,040	4,973
	Preparation of lands (clearing, fertilization, etc.)	21,875,022	30,420
Loss of value	Loss of value (lands in the wayleave)	88,802,382	123,491
Food baskets	Households losing between 20% and 79% of their land	4,362,989	6,067
	Households losing more than 80% of their land	1,771,772	2,464
Primary Structures			
Primary structure compensations	Compensation of primary structures (reconstruction)	274,417,000	381,612
	Moving allowance (USD 200 per household)	8,197,740	11,400
	Disturbance allowance	8,197,740	11,400
	Replacement land	2,080,000	2,893
	Transaction fees (administrative costs and taxes)	12,296,610	17,100
	Food baskets (USD 300 / household)	12,296,610	17,100
Secondary Structures			
Secondary structure compensations	Compensation of secondary structures	468,400	651
	Added toilet	7,000	10
	Added oven	27,000	38
Private Religious or Spiritual Sites			
Tombs		500,000	695
Community Structures and Sites			
Community structure compensations	Structures (borehole)	4,114,198	5,721
	Sites	4,949,290	6,883
Income Support Allocation for Vulnerable People			
Income support allocation for vulnerable groups	Min. USD 2 per person/ per day / for 30 days (for all household members)	91,987,272	127,920
Subtotal			
Compensation subtotal		1,635,363,187	2,274,180

Elements		Cost Local Currency (MWK)	Cost (USD)
Others			
RAP Implementation Consultant (RIC)	RIC Cost	354,300,570	492,700
	RIC Training Cost	32,503,320	45,200
	<i>Per diem for attending the trainings (ESCOM, PMU, LRC staff) USD 15 X 14 persons X 20 days</i>	3,020,220	4,200
	<i>Per diem for attending the trainings (RIC trainers) USD 15 X 10 persons X 20 days</i>	2,157,300	3,000
	<i>Trainers USD 100 X 8 persons X 2.5 days</i>	1,438,200	2,000
	<i>Transport USD 10 X 32 persons X 40 days</i>	9,204,480	12,800
	<i>Meals USD 15 X 32 persons X 40 days</i>	13,806,720	19,200
	<i>Training Room USD 100 X 40 days</i>	2,876,400	4,000
Independent Witness institution supervision (provisional budget)	30% of the RIC	106,290,171	147,810
Community development projects		253,885,446	353,060
Contingencies	10% of RAP subtotal	163,536,319	227,418
Compensation for permanent access roads and worker camps	2.5% of RAP subtotal	41,162,371	57,242
Total			
Total RP		2,554,538,064	3,552,410

Conversion rate: MWK 719,1 = USD 1.

12.2 SCHEDULE

The RAP implementation schedule covers a period of 30 months to include all planned activities, including the community-approved projects. It is important that all structures be rebuilt and payments for compensation be completed before the beginning of the Project construction. This can be done progressively so construction can start on one end. This is to ensure that all possible barriers and encumbrances to the Project implementation will have been dealt with (Table 12-2).

The only RAP activities that are planned for a longer period (about three years) are the monitoring and evaluation activities which are scheduled to be done once a year after completion of major RAP activities.

13 REFERENCES

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