



Eswatini Water Supply and Sanitation Access Project

Resettlement Action Plan for Package 1 & Package 2

Updated: 23 February 2023

Table of Contents

Executive Summary	14
ES 5 Entitlements and Eligibility	15
ES 6 Valuation Methods	15
CHAPTER ONE: INTRODUCTION	19
1.1 Project Background	19
1.2 Description of Project Components	19
1.2.1 Overall Project Description.....	19
1.2.2 Description of Packages	21
1.3 Objectives of the RAP	21
CHAPTER TWO: DESCRIPTION OF PROJECT INTERVENTION AREAS	23
2.1 Overview of Project Area	23
2.2 Scope of Work for Packages 1 and 2	24
2.2.1 Package 1 Project Description	24
2.2.2 Package 2 Project Description	26
2.3 Identified Impacts of Proposed Project Activities.....	27
2.3.1 Positive Social Impacts of the Project	27
2.3.2 Negative Social Impacts	27
2.4 Zone of Impact	27
2.5 Scope and Scale of Displacement Impacts	Error! Bookmark not defined.
CHAPTER THREE: DESCRIPTION OF PROJECT IMPACTS	29
3.1 Background to census asset inventory	29
3.2 Phases 1 and 2 Impacts.....	29
3.2.1 Impacts by all Types of Categories	29
3.2.2 Impacts by Package on Properties, Ownership and Land Tenure	30
3.2.3 Impacts on Land Occupiers by Type of Land Occupied	31
3.2.4 Impacts on Land Title and Types of Land Occupiers	31
3.2.5 Impacts by Package on Physical Structures and Ownership	32
3.2.6 Impacts on Trees and Crops	32
3.2.7 Business Disruptions and Income Losses	33
3.2.8 Restrictions in Access to Residential Properties	33
3.2.9 Impact Avoidance and Minimization Measures	34

3.2.10 Summary of Impacts	34
CHAPTER FOUR: BASELINE SOCIO-ECONOMIC STUDIES	36
4.1 Introduction	36
4.2 Socioeconomic Survey of PAPs	36
4.3 Number of PAPs Participated in the socioeconomic survey	36
4.4 Marital Status of PAPs by Gender	37
4.5 Education Attainment of PAPs by Gender	37
4.6 Age Distribution of PAPs by Gender	38
4.7 Household Characteristics	39
4.7.1 Status of PAPs in Household	39
4.7.2 Household Size	39
4.8 Access to Public Utilities	39
4.8.1 Electricity.....	39
4.8.2 Drinking water	40
4.8.3 Household Sanitation Facilities	40
4.9 Economic Conditions of Affected Persons	41
4.9.1 Means of Livelihoods	41
4.9.2 Income Levels	42
4.10 Land Tenure by Gender.....	42
4.10.1 Land Tenure	42
4.10.2 Asset Ownership Status	43
4.11.1 Vulnerable Persons	43
CHAPTER FIVE: ELIGIBILITY AND ENTITLEMENT	45
5.1 Definition of PAPs Affected by Packages 1 and 2.....	45
5.2 Eligibility Criteria	45
5.3 Vulnerable Groups	45
5.4 Entitlements	46
5.5 Cut-off Date for Eligibility	55
CHAPTER SIX: VALUATION METHODS	56

6.1	Valuation Methodology.....	56
6.2	Approaches to Valuation of Various Assets	56
6.2.1	Land Valuation Reports	56
6.2.2	Ministry of Agriculture Gross Margins	56
6.2.3	Quotations for Physical Structures.....	57
6.2.4	Estimation of Income losses by PAPs	57
6.3	Valuation Rates for Various Assets	57
6.3.1	Rates for annual crops	57
6.3.2	Compensation rates for commercial trees	58
6.3.3	Compensation rates for non-commercial trees	58
6.3.4	Cost for rehabilitation of impeded accesses.....	59
6.3.5	Allowances for disruptions of formal business	59
6.3.6	Compensation allowances for disruptions of informal business.....	59
6.3.7	Replacement of Physical Structures.....	60
6.3.8	Compensations for land losses on TDL	62
6.3.9	Support Grant for Vulnerable Persons	62
CHAPTER SEVEN: COMPENSATION AND RESETTLEMENT ASSISTANCE		63
7.1	Compensation and Resettlement Assistance	63
7.2	Affected Land Compensation.....	63
7.3	Affected Structures Compensations	63
7.4	Tree and Crops Compensations.....	64
7.5	Business Disruption Compensation	64
7.6	Vulnerability Support	65
CHAPTER EIGHT: PUBLIC PARTICIPATION AND STAKEHOLDER CONSULTATION		66
8.1	Introduction	66
8.2	Objectives of the Consultations.....	66
8.3	Level of Stakeholder Engagements	66
8.4	Outcome of Stakeholder Engagements Held	67
8.5	Consultation Methods	68
8.5.1	Focus Groups Discussions	68
8.5.2	Key Informant Interview:	68
8.5.3	Public/Community Consultation:.....	68
8.5.4	One-on-One Consultations.....	69
8.6	Summary of Views and Concerns Expressed by various Stakeholders	69
CHAPTER NINE: IMPLEMENTATION SCHEDULE AND ARRANGEMENTS		73

9.1	Implementation Timeline for Package 1 works	73
9.2	Implementation Timeline for Package 2 works	73
9.3	Procedure for Delivery of Entitlements	74
9.3.1	Procedure for SNL PAPs	74
9.3.2	Procedure for Delivering of Entitlements for PAPs on TDL	77
9.4	Plans for relocation and compensation of all informal business structures	78
9.6	Administration of Compensation Payments	79
9.7	Resettlement Implementation Linkage to Civil Works	79
CHAPTER TEN: COST AND BUDGET		81
10.1	Introduction	81
Table 10.1: RAP Budget		Error! Bookmark not defined.
10.2	Financing plan	81
CHAPTER ELEVEN: GRIEVANCE REDRESS MECHANISMS		82
11.1	Objectives of the Grievance Redress Mechanism	82
11.2	Likely grievances related to RAP implementation	82
11.3	GRM Processes	82
11.4	Hierarchy for Resolution of Grievances.....	83
11.5	Registration of Grievance.....	83
Level 1: Entry		83
Level 2: Community		83
Level 3: Project Level		84
Level 4: Regional level		85
Level 5: EWSC Level		85
Level 6: National Court System		86
13.6	Linkage between grievance redress and project implementation.....	86
11.7	GRM Disclosure	86
11.8	Responsibilities of key experts in the GRM.....	87
11.9	Appeal to the Court	87
CHAPTER TWELVE: MONITORING AND EVALUATION		88
12.1	Overview	88

12.2	Internal Monitoring	88
12.3	Monitoring Indicators and schedule of implementation	88
12.4	RAP Completion Audit	93
CHAPTER THIRTEEN: ARRANGEMENT FOR ADAPTIVE MANAGEMENT		94
13.1	Introduction	94
13.2	Objectives of Adaptive Management Approach	94
13.3	Measures/Provisions for adapting the RAP Implementation	94
13.3.1	Contingency Allocation in the Budget	95
13.3.2	Rigorous Implementation Monitoring	95
13.3.3	Effective Grievance Redress Mechanisms	95
13.3.4	Early Warning System	95
Annexure 1: Compensation and Resettlement Assistance to PAPs on Package 1 Works		96
ANNEXURE 2: COMPENSATION AND RESETTLEMENT ASSISTANCE TO PAPS ON PACKAGE 2 WORKS.....		97
COMPENSTAION AND RESETTLEMENT ASSISTANCE TO PAPs ON PACKAGE 2 WORKS (IN-KIND COMPENSATION)		100
Annexure 3: List of Properties and PAPs Compensated Under Package 1		102
Annexure 4: Evidence of Delivery of Compensation and Resettlement Assistance Package for Package 1.....		103

List of Tables

Table 1.2: Project Financing by components	16
Table 2.1: Benefiting Chiefdoms within each Inkhundla 21.....	17
Table 2.2: Scope of Work of Package 1 and 2 investments under Component 1 of EWSSAP....	22
Table 2.3: Reservoir and Pump Station Site Locations.....	22
Table 2.4: Technical Design Parameters of Pipeline.....	22
Table 2.5: Characteristics and location details of five (5) pipeline sections under component 1 of EWSSAP.....	23
Table 2.6: Scope of Impacted items by proposed works.....	26

Table 3.2.1 Scope of Impacted items by proposed works.....	28
Table 3.2.2: Impacts by Packages on All Types of Properties, Type of Ownership and, Land Tenure.....	29
Table 3.2.3: Impacts on Land Occupiers by Type of Land Occupied.....	30
Table 3.2.4: Impacts by Land Title and Types of Occupiers.....	30
Table 3.2.5: Packages Impacted on Physical Structures and Owners.....	31
Table 3.2.6: Impacts by Package on Trees and Crops and Ownership.....	31
Table 3.2.7: Impacts by Packages on Business by Ownership.....	32
Table 3.2.9: Impact Avoidance and Minimization Measures considered for Resettlement Impacts	32
Table 4.3: Survey Participants by Phases and Gender.....	35
Table 4.4: Marital Status by Gender.....	35
Table 4.5: Educational Status of PAPs by Gender.....	36
Table 4.6: Age Distribution of PAPs by Gender.....	36
Table 4.7.1: Family Structure of PAPs by Gender.....	37
Table 4.7.2: Household Size of PAPs by Gender.....	37
Table 4.8.1: Access to Electricity PAPs by Gender.....	38
Table 4.8.2: PAPs Access to Drinking Water by Gender.....	38
Table 4.8.3: PAPs Access to Household Sanitation Facilities - Water by Gender.....	39
Table 4.9.1: Means of Livelihoods.....	39
Table 4.9.2: Income Distribution among PAPs by Gender.....	40

Table 4.10.1: Land Tenure Held by PAPs in the Project Area By Gender.....	40
Table 4.10.2: Asset Ownership Status of PAPs by Gender.....	41
Table 4.11.1: Vulnerable PAPs in the Surveyed Affected Population (n = 41).....	42
Table 5.4: Entitlement Matrix for Packages 1 and 2 for EWSSAP.....	44
Table 6.3.1: Proposed Rates for Compensation of Annual Crops.....	55
Table 6.3.2: Compensation Rates for Commercial Trees.....	56
Table 6.3.3: Compensation rates for non-commercial trees.....	56
Table 6.3.6: Allowances for impacts on informal business traders.....	58
Table 6.3.7: Costing of affected physical structures.....	58
Table 6.6: Compensation Rates for Affected Fences.....	59
Table 6.3.8: Adjusted Compensation Rates for Land.....	60
Table 7.1: Summary of RAP Budget by Type of Impacts and Ownership.....	61
Table 7.2: Compensation for Affected Land by Ownership and land Title.....	61
Table 7.3: Compensation for Affected Land by Ownership and land Title.....	61
Table 7.4: Compensation for Affected Tree and Crops.....	62
Table 7.5: Compensation for Affected Business.....	62
Table 7.6: Compensation by Packages for Affected Vulnerable People.....	63
Table 8.1: Categorization of QBC 3 Stakeholders based on ESS 10.....	65
Table 8.2: Total Number of PAPs Attended Consultations by Locations.....	66
Table 8.3: Outcome of Discussions with other Development Partners.....	67
Table 9.1: Tentative Implementation Schedule.....	71
Table 9.4: Description of activities for compensation of informal business structures.....	75

Table 10.1: RAP Budget.....	78
Table 11.3: Steps for Documentation of Grievances.....	80
Table 11.4: Stages to be followed for resolving grievances.....	80
Table 11.8: Responsibilities for the Implementation of the RAP.....	84
Table 12.3: Performance Indicators Reporting Format.....	86
Table 12.4: Monitoring Indicators for the RAP and Frequency of Monitoring.....	87
Annexure 1: Compensation and Resettlement Assistance to PAPs on Package 1 Works.....	93
Annexure 2: Compensation And Resettlement Assistance To PAPs On Package 2 Works.....	94
Annexure 3: Compensation And Resettlement Assistance To PAPs On Package 2 Works (InKind Compensation)	96
Annexure 4: List of Properties and PAPs Compensated Under Package 1.....	97
Annexure 5: Evidence of Delivery of Compensation and Resettlement Assistance Package for Package 1.....	100
Annexure 6: Proposed Form for Registration of Grievances.....	102

List of Figures

Figure 1.1: Project Packages for EWSSAP	20
Figure 2.1: Locality Map for the Project	24
Figure 2.3: Schematic layout of the Reservoirs and Transmission pipeline network within Zombodze, Hosea and Shiselweni 1.....	28
Figure 6.1: Model of proposed replacement structure for informal trading (spaza).....	62

List of Photo plate

Photo plate 8.1: RAP team engaging with PAPs during inventory of affected assets.....70

DEFINITION OF COMMON TERMS

Term	Meaning
Accessibility	Refers to the identification and elimination of obstacles and barriers to provide access to the physical environment, transportation, information and communications and other facilities and services.
Adaptive Management	A systematic approach for improving resource management by learning from management outcomes
Allowance	Cash paid to defray resettlement related expenses other than losses of immoveable assets.
Asset	Any property owned by a person, group of persons or an institution/ agency.
Assistance	Additional support provided to Project Affected Persons (PAPs) under specific conditions who are losing assets (particularly productive assets), incomes, employment, or sources of living, to supplement the compensation payment for acquired assets to achieve, at a minimum, the full restoration of living standards and quality of life.
Bandlancane	An administrative council of a Chiefdom constituted in terms of Swazi Law and Custom for the administration of a Chiefdom. They will participate in the RAP implementation plan as representatives of their respective Chiefdoms by relaying important information to the Chefs, vice, versa.
Bucopho	Bucopho are individuals elected every four years. Their main role is to function as Chiefdom representatives in development matters. Bucopho convey development matters from the Chiefdom to the Inkhundla, vice versa. They will be responsible for reporting to the Inner Council on all activities that are being implemented for the EWSSAP within the Chiefdoms which they represent.
Census	Means a field survey carried out to identify and determine the number of persons and assets affected by the project activities or displaced to leave land for civil works.
Chief	Leader of a Chiefdom. Communities within a Chiefdom pay allegiance to the Chief of the area. Development work within a Chiefdom need to be introduced to the Chief prior to being implemented and can only go ahead after being authorised by the Chief.
Chiefdom (Umphakatsi)	A geographically defined area on SNL that is under the leadership of a Chief. All communities on SNL live under designated Chiefdoms.
Children	All persons under the age of 18 years according to international regulatory standard (Convention on the Rights of Child 2002).
Communal assets	Refers to assets that are not assigned for the exclusive use of an individual person or homestead.

Community	A group of individuals broader than the household, who identify themselves as a common unit due to recognized social, religious, economic or traditional government ties, or through a shared locality.
-----------	---

Term	Meaning
Compensation	Refers to payment in cash or in-kind, equivalent to the market value of the property under acquisition.
Cost of disturbance	The reasonable expenses incidental to any necessary change of residence or place of business by any person having a right or interest in the land.
Cut-Off Date	The date that establishes eligibility for compensation for land acquisition and impacted assets.
Disadvantaged or vulnerable	Refers to those who may be more likely to be adversely affected by the project impacts and/or more limited than others in their ability to take advantage of a project's benefits.
Displacement	Involves physically displacement (relocation, loss of residential land, or loss of shelter) and or economically displaced (loss of land, assets, income sources, or means of livelihoods).
Economic displacement	Loss of assets (including land) or access to assets that leads to loss of income sources or means of livelihood because of project-related land acquisition or restriction of access to natural resources.
Eligibility	The criteria for qualification to receive benefits under a resettlement program.
Entitlement	The benefits set out in the resettlement instrument (RPF, RAP), including financial compensation.
Female Headed Household	A household where a female is the principal earning member of the family.
Full Replacement cost	The method of valuation of assets that helps determine the amount sufficient to replace lost assets.
Grievance Procedures	The processes established to enable property owners and other affected and/or displaced persons to redress issues related to acquisition, compensation, or other aspects of resettlement.
Grievance Redress Mechanism	Refers to an approved structure for receiving, evaluating, and addressing project-related discontentment and complaints by communities or individuals who will be affected by the construction of project infrastructure.
Head of the Household	The eldest member of core family in the household, for the purpose of the project.

Homestead	A homestead refers to a house or a collection of houses found in a common yard or home.
Household	A group of persons living together who share the same cooking and eating facilities and form a basic socio-economic and decision-making unit.
Impeded access/Restriction on land use	Limitations or prohibitions on the use of agricultural, residential, commercial or other land that are directly introduced and put into effect as part of the project.
Income restoration	Livelihood's restoration refers to that compensation for PAPs who suffers loss of income sources or means of livelihoods to restore their income and living standards to the pre-displacement levels.

Term	Meaning
Inkhundla (singular)/ Tinkhundla (plural)	Administrative centres within SNL. Each Inkhundla has several Chiefdoms under its administration.
Inventory of Affected Assets	The process of tallying, locating, measurement and identification of replacement cost of all fixed assets that will be recovered or adversely affected by, or because of, the project.
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.
Kubopha lufindvo	Official handover by the Chiefdom leadership of a clearly defined piece of land to a recipient who has gone through the customary process for acquiring land on SNL.
Kukhonta	Acquiring land on SNL either for residential, business or other purposes, through the customary process applicable for Eswatini.
Land acquisition	Refers to all methods of obtaining land for project purposes, which may include outright purchase, expropriation of property and acquisition of access rights, such as easements or rights of way.
Livelihood	Refers to the full range of means that individuals, families, and communities utilize to make a living, such as wage-based income, agriculture, fishing, foraging, other natural resource-based livelihoods, petty trade, and bartering.
Physical displacement	A loss of residential structures and related non-residential structures and physical assets because such structures/assets are located in the project area.
Private property owners	Persons who have legal title to structures, land or other assets and are accordingly entitled to compensation.
Project	In this RAP report, refers to Packages 1 and 2 of the EWSSAP.
Project Affected Persons	Refers to people who are directly affected socially or economically because of land acquisition for the project activities.
Relocation	
Replacement Cost	Is the cost of purchasing comparable assets elsewhere in lieu of the acquired land and other amenities, buildings, etc.

Restrictions on land use	Refers to limitations or prohibitions on the use of agricultural, residential, commercial or other land that are directly introduced and put into effect as part of the project.
Sigodzi (singular)/Tigodzi (plural)	Section/s or sub-areas within a Chiefdom.
Squatter	Squatters are landless households squatting on a public/private land for residential and/or business purposes.
Stakeholder	All Persons or groups, affected by the project directly or indirectly and/or with interests in the project and who may be able to influence its outcome either positively or negatively.
Stakeholder Engagement	Broad, inclusive and continuous process of communication or interaction between the project proponent and those potentially affected by the Project
Term	Meaning
	that usually spans the lifecycle of a Project. It includes broad participation and input to project design and procedures, including consultations, information disclosure and dissemination.
Swazi Nation Land	A type of land tenure in Eswatini where land is held in trust by the Ingwenyama (Traditional reference to the Eswatini monarch) on behalf of the Eswatini people and is controlled by Chiefs on behalf of the king. This land is outside Title Deed Land and urban boundaries.
Title Deed Land	A type of land tenure where land is privately owned existing in both urban and rural areas. Eligible owners of property on TDL are holders of legal Titles to land under their ownership bearing their personal information.

ACRONYMS AND ABBREVIATIONS

AIDS	Acquired Immunodeficiency Syndrome
CIC	Construction Industry Council
CLO	Community Liaison Officer
CMP	Comprehensive Mitigation Plan
EEA	Eswatini Environment Authority
ESIA	Environmental and Social Impact Assessment
ESS	Environmental and Social Standards
EWSC	Eswatini Water Services Corporation
EWSSAP	Eswatini Water Supply and Sanitation Access Project
FDG	Focus Group Discussion
GBH	Grievous Bodily Harm
GBV	Gender Based Violence
GoKE	Government of the Kingdom of Eswatini
GRM	Grievance Redress Committee
HIV	Human Immunodeficiency Virus
LMP	Labour Management Procedure
MHUD	Ministry of Housing and Urban Development
MOA	Ministry of Agriculture
MOPWT	Ministry of Public Works and Transport
PAA	Project Affected Asset
PAP	Project Affected Person
PDO	Project Development Objective

RAP	Resettlement Action Plan
RPF	Resettlement Policy Framework
SEDCO	Small Enterprise Development Company
SEP	Stakeholder Engagement Plan
SNL	Swazi Nation Land
TDL	Title Deed Land
ToR	Terms of Reference
UNDP	United Nations Development Programme
WB	World Bank
WTP	Water Treatment Plant

Executive Summary

ES 1 Project Background

The Government of the Kingdom of Eswatini (GoKE) secured a loan from the World Bank for the implementation of the Eswatini Water Supply and Sanitation Access Project (EWSSAP). The overall project cost is US\$40 million and was approved in 2019. The project will finance four major components. Component 1 will provide financing to increase potable water supply coverage in the Shiselweni region; Component 2 will finance rural domestic sanitation service delivery in the Tinkhundla; component 3 will provide project management support; and Component 4 will support potential disaster recovery needs by providing immediate response to an eligible crisis or emergency. Of these four components, it is expected that component 1 will require land take for advancing activities planned under package 1 and 2. This will require the preparation and implementation of a Resettlement Action Plan (RAP).

The overall objective of the Resettlement Action Plan (RAP) is to identify the adverse social and economic impacts associated with works under Package 1 and 2 activities. Based on potential impacts identified during assets inventory exercises, this RAP put in place adequate mitigation measures and actions to be taken by the GoKE including avoidance, minimization, or compensation measures to reduce, if possible, elimination of adverse impacts on project affected persons (PAPs).

ES 2 Project Activities with Resettlement Impacts

Work packages 1 and 2 are expected to acquire land for advancing the project objectives. Package 1 involves construction of 3 water storage reservoirs along the route. Package 2 works involves construction of a pump-station and laying of pipes to convey water from the Water Treatment Plant (WTP) to the reservoirs and to the surrounding neighbourhoods along the route. These activities necessitated the preparation of a Resettlement Action Plan (RAP). The RAP will mitigate adverse social and economic impacts on PAPs.

