

**Mozambique Conservation Areas for Biodiversity and Development Project –
Phase 2. MOZBIO – P166802**

Resettlement Policy Framework

9th July, 2018

Table of Contents

1	INTRODUCTION	27
2	BACKGROUND	27
2.1	SOCIO-ECONOMIC PROFILE.....	27
2.1.1	<i>Communities in and around Conservation Areas</i>	<i>28</i>
3	MOZBIO2 PROJECT	28
3.1	GENERAL PROJECT DESCRIPTION.....	28
3.2	PROJECT DEVELOPMENT OBJECTIVE	29
3.3	PROJECT COMPONENTS.....	30
3.4	INSTITUTIONAL ARRANGEMENTS FOR THE PROJECT	34
4	RESETTLEMENT POLICY FRAMEWORK	35
4.1	PREPARATION AND OBJECTIVES OF THE RESETTLEMENT POLICY FRAMEWORK.....	35
4.1.1	<i>Potential impacts</i>	<i>35</i>
4.2	METHOD USED FOR PREPARING THE RESETTLEMENT POLICY FRAMEWORK.....	36
4.3	IMPACT MITIGATION AND MANAGEMENT INSTRUMENTS	38
4.3.1	<i>Planning to avoid involuntary resettlement and mitigate impacts that may cause it</i>	<i>38</i>
4.3.2	<i>Principles governing involuntary resettlement and the preparation of management instruments</i> <i>41</i>	<i>41</i>
4.4	LEGAL FRAMEWORK.....	43
4.4.1	<i>National legislation, regulatory and policy framework on resettlement and compensation in</i> <i>conservation areas.....</i>	<i>43</i>
4.5	WORLD BANK POLICIES.....	47
4.5.1	<i>Comparison between the Laws of the Republic of Mozambique and World Bank OP4.12 on land</i> <i>tenure, involuntary resettlement and compensation.....</i>	<i>48</i>
5	RESETTLEMENT INSTRUMENTS.....	51
5.1	ABBREVIATED RESETTLEMENT PLAN / COMPENSATION PLAN	51
5.2	ELIGIBILITY CRITERIA FOR DEFINING CATEGORIES OF PEOPLE AFFECTED BY THE PROJECT	52
5.2.1	<i>Cut off date.....</i>	<i>52</i>
5.2.2	<i>Categories of displaced people.....</i>	<i>53</i>
5.2.3	<i>Land Acquisition and Likely Categories of Impact.....</i>	<i>54</i>
5.2.4	<i>Eligibility for Community Compensation.....</i>	<i>55</i>
5.2.5	<i>Procedures for Assessing Entitlement.....</i>	<i>55</i>
5.2.6	<i>The need for livelihoods restoration</i>	<i>56</i>
5.2.7	<i>Entitlement Matrix</i>	<i>57</i>
5.3	VALUATION OF AFFECTED ASSETS AND COMPENSATION	60
5.3.1	<i>Institutional responsibilities in the preparation and implementation of compensation plans...</i>	<i>62</i>
5.3.2	<i>Approval and disclosure of compensation plans.....</i>	<i>64</i>
5.3.3	<i>Procedures for the payment of compensation</i>	<i>64</i>
5.3.4	<i>Awareness raising</i>	<i>65</i>
5.3.5	<i>Compensation delivery verification</i>	<i>65</i>
5.3.6	<i>Post- site clearance.....</i>	<i>66</i>
5.4	CONSULTATION AND PARTICIPATION OF PEOPLE AFFECTED BY THE PROJECT	66
5.5	GRIEVANCE RESOLUTION	68
5.6	MONITORING AND EVALUATION.....	70
5.7	ESTIMATED COSTS	70
6	APPENDICES:	72
6.1	APPENDIX 1 POPULATION DATA.....	72
6.2	APPENDIX 2: PUBLIC CONSULTATION SUMMARIES	72
6.3	APPENDIX 3: COMPENSATION PLANNING AND IMPLEMENTATION RESPONSIBILITIES	74