The scope of works under package one entails: i) acquisition and clearing of land for pump stations, reservoirs, and access road, ii) construction of three reservoirs, iii) construction of one pump station, and iv) construction of access road, while package 2 entails activities related to: i) excavation of trenches along the 64 km pipeline route and, ii) installation (laying and burying) of water transmission pipelines along the route.

ES 3 Magnitude of Impacts on Affected Assets and Population

Activities under phases 1 and 2 are expected to affect various properties built on Swazi Nation Land (SNL) and Title Deed Land (TDL). As the project design evolved from the initial design to the final design, the Eswatini Water Services Corporation (ESWC) has conducted two assets inventory exercises in project intervention corridor with ultimate objective of capturing accurate pictures of affected properties. The last asset inventory exercise was done on the 22nd – 25th of November 2021 for Zombodze Emuva and Shiselweni I and 29th – 30rd of November 2021 for Hosea Inkhundla. The final exercises revealed that 88 properties of which 75 are owned by individuals and 13 owned by corporation will be impacted. The nature of the land take impacts is mostly minor and temporary except for those locations of the three reservoirs that entail permanent land take on unused land. There will be adverse social and economic impacts including temporary and permanent land acquisitions, disruption of businesses or livelihoods activities and losses of trees and crops. The project will mitigate these adverse social and economic impacts through compensation and resettlement assistance payments. The overall social and economic impacts of packages 1 and 2 activities on affected parties are negligible and manageable.

Chapter three of this RAP will present and discuss packages 1 and 2 impacts on: i) all types of properties ownerships and land tenure, ii) land occupiers by type of land occupied, iii) land title and type of land occupiers, iv) land title, v) physical structures, vi) trees/crops and ownership, vii) business and ownership, viii) vulnerable people, ix) access and x) provide summary of impacts.

ES 4 Socio-Economic Baseline Conditions of Project Affected Persons (PAPs)

The project conducted and updated its last socio-economic baseline condition survey on the 24th – 26th of January 2023. The survey collected socio-economic data on 41 PAPs, 19 female and 22 males. This information was used to evaluate and analyze the socioeconomic conditions of PAPs in the surveyed areas. Inputs and analysis from the socio-economic survey also informed the design of this RAP. The objective of conducting the socio-economic baseline survey within impact areas of packages 1 and 2 coverages is to identify PAPs and understand their overall socio-economic conditions as of the census cutoff date.

Chapter four of this RAP presented and discussed the socioeconomic survey findings and analysis of PAPs by: i) marital status, ii) education attainment and gender, iii) age distribution by gender, iv) household characteristics, v) access to public utilities, vi) economic conditions, vii) land tenure by asset ownership and, viii) vulnerability indicators.

ES 5 Entitlements and Eligibility

The purpose of setting eligibility criteria is to identify type of land ownership of affected land while the objective of entitlement is to ensure that resettlement entitlements for PAPs and affected

entities are proportionate to severity of impacts. As discussed under ES 4 of this executive summary, activities under phases 1 and 2 are expected to affect various properties as well as 57 of the PAPs who owned those affected properties. As per ESS5 eligibility and entitlement criterion and that of the national legal provision of Eswatini, it is determined that 21 of the Affected parties have legal title to the land they occupied and will be compensated for the land they lose and for structures on the land while the remaining 36 PAPs are determined to have occupied the affected land without title. Affected parties without legal title to the land will be compensated for their affected assets/properties not for the affected land.

Relevant topics on: i) definition of PAPs, ii) eligibility and entitlement criteria, iii) vulnerable groups, iv) entitlement and entitlement matrix and, v) census cutoff date are discussed in details in chapter five of this RAP. More detail discussions on entitlement and eligibility as well as legal gap analysis are provided in the project's Resettlement Policy Framework (RPF).

ES 6 Valuation Methods

This RAP employs the broad principle of *Full Replacement Cost* for calculating compensation packages for affected properties. The different assets and means of livelihoods to be impacted by packages 1 and 2 are: i) land, ii) structures, iii) trees & crops, v) businesses disruptions & income losses and, v) restriction of access to productive means.

The valuation of impacted assets is based on current property market information as prescribed in section 15 of the Land acquisition Act of Eswatini. Furthermore, the valuation method used wide ranges of information provided on land and properties valuation rates including that of the Ministry of Natural Resources and Energy, land valuation department, International and local best practice, Ministry of Agriculture (MOA), Construction Industry Council and, estimation of loss of incomes by PAPs. Detailed discussions on valuation methods and rates applied for various affected properties, livelihood disruptions and income losses are presented in chapter six.

ES 7 Compensation and Resettlement Assistance

The overall compensation and resettlement assistance cost is estimated to be SWZ SZL 5,174,430. The overall cost is composed of compensation and resettlement assistances for the 57 affected parties (50 individual PAPs and 7 corporations) whose: i) land, ii) structures, iii) trees & crops and v) businesses, as well as vulnerable people, affected by civil works under packages 1 and 2 of component 1.

Details of compensation and resettlement assistance costs by individual PAPs and corporate entities are discussed and presented by cost items in chapter seven of this RAP. Compensation and resettlement assistance costs will be covered by the ESWC through counterpart funding arrangement.

ES 8 Stakeholder Consultation

Engagements with affected parties were conducted in all affected areas and project intervention locations. A total of three stakeholder consultation meetings were held at all three Tinkhundla and one at Nhlangano Regional Office. Overall, twenty-one (21) PAPs have attended the meeting in the three Tinkhundla of which four (4) are female while seventeen (17) are male.

Stakeholders were: a) informed about the project objective and potential impacts on their properties and livelihoods; b) involved in the design of the resettlement plan; c) allowed to express their opinions and their opinions were incorporated in this RAP and in the project design; d) offered with resettlement alternatives and choices; and e) informed on institutional arrangements by which displaced people can communicate their concerns to project authorities throughout planning and implementation, and measures to ensure that such vulnerable groups are adequately represented.

Chapter 8 of this RAP presented comprehensive insight on: i) level of stakeholder engagements, ii) outcomes of stakeholders' engagements held, iii) consultation methods used and, iv) summary of views expressed by affected and interested parties.

ES 9 Implementation Schedules and Arrangements

The objective of the RAP preparation and implementation schedule is to ensure that all RAP-related activities are fully completed before commencement of civil works. This RAP was prepared under exceptionally condensed process. The exceptional approach was taken to assist the project to meet its planned construction schedule.

While arrangement between the EWSC and affected parties allowed implementation of civil work to proceed smoothly under package 1, civil work activities for package 2 are yet to start. Package 2 implementation is planned to start in October 2023. Phase 2 is planned to be completed in March 2025 - over a period of 18 months. The project has only three months to complete compensation and resettlement assistance payments to the 57 affected parties. It needs to clear impact sites and handover those sites to the contractor. For this to happen, all resettlement activities shown in implementation schedule need to be completed, at least by May, if project delay and cost overrun is to be avoided. Chapter nine discusses all the steps needed to be followed and action that need to be taken to complete compensation and resettlement assistance payments to affected parties before the schedule start of construction date of phase 2.

ES 10 Cost and Budget

The overall Cost for the RAP is estimated to be SZL 7,207,837. The overall budget covers allocations for affected land, structures, trees and crops, business losses and vulnerability support as well as allocations for training, supervision, GRM running cost and contingency allocations for unforeseen factors and price contingencies.

Chapter 10 of this RAP presented the budget-by-budget line, including allocations for: a) compensations and resettlement assistances, b) training and sensitization, c) RAP completion report and audit, d) contingency and e) fund flow arrangement.

ES 11 Grievance Redress Mechanism

The project GRM is designed to provide timely and efficient resolution of disputes arising between PAPs or entities and the project. The project GRM has been established and the various Grievance Redress Committees (GRCs) at various locations are operational. GRCs are created at six levels: i) individual aggrieved, ii) community, iii) project level, iv) regional, v) EWSC, vi) national. GRCs and their members have been trained on how to handle grievances. The various Community Liaison Officers (CLOs) are serving as catalysts between the projects and various communities.

Disputes to be resolved under the GRM includes but not limited to: a) identification of affected land and associated assets within the Project area; b) ownership/responsibility for the land and associated assets; c) valuation of land or associated assets; d) quality of replacement assets; e) compensation allowances; d) the timing or manner of compensation payments; e) conduct of Project staff/representatives, or their methods in dealing with compensation. Chapter 11 of this RAP will discuss the GRM processes, steps for grievance documentation, grievances resolution hierarchy and, the appeal court option if grievance cannot be resolved through existing GRM.

ES 12 Monitoring and Evaluation: The objective of M&E is to ensure that agreed social and economic risks and impacts mitigation measures are full adhered and implemented by the project in timely fashion. The project is required to implement all mitigation measures identified and adapted. Monitoring indicators and schedule of implementation discussed in chapter 12 shall be frequently tracked by the EWSC internal monitoring unit and if needed by an external/independent monitoring consultant/agent.

ES 13 Arrangements for Adaptive Management: The objective of putting in place adaptive management arrangement is to allow flexibility to the Project implementation implementing entity to respond to RAP implementation challenges that emerge during implementation including responding: a) modifications in project design, b) changes in work approach by contractor, under the supervision of the design and supervision engineer, which could alter the impact footprint considered in the preparation of this RAP and, c) late discovery of PAPs (or claims embedded in others) during project implementation.

As part of adaptive management approach, this RAP was prepared taking into consideration the risk and impacts level of phases 1 and 2 activities, the magnitude of impacts on people and properties, the need for proportionality when designing of social and economic mitigation measures relative to potential risks and impacts. Therefore, contents and topics covered in this RAP, are limited to those elements that are most essential and proportional to magnitude of impacts. In this regard, chapters on legal and institutional framework and institutional arrangements are omitted and are not part of this RAP. Detailed discussions on these topics are

presented in the project's Resettlement Policy Framework (RPF) which is publicly disclosed in the Bank's and EWSC websites. Hence, the proceeding chapters of this RAP covers only topics discussed in this executive summary.

CHAPTER ONE: INTRODUCTION

1.1 Project Background

The Government of the Kingdom of Eswatini (GoKE) secured a loan from the World Bank for the implementation of the Eswatini Water Supply and Sanitation Access Project (EWSSAP). The project area is located within the Lowveld Agro-ecological Zone of Eswatini which is characterized by relatively low rainfall and high temperatures. The average annual rainfall for the Lowveld falls between 400 – 550 mm and the average temperature is estimated at 22°C. In recent years, climate change has had some adverse effects on water availability for communities in the project area. The general trend has been significant reductions in surface runoff in catchments, an unpredictable rainfall season and frequent incidences of drought, all of which have affected community livelihoods and resulted in poor access to safe clean water for domestic consumption and water for agriculture.

Due to the characteristics of the project area, it became necessary for the EWSSAP to be initiated to address the needs for the communities, that is, the provision of an infrastructure for the supply of reliable sources of potable water for domestic use. It is hoped that the project will ultimately result in significant improvements in quality of lives for the project area communities.

The Project Development Objective (PDO) is *“to increase access to improved water supply and sanitation services in targeted areas of Eswatini.”*

The project is prepared under the World Bank Environmental and Social Framework (ESF). The potential adverse social impacts which include physical and economic displacement makes ESS5 on Land Acquisition, Restriction on Land Use and Involuntary Resettlement applicable to the project. ESS5 requires the preparation of a Resettlement Action Plan (RAP) to address displacement impacts.

1.2 Description of Project Components

1.2.1 Overall Project Description

The overall project cost is US\$40 million. The project will finance four components as shown by table 1.2 below:

Table 5.2: Project Financing by components

Component #	Description	Cost (US\$)
-------------	-------------	-------------

1.	Resilient Water Access and Management	US\$15 million
2.	Improved Sanitation Access	US\$15 million
3.	Project Management and Institutional Strengthening	US\$ \$10 million
4.	Contingency Emergency Response. Components	Zero Budget
Total		US\$40 million

Component 1 will provide financing to increase potable water supply coverage in the Shiselweni region; improve long-term management of water resources, investment planning, and sustainability of water supply service provision; and build resilience to climate and disaster risks, with a focus on droughts. This component will have three subcomponents:

Subcomponent 1.1: Improved Water Access

Subcomponent 1.2: Resilient Water Management and,

Subcomponent 1.3: Improving Eswatini's Drought Preparedness and Resilience.

Component 2 will build on the ongoing work that has been done by the EHD on appropriate technology/sanitation service delivery for rural domestic sanitation to arrive at an open defecationfree corridor in the three Tinkhundla (Zombodze, Hosea, and Shiselweni I) that will benefit from improved access to water services. This component will finance a range of sanitation interventions aimed at reducing the incidence of water-related diseases and improving the quality of life of the beneficiaries in the project area. This component will also provide support to strengthen institutions, policies, data collection and planning, and long-term sustainability of sanitation services.

Component 3 will provide project management support including operating costs, the preparation of progress reports, and independent audits, as well as support on project financial, procurement, environmental, and social management, as needed.

Component 4 will support potential disaster recovery needs by providing immediate response to an eligible crisis or emergency, as needed. This may consist of immediate support in assessing the emergency's impact and developing a recovery strategy or the restructuring of existing or provision of new IPF and may also include operating costs, supply of critical parts and equipment, minor civil works rehabilitation, supply of fuel, rent of generators, as well as rapid transportation of chemicals and critical parts by express mechanisms.

The project is executed in two work packages, organized as follows.

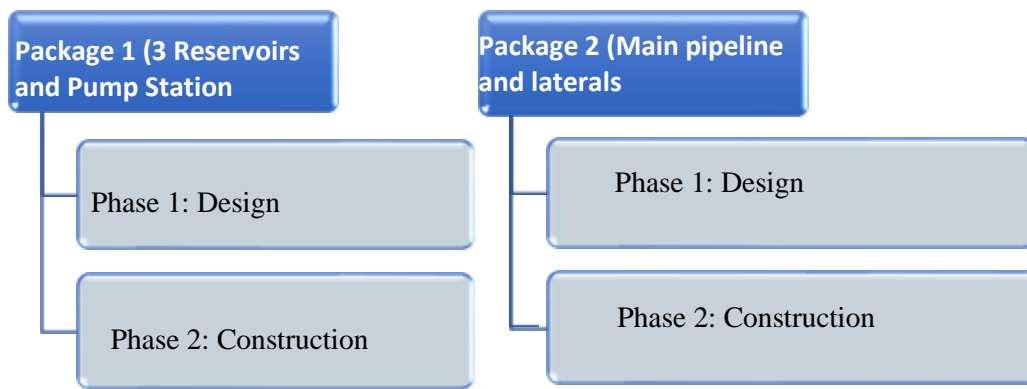


Figure 1.1: Project Packages for EWSSAP

This RAP is prepared with the objective of mitigating adverse social and economic impacts that are likely to result from land acquisition to advance the EWSSAP activities under Package 1 – Phase 2 (Construction). It describes all mitigation measures to be undertaken in order to avoid, minimize and compensate adverse impacts related to physical and economic displacement under Packages 1 & 2. As at the time of finalizing this RAP, some project design modifications were being made to the initial designs for Package 2.

However, the general understanding is that the design changes will not materially alter the alignment of the main pipeline route, hence the design changes will not change the scope of impacts captured in this RAP. In the event that the design revisions will materially affect this RAP, an addendum covering such impacts will have to be prepared and cleared by the World Bank.

1.2.2 Description of Packages

The Project Development Objective (PDO) is to increase access to improved water supply and sanitation services in targeted areas of Eswatini. EWSSAP is currently on phase 2 (construction of 3 reservoirs and a pump station for package and for package 2, the project is currently undergoing re-design of laterals. The EWSSAP which will entail the construction of the main water pipeline between Nhlangano and Siphambanweni, a solar powered pump house, three reservoirs, 24 kiosks and a number of distribution lines that will cover a total distance of 64 km. This water extension component will abstract raw water from the Mkhondvo River into an existing Water Treatment Plant (WTP) which is situated at an area called eMasibini, some 10 km west of Nhlangano town. The WTP has a production capacity of 30 million litres per day, but is currently being operated below its capacity, at 3.5 million litres per day, mainly to supply consumers within the Mahamba-Nhlangano corridor.

The population that is being served by the WTP is approximately 16,500 people, through over 3,000 connections. EWSC has initiated the project with the aim of taking advantage of the excess capacity of the WTP by treating additional water that would be channelled further east of Nhlangano town, to service needy communities' further east.

1.3 Objectives of the RAP

The overall objective of the Resettlement Action Plan (RAP) is to identify the adverse social and economic impacts associated with works to be carried out under Package 1 and 2 activities. Based on potential impacts identified, this RAP put in place adequate mitigation measures and actions to be taken by the GoKE including avoidance, minimization or compensation measures in order to reduce, if possible, eliminate adverse impacts on project affected persons (PAPs) as well as ensuring that their standards of living are better, or at least restored to pre project levels.

The specific objectives of the RAP are as follows:

- To establish eligibility criteria, and entitlement framework based on the Resettlement Policy Framework (RPF) of the project,
- To identify and estimate the number of Project Affected Persons and estimate the total compensation costs and mechanisms for effective delivery,
- To provide compensation for losses at replacement costs,
- To improve living conditions for vulnerable persons/groups who will be physically displaced, through provision of adequate resettlement assistance and support,
- To ensure that resettlement activities are planned and implemented with appropriate disclosures and through meaningful consultation with and the informed participation of project affected persons,
- To establish mechanisms for handling and resolving project related complaints/grievances involving PAPs and project affected communities, and
- To plan resettlement activities as an opportunity for facilitating sustainable development.

ESS5 recognizes that project-related land acquisition and involuntary resettlement can have adverse impacts on individuals, households, and communities. Physical and economic displacement arising from land acquisition and/or restrictions on land use, if unmitigated, may give rise to severe economic and social consequences; entire production systems may be dismantled; and, affected persons will face impoverishment if the resources or sources of income upon which they depend are lost.

This RAP is prepared to ensure that compensation and resettlement assistance to Project Affected Persons are provided in accordance with the requirements of the ESS5 to address losses arising from the project implementation. The RAP implementation will ensure that impacts are adequately mitigated through compensation to the extent that standards of living of project affected persons are made higher or at least restored to pre-project levels. The mitigation measures, actions and procedures laid out in the RAP, when properly implemented, will also ensure that project implementation activities are carried out smoothly and on schedule.

CHAPTER TWO: DESCRIPTION OF PROJECT INTERVENTION AREAS

2.1 Overview of Project Area

The project is in the Shiselweni region of Eswatini, between the towns of Nhlangano and Lavumisa. A 64 km long pipeline that will pass through the town of Nhlangano and end at Siphambanweni will be constructed. The project area covers approximately 750 km². The infrastructure will benefit three (3) Tinkhundla; Zombodze Emuva, Shiselweni I and Hosea, which together consist of a total of 12 Chiefdoms. The distribution of the Chiefdoms within the three Tinkhundla is as presented in Table 2.1 below.

Table 6.1: Benefiting Chiefdoms within each Inkhundla

Inkhundla	Benefiting Chiefdoms
-----------	----------------------

1. Zombodze Emuva	† Zombodze Emuva Umphakatsi † Ngwenyameni Umphakatsi † Mbilaneni Umphakatsi † Kuthuleni Umphakatsi
2. Shiselweni I	† Manyandzeni Umphakatsi † KwaShibaUmphakatsi † Zikhotheni Umphakatsi † Mabonabulawe Umphakatsi † Eposini Umphakatsi † Dumenkungiwni Umphakatsi
3. Hosea	† Lushiyini Umphakatsi † Nsingizini Umphakatsi † Hhohho Emuva Umphakatsi

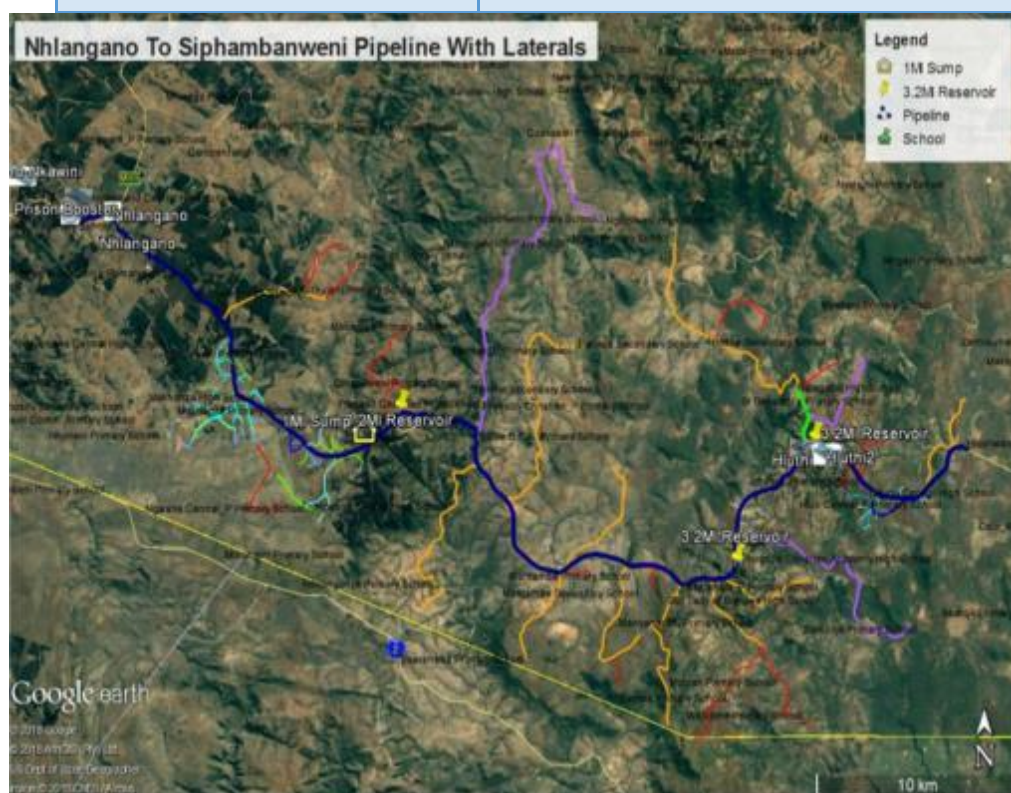


Figure 2.1: Locality Map for the Project

2.2 Scope of Work for Packages 1 and 2

This RAP is focused on packages 1 and 2 of the component 1 of the project. The scope of work for both packages is shown in Table 2.2 below.

Table 2.2: Scope of Work of Package 1 and 2 investments under Component 1 of EWSSAP

Package #	Description of Project Activities
Package 1	i. Acquisition and clearing of land for pump stations, reservoirs and access road ii. Construction of 3 reservoirs

	iii. Construction of one (1) pump station
	iv. Construction of access road to reservoir #3
Package 2	i. Excavation of trenches along the 64km pipeline route ii. Installation (laying and burying) of water transmission pipelines along the route

2.2.1 Package 1 Project Description

Package 1 works include the construction of 3 water storage reservoirs in three (3) locations (Zombodze Emuva and Hosea Inkhundla in Hluthi) along the route. The works also include a pump-station in Zombodze Emuva.

The details of the site locations are shown in Table 2.3 below.

Table 2.3: Reservoir and Pump Station Site Locations

Reservoir #	Inkhundla	GPS Centre Points	Survey Centre Points	NGL Elevation (mASL)	Area of site (m ²)
• Reservoir 1	• Zombodze Emuva	• 27°12'43.90"S 31°19'7.32"E	• 31617,543 X • - 3010870,951 Y	• 1,086,600	• 3,120
• Reservoir 2	• Zombodze Emuva	• 27°11'26.63"S 31°20'50.53"E	• 34437,429 X • - 3008506,571 Y	• 1,158,929	• 2,742

• Reserv oir 3	• Hosea	• 27°11'5 4.42"S • 31°33'3 9.45"E	• 55626,7 22 X • - 3009390 ,233	• 893,3 74	• 3 , 3 2 2
• Pump Station	•	• 27°12'0, 03"S • 31°20'2, 74"E	• -33 097,413 Y • 3 009 573,950 X	•	• 1 6 , 8 0 0



Figure 2.2: Typical Pressed Steel Panel Ground Tank

2.2.2 Package 2 Project Description

The pipeline works will involve the laying of pipes to convey water from the Water Treatment Plant (WTP) to the reservoirs and to the surrounding neighbourhoods along the route. Table 2.4 below provides a concise description of the technical design parameters of the pipelines to be procured and laid on the route.

Table 2.4: Technical Design Parameters of Pipeline

DESIGN PARAMETER	VALUE
Minimum Pipe Diameter	50 mm minimum As per hydraulic analysis and within design constraints

Minimum cover to pipes (Pipe crown to NGL)	Normal trench: 800 mm Major road crossing: 1200 mm Railway crossing: 1000 mm
Minimum Trench Width	Pipes \leq 400 mm ND: Pipe OD plus 300 mm Pipes $>$ 400 mm ND: Pipe OD plus 600 mm

Five pipeline sections have been identified and included in the works to be carried under Component 1 of EWSSAP. The characterization of the sections is shown in Table 2.5 below:

Table 2.5: Characteristics and location details of five (5) pipeline sections under component 1 of EWSSAP

STRUCTURE	COORDINATES	MAINS TYPE & DESCRIPTION	LENGTH (m)
Starting/Connection point Nhlango	27°06'28.29"S 31°11'01.17"E	Starting point	0
Reservoir 1	27°12'43.90"S 31°19'7.32"E	Gravity Main (from starting point to Reservoir 1)	20 414
Pump station	27°12'01.81" S 31°20'01.95"E	Gravity main (from Reservoir 1 to pump station)	2 630
Reservoir 2	27°11'26.63"S 31°20'50.53"E	Rising main (from pump station to Reservoir 2)	2 070
Reservoir 3	27°11'54.42"S 31°33'39.45"E	Gravity main (from Reservoir 2 to Reservoir 3)	30 726
End point - Siphambanweni	27°12'05.32"S 31°38'12.28"E	Gravity main (from Reservoir 3 to endpoint)	11 330

These activities will adversely impact private and public structures, economic tree crops, businesses, livelihood/income, and communities within the zone of impact.

2.3 Identified Impacts of Proposed Project Activities

Based on the activities which will be carried out under the project, some specific impacts were identified and are summarized in the section below:

2.3.1 Positive Social Impacts of the Project

Package 1 and 2 works are expected to have several positive impacts during construction and operation phases, and these are:

- i. Creation of temporary jobs for citizens, including youth, women, and other categories of the population in the three Tinkhundla (16 chiefdoms).
- ii. Improved access to clean and safe potable water supply
- iii. Reduction in incidence of water-borne diseases iv. There will be improvement in the local economy through increased circulation of money from construction workers and vendors supplying goods and services.

2.3.2 Negative Social Impacts

Package 1 and 2 works are expected to have several adverse social and economic impacts that include:

1. **Temporary disruptions on existing access:** Certain homesteads, businesses and some schools are likely to be temporarily inaccessible during construction, unless alternative routes are provided.
2. **Disruption of Utility Services:** The digging of trenches may lead to disruption of services, including electricity and telecommunication lines. Water pipes for existing water schemes are also likely to be affected if they fall within the designated project sites.
3. **Impacts of construction on assets:** Project activities along the main pipeline is likely to affect some agricultural fields, structures for informal businesses along MR11, fences and other community assets.
4. **Temporary increase in migrant workers:** Communities within the project intervention areas are likely to be affected by temporary increase in workforce population due to the presence of construction workers, resulting in possible shortage of commodities, competition on limited public services and, increased in sexually transmitted infections.
5. **Gender based violence:** New people in the project area during construction may aggravate the crime related to violence against women and children.
6. **Increased risk of spread of COVID-19:** It may be difficult in some instances for social distancing to be adhered. This would increase the risk of transmission of the pandemic.
7. **HIV/AIDS Prevalence in project area:** If proper training and awareness is not provided to construction workers and if workers' code of conduct is not adhered, it is likely that STDs will spread and affect communities and construction workers.

2.4 Zone of Impact

Package 1 activities involving the construction of new reservoirs in three locations. Two of the sites (Reservoirs #1 and #2) are in Zombodze Inkhundla while Reservoir #3 is located in Hosea Inkhundla (in Hluthi).

Package 2 activities which involve the installation of water transmission lines will be carried out within MR9 and MR11 statutory road reserves. The Right-of-Way is 38 m wide, measured as 19 m from the road centerline on each side. The affected roads are described as double lane roads, with each lane being 3.5 m wide. The pipeline runs on one side of each affected road, within the remaining 15.5 m width. The unbuilt part of the RoW will accommodate the pipeline. The centerline of the proposed pipeline is positioned 1.5m from the edge of the road reserve i.e., 17.5m from the centerline. The transmission pipeline design, transverse a linear path of 64km from Nhlangano to Lavumisa. Lengths of specific sections in the design are shown in Table 2.6.

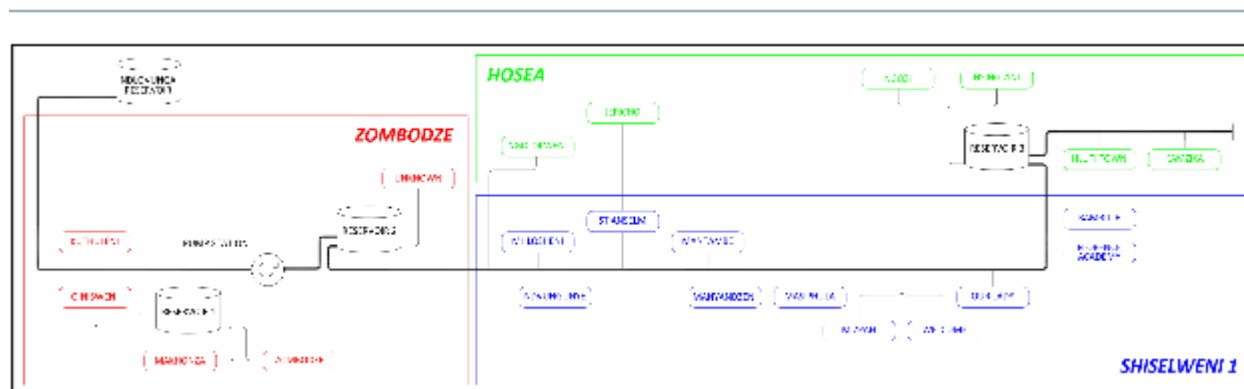


Figure 2.3: Schematic layout of the Reservoirs and Transmission pipeline network within Zombodze, Hosea and Shiselweni 1

Package 1 infrastructure items, 3 reservoirs and pump stations, will require permanent acquisition of land while Package 2, water transmission pipeline works and laterals, will be done within the existing RoW described in section 2.3 and will have minor and temporary impacts. Trench works will be carried out within the RoW and encroachers who will be impacted within the RoW will not be entitled any compensatory arrangements for land but will be entitled for compensations of structures built on the land. The works will also temporary affect some business activities leading to loss of income and business opportunities. A detailed schedule of the quantity of losses of each item and the number of affected persons are presented in Chapter 3 and Annex 1 and Annex 2.

CHAPTER THREE: DESCRIPTION OF PROJECT IMPACTS

3.1 Background to census asset inventory

The objective of the census of PAPs and impacted properties is to identify PAPs and their assets that will be impacted by the project that may result in:

- i) loss of assets – land, crops/trees
- ii) loss of income source, and iii)
- loss of access to assets or income.

3.2 Phase 1 and 2 Impacts

Using the detailed design drawings for Packages 1 and 2, and with the assistance of Community Liaison Officers (CLOs), it is estimated that 88 properties will be affected by the two packages civil works. This will impact 85 persons and entities who are the owners of affected properties. Of the 85 persons to be impacted, 78 of them are individual PAPs while 7 are corporate entities (Businesses, Community Interests, Public Institutions and Religious Bodies) under package 2. 3 properties will be affected in Package 1 and out of the 3 properties, 2 are business entities and 1 is an individual.

The following subsections of this chapter will present impacts by work packages 1 and 2 on:

1. all types of properties,
2. land occupiers by type of land occupied,
3. land title and type of land occupiers,
4. land tenure and gender,
5. package and their impacts on land title,
6. physical structures,
7. trees/crops and ownership,
8. business and ownership,
9. vulnerable people,
10. restriction of access,
11. summary of impacts.

3.2.1 Impacts by all Types of Categories

The proposed works for both packages will lead to temporary and permanent impacts of ranges of properties. As shown by table 3.2.1 The impacts include the following:

Table 7.2.1 Scope of Impacted items by proposed works

SN	Impacted Items Category	Examples of Affected Assets
1	Land Assets	Land of various sizes will be lost and/or become inaccessible and result in reduced productivity
2	Trees (including economic trees and windbreakers)	Naartjie trees Wattle Trees (Trees) Umntulwa Trees Avocado Trees Banana Trees Jacaranda Trees (Trees)
SN Impacted Items Examples of Affected Assets Category		

		Pine Trees Lugagane (Indigenous tree for windbreaker) Peach Tree Wattle Umtfolo (Trees) Pawpaw (Trees) Indigenous Trees/Language
3	Farm Crops	<ul style="list-style-type: none"> • Maize • Beans • Vegetable • Cassava Saplings
4	Physical Structures – <i>Fixed and Moveable</i>	<ul style="list-style-type: none"> • Spazas • Other Makeshift Structure • Block Yard • Car Wash • Pit Latrine • Welded mesh Fence (Sqm) • Veldspan • Hedges (width metres) • Driveway (Sqm) • Foregone Investment • Barbed Wire Fence (in metres) • Garden Wooden pole • VIP Latrine (m²) - made of Cement bricks, Plaster, iron sheet • Wall Fence
5	Income and Business Opportunity Losses	<ul style="list-style-type: none"> • Disruption of formal businesses operations who will not be able to operate during laying of pipeline in front of premises. • Disruption of informal businesses operations which will be removed during laying of pipeline where they are currently located.

A detailed schedule of the quantity of losses of each item and the number of affected persons is presented in under Annex 1 and Annex 2.

3.2.2 Impacts by Package on Properties, Ownership and Land Tenure

As the project design evolved from the initial design to the final design, the Eswatini Water Services Corporation (EWSC) has conducted four assets inventory exercises (two census were done in 2021) in project intervention corridor with ultimate objective of capturing accurate pictures of affected properties. The last asset inventory exercise was done on the 22nd – 25th of November 2021 for Zombodze Emuva and Shiselweni I and 29th – 30rd of November 2021 for Hosea

Inkhundla. The inventory of assets exercise concluded that 88 properties, 75 owned by individuals and 13 owned by corporation, will be impacted by works under packages 1 and 2. Table 3.2.2 below provides details of impacts by packages, ownership, and the land tenure arrangements on which the 88 properties are built on.

Table 3.2.2: Impacts by Packages on All Types of Properties, Type of Ownership and, Land Tenure

Package	Ownership			Land Tenure		
	Corporate	Individual	Total	SNL	TDL	Total
Package 1	2	1	3	1	2	3
Package 2	11	74	85	61	24	85
Total	13	75	88	62	26	88

3.2.3 Impacts on Land Occupiers by Type of Land Occupied

Civil work activities under Phases 1 and 2 of component 1 will impact on individual PAPs and corporate entities who currently occupied and use land to carryout livelihood activities. Scope and range of impacts presented by table 3.2.3 will impact 85 affected parties as shown by table 3.2.3 below:

- 78 individual PAPs of which 59 are on SNL and 19 are on TDL,
- 7 corporate entities of which 1 is on SNL and 6 are on TDL.

Table 3.2.3: Impacts on Land Occupiers by Type of Land Occupied

Type of occupier	Type of Land Occupied		
	SNL	TDL	Total
Individual PAPs	59	19	78
Corporations	1	6	7
Total	60	25	85

3.2.4 Impacts on Land Title and Types of Land Occupiers

As shown by table 3.2.3 above, the 85 affected parties have been occupying and carrying out livelihood activities on SNL and TDL. Regardless of the legal title holding of the land they occupied, prior to the project, affected parties who have been occupying and carrying on day-to-day activities on SNL and TDL will be impacted by phase 1 and 2 civil work activities - if the land they occupied is chosen to advance public interest of the project.

Of the 85 affected parties, 28 of them will be provided with in-kind assistances. The remaining 57 affected parties, of which 50 are individual PAPs and 7 are corporations, will be compensated and provided resettlement assistances for losses they suffered because of work activities under phase 1 and 2.

The in-kind assistances to the 28 PAPs who are on SNL will include reinstating; a) driveways to private properties, b) community access facilities and, c) affected land. The in-kind assistances, in

forms of reinstating affected driveways, community access and land, will be provided by the contractor. The contractor is best placed to be given responsibility for in-kind assistance because they will be physically constructing the pipeline and it is within their scope of work to construct, relocate, replace and repair infrastructure that is within the route of the pipeline. The contractor also requires temporary working space during construction where some structures need to be temporarily relocated and reinstated. The contractor shall include these costs in their bill of quantities when pricing for the works at tender stage. The obligations of the contractor will be monitored, by the Project Implementation Unit (PIU) in EWSC, very frequently. The project will not be considered closed until the contractor fully reinstated all affected driveways, affected community facilities, and affected land. It is also important to note that the 28 PAPs are occupying SNL which is held by the Monarchy in trust for the people of Eswatini.

Table 3.2.4 presented impacts on the 57 affected parties – 50 individual PAPs and 7 corporations.

Table 3.2.4: Impacts by Land Title and Types of Occupiers

Land Title	Type of Occupiers								
	Individual PAPs			Corporations			Total		
	SNL	TDL	Total	SNL	TDL	Total	SNL	TDL	Total
With Land Title	2	14	16		6	6	2	20	22
Without Land Title	33	1	34	1		1	34	1	35
Total	35	15	50	1	6	7	36	21	57

Of the 57 affected parties to be compensated for various impacts:

- 22 of the affected parties have legal titles to the land they occupied prior to the project's census cutoff date. While 3 landlords are on the TDL where three reservoirs are planned to be constructed, 19 are on SNL,
- It is expected that the three landlords where the three reservoirs will be constructed will lose their entire land title while the 19 PAPs are likely to lose small percentage of their landholding title,
- The 22 PAPs with legal title to the land, 16 individual PAPs while 6 entities, will be fully compensated for their land and structures on the land,
- 35 of the affected parties have no legal title to the land they occupied. Of the 35 affected parties without legal ownership to the land, 34 of them are individual PAPs while 1 is a corporation,
- Affected parties without legal landholding title will not be compensated for the land the project will acquire to advance civil works under phase 1 and 2, but they shall be paid for structures built on the land they occupied.

3.2.5 Impacts by Package on Physical Structures and Ownership

The census concluded that 24 PAPs and 1 entity would lose various types of physical structures. As shown in table 3.2.4 below, 24 of the impacted physical structures are built on SNL while 1 is on TDL. These properties shall be compensated at full replacement cost as per the national legal provisions and the ESS5 requirements and objectives.

Table 3.2.5: Packages Impacted on Physical Structures and Owners

Works Package	Types of Ownership		
	Individual	Corporate Entity	Total
Package 1	0	1	1
Package 2	24	0	24
Total	24	1	25

3.2.6 Impacts on Trees and Crops

Various trees were identified that need to be removed to give way to the pipeline along the project route. The trees comprise of various species which serve either economic, ornamental, or ecological (windbreaker trees) purposes. Some of the species found on the route include Naartjie trees, Wattle Trees, Umntulwa Trees, Avocado Trees, Banana Trees, Jacaranda Trees (Trees), Pine Trees, Lugagane (Indigenous tree for windbreaker), Peach Tree, Wattle (Trees) Umtfolo, Pawpaw (Trees), Indigenous Trees/Languages.

In all, seventeen (17) PAPs and six (6) corporations owning tree/crop plantations of various sizes and a mixture of species were enumerated for compensation. Seventeen (17) of them are individual PAPs, while six (6) are corporate entities.

Table 3.2.6: Impacts by Package on Trees and Crops and Ownership

Works Package	Type of Ownership		
	Corporate entities	Individuals	Total
<i>Package 1</i>	1		1
<i>Package 2</i>	5	17	22
Total	6	17	23

3.2.7 Business Disruptions and Income Losses

The pipeline route traverses several communally owned accesses as well as driveways to businesses (formal and informal). Certain homesteads, businesses and some schools are likely to be temporarily inaccessible during construction, unless alternative routes are provided. Associated income losses to businesses on the route which will happen during the project will be compensated for under this RAP. As shown by table 3.2.7 below, two of these businesses are located under package 1 while 23 of them are found under package 2.

Table 3.2.7: Impacts by Packages on Business by Ownership

Works Package	Type of Ownership		
	Corporate entities	Individuals	Total
<i>Package 1</i>	1	1	2
<i>Package 2</i>	1	22	23
Total	2	23	25

Overall, it is estimated that 25 businesses will be impacted by packages 1 and 2 activities. Of this total, 23 individual PAPs and 2 corporate entities whose businesses would be disrupted will be compensated for loss of income.

3.2.8 Restrictions of Access to Residential Properties

Civil work activities under packages 1 and 2 are expected to restrict access to means of livelihoods and properties to a total of 29 PAPs. Restriction of access mainly affect driveways of which four (4) are in TDL and twenty-five (25) are in SNL. Driveways leading into residential premises would be affected by the pipeline trenches which would be laid as part of the works to be done, particularly under package 2. As part of the implementation of the mitigation measures for identified social risks assessed in the ESIA prepared for this project, measures to ensure temporary access into such residential and business premises will be provided and would be implemented by the civil works contractor.

The total cost of addressing these impacts would not be borne under this RAP as they are included in the costs of social mitigation to be financed under the works contract by the contractor.

3.2.9 Impact Avoidance and Minimization Measures

The ESWC considered several design alternatives aimed at reducing potential adverse social and economic impacts of the proposed activities on project affected persons. These measures include the following:

Table 3.2.9: Impact Avoidance and Minimization Measures considered for Resettlement Impacts

Package 1	Package 2
-----------	-----------

<ul style="list-style-type: none"> • Construction of 3 new reservoirs in different locations • Selected areas for 3 reservoirs and pump station are those that are currently not occupied by homesteads or permanent business structures 	<ul style="list-style-type: none"> • Construction of the pipeline within the main roadway section of the MR9 and MR11 • Pipeline alignment had to be shifted in some places in order to avoid destruction to permanent structures such as churches, houses and service lines such as electricity poles and telecommunication lines. • Construction lateral adjoining the main pipeline
--	---

During project implementation, the PIU of EWSSAP in the EWSC will ensure that the contractor does not implement project activities beyond the Right-of-Way of the road corridor to avoid further displacement.

The contractor's contract will include requirements to remain within the RoW and comply with the approved project design. Any land acquired by the contractor for workers' camps, quarries and borrow areas, sites for batching plants will be at the expense of the contractor.

3.2.10 Summary of Impacts

Most of the 50 PAPs will suffer multiple of minor and temporary impacts resulting from losses of multiple of assets – that is losses of two or more assets and some of these PAPs include vulnerable people. It is estimated that:

- 16 PAPs out of the 50 will lose portion of their land and their title holding as a result of component 1 activities. The affected PAPs will be compensated for the loss of their land,
- 24 PAPs out of the 50 will suffer minor and partial impacts on their structures. Affected persons will be compensated for affected structures in/with full replacements cost,
- 17 PAPs out of the 50 will lose their trees/crops and income associated. These PAPs will be compensated for their loss,
- 23 PAPs out of 50 will lose their income because of temporary business or livelihoods disruptions. Affected PAPs shall be compensated for the temporary income loss,
- It is expected that 17 vulnerable PAPs out of the 50 include vulnerable people. Plan and budgetary allocation is made in the RAP to assist vulnerable people, including providing vulnerability support allowance and differentiated treatment,
- It is estimated that 28 PAPs will lose access to their means of livelihoods and shelters. Impacts are minor and restriction is very short and temporary.

The scope and magnitude of social and economic impacts of packages 1 and 2 activities on PAPs and affected corporations are minor and manageable. Most of the impacts are temporary and minor. The project will not involve permanent displacement and there will not be relocation.