List of Abbreviations

AC	Conservation Area / <i>Área de Conservação</i>
ACTF	Transfrontier Conservation Area / <i>Área de Conservação Transfronteiriça</i>
ANAC	National Conservation Areas Administration / <i>Administração Nacional das Áreas de Conservação</i>
BIOFUND	Foundation for Biodiversity Conservation
BM	Banco Mundial
CA	Conservation Area
CBNRM	Community Based Natural Resources Management
CC	Compensation Committee
CCG	Co-management Committee
CCP	Fisheries Co-management Committee / <i>Comité de Co-gestão Pesqueira</i>
CGAC	Conservation Area Management Council / <i>Conselho de Gestão da Área de Conservação</i>
CGRN	Natural Resources Management Committee / <i>Conselho de Gestão dos Recursos Naturais</i>
COGEP	Local Participatory Management Council / <i>Conselho de Gestão participativa</i>
CONDES	National Council for Sustainable Development / <i>Conselho Nacional de Desenvolvimento Sustentável</i>
CP	Compensation Plan
DA	District Administrator
DINAF	National Directorate of Forestry / <i>Direcção Nacional de Florestas</i>
DINAT	National Directorate of Land / <i>Direcção Nacional de Terra</i>
DINATUR	National Directorate of Tourism / <i>Direcção Nacional de Turismo</i>
DINOTR	National Directorate for Territorial Planning and Resettlement / <i>Direcção Nacional de Ordenamento Territorial e Reassentamento</i>
DNA	National Directorate for the Environment / <i>Direcção Nacional de Ambiente</i>
DNAS	National Directorate for Water and Sanitation / <i>Direcção Nacional de Água e Saneamento</i>
DNDR	National Directorate of Rural Development / <i>Direcção Nacional de Desenvolvimento Rural</i>
DNEA	National Directorate of Agricultural Extension / <i>Direcção Nacional de Extensão Agrária</i>
DNGRH	National Directorate of Water Resources Management / <i>Direcção Nacional de Gestão de Recursos Hídricos</i>
DPASA	Provincial Directorate of Agriculture and Food Security / <i>Direcção Provincial de Agricultura e Segurança Alimentar</i>
DPCULTUR	Provincial Directorate of Culture and Tourism / <i>Direcção Provincial de Cultura e Turismo</i>
DPP	Provincial Directorate of Fisheries / <i>Direcção Provincial de Pesca</i>
DPPF	Provincial Directorate of Planning and Finance / <i>Direcção Provincial de Plano e Finanças</i>
DPTADER	Provincial Directorate of Land, Environment and Rural Development / <i>Direcção Provincial de Terra, Ambiente e Desenvolvimento Rural</i>
DUAT	Right to Use and Benefit from the Land / <i>Direito de Uso e Aproveitamento da Terra</i>
ESIA	Environmental and Social Impact Assessment
ESMF	Environmental and Social Management Framework
ESA	Environmental (and Social) Assessment

FNDS	National Sustainable Development Fund / <i>Fundo Nacional de Desenvolvimento Sustentável</i>
GD	District Government / <i>Governo do Distrito</i>
GEF	Global Environment Facility
GoM	Government of Mozambique
HWC	Human-wildlife conflict
IDA	International Development Association – World bank
ILM	Integrated Landscape Management
INGC	National Institute for Disaster Management / <i>Instituto Nacional para a Gestão de Calamidades</i>
LAA	Land Acquisition Assessment
M&E	Monitoring and Evaluation
MAEFP	Ministry of State Administration and Public Service / <i>Ministério de Administração Estatal e Função Pública</i>
MCT	Ministry of Culture and Tourism / <i>Ministério de Cultura e Turismo</i>
MDR	Dialogue and Grievance Mechanism / <i>Mecanismo de diálogo e reclamação</i>
MEF	Ministry of the Economy and Finance / <i>Ministério de Economia e Finanças</i>
MICAIA-F	Micaia Foundation an Environmental NGO
MISAU	Ministry of Health / <i>Ministério de Saúde</i>
MITADER	Ministry of Land, Environment and Rural Development / <i>Ministério de Terra, Ambiente e Desenvolvimento Rural</i>
MMAIP	Ministry of the Sea, Interior Waters and Fisheries / <i>Ministério do Mar, Águas Interiores e Pescas</i>
MOPHRH	Ministry of Public Works, Housing and Water Resources / <i>Ministério de Obras Públicas, Habitação e Recursos Hídricos</i>
Mozbio2	Mozambique Conservation Areas for Biodiversity and Development - Phase 2
MSLF	Multi-Stakeholder Landscape Forum
NGO	Non-governmental organisation
NP	National Park
NR	National Reserve
ONG	Non-governmental organisation / <i>Organização não governamental</i>
OP	Operational Policy (of the World Bank)
PDO	Project Development Objective
PDUT	District Land Use Plan / <i>Plano Distrital de Uso de Terra</i>
PEOT	Strategic Spatial Plan / <i>Plano Estratégico de Ordenamento Territorial</i>
PF	Process Framework
PIU	Project Implementation Unit
PO/PB	Operational Policy / Bank Policy (of the World Bank) / <i>Política Operacional / Política do Banco (Mundial)</i>
PPF	Peace Parks Foundation
PPMR	Ponta do Ouro Partial Marine Reserve
PRPT	Land Tenure Regularization Protocol / <i>Protocolo de Regularização de Posse de Terra</i>
PUT	Land use plan / <i>Plano de Uso da Terra</i>
QP	Process Framework / <i>Quadro de Processos</i>
QPR	Resettlement Policy Framework / <i>Quadro de Política de Reassentamento</i>
RAP	Resettlement Action Plan
REDD	Reducing Emissions from Deforestation and Forest Degradation in Developing Countries
REM	Maputo Special Reserve / <i>Reserva Especial de Maputo</i>
RNC	Chimanimani National Reserve / <i>Reserva Nacional de Chimanimani</i>