CHAPTER FOUR: BASELINE SOCIO-ECONOMIC STUDIES

4.1 Introduction

The objective of conducting the socioeconomic and demographic surveys was to collect data on PAPs' characteristics for demographic, social and economic analysis. The information will help to assess current poverty, education, and economic status of PAPs. It can help understand the extent of the project responsiveness to the targeted population. It can serve for better planning and can help improve service delivery and inclusiveness.

A household-level census was conducted in phase 1 and 2 intervention areas. As the project design evolved from the initial design to the final design, the Eswatini Water Services Corporation (ESWC) has conducted four household-level census exercises (two census were done in 2021) in project intervention corridor. The last census exercise was done in on the 22nd – 25th of November 2021 for Zombodze Emuva and Shiselweni I and 29th – 30rd of November 2021 for Hosea Inkhundla. The household-level census was conducted to:

- identify characteristics of affected households,
- gather information on vulnerable groups or persons for whom special provisions may have to be made,
- provide a basis for the design of the resettlement plan,
- Provide a basis for determining eligible persons and entities for compensation and resettlement assistance in conjunction with the established cutoff date, and
- establish baseline conditions for monitoring and evaluation purposes.

4.2 Socioeconomic Survey of PAPs

A socioeconomic survey of affected persons was conducted with the objective of understanding status of PAPs and establishing baseline data for future use. A structured questionnaire was used to collect socio-economic information on the affected people. The PAP census data obtained and presented in sections of this chapter include:

- Statistics on PAPs Participated in the socioeconomic survey,
- Marital Status of PAPs by Gender,
- Education Attainment of PAPs by Gender,
- Age Distribution of PAPs by Gender,
- Household Characteristics of PAPs,
- Access to Public Utilities,
- Economic Conditions of PAPs,
- Land Tenure and Asset Ownership, • Vulnerability Data by Age and Income.

4.3 Number of PAPs Who Participated in the socioeconomic survey

Efforts have been put in place to ensure that all PAPs participated in the socioeconomic survey.

Out of the 50 PAPs, 41 (82%) of them were available for the socio-economic survey while the remaining 9 (18%) could not be reached or data was not made available at the time of this socio-economic survey analysis. As shown by table 4.3 below, it is reported that 22 (54%) of the PAPs participated in the survey are male while 19 (46%) are female. The socioeconomic survey was conducted in packages 1 and 2 coverage areas.

Table 8.3: Survey Participants by Phases and Gender

Package	Participants' Gender		
	Male	Female	Total
Package 1	1		1
Package 2	21	19	40
Total	22	19	41

4.4 Marital Status of PAPs by Gender

The socioeconomic survey has collected information on marital status of PAPs with the objective of assisting and providing differentiated treatments to those PAPs who are most unfortunate. The data revealed that among the 41 PAPs who participated in the survey:

- 22 (54%) are married, while 10 (24%) are single,
- 1 (2%) are divorced,
- 8 (20%) are widowed,
- 19 (46%) of them have no male or female partners. The project will monitor this group wellbeing and ensure that their social and economic situation is not worsen because of component 1 impacts.

Table 4.4: Marital Status by Gender

Marital Status	Package 1			Package 2			Packages 1 and 2			Proportion (%)
	Male	Female	Total	Male	Female	Total	Male	Female	Total	
Divorced					1	1	0	1	1	2
Married	1		1	16	5	21	17	5	22	54
Single				3	7	10	3	7	10	24
Widowed				2	6	8	2	6	8	20
Total	1		1	21	19	40	22	19	41	

4.5 Education Attainment of PAPs by Gender

Socioeconomic information on education levels of PAPs were collected and the result will be used to assist those less educated PAPs during the preparation and implementation of this RAP. The survey suggested that out of the total of 41 PAPs surveyed:

- 4 (10%) of the PAPs have NO formal education,
- 4 (10%) have Primary education,
- 28 (68%) have secondary education,
- 5 (12%) have Tertiary education.

The 10% of the PAPs without formal education are likely to have difficulties to understand how their compensation and resettlement assistances are calculated. Failure not to explain the way it was calculated in a such a way they can understand could lead to misunderstanding and alienation. Therefore, all efforts will be made to ensure that this group of PAPs are assisted to fully understand how compensation and resettlement assistances that are due to each one of them are calculated.

Table 4.5: Educational Status of PAPs by Gender

Educational Status	Package 1			Package 2			Total			Proportion (%)
	Male	Female	Total	Male	Female	Total	Male	Female	Grand Total	
No Formal Education	1		1	2	1	3	3	1	4	10
Primary Level				1	3	4	1	3	4	10
Secondary Level				15	13	28	15	13	28	68
Tertiary Education				3	2	6	3	2	5	12
Total	1		1	22	19	41	22	19	41	

4.6 Age Distribution of PAPs by Gender

With the objective of understanding and designing appropriate mitigation measures, the socioeconomic survey established ages and gender of the 41 PAPs to be impacted by phase 1 and 2 activities. The survey outcome indicated that majority of the PAPs, about 54%, can be classified as aging population while 29% can be considered relatively young and productive and 26% as transitional population. The age distribution of PAPs by gender is presented by table 4.6. Of the total 41 PAPs surveyed and disclosed their ages:

- 12 PAPs are between age 24-44, • 17 PAPs are between age 45-64,

- 11 PAPs are between age 65-94,
- 1 PAP is age not disclosed.

Various studies and experiences on age and risk trajectory suggests that people in older age become risk averters and need close guidance when making investment choices. The survey results above suggests that while the 11 PAPs between age 65-94 will have the natural tendency to avert risky economic decisions, such as decisions about savings and investing, on the use of their compensation and resettlement assistance allowances, it is critical that the project is providing such advice and support to this group of elderly and vulnerable people. This includes opening Bank accounts and guiding them in business decision making processes. They key is to protect this age group from finding themselves to worsen social economic conditions.

Table 4.6: Age Distribution of PAPs by Gender

	Package 1			Package 2			Total			Proportion
	Male	Female	Total	Male	Female	Total	Male	Female	Total	
24-34 years				2	3	5	2	3	5	12
35-44 years				2	5	7	2	5	7	17
45-54 years	1		1	6	4	10	7	4	11	28
55-64 years				2	4	6	2	4	6	15
65-74 years				6	1	7	6	1	7	17
75-84 years				2	1	3	2	1	3	7
85-94 years					1	1		1	1	2
Undisclosed				1		1	1		1	2
Grand Total	1		1	21	19	40	22	19	41	

4.7 Household Characteristics

4.7.1 Status of PAPs in Household

With the objective of collecting and having knowledge of household characteristics of PAPs, all 41 participants in packages 1 and 2 coverage areas were interviewed. Out of the 41 affected persons recruited into the socioeconomic survey, 22 (54%) of them were household heads while 14 (34%) of them were members of their respective households. Information on the status of 5 (12%) PAPs within their respective households were not obtained by the survey team.

The data reveals that there are 5 Female Household Heads (FHHs) who will suffer losses due to the planned work. All five (5) FHHs are PAPs from Package 2 works.

Table 4.7.1: Family Structure of PAPs by Gender

	Package 1			Package 2			Total			Proportion
	Male	Female	Total	Male	Female	Total	Male	Female	Total	
Household head				18	4	22	18	4	22	54
Other household member				1	13	14	1	13	14	34
Not Stated	1		1	2	2	4	3	2	5	12
Grand Total	1		1	21	19	40	22	19	41	

4.7.2 Household Size

Project-Affected Persons on the project are part of households of various sizes. 15 (34%) of the 41 PAPs surveyed had households with members between 1 and 5 persons. Another group of 18 (43%) PAPs had between 6 and 10 household members. PAPs with households sized 11 – 15 constitute 17% (7 PAP) respectively. The average household size of PAPs affected by the project across both packages is 6.94.

Table 4.7.2: Household Size of PAPs by Gender

	Package 1			Package 2			Total			Proportion
	Male	Female	Total	Male	Female	Total	Male	Female	Total	
1 - 5 persons				10	5	15	10	5	15	34
6 - 10 persons				8	10	18	8	10	18	43
11 - 15 persons				4	3	7	4	3	7	17
(blank)	1		1				1		1	6
Total	1	0	1	22	18	40	22	18	41	

4.8 Access to Public Utilities

4.8.1 Electricity

As part of its socioeconomic survey exercise, PAPs were surveyed on their access to electricity with the objective of understanding how inclusive electricity supply is in component 1 coverage areas. The survey indicated that a significant proportion of the 41 affected persons recruited into the socioeconomic survey had access to electricity - 37 PAPs representing 90% of the PAPs fall

into this category. Information on access to electricity on 4 (10%) PAPs was not obtained by the survey team.

Table 4.8.1: PAP Access to Electricity by Gender

	Package 1			Package 2			Total			Proportion %
	Male	Female	Total	Male	Female	Total	Male	Female	Total	
Available				18	19	37	18	19	37	90
Not Stated	1		1	3		2	4		4	10
Grand Total	1		1	20	19	39	22	19	41	

4.8.2 Drinking water

The socioeconomic survey was used to evaluate and determine the extent of PAPs access to clean water. It is determined that there are diverse ranges of water sources from which PAPs who were interviewed obtain clean drinking water in their respective households. Most common sources include Rainwater 32%, Community Boreholes 15%, Private Boreholes 7%, Portable Water 8%, and the remaining 46% use water from various sources as shown by Table 4.8.2.

Table 4.8.2: PAP Access to Drinking Water by Gender

	Package 1			Package 2			Total			Proportion
	Male	Female	Total	Male	Female	Total	Male	Female	Total	
Community Borehole				2	3	5	2	3	6	15
Community Borehole and River Water					1	1		1	1	2
None				3		3	3		3	7
Not Stated	1		1	2		2	3		3	7
Portable water from EWSC				2	2	4	2	2	4	8
Privately Owned Borehole				3		3	3		3	7
Public Hand-dug well system				2	2	4	2	2	4	8
Rain or Spring Water				4	9	13	4	9	13	32
Vendor/buys from private borehole				3	1	4	3	1	4	8
Total	1		1	21	18	39	31	20	41	

Overall, it can be concluded that the ESWC has not been able to satisfy the water needs of most of the affected Persons. This finding suggested that the corporation must adapt inclusive water connection scheme. Access to clean water and sanitation services to these PAPs, to the extent technical design and economic imperatives permits, is important.

4.8.3 Household Sanitation Facilities

The socioeconomic survey was instrumental in determining the extent and adequacy of household sanitation facilities of PAPs. Of the 41 PAPs surveyed, 16 PAPs (39%) and 18 PAPs (44%) have access to Pit Latrine and VIP/Flush Toilets within their respective households while 7 PAPs (17%) had no access to such sanitation facilities at all. This implies that while most of the PAPs have relatively fair household sanitation facilities, there is still a need to ensure that adequate sanitation services for those without it is provided.

Table 4.8.3: PAPs Access to Household Sanitation Facilities - Water by Gender

	Package 1			Package 2			Total			Proportion
	Male	Female	Total	Male	Female	Total	Male	Female	Total	
None	1		1	6	1	7	6	1	7	17
Pit Latrine				6	10	16	6	10	16	39
VIP/Flush Toilet				10	8	18	10	8	18	44
Grand Total	1		1	22	19	41	21	19	41	

4.9 Economic Conditions of Affected Persons

4.9.1 Means of Livelihoods

The 41 affected persons have been surveyed with the objective of understanding their means of livelihoods, the extent of the project impacts on their social and economic wellbeing. The information will inform the RAP when crafting economic or income loss assistances to PAPs.

As shown by table 4.9.1, out of the 41 PAPs surveyed:

- 21 (51%) of the PAPs are self-employed,
- 5 (6%) of the PAPs are unemployed,
- 2 (4%) of the PAS are wage earners,
- 1 (2%) of the PAPs is beneficiary of the elderly grant,
- 4 (9%) of the PAPs are retirees,

- 3 (7%) of the PAPs are farmers,
- 4 (95) of the PAPs are businessmen,
- 1 (2%) PAP has not indicated his means of livelihood.

Table 4.9.1: Means of Livelihoods

Livelihoods	Package 1			Package 2			Total			% Proportion
	Male	Female	Total	Male	Female	Total	Male	Female	Total	
Self Employed				8	13	21	8	13	21	51
Unemployed				1	4	5	1	4	5	6
Wage Earner				1	1	2	1	1	2	4
Elderly Grant					1	1		1	1	2
Retiree				3	1	4	3	1	4	9
Farmer				3		3	3		3	7
Businessman				4		4	4		4	9
Not Stated	1		1				1		1	2
	1		1	20	20	40	21	20	41	

The data presented in the above table suggested that package 2 activities are likely to have significant impacts on 40 PAPs (98%). This RAP will take appropriate measures to mitigate the various forms of impacts on the 98% of the PAPs including providing various resettlement assistances. Where necessary and appropriate, business advise, and financial literacy training will be considered as part of the package.

4.9.2 Income Levels

The local economy is mainly based on livestock breeding, subsistence farming and small businesses (individual or family business). The Socio-Economic survey questionnaire was also used to capture data on income level for affected PAPs as shown by Table 4.9.2 below. The income levels captured in the table indicates that out of the 41 PAPs survey:

- 1 PAP has no income
- 1 PAP earn income less than SZL 885,
- 14 PAPs earn income within the range of SZL 885 -2000,
- 13 PAPs earn income between SZL 2000 - 5000,
- 4 PAPs earn income within the range of SZL 5000 – 10000,
- 2 PAPs earn income between SZL 10000 – 20000,
- 2 PAPs earn income over SZL 20000,
- 4 PAPs have not indicated their income.

Table 4.9.2: Income Distribution among PAPs by Gender

	Package 1			Package 2			Total			Proportion
	Male	Female	Total	Male	Female	Total	Male	Female	Total	
No Income				1		1		1	1	2
Less than 885				1		1		1	1	2
SZL 885 – 2000				7	7	14	7	7	14	34
SZL 2000 – 5000				7	6	13	7	6	13	32
SZL 5000 – 10000				2	2	4	2	2	4	10
SZL 10000 – 20000				2		2	2		2	5
Above SZL 20000				1	1	2	1	1	2	5
Not Stated	1		1	2	2	4	4		4	10
Grand Total	1		1	21	20	41	23	18	41	

The survey result suggested that 10% of the PAPs can be considered in the higher income brackets, 42% of them can be classified as PAPs in the middle-income while 38% of them seem to be in the low-income categories. It is also important to note that 2 PAPs, one with income another without income, can fall into category of PAPs below the poverty line - which is \$1.90 per day. This group of PAPs are considered under income vulnerability category and shall be provided resettlement assistances from the RAP budget.

4.10 Land Tenure by Gender

4.10.1 Land Tenure

Data was collected to establish land tenure status of affected persons by gender. The survey pointed that 80% (33 Persons) among the PAPs had their assets on Swazi National Land of which 54% are male and 46% are female while 8 (20%) of the PAPs have their assets on Title Deeds Land.

Table 4.10.1: Land Tenure Held by PAPs in the Project Area By Gender

	Package 1			Package 2		Total			Proportion
	Male	Female	Total	Male	Female	Male	Female	Total	

SNL				18	15	18	15	33	80
TDL	1		1	3	4	4	4	8	20
Total	1		1	21	19	22	19	41	

4.10.2 Land Ownership Status

The socioeconomic survey was used to determine asset ownership status of affected persons. Of the total 41 PAPs participated in the socioeconomic survey. It is established that 59% of the PAPs are owners/landlords of the affected assets, 9% are tenants while 32% are squatters. All the squatters identified in the survey were found on Swazi National Land.

Table 4.10.2: Asset Ownership Status of PAPs by Gender

	Package 1			Package 2			Total			Proportion
	Male	Female	Total	Male	Female	Total	Male	Female	Total	
Landlord	1		1	18	5	23	19	5	24	59
Squatter				2	11	13	2	11	13	32
Tenant				1	3	4	1	3	4	9
Grand Total	1		1	21	19	40	22	19	41	

Base on the data provided in table 4.10.2:

The 24 PAPs who are landlord and have legal title to the land will be compensated for the entire or portion of the land the project will acquire for advancing its public interest objectives,

The 4 PAPs, who are tenants, shall be provided resettlement assistances for the period agreed with affected tenants,

The 13 PAPs who are squatters and had occupied the land prior to the census cutoff date shall be provided compensations for the structures on the land as well as resettlement assistances as appropriate and as agreed with affected squatters.

4.11.1 Vulnerable Persons

Vulnerability in this context can be defined as the diminished capacity of an individual or group to anticipate, cope with, resist and recover from the impact of a physical or economic displacement. The disproportionate extent of project impacts on persons with such vulnerabilities makes it important to determine the number and typology of such occurrence within the 41 PAPs.

The socioeconomic conditions considered as vulnerable under this RAP are based on the following criteria:

- **Income:** Persons earning below the poverty line (US\$ 1.90 per day) are more likely to be impacted by the project-attributable displacement impacts identified in this RAP.
- **Advanced Age (>65 years):** Persons who are advanced in age may have mobility and other physical impairments that predispose them to challenges in participation, receiving

relocation support, and other compensatory mechanisms, and hence will be disproportionately affected by the displacement occurring as a result of the project.

- **Physically Disability:** Physical impairments may lead to participation restrictions that deny physically challenged persons access during and after the implementation of resettlement activities.
- **Widowhood:** Widows and widowers may require additional support as a result of their social status – and, in some cases, documentation challenges – and thus need to be further assisted.

A stepwise identification of vulnerable PAPs was carried out. In the first step, given the size of the elderly persons, 16 persons aged 65 and above were selected as vulnerable persons. Further analysis of these persons revealed that 5 of the 16 elderly persons were also widowed. Hence in the first stage, two distinct categories of vulnerable persons were determined. These are Widowed elderly persons = 5 and Other elderly persons = 10.

In the second stage, which focused on persons aged below 65 years, analysis was done to identify the presence of other vulnerability conditions among them. 3 PAPs were found to be widowed within this group while 1 PAPs were below 65 years earned below the poverty line of SZL 885 (or \$1.90 per day). None of the PAPs PAP was found to be physically challenged.

A total of 16 vulnerable PAPs out of the 41 surveyed are affected by the project. Information about the vulnerable PAPs is presented in the Table below.

Table 4.11.1: Vulnerable PAPs in the Surveyed Affected Population (n = 41)

Vulnerable Groups			
	Package 1	Package 2	Total
Advanced Age (above 65)	1	6	7
Advanced Age and Widowed		5	5
Widowed (Below 65)		3	3
Low Income (less than \$1.90/day)		1	1
Total	1	15	16

CHAPTER FIVE: ELIGIBILITY AND ENTITLEMENT

This section deals with brief definition of displaced persons and criteria for determining their eligibility for compensation and other resettlement assistance, including relevant cutoff dates for affected parties. Detailed discussion on the broader aspects of eligibility criteria and entitlements are presented in the project's Resettlement Policy Framework (RPF) that is disclosed and made available to the public. The RPF can be found on the Bank's and EWSC websites.

5.1 Definition of PAPs Affected by Packages 1 and 2

PAPs under this RAP are defined as:

- I. Those who own the land which will be required for the construction of the 3 reservoirs and a pump station in Package 1 as well as for the Pipeline under Package 2 of EWSSAP,
- II. Those who have assets along the 64 km route where pipelines will be laid. As described in Chapter 3 of this RAP, the assets owned by this category of people include (i) Physical Structures (spazas/kiosk, fences and makeshift structures), (ii) Trees and crops (e.g., maize, potato, beans etc.), (iii) business disruption and (iv) restriction of access to residential property; and
- III. Those vulnerable groups in the project area whose livelihood and living conditions will be worsened through the direct impacts of the project.

5.2 Eligibility Criteria

As per the World Bank ESS5 classifications for eligibility criteria:

- a) 21 affected parties (16 individual PAPs and 5 corporations) whose land is affected by the project and have formal legal rights to land or assets or those affected parties who do not have formal legal rights to land or assets, but have a claim to land or assets that is recognized or recognizable under national law will be eligible for compensation for the portion and the entire land and structure they lose,
- b) 36 affected parties (34 individuals and 2 corporation) whose properties are partially or fully affected by the project but have no recognizable legal right or claim to the land they occupied will be eligible for compensation for structures on the land they occupied but **not** the land.

5.3 Vulnerable Groups

The total 16 PAPs under this RAP are considered vulnerable to social and economic risks and are at risk of becoming more impoverished due to the project's land acquisition impacts resulting from Packages 1 and 2 activities. Vulnerable people who fall under the following categories will be eligible for vulnerability support under the project:

- **Low Income PAPs:** Persons earning below the poverty line (US\$ 1.90 per day) are more likely to be impacted by the project-attributable displacement impacts identified in this RAP.
- **Advanced Age PAPs (>65 years):** Persons who are advanced in age may have mobility and other physical impairments that predispose them to challenges in participation, receiving relocation support, and other compensatory mechanisms, and hence will be disproportionately affected by the displacement occurring as a result of the project.
- **Physically Disabled PAPs:** Physical impairments may lead to participation restrictions that deny physically challenged persons access during and after the implementation of resettlement activities.
- **Widowed PAPs:** Widows and widowers may require additional support as a result of their social status – and, in some cases, documentation challenges – and thus need to be further assisted.

5.4 Entitlements

Table 5.4 below is the entitlement matrix for Packages 1 and 2.

Table 5.4: Entitlement Matrix for Packages 1 and 2 for EWSSAP

Type of project impact	Eligible Person	Compensation Entitlement	Notes for Implementation
1. LAND ACQUISITION			
1.1. Permanent acquisition of arable land	<ul style="list-style-type: none"> Traditional Authorities will be eligible for compensation for vacant land that has not been allocated to anyone through Kukhonta. Specifically, this is the Zombodze Umphakatsi who owns the land where Reservoir#1 will be constructed. 	<ul style="list-style-type: none"> Payment of monetary compensation for kukhonta and kubopha lifindvo. 	<ul style="list-style-type: none"> Compensations for all losses on Reservoir 1 under package 1 will be made to Umphakatsi by EWSC in 2020. Receipt for monetary compensations issued to EWSC will be filed in the project records by the Social Specialist (annexed to this RAP)
	<ul style="list-style-type: none"> PAPs who have formal legal rights to land or assets (i.e.; Title Deed, Crown grant, and Lease). 	<ul style="list-style-type: none"> Compensation in cash at full replacement value. Where the remaining land is not viable for its current use, or for future development plans, then compensation shall be provided for the entire parcel of land being bisected by the Project. 	<ul style="list-style-type: none"> Specific example is the impact of the pipeline on Farm 853/8. The affected portion is currently used for business. The pipeline bisects the property, to the extent that the remaining land which is currently vacant may not be viable for use to

Type of project impact	Eligible Person	Compensation Entitlement	Notes for Implementation
			<p>build other business structures.</p> <p>✦ Value of compensation shall not deduct any taxes, registration costs and transfer costs.</p> <p>✦ Any transfer costs the responsibility of the Project.</p>
	<p>✦ PAPs who do not have formal legal rights to land or assets but have a claim to land or assets that is recognized under Swazi Law and Custom (i.e., Kukhonta).</p>	<p>✦ Compensation at full replacement value of affected structures and improvements (with no reduction for depreciation of salvage value).</p> <p>✦ Where structures are bisected by the pipeline, compensation shall be for the full replacement value for the entire property being affected.</p> <p>✦ PAPs will have no claim for loss of land.</p>	<p>✦ Replacement value shall be agreed upon between EWSC and PAP through consultations.</p> <p>✦ There shall be no distinction between title holders and non-title holders during compensation for loss of assets.</p>
	<p>✦ PAPs who have no recognizable legal right or claim to the land or assets they occupy, e.g., vulnerable people, petty traders, persons using or occupying existing right of way for existing infrastructure. Specific examples are the informal traders along MR11 who have built structures within the road reserve.</p>	<p>✦ Compensation at full replacement value of affected structures (with no reduction for depreciation of salvage value).</p> <p>✦ No compensation for the land</p> <p>✦ Where structures are bisected by the pipeline, compensation shall be for the full replacement value for the entire property being affected.</p> <p>✦ PAPs will have no claim for loss of land.</p>	

1.2 Permanent acquisition of commercial land on	✚ Owner of Farm where Reservoir #2 and pump	✚ Payment of monetary compensations of permanent loss of land affected by the	✚ Valuation report being prepared by
---	---	---	--------------------------------------

Type of project impact	Eligible Person	Compensation Entitlement	Notes for Implementation
TDL/ farms which shall be required for installation of main pipeline, construction of reservoirs and pump station.	station will be constructed.	<p>reservoir and associated pipelines.</p> <p>✚ Payment of monetary compensation for loss of commercial tree stands where reservoir, pump station and associated pipeline will be constructed.</p> <p>✚ PAPs are not entitled to compensations for acquisition of farmland that is already within the road reserve but are entitled for the harvest they have on the land</p>	<p>Government land evaluator.</p> <p>✚ Initial negotiations with PAP were done.</p> <p>✚ Valuation report will be discussed with PAP and agreements reached on compensation package.</p> <p>✚ PAP to sign off Compensation Agreement Certificate upon receipt of payment.</p>
	✚ Owner of Farm where Reservoir #3 will be constructed	<p>✚ Payment of monetary compensations of permanent loss of land affected by the reservoir and associated pipelines.</p> <p>✚ Payment for structure built or productive asset on the land</p>	<p>✚ Valuation report has already been completed by competent evaluator.</p> <p>✚ PAP was informed of valuation report and negotiations made.</p> <p>✚ Agreed price for compensation reached.</p> <p>✚ PAP to sign off Compensation Agreement Certificate upon receipt of payment.</p>

1.3 Temporary acquisition of land needed for laying of underground pipeline on SNL.	<ul style="list-style-type: none"> ✚ PAPs on SNL. ✚ Temporary disturbance on access routes to individual homesteads, community settlements, grazing areas, dip tank, and businesses (formal and informal). 	<ul style="list-style-type: none"> ✚ No monetary compensations shall be payable for temporary loss of land. ✚ Cash compensation for business disruption and temporary loss of income ✚ PAPs shall be compensated inkind by rehabilitation works on temporarily disturbed land. ✚ This RAP recommends that all impacted accesses shall be improved by surfacing with concrete for the entire width, and for 1 m along their lengths on either side from the centre of the pipeline. 	<ul style="list-style-type: none"> ✚ Compensation for losses payable prior to impact. ✚ The payment of standard rate for all informal businesses is based on the fact that the PAP census revealed that their daily earnings are meagre, whereas the basic principle for the RAP is to restore or improve
---	--	--	---

Type of project impact	Eligible Person	Compensation Entitlement	Notes for Implementation
	<ul style="list-style-type: none"> ✚ Temporary disturbance on access routes / entrances to PAP's individual business establishments (formal and informal). ✚ Only one formal business will need to completely shut down during construction works in front of the business premises, while the others do have alternative accesses that can be used by customers during construction. 	<ul style="list-style-type: none"> ✚ For formal businesses, pay disturbance allowance which shall include calculation of lost wages or lost business net income based on records for daily takings. ✚ Where there shall be alternative accesses to existing businesses, PAPs shall not be entitled to disturbance allowance. ✚ For informal businesses, a lump sum allowance shall be paid uniformly to all PAPs, irrespective of their daily earnings/ profit, 	the quality of lives for PAPs.

1.4 Temporary acquisition of land needed for working space during pipeline installation and related works.	✚ PAPs on SNL and TDL where the main pipeline, reservoirs and pump station are located.	✚ No monetary compensations shall be payable for temporary loss of land by the ESWC. Contractors would enter into an agreement to use such land for a defined period of time and pay fair market value for the rent/lease of such land. ✚ If working space encroaches onto private property, affected structures shall be compensated at full replacement value. ✚ PAPs shall be compensated in kind for re-instatement of temporarily disturbed land.	✚ It is recommended that as much as possible, working space shall be acquired within the road reserve in order to minimise impacts on community assets.
--	---	--	---

2. REMOVAL OF STRUCTURES, TREES (NOT NECESSARILY INVOLVING LAND ACQUISITION)

2.1 Removal of structures required to be removed to give way to the	✚ Owners of structures such as fences, spaza shops and other	✚ Full Replacement Value of structures (no reduction for depreciation or salvage value)	✚ Replacement Value shall be agreed at RAP implementation
---	--	---	---

Type of project impact	Eligible Person	Compensation Entitlement	Notes for Implementation
------------------------	-----------------	--------------------------	--------------------------

installation of the main pipeline.	informal business containers whether with land title or not.	<ul style="list-style-type: none"> ✦ Reinstatement of equivalent improvements ✦ Infrastructure to include fences, informal business shelters (spaza), buildings, etc. 	<p>stage through consultations.</p> <ul style="list-style-type: none"> ✦ Reusable material from affected structures shall be salvaged. ✦ Ownership of the salvaged material shall be retained by PAPs. ✦ Value of compensation shall not deduct value of salvaged material. ✦ Replacement or payment shall be made prior to the commencement of construction, with sufficient time given for PAPs to vacate Project sites. ✦ Actual demolitions shall be carried out at least 7 days prior to construction so as to allow informal traders to continue doing business while construction on the affected sites is pending.
2.2 Assets bisected by land-take area of main pipeline	<ul style="list-style-type: none"> ✦ Homestead head for structure (mechanical workshop) being affected in Zombodze Emuva ✦ Owners of Farm R/A/46 where pre-school building is partially being affected by pipeline. 	<ul style="list-style-type: none"> ✦ Where structures are only partially affected, and the remaining part of the building is no of use to the PAP compensation shall be due for the whole structure. ✦ Replace the structure by building suitable structure with similar size and quality, or better than the original structure. ✦ PAP census indicated that cash compensation was preferred by PAP at Zombodze Emuva, hence if PAP does not change this stance, cash compensation 	<ul style="list-style-type: none"> ✦ Recommendation is that the pipeline should be re-aligned in order to avoid the two buildings and the electricity transformer. ✦ There is adequate space within the road reserve for MR9 where the pipeline can pass through.

Type of project impact	Eligible Person	Compensation Entitlement	Notes for Implementation
		<p>will be paid at full replacement value.</p> <p>✚ PAPs will be allowed to salvage reusable materials without the project deducting the value of such material from entitlement package.</p> <p>✚ Replacement land will be identified by each PAP, but within existing premises.</p>	
	✚ EEC (one of the two poles where an electricity transformer is anchored falls in the way for the pipeline).	✚ Since the replacement of electricity poles and transformers is a specialized field, EEC-elected contractor shall be responsible for reinstating the affected electricity pole and transformer.	
2.2 Costs for transporting new materials to sites for construction of replacement structures, as well as costs for removal of salvaged material and personal possessions from Project sites.	<p>✚ Owners of assets bisected by pipeline.</p> <p>✚ Owners of informal business structures within designated project sites</p> <p>✚ Owners of other assets such as fences.</p>	<p>✚ Cash payment - allowance for salvaging and transportation costs.</p> <p>✚ If PAP selects project-assisted relocations, they will be entitled to ownership of salvaged material.</p> <p>✚ Cash payment of allowance for inconvenience caused.</p>	✚ This amount is sufficient for the transportation of salvaged material from affected sites to the respective homesteads for PAPs.

2.3 Removal of trees from land that is required for pipeline installation, construction, provision of working space and construction of reservoirs and pump station.	<ul style="list-style-type: none"> ✚ PAP on SNL who was identified as owning 9 wattle trees that fall within alignment of the pipeline. ✚ PAP on Farm R/A/46 who owns one avocado tree 	<ul style="list-style-type: none"> ✚ Compensation of full market value of affected trees. ✚ Trees shall be available for salvage by owners, with no reduction in entitlement package. ✚ PAP to choose if felled trees should be chopped to size to enable their use as firewood or to retain their full length. ✚ Project to take responsibility to move felled timber to 	-
--	--	---	---

Type of project impact	Eligible Person	Compensation Entitlement	Notes for Implementation
	<ul style="list-style-type: none"> ✚ and 2 naartjie trees. ✚ Other individual PAPs who can provide proof that their trees are affected by construction works, even if not captured in the PAP census. 	<ul style="list-style-type: none"> relocation areas to be determined by PAPs. ✚ PAPs will be provided with two (2) replacement saplings per tree, in addition to monetary compensation for production losses. ✚ PAP to be free to elect to be compensated in cash to the market value of the replacement saplings they are entitled to. 	

3. TEMPORARY CONSTRUCTION-RELATED IMPACTS.

3.1 Damage to crops during construction	<ul style="list-style-type: none"> ✚ PAPs currently cultivating affected crops, irrespective of whether or not they are the owners of the land on which crops are being cultivated. 	For standing crop at the time of construction: <ul style="list-style-type: none"> ✚ Cash compensation equal to the net value of mature standing crop of maize for the entire cultivated area. ✚ Project to notify PAP to harvest standing crop, at least 14 days in advance of construction. ✚ Cash compensations shall not deduct the value of harvested crop in entitlement package for PAP. 	<ul style="list-style-type: none"> ✚ All land-takes by the project are estimated to be less than 20% of the surface areas of affected agricultural plots. ✚ Every effort shall be made to schedule construction outside of the growing season. ✚ Construction shall be carried out in a manner that shall
---	--	--	--

3.2 Interference with farmers' ability to prepare fields and plant crops due to land disturbance as a result of project-related activities.	<ul style="list-style-type: none"> † PAPs who own the farmland which is disturbed by construction-related activities, irrespective of whether or not they are the owners of the crops that are being cultivated on the land. † PAPs whose fallow agricultural land is traversed by pipeline. 	<p>Preparation of agricultural plots:</p> <ul style="list-style-type: none"> † Cash compensation equal to the cost for the initial land establishment (land clearing, land preparation, ploughing). † Cash compensation equal to the cost of inputs for improving the land to its maximum potential (inputs to include fertilizer, seeds and other farm chemicals). 	<p>minimize damage. This will require contractors to comply with the approved CMP and Environmental Management Plans as described in the ESIA/CMP document for EWSSAP.</p> <ul style="list-style-type: none"> † The CMP and Environmental Management Plans for the project shall form part of the award of contract for the nominated contractors for the
---	--	---	--

Type of project impact	Eligible Person	Compensation Entitlement	Notes for Implementation
			project infrastructure.
3.3 Damage to assets or infrastructure during construction, including public roads, communally owned resources such as accesses, roadside drains, pipes for community water schemes	<ul style="list-style-type: none"> † Owners of the assets or infrastructure that will be damaged. 	<ul style="list-style-type: none"> † Repair of damage. † For public roads owned by MOPWT, project to rehabilitate affected areas at the current market prices for material, using design standards to be approved by MOPWT. 	<ul style="list-style-type: none"> † Minimizing the use of heavy machinery in order to maximize the likely benefit of employment creation from which local communities can benefit. † Contractor will be liable for compliance.
4. RESTORATION MEASURES FOR VULNERABLE GROUPS (AS IDENTIFIED BY PAP CENSUS) DURING TRANSITION PERIOD			

4.1 Interference with ability for business owners to run their businesses	<ul style="list-style-type: none"> ✦ Owners of affected businesses (formal and informal), irrespective of whether or not they are tenants or have no formal title to the land on which businesses are being operated. 	<ul style="list-style-type: none"> ✦ Cost of living allowance 	-
4.2 Losing assets/demolished properties	<ul style="list-style-type: none"> ✦ Owners of structures that will be demolished. ✦ Operators of businesses who do not own the structures in which they operate will not be eligible for compensation. 	<p>Transportation costs for salvaged material from affected areas to PAP homesteads. Including:</p> <ul style="list-style-type: none"> ✦ The project to take responsibility for transportation of salvaged material from structures to be temporarily relocated. ✦ Cash compensations of E800 to PAPs who elect to transport material for themselves. 	-
4.3 Vulnerable people losing assets	<ul style="list-style-type: none"> ✦ PAPs belonging to vulnerable groups that were identified by 	<p>Provide differentiated assistance to socially and/or economically vulnerable PAPs including: Financial assistance:</p>	-

Type of project impact	Eligible Person	Compensation Entitlement	Notes for Implementation
------------------------	-----------------	--------------------------	--------------------------

	<p>PAP census (to include PAPs living below the poverty line of \$1.9 per day, elderly above 60 years of age, disabled, single women who are household heads due to different social reasons, single household heads with family size greater than the average household size of 8 persons, etc.)</p>	<p>✚ Additional Inconvenience allowance of E3000,00 for vulnerable persons</p> <p>Psychosocial support:</p> <p>✚ To help vulnerable PAPs deal with the shock of having to lose assets and investments</p> <p>✚ To help PAPs be aware and avoid scammer.</p> <p>Skills development:</p> <p>✚ NGOs working in other places in the country, i.e. SEDCO, World Vision and Ministry of Tinkhundla Administration and Development, to work with vulnerable PAPs to improve their access to potable water and sanitation facilities through training on the following:</p> <p>Rainwater harvesting techniques.</p> <p>Skills transfer for vulnerable households on the of costeffective methods for the construction of VIP toilets</p> <p>ESWADE</p> <p>(Smallholder</p> <p>Market-led, Climate-smart Agriculture Project (SMLP department) and World Vision can assist vulnerable PAPs through skills transfer on the construction of ferro-cement rooftop rainwater harvesting tanks that they provide to communities covered in other areas in the country.</p>	
--	---	--	--

		<p>WaterAid can assist with donor funding for the application of skills gained by vulnerable PAPs through training by NGOs and parastatals identified above.</p> <p>In order to promote food security and improved access to nutrition for vulnerable households, World Vision and ESWADE can assist vulnerable households</p>	
Type of project impact	Eligible Person	Compensation Entitlement	Notes for Implementation
		<p>identified in the PAP census through the transfer of skills on the establishment of backyard vegetable gardens using climate-smart agriculture techniques, and the application of techniques for water reuse and recycling for watering crops.</p>	

5.5 Cut-off Date for Eligibility

The cut-off-date for eligibility was set at 18 June 2021. This will be the date by which PAPs and their affected assets have been identified and will be eligible for compensation and assistance. Owners of new structures erected onto the project site after the cut-off date cannot make claims to compensation or resettlement assistance. However, PAPs who will, for some reason, not be identified in the census, but whose ownership or use of occupancy prior to the cut-off date can be demonstrated and confirmed by the Chiefdom leadership, will remain eligible for compensation. The main purpose for setting the cut-off date is to prevent communities from building structures after the census date in speculation of receiving compensation from the project.

CHAPTER SIX: VALUATION METHODS

This chapter describes the basis for establishing the compensation rates for the various categories of assets and means of livelihoods as well as PAPs entitlements as described in the Entitlement

Matrix in Chapter 6. The different assets and means of livelihoods to be impacted by the project under packages 1 and 2 are: i) land, ii) structures, iii) trees & crops, iv) businesses disruptions & income losses and, v) restriction of access to productive means. These assets and means of livelihoods were identified as falling within the designated construction sites and others identified as being affected because of the need for the contractors to have some 3 m working space around the pipeline route. With the information that is available during the preparation of the RAP, this section will further give an estimated value for compensation and resettlement assistances.

6.1 Valuation Methodology

This RAP employs the broad principle of **Full Replacement Cost** for calculating compensation packages required by ESS5. Calculations of the compensation packages is in fulfilment of this WB requirement. The value of various compensation packages depends on the type of assets. The PAP survey which was carried out between 27 April, 2021 and 2 June, 2021 culminated in the compilation of an inventory of project affected persons and their assets and is given in Annexes 12.

6.2 Approaches to Valuation of Various Assets

The RAP relies on the market valuation approach prescribed in section 15 of the Land Acquisition Act of Eswatini.

6.2.1 Land Valuation Reports

Packages 1 and 2, for which this RAP is being prepared, affects some privately owned land as well. The estimated value of the affected land was obtained from the official valuation reports that were issued by the Ministry of Natural Resources and Energy, land valuation department. International and local best practice was also used in the valuation of other allowances related to temporary disturbance to privately owned land as well as deferred investments where applicable.

6.2.2 Ministry of Agriculture Gross Margins

Agricultural land that would be affected is mainly used for growing maize, beans and other subsistence crops. A few trees that provide some livelihood for PAPs will also be affected. This RAP uses a combination of local best practice and the gross margins that are provided by the Ministry of Agriculture (MOA) to place a monetary value to these assets that will be affected.

Trees that are compensated are the fruit trees and other trees used for livelihood purposes (firewood) which were identified as being affected by the current phase for the Project. In order to ensure that PAPs are better off than before the impact on trees, the annual payment will be based on the gross margin of a tree in full production for the period determined by the production curve

for each crop. Four (4) years has been considered as the production curve for the fruit trees that are being affected by the project at this phase.

6.2.3 Quotations for Physical Structures

Quotations were also obtained from registered local suppliers and service providers, including hardware shops and contractors. The Construction Industry Council website was used to identify small contractors who provided information on the estimated construction costs for small structures for informal businesses (spaza shops). All structures that will happen to be bisected by the pipeline will also be compensated at full replacement cost. The structures that are included in this category include physical infrastructure such as fences, informal building structures, toilets, trees and others which were identified as being affected in this way.

As part of avoidance measures, the approach that is taken in this RAP is that recommendations are made in some specific cases for the pipeline alignment to be further adjusted such that as much as possible, the need to bisect physical structures is avoided.

6.2.4 Estimation of Income losses by PAPs

During the RAP census, informal business operators and some formal business owners did give estimates for the monthly incomes that they derive from their businesses. These figures were useful in coming up with the estimates for the incomes that will be foregone by PAPs as a result of the project impacts on their business operations, and hence the compensation entitlements.

The rates that are used in this RAP made some adjustments to the values obtained from PAPs to factor in considerations for the underlying principle for the preparation of the RAP, which is that where adverse impact is unavoidable, compensation should be paid ensuring PAPs are restored to their initial state or better.

6.3 Valuation Rates for Various Assets

This section presents the rates which were used for compensating and replacing different assets that will be affected by the Project, using the approaches that have been described in sections above.

6.3.1 Rates for annual crops

Annual crops that would be affected by EWSSAP include maize, beans and sweet potato. The rates that have been used for valuating compensation for impacts on agricultural land are inclusive of the following items:

- ✦ Productive potential of the maize fields that will be affected
- ✦ Cost for preparation of the land to its productive potential

The value of maize per ha will be used to calculate the actual compensations for loss of production as per the size of each affected garden. According to the Ministry of Agriculture, the productive potential for maize fields is approximately 6 tons per ha for grain maize, and 4,000 cobs/ha for green maize. Beans and sweet potato are compensated at SZL 26,000 per ha and SZL 39,000 per ha, respectively.

Table 6.3.1: Proposed Rates for Compensation of Annual Crops

Annual crop	MOA Gross Margins (E/ha)	Rate used for MkhondvoNgwavuma Project (E/ha)	Proposed EWSSAP Rate for
Grain maize	12 600.00	15 600.00	E15 600/ha
Green maize	E3 per maize cob	-	E3 per maize cob
Beans	26000 per ha	-	26000 per ha
Sweet potato	39000 per ha	-	39000 per ha

6.3.2 Compensation rates for commercial trees

The agricultural land-use on TDL that is being affected by this phase for the Project are commercial tree plantations. Commercial trees will be compensated per area of tree stands. Eswatini Plantations Pty Ltd, a company which is based in Eswatini and grows commercial timber, was also consulted to provide estimates for the valuation of various types of tree-stands per unit area.

Table 6.3.2: Compensation Rates for Commercial Trees

Type of timber	Eswatini Plantations Rates (E/Ha)	Proposed Range for EWSSAP (E/Ha)
Eucalyptus (13 ⁺ yrs)	52,205.00**	54,000.00
Wattle (14 ⁺ yrs)	18,491.00**	19,500.00
Pine (15 ⁺ yrs)	32,500.00**	33,500.00

** 2016 prices

Only cash compensation will be paid for loss of timber plantations, and no tree saplings will be provided for every affected commercial tree.

6.3.3 Compensation rates for non-commercial trees

Monetary compensations shall be paid for trees that will be destroyed due to construction. Prevailing market prices will be used, taking into consideration the production value of each fruitbearing plant species. In addition to monetary compensations, non-commercial trees will be compensated with two saplings for each affected tree.