RNN	Niassa National Reserve / <i>Reserva Nacional de Niassa</i>
RP	Resettlement Plan
RPF	Resettlement Policy Framework
SDAE	District Service for Economic Activities / <i>Serviço Distrital de Actividades Económicas</i>
SDEJT	District Service for Education, Youth and Technology / <i>Serviço Distrital de Educação, Juventude e Tecnologia</i>
SDPI	District Service for Planning and Infrastructure / <i>Serviço Distrital de Planeamento e Infraestruturas</i>
SDSMAS	District Service for Health, Women and Social Action / <i>Serviço Distrital de Saúde, Mulher e Acção Social</i>
SESS	Social and Environmental Safeguards Specialists
SPFB	Provincial Services for Forests and Wildlife / <i>Serviços Provinciais de Floresta a Fauna Bravia</i>
SPGC	Provincial Services for Geography and Cadastre / <i>Serviços Provinciais de Geografia e Cadastro</i>
SSA	Social Safeguards Assistant
TFCA	Transfrontier Conservation Area
TOR	Terms of Reference
TTL	Task Team Leader (World Bank)
UN	United Nations
UNAPROC	National Civil Protection Unit / <i>Unidade Nacional de Protecção Civil</i>
WB	World Bank
WWF	Worldwide Fund for Nature

Sumário Executivo

Introdução e Contextualização

Este Quadro de Política de Reassentamento foi preparado para o Projecto de Biodiversidade e Desenvolvimento das Áreas de Conservação em Moçambique - Fase 2 (Mozbio2). O documento constitui um instrumento de salvaguarda do Banco Mundial accionado pela Política Operacional (PO) 4.12. O documento foi elaborado durante o desenho do Projecto com base nos riscos sociais identificados e na avaliação de possíveis factores desencadeadores da política. O documento foi produzido com base na consulta aos Administradores e membros das equipas das Áreas de Conservação e (AC) de todas as ACs alvo, juntamente com uma ampla gama de entrevistas realizadas com vários interessados. Entrevistas e diálogos em curso com o pessoal da Mozbio a nível nacional e outros envolvidos na concepção do Mozbio2 foram conduzidos ao longo do período de trabalho.

Mozbio2 Descrição do Projecto

Objectivo. O Projecto para Biodiversidade e Desenvolvimento das Áreas de Conservação em Moçambique - Fase 2, faz parte de uma série de projectos que visam contribuir para a conservação e desenvolvimento. O Objectivo de Desenvolvimento do Projecto é melhorar a gestão das Paisagens de ACs alvo e melhorar as condições de vida das comunidades dentro e a volta das referidas ACs. Como Mozbio (1), o Mozbio2 foi classificado como um projecto de categoria B, uma vez que os potenciais impactos ambientais e sociais negativos serão menores, específicos para cada local, reversíveis e gerenciáveis.

Componentes. O Mozbio2 é um projecto de cinco anos com três componentes: 1) Fortalecimento da Capacidade das Instituições Nacionais de Conservação e Sustentabilidade Financeira do Sistema das Áreas de Conservação; 2) Melhoramento da Gestão das Áreas de Conservação em paisagens alvo; e 3) Promover o desenvolvimento rural compatível com a conservação e o manejo integrado da paisagem nas paisagens alvo. Cada componente compreende um conjunto de actividades que devem resultar na obtenção de um conjunto de resultados (produtos e resultados).

Grupos-alvo. O Projecto terá como alvo as pessoas que vivem dentro e ao redor de ACs específicas que podem ser potencialmente afectadas pelo acesso e uso limitado de recursos naturais para sua subsistência.

Cobertura geográfica. Embora se concentre em seis Áreas de Conservação (ACs), o Projecto terá a abordagem de paisagem adoptada pelo Ministério da Terra, Ambiente e Desenvolvimento Rural (MITADER) e apoiada pelo Banco Mundial (BM). O Mozbio2 irá neste contexto visar as seguintes paisagens:

Paisagem da Costa dos Elefantes (Reserva Especial de Maputo e Reserva Parcial Marinha da Ponta do Ouro, Ilha de Inhaca e a Reserva Florestal de Licuáti)

Paisagem de Chimanimami (Reserva Nacional de Chimanimani e as reservas florestas de Moribane, Zomba e Maronga)

Paisagem de Complexo de Marromeu (inclui a Reserva Nacional de Marromeu, as coutadas 10,11 e 14)

Todas as três ACs alvo e paisagens mais amplas têm características ecológicas, geográficas, demográficas e sociais únicas, o que exige respostas operacionais específicas ao contexto com base em instrumentos de políticas do Projecto.

Grupos sociais que exigem atenção especial. As mulheres enfrentam múltiplas barreiras a caminho de igualdade de género, incluindo menor escolaridade, renda e poder de decisão do que os homens, são mais atingidas pelas mudanças domésticas ou climáticas e também são as principais vítimas da violência baseada em género. As mulheres desempenham um papel de liderança na gestão de suas

casas e na alimentação de suas famílias. Os jovens também requerem atenção especial; sem ser especificamente visado, os jovens rurais têm poucas oportunidades fora da agricultura e têm baixa participação nos principais programas de agricultura ou desenvolvimento.