The survey established that the non-commercial trees would be affected by construction are as listed in Table 6.3.3 below. Cash compensations will be paid for every single tree affected. In addition to the compensation for loss of production, PAPs will be provided with two (2) saplings for every tree affected.

Table 6.3.3: Compensation rates for non-commercial trees

Types of trees	Government Rate (E) 2018	LUSIP 11 Rate (E/Ha)	Mkhondvo Ngwavuma Rate (E/Ha)	Proposed Rate for EWSSAP (E/Ha)
Naartjie	-	2,516.68	9,032.00	E4,168.80
Avocado	13,317.28	8,759.31	12,576.00	E12,000.00
Wattle	-	-	-	E6,253.20
Pine / Lugagane	-	-	-	E6,253.20
Indigenous fruit trees	-	-	-	570
Sapling replacement provision	252			350.00
Banana		348.60	350	360
Hedge and/or windbreaker		40	75	80
Cassava			150 per tree	150 per tree
Cassava (saplings)				50 saplings per tree
Sweet potato				
Dry beans			26000	26000
Paw		570.94	577	580
Peach		687.73	2200	2200

6.3.4 Cost for rehabilitation of impeded access

The cost of replacing impeded access will be borne by the civil works contractor and is therefore not included in this RAP.

6.3.5 Allowances for disruptions of formal business

The project will pay formal business owners for the loss of income during the closure of their businesses as a result of construction. PAP survey encountered only two commercial entities that will need to completely shut down during the installation of the pipeline in front of the business establishment.

Compensation for affected businesses was determined by means of income capitalization method. This means that the rates were determined on a case-by-case basis, using income statements submitted by PAPs. The affected formal businesses were informed of this compensation method and have been requested to submit daily records of profit and loss. Compensation will be based on these records.

It is anticipated that disruptions will take only one day per business. An allowance of one additional day will be made to cover for possible delays due to unforeseen circumstances such as bad weather. PAPs under this category will further receive an disruption allowance of E2000.00 each.

6.3.6 Compensation allowances for disruptions of informal business

The RAP survey established that the informal business operators earn very little profit from their street vending activities. Some of them receive just enough money to cater for their daily household needs, including payment of daily allowances for their children who attend school.

The compensation rates that are proposed in this RAP are based on the underlying principle for the RPF, which is to ensure that PAPs are better-off than they were prior to the disturbing factor. PAPS will be paid the following allowances:

- ✦ Lump sum payment for loss of income irrespective of number of days of disturbance occurs.
- ✦ Rate inclusive income losses during the period between evacuation of PAP to the period of completion of construction of the replacement structure.

The income restoration measures for PAPs with affected income streams are described in detail in Chapter 8. It is noted that PAPs whose livelihoods are affected and will need to cater for their economic needs. Such PAPs will take advantage of the restoration measures proposed in Chapter 7. These would include a number of items such as travel costs to make applications for funding under the different facilities provided by government, parastatals and NGOs, travel costs to attend capacity building courses, photocopying of required documents, registration costs (for associations or companies), depending on the requirements of the funding agencies, down-payments required by some support agencies as a form of commitment from beneficiaries of available funding, *et. cetera*.

This RAP therefore recommends a lump sum restoration allowance for economically affected PAPs to cater for the costs related to the activities that they will undertake which will enable them take advantage of the proposed income restoration measures.

Table 6.3.6: Allowances for impacts on informal business traders

Type of allowance	Proposed Rate (lump sum per PAP)
Disruption allowance	2,000.00
Loss of income	5,000.00
Allowance for transport salvaged material	1,800.00
Income restoration allowance for vulnerable PAPs	15,000.00

6.3.7 Replacement of Physical Structures

Spazas

Structures will be compensated at the replacement cost, that is the prevailing market prices for replacing the affected structures of better quality. For purposes of this RAP, better quality will

refer to full replacement with modern material, i.e., brick walls and corrugated iron sheet roofing. The building structures that will be compensated for in this way will be the informal business structures along MR11 which were identified as being affected by the project, as well as three toilet facilities that are likely to be bisected by the main water pipeline on SNL at Zombodze Emuva Inkhundla.

Table 6.3.7: Costing of affected physical structures

Items included in costings	Mkhondvo Ngwavuma Rate (E/ m ²)	Proposed Rate for EWSSAP (E/m ²)	Comment
Replacement cost with modern material	4,510.00	4,510.00	✦ Re-align the pipeline to avoid the two housing structures. ✦ There is enough space towards MR11.
Supervision costs (25% of construction costs)	1,127.00	2,000.00	
Allowance for physical relocation and salvaging of material	Once off payment of E10,000.00	Once-off payment of E10,000.00	
Informal business structures (Spaza shops)	-	E3,695.00 per single structure	Based on estimates for building standard size structures measuring 4m x 2 m, using IBR sheets and providing doors and worktops.

The replacement values that are presented in table above are based on the following:

- ✦ Drawings of individual's house and all its related structures and support services;
- ✦ Average replacement costs of different types of household buildings and structures based on information on the quality and type of materials used for construction (bricks, rafters, bundles of straw, doors etc.);
- ✦ Prices of these building materials collected in different local markets and as provided by the local architect firms;
- ✦ Costs for transportation and delivery of these items to acquired/replacement land or building site; and
- ✦ Estimates of construction of new buildings including labour required.



Figure 6.1: Model of proposed replacement structure for informal trading (spaza)

Fences

This sub-section provides the compensation rates for the types of fences that were identified during the survey of the project area. The rates are based on quotations were obtained from hardware shops. Such rates exclude transportation, poles, nails and construction costs. All-inclusive rates that were used by the RAP for the Mkhondvo-Ngwavuma Water Augmentation Project are used for comparisons in the table 6.6 below.

The PAP survey indicated that different types of fences will be affected by the Project. The fences include Government-owned roadside fences, communally owned fences as well as fences for individual PAPs. The valuation of affected fences will be as described below:

- ✦ Where fences are bisected by the pipeline, compensation shall be for the full length of the fence
- ✦ The different types of fences shall be valued separately, at full replacement cost according to prevailing market prices.

Table 6.6: Compensation Rates for Affected Fences

Fence type	Height (m)	Government Rate 2018 (E/m)	LUSIP II rate	Mkhondvo-Ngwavuma Rate (E/m)	Proposed Rate for EWSSAP (E/m)
Veld span	1.2	60.20	-	60.00	70.00
Veld span	1.8	90.40	-		100.00
Diamond mesh fence	1.2	32.26	-	50.00	55.00
Diamond mesh fence	1.8	-	-	-	60.00

Barbed Wire	Running metre	30.96	32.20	45.00	46.00
Wall fence	1.6	-	-	-	985.00**

**based on cost estimates for materials from hardware shops and construction costs from contractors

6.3.8 Compensations for land losses on TDL

The rates that are used in this RAP are based on the assessment report that was provided by a Government Land Valuer. The reports are for the individual PAPs that the survey identified. Land is compensated at a rate of SZL 26,000.00 per ha.

Table 6.3.8: Adjusted Compensation Rates for Land

Asset Description	Unit	Rate (E/ha) 2016	Rate (E/ha) 2018	Proposed Rate for EWSSAP
Average land market value	Ha	14,040.00	16,848.00	E26,000/ha

Source: Government of Eswatini, The Resettlement and Compensation Policy of the Komati River Basin Development Project, Mbabane

6.3.9 Support Grant for Vulnerable Persons

A lump sum provision was made to cater for the additional needs of person with identifiable vulnerabilities. As recommended in the entitlement matrix, a flat rate of SZL 3,000 was adopted in this RAP.

CHAPTER SEVEN: COMPENSATION AND RESETTLEMENT ASSISTANCE

7.1 Compensation and Resettlement Assistance

The total compensation for affected assets under the different impact categories is given in Table 7.1 below. A total amount of SZL 5,174,430 will be paid for compensation and resettlement assistances.

Table 7.1: Summary of RAP Budget by Type of Impacts and Ownership

Type of Impacts		Ownership		Total
		Individuals	Corporations	
1	Land	719,121	162,152	881,273
2	Structures	286,984	15, 640	302,624
3	Trees and Crops	1,891,015	1,163, 318	3,054,333
4	Business Disruptions	798,200	90, 000	888,200
5	Vulnerability support	48,000		48,000

Total	3,743,320	1,431,110	5,174,430
-------	-----------	-----------	-----------

7.2 Affected Land Compensation

As discussed in section 3.2.4 of chapter 3, it is indicated that 22 landlords with legal titles to the land they hold will be affected by the project. These landlords are entitled for land compensation. Of the 22 with legal title: 16 are individual PAPs while 6 are entities.

Table 7.2: Compensation for Affected Land by Ownership and land Title

Ownership	Land Title		Total
	SNL	TDL	
Individual PAPs	14,336	704,785	719,121
Corporations		162,152	162,152
Total	14,336	886,937	881,273

As shown by the table above, the overall compensation amount for land acquired by the project is SWZ 881,273. Of this total:

- SWZ 719,121 will be paid to individual PAPs of which SWZ 14,336 and SWZ 704,785 will be used to compensate affected land on SNL and TDL respectively,
- SWZ 162,152 will be paid to corporations for affected land on TDL.

7.3 Affected Structures Compensations

As discussed in section 3.2.5 of chapter 3, the project will impact various properties and 24 affected parties. Affected parties: i) with legal proof to the land will be compensated for the land and structures built on the land and, ii) affected parties without legal title to the land will be paid for the structures built on the land but not for the land they occupied.

Table 7.3: Compensation for Affected Land by Ownership and land Title

Ownership	Land Title		Total
	SNL	TDL	
Individual PAPs	251,909	33,037	284,986
Corporations	15,640		15,640
Total	267,549	33,037	300,586

As shown by the table above, the overall compensation amount for affected structures by the project is SWZ 300,586. Of this total:

- SWZ 284,986 will be paid to individual PAPs of which SWZ 251,909 and SWZ 33,037 will be used to compensate affected land on SNL and TDL respectively,

- SWZ 15,640 will be paid to corporations for affected land on SNL.

7.4 Tree and Crops Compensations

As discussed in section 3.2.6 of chapter 3, it is indicated that 23 trees and crops owners will be affected by the project. These trees and crops owners are entitled for compensation. Of these 23 17 are individual PAPs while 6 are entities.

Table 7.4: Compensation for Affected Tree and Crops

Ownership	Land Title		Total
	SNL	TDL	
Individual PAPs	1,869,978	21,037	1,891,015
Corporations		1,163,318	1,163,318
Total	1,869,978	1,184,354	3,054,333

As shown by the table above, the overall compensation amount for affected structures by the project is SWZ 3,054,333. Of this total:

- SWZ 1,891,015 will be paid to individual PAPs of which SWZ 21,039 and SWZ 1,891,015 will be used to compensate affected land on SNL and TDL respectively,
- SWZ 1,163,318 will be paid to corporations for affected trees and crops on TDL.

7.5 Business Disruption Compensation

As presented in section 3.2.7 of chapter 3, it is estimated that 25 businesses will be impacted by packages 1 and 2 activities. Of this total, twenty-three are PAPs and 2 are corporate entities who will be compensated for businesses losses as discussed and agreed by affected business owners.

Table 7.5: Compensation for Affected Business

Ownership	Land Title		Total
	SNL	TDL	
Individual PAPs	429,400	368,800	798,200
Corporations		90,000	90,000
Total	429,400	458,800	888,200

As shown by the table above, the overall compensation amount for affected business by the project is SWZ 888,200. Of this total:

- SWZ 798,200 will be paid to individual PAPs of which SWZ 429,400 and SWZ 368,800 will be used to compensate affected land on SNL and TDL respectively,
- SWZ 90,000 will be paid to corporations for affected trees and crops on TDL.

7.6 Vulnerability Support

The census survey of PAPs suggested that 16 of the 50 PAPs are vulnerable people. This people are vulnerable to displacement and economic shocks and will likely be subjected to hardship. The project will provide vulnerability support of SWZ 3,000 to each of vulnerable person in addition to compensation paid to them for their affected assets and other assistances they are entitled to. The overall budgetary allocation for vulnerability support is SWZ 48,000.

Table 7.6: Compensation by Packages for Affected Vulnerable People

Vulnerable Person Categories	# Of Vulnerable People	Amount Payable		
		Package 1	Package 2	Total
Advanced Age (above 65)	7		21,000	21000
Advanced Age and Widowed	5		15,000	15000
Widowed (Below 65)	3		9,000	9,000
Low Income (less than \$1.90/day)	1		3,000	3,000
Total	16		48,000	48,000

CHAPTER EIGHT: PUBLIC PARTICIPATION AND STAKEHOLDER CONSULTATION

8.1 Introduction

The Public Consultation process for the project began during the early stage of EWSSAP with the preparation of the Stakeholder Engagement Plan (SEP). This has been further enriched through interactions and consultation with the relevant stakeholders (i.e., the PAPs, community leaders, pressure groups, MDAs, and community-based organizations) during the preparation of this RAP.

Public consultation and participation are essential because they afford PAPs and the public the opportunity to contribute to both the design and implementation of the project activities and reduce the likelihood for conflicts. The more direct involvement of the local level people in the planning and management processes, the greater the likelihood that resource use and protection problems will be solved as well as the likelihood of development opportunities occurring in a balanced way and to the broad benefit of all communities in the project.

8.2 Objectives of the Consultations

The main objectives of the consultations were to:

- Inform PAPs about their rights and choices;
- Disseminate information about the EWSSAP, particularly Package 1 and 2 civil works activities, to PAPs and other stakeholders;
- Notify project affected persons and communities about the project set up and development objectives;
- Establish and maintain a two-way process of dialogue and understanding between the project and its stakeholders;
- Obtain the input of the PAPs in the RAP preparation process and to seek feedback on how to ensure their active participation in the preparation and implementation process in order to create ownership; and
- Elicit broader inputs and suggestions that will ensure project sustainability and success in the long term.

8.3 Level of Stakeholder Engagements

For the purposes of effective and tailored engagement, stakeholders of the proposed project can be divided into the following core categories:

1. Affected Parties – persons, groups and other entities within the Project Area of Influence (PAI) that are directly influenced (actually or potentially) by the project and/or have been identified as most susceptible to change associated with the project, and who need to be closely engaged in identifying impacts and their significance, as well as in decision-making on mitigation and management measures.

2. Other Interested Parties – individuals/groups/entities that may not experience direct impacts from the Project but who consider or perceive their interests as being affected by the project and/or who could affect the project and the process of its implementation in some way; and

3. Vulnerable Groups – persons who may be disproportionately impacted or further disadvantaged by the project(s) as compared with any other groups due to their vulnerable status and that may require special engagement efforts to ensure their equal representation in the consultation and decision-making process associated with the projects.

This categorization is based on the requirements of the ESS10 of the World Bank regarding the categories of Stakeholders to be considered in the course of project planning.

Table 8.1: Categorization of QBC 3 Stakeholders based on ESS 10

SN	Stakeholder Category	Identified Stakeholders
1	Affected Parties	Owners and Users of Affected Property Government Ministries and Agencies Traditional chiefdoms
2	Other Interested Parties	Mass media Security Agencies NGOs/CBOs Citizen's Groups (residents associations, clubs and societies) Professional Bodies Community Leaders Local Businesses
3	Vulnerable Groups	Citizen's Groups (including women organizations) Local Groups of Vulnerable Persons

8.4 Outcome of Stakeholder Engagements Held

During the stakeholder engagements which was undertaken through individual meetings with PAPs, a brief background about EWSSAP was given and the assets that are likely to be affected by the project explained. As part of stakeholder engagement, a PAP census was also carried out with the aid of a structured questionnaire. The main objective for the PAP census was to use socioeconomic indicators to assess the vulnerabilities of the PAPs and to also identify and quantify the affected assets. The census covered a total of 56 PAPs.

A total of three stakeholder consultation meetings were held at all three Tinkhundla and one at Nhlangano Regional Office for EWSC during the introduction of the RAP process at community

level. These meetings were followed by several one-on-one consultation meetings with individual PAPs during the socio-economic survey and asset inventory taken during the RAP preparation. Information provided to stakeholders on the project included:

- i) project description, objectives and activities – especially the civil works activities to be implemented under package 1 and 2;
- ii) positive and negative impacts associated with the proposed works;
- iii) actions and measures including compensation and resettlement assistance payments that will be put in place to mitigate and offset the project's direct social and economic adverse impacts related to land acquisitions and RoW clearing;
- iv) procedures for determining compensation and assistance measures to be adopted as part of the RAP; and
- v) establishment of grievance redress mechanisms to address project related grievances/complaints throughout the implementation period.

The consultation meetings were held in April, 2021 at various locations (as indicated in Table 9.2 below) and targeted the appropriate levels of local government (commissioners, city majors), community and opinion leaders (town/village chiefs and elders), PAPs, and the affected communities in the villages/towns along the project impact corridor. The table below shows the total number of people attended the various stakeholders' meetings.

Table 8.2: Total Number of PAPs Attended Consultations by Locations

No.	Locations	Number of Attendees			Day of the Consultation	Time of the Consultation
		Male	Female	Total		
1.	Zombodze Emuva Inkhundla	6	1	7	21 April, 2021	09:20 am-10:07 am
2.	Shiselweni I Inkhundla	7	2	9	21 April, 2021	10:46 am – 11:41 am
3.	Hosea Inkhundla	4	1	5	21 April, 2021	12:33pm – 13:02 pm

Of the total PAPs who attended the consultations, 81% are female while 19% are male.

8.5 Consultation Methods

Consultations were conducted using these methods: i) Focus Group Discussions, ii) Key Informant Interviews, and ii) Town hall meetings. During these consultations, care was taken to ensure that everyone's voice was heard, responded to and recorded.

8.5.1 Focus Groups Discussions

Consultations were held at various locations with chiefs and elders, youths, women, businesspeople, farmers, and road users (drivers and passengers). From each of these groups, important information was collected and used in the preparation of the RAP.

8.5.2 Key Informant Interview

In addition to focus group discussions, information was also collected through interviews with knowledgeable individual PAPs, opinion leaders and interested individuals. The interviews with individual PAPs also provided an opportunity to clarify to each PAP misinformation he/she had received about the project from unofficial sources, including rumors.

8.5.3 Public/Community Consultation

Town hall meetings were the main method used to convey the project information to entire communities. The answers provided to questions raised and concerns expressed by PAPs and other stakeholders got disseminated to the wider village/town population in a short space of time. To that extent, town hall meetings were an effective platform for disseminating the project information to the wider community audience, as well as listening to the concerns and views of community members, especially the PAPs.

8.5.4 One-on-One Consultations

During the preparation of the assets inventory, the RAP Consultant also consulted with some of the PAPs on TDL who were not yet aware that the project would affect their property. The consultation process involved a combination of guided site visits and telephone conversations. photo plate below is an example of one guided site inspection which was arranged with a PAP to make him aware of the pipeline route and the likely impacts that it will have on his property.

The process of PAP notifications is considered useful for the initiation of negotiations with PAPs and to establish if they have some strong reservations regarding the manner in which the pipeline will affect their properties. Where necessary, the RAP makes recommendations for practical adjustments to the pipeline route in a way that would result in minimum impacts on privately owned property, especially built infrastructure.



Photo plate 8.1: RAP team engaging with PAPs during inventory of affected assets



8.6 Summary of Views and Concerns Expressed by various Stakeholders
During the various consultations held between the RAP preparation team and stakeholders, several issues were discussed. A summary of the key issues raised is summarized in Table 9.3 below;

Table 8.3: Outcome of Discussions with other Development Partners

Organisation / NGO	Name / Designation	Issues discussed
Project Affected Persons	Over 60 persons were included in direct interviews. Names of PAPs are included in the assets inventory spreadsheet attached in Annexure 1-2	Discussions were held with persons owning affected Spaza structures on the need to replace all losses with the model size replacement structure which will be better in quality than the various types of existing structures.
SEDCO	✚ Mbuyisa Sikhumbuzo ✚ Andreas Tsabedze	✚ SEDCO currently works with women from 7 Tinkhundla in the Shiselweni region, including Shiselweni I. ✚ Has so far organised a group of 168 women to form a company called “Asiphileni Limited”.

Organisation / Name / Designation	Issues discussed
-----------------------------------	------------------

- ✚ Supports the women with technical skills and access to finance to start individual businesses on commercial farming of indigenous chickens.
- ✚ SEDCO has initiated discussion with Eswatini Bank to help extend soft loans to women under Asiphile Limited.
- ✚ SEDCO has recently completed the construction of a chicken abattoir in Hlathikhulu, where members of Asiphile Limited will supply indigenous chickens and share the dividends.
- ✚ The infrastructure was built by SEDCO through donor support, and is wholly owned by Asiphile Limited.
- ✚ SEDCO willing to support more women farmers to join Asiphile, because currently the supply that is provided by the women farmers is not sufficient to meet the demand in the market.
- ✚ While it would not be possible for the vulnerable PAPs for EWSSAP to join Asiphile company as shareholders, SEDCO is willing to assist them with training and technical assistance so that they become registered suppliers for chicken abattoir in Hlathikhulu.
- ✚ An opportunity also exists for SEDCO to assist the vulnerable PAPs with skills development in beekeeping and identification of viable markets for the honey.
- ✚ SEDCO can train PAPs and assist in securing of soft loans through a facility that the organisation is still trying to establish with Eswatini Bank.

World Vision	Ms Lorraine Dlamini Contact: 24041102/06	<ul style="list-style-type: none"> ✚ Any request for assistance from World Vision has to be done through a letter directed to the Director for World Vision. ✚ World Vision then assigns the request to the officer in charge of the World Vision Office nearest to the entity that is making the request. ✚ The World Vision office nearest to Zombodze Emuva is at Mhlosheni. ✚ World Vision does provide sustainable livelihood interventions to vulnerable communities, including climate-smart agriculture, water supply and sanitation.
Ministry of Tinkhundla Administration	Dudu Mbhele (Community Development Officer) Contact: (+268) 22077321	<ul style="list-style-type: none"> ✚ The community development work undertaken by the office involves vulnerable groups in

Organisation / Name / Designation		Issues discussed NGO
and Development - Shiselweni Regional Office	Cell: (+268) 76078427	<p>communities such as the youth and women groups.</p> <ul style="list-style-type: none"> ✚ The Ministry has a “Regional Development Fund” which is aimed at assisting stakeholder groups establish economic development projects. The processes for getting assistance through the fund are as follows: <ol style="list-style-type: none"> 1) Only groups are eligible for assistance through the Regional Development Fund. 2) Applicants need to provide 10% of the startup capital for their business, and the Fund provides the remaining 99%. 3) Applicants need to identify the project that they want to undertake before applying for funding. 4) Ministry of Tinkhundla Administration works with other development partners such as the Ministry of Commerce who then provide training to the applicants on business skills and assist them to register either as a company or cooperative. 5) Ministry of Commerce also incubates the fund beneficiaries for a certain period until they have gained the practical skills to enable them stand on their own. 6) During the incubation period, fund beneficiaries are provided with business auditing services free of charge.