Arranjos gerais de gestão. Várias instituições de diferentes setores estarão envolvidas na implementação do Projecto sob a liderança da Unidade de Implementação do Projecto de Mozbio2 (Mozbio2 UIP), dentro do Fundo Nacional para o Desenvolvimento Sustentável (FNDS) abrigado no MITADER.

Quadro de Política de Reassentamento

Este Quadro de Política de Reassentamento (QPR) é um dos instrumentos de Salvaguarda Social produzido para o Projecto Mozbio2 prescrito pelo Banco Mundial. O desenho do Projecto não prevê qualquer deslocamento físico de famílias como resultado de suas operações, mas a aquisição de terras e a preparação do local atendendo aos requisitos para construção provavelmente causará impactos de deslocamento em pessoas que possam ter activos productivos ou não-productivos nesses locais.

O objectivo do QPR é de estabelecer os princípios e procedimentos para triagem e rejeição de sub-projectos ou infraestruturas planificados que causem impactos de reassentamento físico e resposta aos impactos sociais e económicos limitados remanescentes, preparando Planos de Reassentamento Abreviados. Como estes apenas atenderão às necessidades de compensação por deslocamento económico, para maior clareza, eles também serão chamados de Planos de Compensação¹ neste QPR. O QPR fornece orientações sobre como identificar quando esses planos são necessários e sobre seu conteúdo. Ele fornece uma estrutura de referência para as medidas que devem ser tomadas para evitar e minimizar os impactos que causam o reassentamento involuntário, juntamente com as políticas e os princípios que orientam as compensações quando necessário e os custos indicativos do processo. Também descreve os arranjos institucionais associados a planificação e implementação do reassentamento involuntário no âmbito do Mozbio2. O conteúdo deste documento está alinhado com as políticas nacionais e as políticas do Banco Mundial.

O QPR foi preparado após ampla consulta aos principais interessados e com o apoio das especialistas em salvaguardas e comunitárias do Mozbio e da FNDS, para auxiliar no acesso a dados técnicos e informações organizacionais e institucionais. As partes interessadas foram encontradas nas três paisagens durante visitas de recolha de informação.

As principais lições aprendidas das ACs alvo e suas paisagens durante a preparação deste QPR incluem ainda a gestão insatisfatória de conflitos entre humanos e animais bravos dentro e fora das ACs, e lições extraídas de experiências anteriores de reassentamento dentro e fora das ACs em todas as paisagens alvo. Estes apontam para o papel chave do Governo Distrital em liderar processos de acolhimento de reassentamento fora das ACs; a necessidade de o Governo Distrital reconhecer as Coutadas como áreas parcialmente protegidas com um propósito de conservação para que elas não sejam usadas para localizar o reassentamento em escala grande ou média.

Expectativas não correspondidas resultantes da experiência passada de reassentamento e níveis de compensação podem ser expressas pelas comunidades durante o Mozbio2. É importante que informações suficientes sejam disseminadas por meio de uma estratégia de comunicação abrangente e que todos os processos de compensação da Mozbio2 sejam altamente participativos, ou seja, que

¹ Como a legislação de Moçambique não distingue a escala de impacto que correlaciona impactos menores com instrumentos de reassentamento mais simples, para esclarecer que não haverá reassentamento físico, o uso do termo 'Plano de Compensação' indica a diferença e como não é legislado e portanto, não tem de cumprir estritamente os requisitos do Plano de Acção de Reassentamento de acordo com a legislação moçambicana, em conformidade com as normas do Banco Mundial, o seu nível de detalhe reflectirá a magnitude e o nível de complexidade dos deslocamentos económicos causados pelo Projecto.

efectivamente envolvam homens, mulheres, jovens e grupos vulneráveis em todas as etapas do ciclo de planificação e implementação.

Quando os detalhes da aquisição de direitos de terra e reassentamento não são totalmente conhecidos ou, como no caso do Projecto actualmente, quando o reassentamento físico não está previsto no desenho do Projecto, como um princípio de precaução, é necessária um QPR para estabelecer a princípios de política para informação pública e discussão no caso de qualquer reassentamento que deve ocorrer devido directa ou indirectamente ao Projecto.

Os **princípios** delineados na Política Operacional do Banco Mundial OP / BP 4.12 são usados na preparação do QPR. Estes princípios e as medidas de reassentamento deles decorrentes aplicar-se-ão a todos os subprojectos e actividades do MozBio2, quer ou não a escala e complexidade das questões de compensação e de reassentamento requeiram a preparação de um Plano de Reassentamento (PR).

A política do Banco Mundial aplica-se a todos os componentes do Projecto que resultem em perda involuntária de propriedade, independentemente da fonte de financiamento. Consequentemente, se uma actividade não financiada pelo Banco Mundial que causa o reassentamento faz parte do desenho ou desempenho do projecto financiado pelo Banco, ou se o sequenciamento de actividades resultar no reassentamento que ocorre ao mesmo tempo que a implementação do Projecto, a PO 4.12 será accionada. Uma abordagem de devida diligência será necessária se quaisquer atividades associadas e não financiadas pelo Banco Mundial, mas relevantes para o desempenho da Mozbio2, causarem reassentamento ou compensação durante o período de implementação do Projecto.

O reassentamento abrange o deslocamento físico e o deslocamento económico. Assim, a necessidade de reassentamento e compensação refere-se ao impacto do empreendimento que causa a perda ou a perda de acesso a quaisquer bens que crescem ou estão permanentemente afixados à terra, como abrigos, edifícios e culturas e também ao impacto que causa perda, ou acesso a uma base de recursos económicos ou meios de subsistência das comunidades locais. Perdas podem ser totais ou parciais. A ausência de título legal para uso e usufruto da terra não limita os direitos à compensação. Deve ser dada preferência a estratégias de reassentamento baseadas em terra para pessoas deslocadas cujos meios de subsistência são baseados em terra. Se terra alternativa suficiente não estiver disponível, opções não baseadas na terra criados em torno de oportunidades de emprego ou trabalho por conta própria devem ser fornecidas em adição à compensação em dinheiro pela terra e outros activos perdidos. As pessoas afectadas pelas ACs devem ser assistidas para melhorar ou restaurar seus meios de subsistência de uma maneira que mantenha a sustentabilidade das reservas e áreas protegidas.

Onde a comunidade que usa os recursos decide restringir o acesso a esses recursos como podia acontecer com a criação pelo Projecto de Áreas de Conservação Comunitárias, desde que o processo de tomada de decisões da comunidade seja considerado adequado pelo Banco, e que forneça a identificação de medidas apropriadas para mitigar quaisquer impactos adversos sobre os membros vulneráveis da comunidade, estas restrições não são consideradas involuntárias.

A necessidade de envolver as comunidades na planificação e implementação de intervenções que resultam dessas políticas é indispensável. Deve-se dar atenção especial às necessidades dos grupos vulneráveis, especialmente aqueles que vivem abaixo da linha da pobreza, sem-terra, idosos, mulheres e crianças e minorias étnicas. As pessoas deslocadas e suas comunidades, e as comunidades anfitriãs que as recebem, devem receber informações oportunas e relevantes sobre direitos e opções, ser consultadas sobre opções de reassentamento e oferecidas opções e alternativas de reassentamento técnica e economicamente viáveis, bem como oportunidades para participar na planificação, implementação e monitoria do reassentamento. Mecanismos de queixas apropriados e acessíveis devem ser estabelecidos para esses grupos.

As medidas necessárias antes do deslocamento incluem provisão de compensação e de outra assistência necessária para a substituição, realocação e preparação e fornecimento de locais de

reassentamento com instalações adequadas. A aquisição de terrenos e activos relacionados só pode ser realizada após o pagamento da compensação.

A compensação em dinheiro por activos perdidos pode ser paga para fontes de subsistência que não sejam baseadas em terra. Os níveis de compensação devem ser suficientes para substituir os activos pelo custo total de reposição nos mercados locais. A compensação em dinheiro por activos perdidos é apropriada quando os meios de subsistência são baseados em terra mas a terra adquirida para o Projecto é uma pequena fracção do activo afectado e o que resta é economicamente viável, garantindo que os níveis de compensação sejam suficientes para a substituição de terras e outros activos a taxas de mercado local.

Conforme necessário, os locais agrícolas com potencial produtivo em locais convenientes devem ser fornecidos como compensação, quando necessário, assegurando que as condições sejam no mínimo equivalentes às vantagens do local antigo. Recursos alternativos ou semelhantes devem ser fornecidos para compensar a perda de acesso a recursos da comunidade, como áreas de pesca e áreas de recursos energéticos como lenha.

Quando necessário e somente para um período de transição, as pessoas afectadas pelo Projecto devem receber apoio após o deslocamento, com base em uma estimativa razoável do tempo que será necessário para restaurar seu sustento e padrões de vida anteriores. Eles também devem receber assistência de desenvolvimento, além de compensação, como preparação de terras, facilidades de crédito, treinamento ou oportunidades de trabalho, conforme necessário.

O Banco Mundial não cobrirá nenhum custo de reassentamento físico como parte do Projecto Mozbio2.

Existem três tipos principais de **impactos** causados pelas actividades do Projecto que podem causar deslocamento e a necessidade de compensação ou reassentamento involuntário e dois riscos que provavelmente não irão acontecer. Esses são:

- A construção e melhoria de vias de acesso existentes dentro de ACs, a localização de infraestruturas dentro e fora das ACs e a possibilidade de aquisição de direitos de uso da terra fora das ACs para actividades de desenvolvimento económico relacionadas ao Projecto que resultam em pessoas perdendo acesso ou uso de terras nas quais eles tinham activos ou exerceram actividades económicas ou de subsistência.
- Também é possível que durante a construção de vias de acesso em particular, mas também outras infraestruturas e edifícios, que os construtores inadvertidamente causem danos aos bens das pessoas, como culturas e estruturas de abrigos ou outras, por exemplo.
- Concessões para gestão de recursos naturais ou turismo podem ser criadas como parte do Projecto e se os esforços para garantir a posse envolvem a aquisição de títulos de direitos de uso de terra (DUAT), então existe a possibilidade de pessoas perderem acesso ou uso de terra em que eles tinham activos ou exerceram actividades económicas ou de subsistência.
- Existe também uma possibilidade remota de conflitos com a fauna bravia, tornando-se um risco tão elevado que as pessoas têm que ser reassentadas involuntariamente para longe da área de alto risco, mas isto é visto como provavelmente limitado a casos isolados.
- Além disso, a possibilidade de reassentamento voluntário de uma grande percentagem de agregados familiares numa aldeia ou assentamento torne inviável a permanência para algumas famílias que restam (devido à vulnerabilidade ou retirada de serviços, perda de apoio social). Este impacto também é visto como limitado

A **mitigação de impacto** está sendo abordada no nível do Projecto, através de várias acções que irão mitigar a maioria dos impactos e, em muitos casos, evitá-los completamente. Um Quadro de Processos de participação foi desenvolvida para o Projecto para indicar as maneiras pelas quais as pessoas afectadas pelo Projecto participarão na tomada de decisões sobre acções de mitigação e gestão que irão afectá-las. O objectivo de sua participação é de garantir que as medidas sejam

planificadas de maneira adequada para garantir a melhoria ou a restauração dos meios de subsistência e dos padrões de vida.

As salvaguardas ambientais do Projecto utilizarão um processo de triagem de actividades de construção e subprojectos propostos que podem resultar em uma Avaliação Ambiental (e Social) (EAS) simplificada. A triagem envolverá uso duma ferramenta para identificar os riscos de potencialmente afectar os direitos individuais ou comunitários de uso da terra, a ocupação ou o nos locais especificados pelos proponentes. A EAS simplificada deve recomendar medidas de prevenção e mitigação para minimizar os impactos. Quaisquer perdas de acesso, uso e direitos à terra devem ser compensadas e, portanto, serão tratadas de acordo com este QPR.

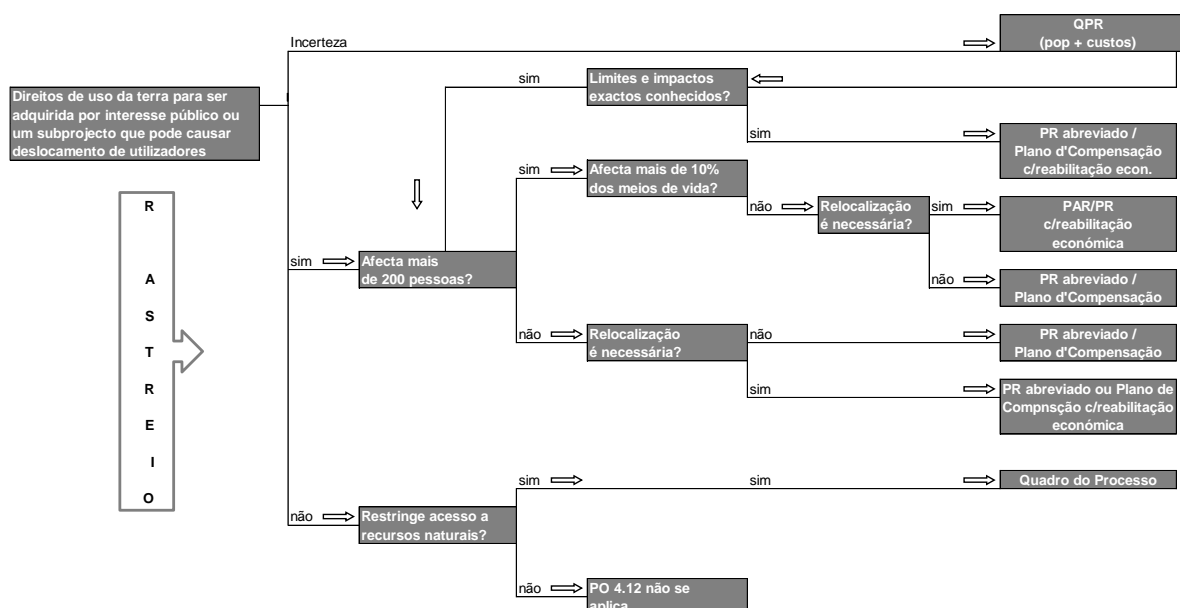
Se a magnitude do impacto envolver mais de 40 famílias ou aproximadamente 200 pessoas, a avaliação ambiental e social incluiria, então, a colecta de dados básicos socioeconómicos e uma análise de impacto. Como se espera apenas ter impactos menores das actividades do Mozbio2 envolvendo a aquisição de direitos de uso da terra, a avaliação da aquisição de terras normalmente seria um exercício de baixo custo e curta duração.