MNRE	Land Valuation Department Contact: (+268) 24046244	<ul style="list-style-type: none"> ✚ The Department of land valuation was contacted through EWSC. ✚ A list of affected property land on private farms, including sizes, was sent to them for valuation purposes. ✚ Response was not yet obtained at the time of finalisation of the Draft RAP report.
Ministry of Agriculture (Land Development Department)	Masotja Sukati (Contracts Engineer) Tel. (+268) 25184162 Cell: (+268) 76571551	✚ Provided information on the Gross Margins for different agricultural produce (crops, trees and livestock).
ZMCK Consulting Engineers	Sandile Makhubu (Project Design Engineer)) Tel.: (+268) 24045321 Cell: (+268) 7602 3739	✚ Assisted in estimating total cost for RAP by providing cost estimates for rehabilitation works and replacement of affected assets.
Mariswe (Pty) Ltd (Consulting Engineers)	Louis Uys (Project Design Engineer) Tel: +27 (0)12 4249700 Cell: +27 (0)83 258 8759	✚ Assisted in estimating total cost for RAP by providing cost estimates for rehabilitation works and replacement of affected assets.
Organisation / NGO	Name / Designation	Issues discussed
	louisu@mariswe.com	✚ Provided information on duration of construction period for the project.
Eswatini Plantations Pty Ltd	J. Poupard Email: jp.poupard@swaziplant.com	✚ Gross margins for tree-stands of commercial timber, using calculations based on the South African margins.

CHAPTER NINE: IMPLEMENTATION SCHEDULE AND ARRANGEMENTS

The objective of the RAP preparation and implementation schedule is to ensure that all RAP-related activities are fully completed before commencement of civil works. This RAP was prepared under an exceptionally condensed process to meet the scheduled construction date. As a result, the final census and inventory of assets was finalized in November 2021. The RAP implementation activities provide the tasks to be carried out before and during implementation involving disclosure of the RAP, verification of valuated assets, preparation of compensation and resettlement assistance packages, and payment of compensation to PAPs.

9.1 Implementation Timeline for Package 1 works

Package 1 was originally scheduled to start in November 2021, but due to necessary changes in the project designs, the start of construction was deferred to May 2022. Package 1 involve the construction of three reservoirs and one pump station for a period of 18 months, ending around October 2023. The ESWC had identified the need to deliver the compensation payments of the three (3) identified PAPs. This necessitated the delivery of the compensation entitlements of the three (3) PAPs, while this RAP was still under preparation. The entitlements delivered to the PAPs are consistent with the entitlement matrix in this RAP. Details of Payments already made for Package 1 impacts are included in Annexure 3. A Compensation Completion Report was prepared and cleared by the World Bank before the commencement of civil works.

9.2 Implementation Timeline for Package 2 works

Package 2 will be implemented starting from October 2023, over a period of 18 months. Effectively, Package 2 is planned for completion in March 2025.

The EWSSAP PIU will be required to complete all tasks listed under activity columns when implementing the RAP. No civil work shall commence unless these steps are completed, and compensation is paid to PAPs in full. Indicative implementation schedule for the RAP is given in Table 9.1 below. This is however tentative as delays in approval processes may affect the duration allocated herein. The PIU will ensure that there is a clear linkage between RAP implementation and civil works commencement. The indicative timeline for the RAP implementation activities is contained in the below table:

Table 9.1: Tentative Implementation Schedule

No.	Activity	Apr 2023				May 2023				Jun 2023				Jul 2023...				...Dec 2023			Jan – Dec 2024					Jan – Mar 2025			
		1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4
1.	Disclosure of RAP, Inauguration of resettlement Implementation Committee																												
2.	Update of PAP Register																												
3.	Grievance Redress																												
4.	Disbursement of compensation for PAPs																												
5.	Submission of completion of compensation and resettlement assistance report to the Bank																												
6.	Relocation of physically displaced PAPs from project area																												
7.	Site handover to the contractor																												
8.	Construction of Civil Works Commences																												
9.	Monitoring of Socio-Economic Conditions of PAPs																												

9.3 Procedure for Delivery of Entitlements

9.3.1 Procedure for SNL PAPs

The project Implementation Team will be responsible for the delivery of entitlements, including the necessary engagements with PAPs prior to and post-compensation delivery. The process for the delivery of the compensation entitlement for PAPs on SNL will differ from the one for PAPs that are on TDL. The procedure for the delivery of entitlements for PAPs on TDL is described in section 11.4

The procedure for the delivery of the entitlements to the PAPs who are on SNL is as described in the sub-sections below:

9.3.1.1 Witnesses to the process

The key representatives of the PTI that will be involved in the process include the following: †

Social Specialist

† Project Coordinator

† Legal Advisor – EWSC

To be present during the delivery of entitlements from the affected communities are the following:

† CLOs

† Chiefdom representative - Bucopho

† Indvuna yeNkhundla

† PAPs

9.3.1.2 Documentation of Assets

Using the Assets Inventory that has already been prepared for all affected PAPs, the Social Specialist shall prepare a list of all the assets that are being affected for each PAP, including entitlement packages for each PAP as well as their personal information. This information shall be recorded into a Compensation Agreements Certificate (included as Annexure 7). Upon completion of documentation of all PAP assets, the information will be shared with other members of the PIT for the necessary action such as timely mobilisation of funds.

9.3.1.3 Preferred methods of compensation

Included in the entitlement packages will be allowances which are in monetary form. For monetary compensations, only bank transferred will be used by EWSC. Actual transactions shall be done on the date of signature of the Contracts.

9.3.1.4 Special assistance

Awareness creation and basic education on financial management should be started prior to the disbursements of compensations and allowances to PAPs in order help them avoid the risks of mismanaging their financial packages, which can result in increased poverty.

9.3.1.5 Meetings with PAPs

The Social Specialist shall arrange an initial meeting with PAPs at Inkhundla offices to discuss the compensation packages with each PAP, as well as the date for the actual compensation process.

This initial meeting will also serve to give an opportunity for each PAP to verify and agree on the documented assets inventory as well as the associated compensation entitlements. Compensation entitlements shall be explained clearly to each individual PAP, and any queries that they may have clearly explained.

Witnesses to this process shall be the following:

The key representatives of the PIT:

- ✚ Social Specialist
- ✚ Project Engineer
- ✚ Public Affairs Department representative

Key representatives from community level:

- ✚ CLO
- ✚ Chiefdom representative -Inner Council member, Bucopho
- ✚ Indvuna ye Nkhundla
- ✚ PAPs

PAPs shall be given the option to bring as personal witnesses those that they consider as household members, dependents, or confidantes.

9.3.1.6 Agreements on compensations and entitlements

A copy of the Compensation Agreements Certificate will be provided to each PAP for review and subsequent approval within a period not exceeding 7 days from the date of the initial meeting. Signed copies of the Compensation Agreement Certificates shall be returned to PIT through the CLOs for each Inkhundla.

9.3.1.7 Preparation of contracts

EWSC shall draw up contracts for each PAP, listing all property and land being surrendered, and the method of compensation (cash and/or in-kind) selected.

9.3.1.8 Signing of contracts

The Social Specialist shall set a date for the signing of contracts and the payment of compensations and allowances to all PAPs. One day shall be dedicated to this process for PAPs from each of the affected Tinkhundla, i.e., Zombodze Emuva, Shiselweni I and Hosea.

The compensation contract and the grievance redress mechanisms shall be read aloud to each PAP. This will be followed by the payment of compensations, handing over of property and payments of compensations. These activities will be carried out in the presence of the following witnesses:

The key representatives of the PIT:

- ✚ Social Specialist
- ✚ Project Coordinator
- ✚ Finance Department representative
- ✚ Public Affairs Department representative

Key representatives from community level:

- ✚ CLO
- ✚ Chiefdom representative -Inner Council member, Bucopho
- ✚ Indvuna yeNkhundla
- ✚ PAPs

Key representative from regional level:

- ✚ Representative from Shiselweni Regional Administration Office

9.3.2 Procedure for Delivering of Entitlements for PAPs on TDL

The handling of compensations and delivery of entitlements to PAPs on TDL will be different from the same process for PAPs that are located on SNL. The process that will be followed for PAPs that are on TDL is as described below:

9.3.2.1 *Notifications to PAPs*

As soon as the preliminary design drawings indicated that the pipeline would traverse some privately owned land, the process of consultations with affected farm owners was initiated and valuation of affected land initiated. Negotiations with some of the PAPs on TDL had already been initiated at the time of preparation of the RAP. The involvement of PAPs in all the activities that are carried out in preparation of the project is an ongoing process.

9.3.2.2 *Written notifications*

Once the property valuations have been finalised, a written notice of intent shall be given by EWSC to PAPs.

9.3.2.3 *Assets Documentation*

Using the inventory of affected assets that has been prepared for this RAP, the Social Specialist and the CLOs shall prepare a Resettlement Compensation Certificate for each PAP, indicating the personal information for the PAP as well as a full description of the affected assets, including the land that is being surrendered. EWSC Project Implementation Team shall then arrange meetings with individual PAPs to discuss the compensation entitlements as per the valuation reports. Each PAP should be provided with a copy of the Resettlement Compensation Certificate at the time of the negotiations. Also present during these individual meetings should be an independent evaluation consultant. The main objective for the meetings will be for PAPs to confirm and sign off the information contained in the Resettlement Compensation Certificate, prior to the Contracts being drafted.

As part of the preparation of this RAP, the Resettlement Compensation Certificate has already been prepared, a copy of which is presented as Annexure 4.

The Excel datasheet of the sizes, dimensions and magnitude of affected assets have been prepared for ease of application and to ensure that there are no calculation errors. Calculation errors will be avoided because this dataset has already been formatted to include the formulae for calculating the compensation entitlements for the different types of assets that would be affected.

The duty of the Social Specialist and/or the CLOs will be to insert the PAP’s personal details and the description of the assets being affected (measurements and/or quantities) contained in the datasheet into individual certificates.

9.3.2.4 *Agreement on Compensation and Signing of Contracts*

The PIU and the Legal Expert from EWSC should draw up a Contract for each PAP, listing all property and land being surrendered and any other assets that are being affected, and the amount of compensation entitlement. A Wayleave right of way should also be drawn up for endorsement by individual farm owners. Once the Contracts have been prepared, meetings will be arranged with individual PAPs to discuss and sign the Contracts.

Prior to the actual signing of the contracts, the legal expert shall read aloud the compensation Contract to the PAP. Present during the signing of Contracts should be the PAP and his/her witnesses, PIU representatives. Official handing over of property such as land will then be made in the presence of the PAP and the representatives from PIU.

9.4 Plans for relocation and compensation of all informal business structures

The census survey revealed that there will be no physical displacement of homesteads due to the project. Physical displacement of informal businesses structures along MR11 will, however, be necessary. It is worth noting that there will be no need for these structures to be relocated elsewhere either within or outside the Chiefdoms where they are currently located. Hence the identification of replacement land will not be necessary. The rationale for this approach is that the pipeline will affect these structures temporarily and the affected structures can be replaced in the same area. Relocating the structures elsewhere could have adverse economic impacts on the PAPs because the businesses are strategically located by the roadside and at proximity to population nodes in order to maximise business. The stages that will be followed are as described below:

Table 9.4: Description of activities for compensation of informal business structures

Stages	Description of Activities
--------	---------------------------

Stage 1	<ul style="list-style-type: none"> ✚ The nature of impact was disclosed to PAPs during the PAP census. Engagement with PAPs is an ongoing process. ✚ The proposed method of compensation and compensation packages will be discussed with PAPs and construction can only start on the affected areas once an agreement has been reached on the compensation packages. ✚ Use information on preferred choices as indicated by the results of the PAP census. ✚ PAPs shall sign land handover documents to be issued by EWSC.
Stage 2:	<ul style="list-style-type: none"> ✚ Agree on method of compensation and compensation packages with PAP. Use information on preferred choices as indicated by the results of the PAP census covering all affected persons. ✚ PAPs shall sign off the Compensation Agreements and Certificates once they are in agreement with the information on the nature of impacts and the methods of compensation proposed.
Stage 3:	<ul style="list-style-type: none"> ✚ PAPs to sign contract. ✚ Pay any financial compensations to PAPs: (loss of income during disturbance period). ✚ For those PAPs who will elect to re-build the affected business structures on their owns will be compensated at full compensation cost.
Stage 4:	<ul style="list-style-type: none"> ✚ Demolish informal business structures. The demolitions will only occur a few days before construction is due on any affected sites so as to enable PAPs to continue trading on the structures while construction is not yet affecting them.
Stages	Description of Activities
Stage 5:	<ul style="list-style-type: none"> ✚ Project-assisted relocation of salvaged material to PAP homesteads. ✚ Those who elect to salvage and transport material will be receive monetary compensations for undertaking this task.

Stage 6:	<p>As soon as construction of pipeline on affected area is complete, construct improved replacement structures on previously affected land, using improved construction material, using designs that take into consideration food safety standards and inclement weather conditions. (See Figure 4.1 for the proposed features of replacement structures).</p> <p>Specific features of replacement structures are to meet the following requirements:</p> <ul style="list-style-type: none"> ✦ Replacement structures to have uniform size of 4m x 2 m (a size which is either bigger than or equal to any of the structures that are being affected.) ✦ Replacement structures to be constructed of IBR sheets. ✦ Replacement structures to have table tops and lockable doors. ✦ Less exposure of PAP and wares to weather conditions: sun, rain, wind and dust ✦ All replacement structures to have minimum size. ✦ Branding of new structures to promote awareness about the importance of improved access to clean, safe water and improved sanitation and hygiene (with EWSC logo)
At all stages:	Document and keep records of all transactions involved to acquire land rights, provision of compensation and other assistance associated with relocation activities.

9.6 Administration of Compensation Payments

While the Finance Department of the EWSC will be responsible for the overall financial management responsibilities of the project, the Project Implementation Unit shall take responsibility for the implementation and coordination of resettlement related activities and ensure that compensation and resettlement payments to all PAPs are made promptly, prior to the commencement of civil works. The Social Specialist shall keep records and document all compensation payments.

9.7 Resettlement Implementation Linkage to Civil Works

The construction period for all civil works is estimated at 18 months, starting from May 2022. Construction of the water mains will be scheduled to start from Nhlangano and move gradually to Siphambanweni. Currently the EWSSAP is constructing the 3 reservoirs and a pump station. The main pipeline works are anticipated to commence in June 2023 and laterals will follow after.

No resettlements will be necessary for the construction of the reservoirs and pump house because they are located on vacant land. After the payment of compensations, the affected land will be

immediately handed over to the project. Compensation pay-out has been made for the location of the three reservoirs and pump station, and the sites has been formally handed over to the project.

Only the construction of the water mains in package 2 will involve resettlements, and such resettlements will not involve the physical relocation of homesteads, but rather the removal of temporary structures along the water mains. The process of resettlement will be staggered to coincide with the period of construction in each affected area, so that structures down the line will be given a grace period to operate while construction works is not scheduled to affect them.

CHAPTER TEN: COST AND BUDGET

10.1 Introduction

This Chapter provides a detailed budget for compensation and resettlement entitlements. The budget covers allocations for affected land, structures, trees and crops, business losses and vulnerability support as well as allocations for training, supervision, GRM running cost and contingency allocations for unforeseen factors and price contingencies.

Table 10.1: RAP Budget

Item N°	Budget Item	Compensation in SWZ		
		Individuals (a)	Corporations (b)	Total Cost c= (a+b)
A	COMPENSATION AND SPECIAL ASSISTANCES			
A.1	Land	719,121	162,152	881,273
A.2	Physical Structures	286,984	15, 640	302,624
A.3	Trees and Crops	1,891,015	1,163, 318	3,054,333
A.4	Business Disruption	798,200	90, 000	888,200
A.5	Restriction of Access	0,00	0,00	0,00
A.6	Special Assistance to Vulnerable Groups	48,000		48,000
	Sub-Total (A1+A2+A3+A4+A5+A6)	3,743,320	1,431,110	5,174,430
B	Allocations for Social Safeguards Training and Sensitization (5%)	187,166	71,556	258,722
C	Post RAP Compensation and Implementation Audit (1%)	37,433	14,311	51,744
D	TOTAL RAP IMPLEMENTATION (Supervision, monitoring and GRMs 5%)	187,166	71,556	258,722
E	CONTIGENCIES 20%	748,664	715,555	1,464,219
F	Sub Total (B+C+D+E)	1,160,429	872,978	2,033,407
G	GRAND TOTAL (A+F)	4,903,749	2,304,088	7,207,837

10.2 Financing plan

The entire resettlement program described in this RAP will be financed with ESWC funds committed as counterpart contribution to overall project financing.

The PIU will request for release of the funds as part of the implementation process through regular administrative and fiduciary arrangements of the ESWC which have been agreed to in the project financing agreement.

CHAPTER ELEVEN: GRIEVANCE REDRESS MECHANISM

11.1 Objectives of the Grievance Redress Mechanism

The Grievance Redress Mechanism (GRM) describes the process for receiving, evaluating and addressing concerns and complaints by communities or individuals who will be directly affected by or are likely to be affected by the activities of EWSSAP. It has become necessary for the RAP to develop the GRM which will be useful tool for resolving any grievances or disputes that may arise from PAPs. The Resettlement Policy Framework for the Project provided guidance on the key elements that should be included in the GRM.

Through the Stakeholder Engagement Plan (SEP), a GRM for the whole Project was prepared by EWSC, using the guidelines provided in the RPF. The GRM that has been developed is designed for use in any-project related discontentment by stakeholders because of the different activities that will be carried out for the construction of EWSSAP.

This RAP-applicable GRM describes the steps that need to be followed in resolving grievances, including the methods for registering grievances, the roles of the different Grievance Redress Committees (GRCs) that will be responsible for receiving and resolving grievances, timeframes within which grievances are to be attended to and the levels of appeal if PAPs are not satisfied with the verdict reached at any of the stages for the resolution of a grievance.

11.2 Likely grievances related to RAP implementation

The types of grievances that are likely to be registered related to the RAP include, but not limited to, disagreements on the following:

- i. The valuation and compensation entitlements for project land-take on privately owned land.
- ii. The types and number of assets affected by the project.
- iii. The nature and extent of impacts of the project on assets that are either privately owned or communally owned.
- iv. Value placed on properties being affected.
- v. The duration of impacts of project activities on accesses, resulting in prolonged restrictions on access to community assets, private homesteads, businesses, etc.
- vi. The time taken to institute rehabilitation measures and the quality of rehabilitation works.
- vii. The way compensations and resettlements are carried out.
- viii. Legitimacy of claim for ownership of affected assets.
- ix. Eligibility for compensation

11.3 GRM Processes

The mechanisms for addressing grievances related to the implementation of the RAP will follow the same processes that will be used for resolving any other disputes related to the activities for the construction of the project. The main steps for the documentation of grievances are given in the table below.

Table 11.3: Steps for Documentation of Grievances

Step #	Process Description
1.	Receipt and acknowledgement of grievance.
2.	Screening of grievance; resulting in either acceptance or rejection.

3.	Processing of complaint.
4.	Resolving of grievance.
5.	Closure of grievance.
6.	Handling of grievance records and documentation.

11.4 Hierarchy for Resolution of Grievances

The handling of grievances that are lodged by PAPs will follow a hierarchical order as described below:

Table 11.4: Stages to be followed for resolving grievances

Stages	Process Description
Level 1.	Two parties involved to resolve the grievance (i.e., aggrieved party and person responsible for the impact meet to find a resolution).
Level 2.	Community level
Level 3.	Project level
Level 4.	Regional level
Level 5.	EWSC level
Level 6.	National level

11.5 Registration of Grievance

At all the different levels for grievance redress, the registration of a grievance shall be through a Complaints Register, which is a form that has already been developed as part of the SEP. The Complaints Register provides a formal way in which grievances can be registered. The CLOs shall be responsible for ensuring that all grievances are registered formally. PAPs shall also have the option to report cases through the 24-hour Call Centre for EWSC.

The forms for the registration of grievances shall be placed at the Inkhundla offices and Umphakatsi level for easy access by all. PAPs will be given the option to record their grievances anonymously, in which case they would submit the grievance directly to the Social Specialist.

Level 1: Entry

The first step for the resolution of conflicts or grievances is for the two parties who are having a dispute to have bilateral discussions to try and resolve the issue amicably. There will not be a need for the formal registration of the grievance at this stage. The CLOs shall take responsibility to report of the grievance to the Social Specialist for record keeping of both the grievance and the resolution reached.

Level 2: Community

Soon after two parties involved in a dispute are not able to resolve the matter among themselves, the PAP shall report their grievance to the CLO by completing the Complaints Register, which is a form that shall be formulated for the GRM. A registered grievance shall then be reported by the CLO to Bucopho and the Social Specialist within 24 hours. Bucopho shall be responsible for reporting the matter to Umphakatsi within 24 hours of receipt of the completed form. The Social Specialist shall also be informed of the registered grievance as well as the verdict for purposes of record keeping.

This level will make use of the existing traditional structures and procedures for the resolution of grievances and disputes. Most communities are familiar with the process of resolving

conflicts through the traditional structures, hence it is expected that most grievances will be resolved at this level. The members of the committee that usually represents the Chiefdom consists of representatives from the following structures:

- ✚ Inner Council ✚ Chief's runner
- ✚ Community Police
- ✚ Female member(s) of the community

The following will be responsible for taking the matter to the Chiefdom level for a resolution:

- ✚ Bucopho
- ✚ CLO
- ✚ PAP
- ✚ Female member(s) of the community

Representing the project in the matter will be the following members:

- ✚ Supervising Consultant
- ✚ Site Engineer
- ✚ Contractor
- ✚ Female member(s) of the community

The time that will be taken for grievance to be resolved shall depend on the frequency that such meetings are usually held at Umphakatsi, but should not be in excess of 14 days from the date of registration.

Level 3: Project Level

Should a PAP not be satisfied with the verdict that will be issued at community level, they will have the option of moving the matter to the next level, which is the Project level.

Grievance handling Process:

- ✚ The CLO shall communicate verdict reached at community to the Social Specialist within 24 hours, including all the necessary documentation.
- ✚ The Social Specialist shall refer the unresolved case to the Project-level GRM Committee within 24 hours of receipt from the CLO.
- ✚ The project level GRM Committee shall resolve or reach a decision within five (5) working days from the date the complaint is received.
- ✚ Within the five (5) working days, a meeting shall be convened by the GRM committee with the PAP to discuss the matter at project level.
- ✚ The chairperson of the GRM Committee shall document the committee's decision in writing, which should also be witnessed by the aggrieved party.
- ✚ The Social Specialist shall keep records of all the writings and update records related to the case accordingly

The Project-Level GRM Committee shall consist of the following members:

- ✚ Projects Manager
- ✚ Project Coordinator
- ✚ Social Specialist

- ✚ Environmental Specialist
- ✚ EWSC Compliance Officer
- ✚ EWSC Land Acquisition Officer
- ✚ Public Affairs Manager
- ✚ Female member(s) from the project

Level 4: Regional level

In the event that a PAP is not satisfied with the resolution reached on the matter at the project level, they will have the option to move the matter to the regional level. At the regional level, the process that will be used to handle the case is as described below:

- ✚ The PAP shall agree in writing that they are not in agreement with the verdict reached at project level and that they would like the matter to be moved to the regional level.
- ✚ The PAP shall be made aware of the processes that will be followed, including the timeframes.
- ✚ The Project Coordinator shall refer cases not handled at project level to this level in writing requesting intervention.
- ✚ Regional level GRM Committee shall do everything possible to resolve issues within fifteen (15) calendar days from the date the case has been transferred to it from the project level GRM.
- ✚ The PAP shall be present at the meeting for the discussion of the grievance at regional level.
- ✚ The chairperson of the GRM Committee shall document the committee's decision in writing, which should also be witnessed by the aggrieved party.
- ✚ Social Specialist shall keep records of all the writings and update records related to the case accordingly

The regional level GRM Committee shall consist of the following members:

- ✚ Regional Secretary, Chair person
- ✚ Municipality CEO
- ✚ Regional Representative of the Ministry of Housing and Urban Development
- ✚ EWSC Regional Manager
- ✚ Social Specialist
- ✚ Public Affairs Manager
- ✚ Environmental Specialist
- ✚ Project Coordinator
- ✚ Female member(s) of the community

Level 5: EWSC Level

EWSC shall establish a GRM committee consisting of the company personnel who are qualified and experienced in dispute resolution. Grievances that will not be resolved at regional level shall be escalated to the EWSC level.

The process that will be followed for handling the grievance is as described below:

- ✚ The PAP shall be made aware of the processes that will be followed for resolving the case at the EWSC level, including the timeframes.

- ✦ The PAP shall be present at the meeting for the discussion of the grievance at EWSC level.
- ✦ The EWSC level GRM committee shall do everything possible to resolve issues within fifteen (15) days from the date the case has been referred to it from the National Level GRM committee.
- ✦ The chairperson of the GRM Committee shall document the committee's decision in writing, which should also be witnessed by the aggrieved party.
- ✦ The committee shall keep record of all decisions related to each case.
- ✦ Project Coordinator shall keep records of all the writings and share with SS to update records related to the case accordingly.

The EWSC level GRM Committee shall consist of the following members:

- ✦ EWSC Technical Director, Chair person
- ✦ EWSC Strategic Services Director
- ✦ EWSC Compliance Officer
- ✦ Social Specialist, Member
- ✦ EWSC Public Affairs Manager
- ✦ Government Certified Property Valuer
- ✦ EWSC Internal Audit Manager
- ✦ Project Coordinator
- ✦ Female member(s) of the community

Level 6: National Court System

In the event that there will be cases that will remain unresolved in the preceding 5 levels, the matters will be referred to the national courts.

The process that will be followed for handling the grievances is as described below:

- ✦ EWSC shall seek the intervention of the National Judiciary System on cases that will remain unresolved at this stage.
- ✦ A PAP shall also have the option to approach the national courts for adjudication should they remain unsatisfied with the verdicts that will have been reached in the preceding stages.
- ✦ The time frame of resolving cases at this level will be beyond the control of the EWSC hence such timeframe shall be deemed by the Courts engaged.
- ✦ Decisions taken at this stage shall be deemed final.

13.6 Linkage between grievance redress and project implementation

Once cases reach the national court system, the implementation of the project on the affected areas shall continue and will not await the final decision of the courts to resolve matters. All changes that will be deemed necessary as per the court's decisions shall be implemented accordingly, as and when the instructions are issued.

11.7 GRM Disclosure

It will be important for all PAPs as well as the community at large, to be aware that there is a GRM in place which they can use for registering grievances and having them resolved in a transparent manner. For this to happen, stakeholder engagement shall include disclosure of the GRM that has been developed for the project. The contents of the GRM shall be explained clearly to all community members, including the Chieftdom leadership. The different processes

and stages that are involved in the GRM will have to be explained to all stakeholders, regardless of whether or not they intend to register a grievance. The forms for Grievance Register shall be placed at the Tinkhundla offices and Umphakatsi for easy access.

Within SNL, this aspect of the GRM disclosure shall be the responsibility of the CLOs. Awareness of the GRM outlets of the project has already been raised through the CLOs for the Different Tinkhundla.

For PAPs on TDL, the Social Specialist, in collaboration with the Nhlango Town Council, will be responsible for the GRM disclosure. The main objective will be to ensure that the communities have a good understanding of the procedures for grievance resolution and that they make use of the existing traditional structures at community level as much as possible.

11.8 Responsibilities of key experts in the GRM

The responsibility for the implementation of the different aspects of the RAP will lie among a number of key personnel who form part of the PIT. The table below describes the key responsibilities for each personnel.

Table 11.8: Responsibilities for the Implementation of the RAP

Person	Role and responsibilities
CLOs	<ul style="list-style-type: none"> ✦ Receive complaints from PAPs ✦ Record complaint within 24hrs after receipt using the standard for registering complaints. ✦ Report case to SS within 24 hours of receipt. ✦ Keep Complainant updated on the processes involved in grievance resolution, including scheduled dates for hearings. ✦ Use local knowledge to give needed advice to the relevant GRM Committees. ✦ Keep cases records up to date
Social Specialist	<ul style="list-style-type: none"> ✦ Receive cases from CLOs ✦ Refer cases to relevant GRM Committees within stipulated time periods. ✦ Give expert advice to GRM Committees where needed. ✦ Keep an up-to-date inventory of all grievances lodged and the outcome of each case. ✦ Communicate to CLOs any important information which needs the attention of PAPs, the Traditional Authorities and the contractor. ✦ Update and brief the Project Engineer on the stages for all grievances.
Project Engineer	<ul style="list-style-type: none"> ✦ Ensure all cases are resolved timeously, without affecting scheduled timelines for the project implementation.
Public Affairs and Customer Experience Manager	<ul style="list-style-type: none"> ✦ Participate in relevant GRM Committee ✦ Ensure all cases are resolved ✦ Ensure active feedback communication of cases
Environmental Specialist	<ul style="list-style-type: none"> ✦ Participate in relevant GRM committee. ✦ Keep up-to-date records of grievances related to environmental compliance on site and their resolutions. ✦ Give expert advice to GRM committees when needed.

11.9 Appeal to the Court

The court of law will be a “last resort” option if all mediation efforts to resolve the complaint(s) at the four GRM levels fail. As per the Constitution of the Kingdom of Eswatini, any aggrieved person has the right to take his/her case to the court of law.

CHAPTER TWELVE: MONITORING AND EVALUATION

12.1 Overview

EWSC, through the EWSSAP PIU, will be the institution responsible for constant monitoring and supervision of the RAP implementation. The day-to-day supervision of the implementation of the RAP will be the Social Specialist, with the assistance of CLOs who are engaged by EWSC. The Social Specialist will report directly to the EWSC Public Affairs and Customer Experience Manager in consultation with the Project Coordinator and will execute his/her responsibilities in close cooperation with the CLOs and the Chiefdom leadership in SNL and Nhlanguano Town Board (Local Authority) during the implementation of the RAP for PAPs who are located within the urban boundary.

12.2 Internal Monitoring

The different experts who constitute the PIU will be responsible for the internal monitoring of the implementation of the RAP. The main objective for internal monitoring and evaluation for the implementation of the RAP will be to:

- i. Carry out assets verification in order to validate the assets inventory that was compiled during the PAP survey.
- ii. Supervise the compensation and resettlement process as well as the implementation of other rehabilitation entitlements to ensure that they are all carried out in accordance with the approved RAP, and in conformity with the World Bank policy directives as set out in ESS5.
- iii. Monitor and control the disbursements of funds that are allocated to cover the costs associated with the implementation of the RAP, to ensure that adequate funds are made available for their intended purpose in a timely manner.
- iv. Monitor expenditures associated with the implementation of the RAP in order to ensure that funds are utilized only for their intended purposes.
- v. Design report formats that will be used for tracking progress in the implementation of key deliverables for the RAP.
- vi. Monitor effectiveness of income restoration measures as well as other special assistance to vulnerable PAPs post-project implementation.

12.3 Monitoring Indicators and schedule of implementation

There are key indicators that will need to be monitored regularly by both the internal monitoring team as well as the external monitoring entity. The monitoring and evaluation of the socio-economic situation for the PAPs and their vulnerabilities should be carried out using the same questionnaires that were used for the baseline socio-economic survey as well as for the PAPs census.

The RAP has recommended special assistance or livelihoods interventions for vulnerable PAPs who were identified during the PAPs census. The effectiveness of these interventions should

be monitored and evaluated and reviewed where necessary. Table 12.1 describes the performance indicators for assessing income restoration, and Table 12.2 describes the monitoring indicators and the frequency of monitoring and evaluation.

Table 12.3: Performance Indicators Reporting Format

Pre-project implementation	#	During and post-project Implementation	# (%)	Comments
No. of PAPs		Number of PAPs who have received entitlements		
No of vulnerable PAPs		No. of vulnerable PAPs who have received entitlements		
No. of informal businesses affected by the project		<p>No. of PAPs that have resumed businesses Vs those that have not.</p> <p>No. of PAPs that have restored their net income to pre-project levels.</p> <p>No. of PAPs that have improved net incomes beyond pre-project level.</p>		
Special assistance to vulnerable PAPs:				
Financial assistance: <ul style="list-style-type: none"> † No. of PAPs who have received the once-off allowance of E1000. † No. of PAPs with more than one factor of vulnerability who have received once-off payment of E3000. † Advice and technical assistance to improve land productivity † Advice and technical assistance for vulnerable PAPs to develop alternative livelihoods. Psychosocial support: <ul style="list-style-type: none"> † NGOs who have provided psychosocial support. † Dates on which support provided to PAPs Skills transfer: <ul style="list-style-type: none"> † No. of vulnerable PAPs who have been trained on rainwater harvesting † No. of vulnerable PAPs who have backyard gardens using climate smart agriculture techniques. Monitoring effectiveness of special support: <ul style="list-style-type: none"> † Use questionnaire used during PAP census to do socio-economic scan of vulnerable PAPs after provision of special support. Indicators to be monitored to include the following: <ul style="list-style-type: none"> † Survey of vulnerable PAPs to establish self-evaluation of effectiveness of support. † No. of vulnerable PAPs who have been trained on rainwater harvesting. † No. of vulnerable PAPs who practice rainwater harvesting † No. of vulnerable PAPs who are engaged in alternative sources of income. † No. of PAPs whose income levels have improved since the PAP census. 				

Table 12.4: Monitoring Indicators for the RAP and Frequency of Monitoring

Baseline data	#	Indicator	First month from the start of construction # (%)	Six months into construction # (%)	Six Months after construction # (%)	Year 1 after construction # (%)	Year 2 after construction # (%)	Comments
Total No. of PAPs		Total No. of PAPs who have received entitlements.						
No. of vulnerable PAPs		No. of vulnerable PAPs who have received entitlements.						
No. of informal businesses affected by the project		No. of PAPs that have resumed businesses Vs those that have not.						
		No. of PAPs that have restored their net income to pre-project levels.						
		No. of PAPs that have improved net incomes beyond pre-project level.						
		No. of PAPs whose livelihoods are worse than pre-project level						
GRM		Total No. of grievances received Vs No. of resolved grievances						
		Total No. of grievances received Vs No. of unresolved grievances						
		Total No. of grievances received Vs No. of rejected grievances						

Special assistance to vulnerable PAPs

Baseline data	#	Indicator	First month from the start of construction # (%)	Six months into construction # (%)	Six Months after construction # (%)	Year 1 after construction # (%)	Year 2 after construction # (%)	Comments
Psychosocial support		Percentage of PAPs who have received counselling. No. of counselling sessions received by each PAP.						
Training		Number of NGOs who have provided training to vulnerable PAPs.						
		Percentage of PAPs who have received training and capacity building on business skills for income restoration.						
		Description of types of skills-training offered to vulnerable PAPs.						
Participation in alternative income sources		Percentage of vulnerable PAPs who qualified for financial and technical assistance from government/NGOs/ parastatals.						

	Percentage of vulnerable PAPs who are participating in alternative income generation activities.						
Impacts on agricultural production	Pre- project production versus present	N/A	N/A	N/A			

Baseline data	#	Indicator	First month from the start of construction # (%)	Six months into construction # (%)	Six Months after construction # (%)	Year 1 after construction # (%)	Year 2 after construction # (%)	Comments
		production (crop for crop)						

12.4 RAP Completion Audit

In adherence and fulfillment of ESS5 requirements, the project shall carry out the audit. The objectives of the audit shall include the following:

- (i) General assessment of the compliance of the implementation of the Resettlement Action Plan with general objectives and methods as set out in this document.
- (ii) Assessment of the compliance of the implementation of the Resettlement Action Plan with laws of Eswatini and other regulations and safeguard policies, in particular those of the World Bank.
- (iii) Assessment of the consultation procedures that took place at community level, together with the involvement of the relevant local community institution and the Project Team.
- (iv) Assessment of fair, adequate and prompt compensation as they have been implemented.
- (v) Evaluation of the impact of the compensation on income and standard of living.
- (vi) Identification of actions as part of the on-going monitoring to improve the positive impact of the project and mitigate any possible negative impact, if any.

CHAPTER THIRTEEN: ARRANGEMENTS FOR ADAPTIVE MANAGEMENT

13.1 Introduction

Preceding chapters of this resettlement plan have identified and established the adverse impacts associated with subcomponent 3.1 civil works activities, and clearly laid out measures and actions to be carried out to reduce/minimize and mitigate the potential impacts on various categories of the population living and/or conducting livelihood activities within the project impact zone. However, the successful Implementation of this resettlement plan and the satisfactory attainment of its expected outcomes is largely contingent on a number of factors operating in the project and the wider socioeconomic environment.

Unanticipated global and/or national economic slowdown or changes in local market prices may undermine assumptions regarding the measures laid out in this RAP to mitigate the impact on PAPs. Other developments including government programs may induce unanticipated changes in the area; political or legal changes can promote influx or other changes in local economy. Such unforeseen changes and circumstances underscore the need for adaptive management arrangements to support the effective implementation of this RAP and the achievement of its agreed outcomes.

Other project implementation issues which could require the RAP implementing entity to flexibly manage the resettlement arrangements that have been pre-determined in this RAP include;

- (i) Modifications in project design by engineering design experts before commencement of civil works
- (ii) Changes in work approach by contractor, under the supervision of the design and supervision engineer, which could alter the impact footprint considered in the preparation of this RAP
- (iii) Late discovery of PAPs (or claims embedded in others) in the course of project implementation

13.2 Objectives of Adaptive Management Approach

The objective of this chapter is to put in place measures/provisions for adapting the RAP implementation in response to unexpected changes in project conditions or the wider socioeconomic, political and physical environments that may preclude or significantly diminish achievement of the stated RAP objectives and outcomes.

13.3 Measures/Provisions for adapting the RAP Implementation

In accordance with the above objective, this chapter considers and elaborates on the following measures intended to promote the RAP implementation adaptability under changing conditions:

- i. contingency allocation in the budget (20% of compensation budget),
- ii. rigorous implementation monitoring,

- iii. well-functioning Grievance Redress Mechanisms, and
- iv. establishment of Early Warning Systems.

13.3.1 Contingency Allocation in the Budget

Contingency allocation is a major provision made in the budget to adapt the RAP implementation to uncertain and changing conditions and circumstances. The contingency allocation, which constitute 20% of the total compensation to PAPs, is intended to help address the following:

- i) inflation, particularly changes in local market prices during or prior to implementation of the resettlement plan which, if not addressed, may undermine attainment of the agreed objectives and outcomes;
- ii) claims from PAPs related to legacy issues and, under valuation of assets,

13.3.2 Rigorous Implementation Monitoring

Consistent and rigorous monitoring of the RAP implementation is key to identifying problems early and taking the actions necessary to ensure that the implementation continues as planned or is appropriately readjusted to achieve the intended objectives while there is still time. While monitoring may not be the panacea for all implementation problems, without it much can go wrong in terms of achieving the stated objectives. Thus, well planned and carried out, implementation monitoring is one of the main measures for adapting the implementation of this resettlement plan to uncertain and changing conditions.

The details of the plan for monitoring and evaluating this RAP implementation are well laid out in chapter 14 on Monitoring and Evaluation. The challenge is to implement the RAP in accordance with the established Monitoring and Evaluation Framework.

13.3.3: Effective Grievance Redress Mechanisms

Grievance Redress Mechanisms provide the means for addressing unusual circumstances. A wellfunctioning grievance redress mechanism can also serve as a form of arrangement for adaptive management. Where unanticipated impacts or circumstances arise during resettlement implementation process, the grievance redress mechanism contained in chapter 13 provides an opportunity for formulating a response satisfactory to those affected. The GRCs will be provided financial support from the supervision, monitoring and GRM allocation to support their running costs associated with administrative and operational activities.

13.3.4 Early Warning System

Combined, the above measures serve as an early warning system that will help to support the adaptive management of this resettlement plan implementation in response to unpredictable and changing conditions and circumstances – in both the project and the broader socioeconomic environment.

Prior to and during the RAP implementation, the PIU OF EWSSAP and collaborating agencies will continue to review and consider other adaptive management measures deemed appropriate for enhancing the implementation and outcomes of the resettlement plan.

Proposed Form for Registration of Grievances

Table 0.1: GRM Register – Form A	
SECTION A: TO BE FILLED IN BY COMPLAINANT	
Project name and number:	
Location:	<input type="checkbox"/> Chiefdom <input type="checkbox"/> Sigodzi
Date of complaint registration:	dd/mm/yy
Complaint Reference No.	
Name of complainant:	<input type="checkbox"/> Name and surname <input type="checkbox"/> ID number
Contact details:	<input type="checkbox"/> Telephone #: <input type="checkbox"/> Cell #:
Detailed description of grievance:	

Complainant's Name _____ Signature: _____
 Received by _____ Designation: _____
 Date: _____ Office Stamp: _____

Table 0.2: Complaints Register – Form B	
SECTION B: TO BE FILLED IN BY GRIEVANCE COMMITTEE / ARBITRATOR	
Complaint Reference No.	
Date of hearing:	
Location:	<input type="checkbox"/> Chiefdom <input type="checkbox"/> Sigodzi <input type="checkbox"/> Actual meeting place
List of Grievance Committee members present:	
Name of complainant/s:	
List of other persons present and designations:	
Description of grievance as captures in Section A:	
Minutes of discussions:	
Description of verdict	
Communication sent to complainant:	Description of corrective action to be taken Date on which information was sent to complainant
Date on which complaint was closed:	
Grievance resolved	<input type="checkbox"/> YES / NO

Complainant's Name _____ Signature: _____ 105

Name of Respondent: _____ Designation _____ Signature _____
Grievance Committee Rep.: _____ Designation: _____
Date: _____ Office Stamp: _____

ANNEXURE 6: COPY OF COMPENSATION AGREEMENT CERTIFICATE

Eswatini Water Supply and Sanitation Access Project

RESETTLEMENT ACTION PLAN



Certificate No.:

SITIFIKETI SETIMPHAHLA KANYE NEBUNIYO BATO

CERTIFICATE OF ASSETS AND ENTITLEMENTS

Inkhundla:	Chiefdom / Umphakatsi:	
Name (in full):	ID No.:	
Postal Address:	Cell #:	

SECTION A:

**1. Building and Structures
(Takhiwo)**

1.1 Buildings/Spaza	Unit	Value	Price structure (E) / Compensation (E)	Comment
Quantity (Linani)	no.			
Area (Bubanti)	m²		-	Replacement to be standard, irrespective of actual size
Sub Total (A)			-	
1.2 Loss of land	Unit	Value	Price/unit (E)	
Area for reservoir land take	ha.		-	
Area for pump house land take	ha.		-	

Area within pipeline route	m ²			-	
Area within working space (allowance)	m ²			-	Reinstate plus allowance

107

Sub Total (B)				-	
1.3 Fences / Bofenisi	Run meter	Height (m) or strands	Price/m (E)	Compensation (E)	
Veld span (fenisi wemadlelo)		1,2		-	
Veld span (fenisi wemadlelo)		1,8		-	
Diamond mesh fence / Fenisi		1,2		-	
Diamond mesh fence / Fenisi		1,8		-	
Barbed wire (daladi)				-	
Wall fence (fenisi welubondza)		1,6		-	
Sub Total (C)				-	