Um Protocolo de Regularização de Posse de Terra (PRPT) está sendo finalizado para orientar o diálogo e a consulta para verificação e consolidação de posse dos direitos de uso da terra pelos participantes directos do Projecto nas paisagens alvo dos projectos da FNDS. Como tal, este Protocolo também será aplicado a Mozbio2 para orientar a ferramenta de triagem que será usada para avaliar a situação de posse de direitos de uso de terra como linha de base de qualquer subprojecto proposto ou local de construção. Contudo, no caso de actividades com impactos menores que não precisam de um EAS, o PRPT será usado para decidir se um Plano de Reassentamento (PR) abreviado ou um Plano de Compensação (PC) é necessário.

É importante registar as atitudes e expectativas da comunidade nesse estágio, e o processo deve ser encerrado com um documento formalmente assinado, registando os resultados da Avaliação e o acordo sobre o caminho a seguir.

Com base no PRPT, o Banco Mundial aconselhará o FNDS, se um PR abreviado ou um PC precisa de ser preparado, e se outras acções correctivas precisarem ser tomadas. Se um PR abreviado ou um Plano de Compensação for acordado, este será preparado de acordo com os requisitos deste QPR. Se um PAR completa for necessária, o subprojecto ou projecto de construção não será elegível para financiamento através da Mozbio2.

Ilustração 1 Que instrumento de reassentamento deve ser usado?



Para áreas onde possam ser estabelecidos subprojectos que envolvam a aquisição de títulos de direitos de uso da terra, espera-se que quaisquer detentores de direitos anteriores consultados durante o processo de aquisição do DUAT entrem em acordo sobre participação nos benefícios (isso pode ser registrado através do processo PRPT). Se este for o caso, não há necessidade de compensação e os acordos seriam guiados pela Quadro dos Processos de participação do Projecto.

O zoneamento do nível macro é incluído como parte do desenho do Projecto, e envolve partes interessadas de níveis mais altos e locais que podem trazer várias questões para a discussão e terminarão com a chegada ao acordo sobre quais áreas devem ser usadas para quais finalidades. Medidas que evitam ou mitigam os impactos directos nos agregados familiares que causam danos ou perdas de propriedade serão requisitos importantes de zoneamento. Quando o zoneamento não protege a propriedade dos indivíduos, a compensação apropriada deve ser acordada e paga de acordo com as diretrizes deste QPR. O Quadro dos Processos participativos do Projecto deve ser usada para orientar a mitigação dos impactos e a gestão de todos os outros resultados de zoneamento dentro e ao redor das áreas protegidas, onde o uso de recursos pelas comunidades é restrito.

A delimitação de terra comunitária envolve micro-zoneamento que identifica recursos usados e será usado para identificar claramente as expectativas da comunidade sobre benefícios, caso algum empreendimento promovido por um investidor seja realizado em partes específicas de sua área delimitada. Em circunstâncias gerais esses resultados irão referir ao Quadro de Processos participativos do Projecto, quando um Acordo Comunitário acompanhará a cessão de qualquer terreno da comunidade para actividades de desenvolvimento econômico promovidas pelo Projecto e estipulará as condições acordadas. Se a terra cedida pela comunidade contiver propriedades de indivíduos que involuntariamente perderão o uso delas, assim dando-os o direito a uma compensação individual; isso será guiado pelos princípios e procedimentos deste QPR.

É improvável que a construção de infraestruturas dentro das ACs afecte a propriedade das pessoas devido ao baixo número de residentes.

O Projecto incluirá uma opção de financiamento para apoiar a realocação voluntária, que será uma importante medida de mitigação para evitar conflitos entre humanos e fauna bravia. Se assumido, será promovido pelos gestores da AC, para que as solicitações formais de assistência para deixar uma AC sejam apoiadas. Será feito um Acordo Comunitário que identifique a continuação dos direitos aos benefícios das famílias a saírem de uma AC e, para as que remanescem, as obrigações de desempenhar esforços para conservação associadas à concessão de benefícios. Os detalhes desse processo são abordados no Quadro de Processos participativos do Mozbio2 e no Guião de Reassentamento Voluntário que está a ser finalizado para o Projecto.

A relocação voluntária será uma responsabilidade conjunta da Administração da AC e dos Governos Distritais que deverão a acordar sobre locais, planificação, financiamento, preparação e, finalmente, a ajuda às pessoas a se mudarem. Todos os locais que serão usados para reassentamento devem ser rastreados para verificar os direitos anteriores de uso e ocupação. Onde locais são identificados para reassentamento que são usados ou ocupados por terceiros que não estão dispostos a sair ou compartilhar o local sem compensação, as UGPs garantirão que a equipa da gestão da AC e os Governos dos Distritos não prossigam com o reassentamento voluntário apoiado pelo Projecto para o tal local.

Elegibilidade para compensação

Para evitar reclamações de pessoas que chegam após a data limite, um censo de pessoas deslocadas e seus bens deve ser realizado no momento da declaração da data limite para identificar aqueles que são elegíveis para compensação. Isso identificará os ocupantes elegíveis e estabelecerá o tamanho e a qualidade das estruturas existentes, o uso actual da terra e outras informações relevantes.

Os prováveis deslocados (economicamente) podem ser categorizados em três grupos; Indivíduos Afectados, Agregados Familiares Afectados e Grupos Vulneráveis (que podem incluir pessoas

afectadas pelo HIV / SIDA, órfãos, idosos, mulheres chefiadas por agregados familiares, etc.). Grupos particularmente vulneráveis terão atenção especial a eles, identificando suas necessidades do estudo socioeconómico e de linha de base da EAS, para que (i) sejam individualmente consultados e tenham a oportunidade (isto é, não deixem) de participar nas actividades do Projecto, ii) que sua compensação é desenhada para melhorar seu sustento da situação pré-projecto (iii) é dada especial atenção para monitorá-los para garantir que seus meios de subsistência antes do projecto sejam efectivamente melhorados, (iv) receberão assistência técnica e financeira, se assim o desejarem fazer uso dos mecanismos de reclamação do Projecto, e (v) as decisões concernentes a eles são tomadas no menor tempo possível.

O banco de dados de inventário de bens será usado para identificar todas as propriedades que precisarão de compensação ao nível individual e da comunidade.

A decisão sobre os direitos a compensação será tomada pela FNDS / UGP após a análise de todos os casos. Cada família elegível a compensação ou outra assistência deve então ser informada sobre a base da decisão e as opções de assistência que ela tem. Esse processo deve ser documentado para o Plano de Reassentamento / Plano de Compensação (PR / PC), incluindo as decisões tomadas e suas razões em cada etapa do caminho. Caso sejam apresentadas queixas contra decisões sobre elegibilidade, estas devem ser tratadas através dos procedimentos estabelecidos para comunicar e resolver reclamações.

Os princípios para cálculo de compensação do Banco Mundial serão utilizados para assegurar que as normas nacionais cumprem com os requisitos do Banco Mundial. Eles são: a) o uso de custos de substituição para estruturas afectadas; (calculado com base nos preços actualizados de materiais e mão-de-obra no mercado local), b) a inclusão de custos de transacção no valor de compensação e, c) o custo de reposição sem considerar a depreciação.

Portanto, as últimas tabelas do Governo de compensação vigentes no momento do cálculo da compensação necessária devem ser utilizadas, levando em conta a inflação acumulada entre a data de emissão e a data de avaliação. As taxas oficiais documentadas de inflação serão usadas para este propósito. Caso o valor resultante seja menor do que os preços resultantes de uma avaliação objectiva dos preços a um valor de plena substituição dos mesmos produtos no mercado local, será adoptado um preço justo e do lado mais alto da média encontrada para cada activo no local similar e em locais próximos.

Caso os bens não estejam listados em tabelas oficiais de compensação e / ou bens de substituição iguais não estejam disponíveis no mercado local, especialistas técnicos devem ser contratados para avaliar o valor do mercado actual, o que determinaria o valor final da compensação por unidade.

Como o cálculo da compensação pela perda (temporária) de outros meios de subsistência (cessação temporária da actividade económica) não é mencionado na legislação, estes serão estimados com base nos princípios do Banco Mundial.

Os acordos de compensação individual e comunitária serão formalmente documentados e assinados com cópias entregues aos beneficiários da compensação e o MITADER / FNDS manterá os registos por um período mínimo de cinco anos depois da compensação ter sido completamente pago.

Responsabilidades institucionais

A UIP do MozBio2 no Fundo Nacional de Desenvolvimento Sustentável do MITADER (FNDS) é responsável pelas operações do Projecto, incluindo a planificação e a implementação de Planos de Reassentamento abreviados / Planos de Compensação. Especialistas de salvaguardas para todos os projectos do FNDS estão baseadas na Equipa Transversal de Apoio aos Projectos do FNDS ao nível central. Sob o Gestor de Pelouro de Gestão dos Projectos existe o Coordenador de Projecto da Fase 2 do MozBio.

O FNDS estabelecerá Unidades de Gestão de Paisagem (UGPs) nos distritos de Sussundenga e Marromeu, enquanto que para o distrito de Matutuine o apoio virá da UIP central. No nível de paisagem da AC, as UGPs coordenarão e monitorarão o progresso da implementação do Projecto e interagirão com as autoridades do Distrito. A UGP terá um coordenador e terá especialistas técnicos (infraestruturas e áreas de cadeias de valor e um especialista em desenvolvimento sustentável que será responsável pelas actividades de salvaguardas) e apoio administrativo (contabilista). Eles reportam ao Coordenador Nacional da FNDS / Pelouro de Gestão de Projectos e aos Directores Provinciais da DPTADER.

A UIP de Mozbio2 liderará a preparação e implementação de PR / PC através de serviços prestados pelas UGPs. A preparação e implementação do PR / PC será feita em coordenação com o Governo Distrital, a Administração da AC e a UGP. O processo de compensação requer a conscientização da comunidade sobre os procedimentos e prazos para a implementação da compensação, bem como o desenvolvimento de todo o Projecto. Esta actividade de sensibilização é de responsabilidade da UIP e as UGPs. A assistência técnica da Equipa Transversal de Apoio aos Projectos do FNDS será necessária para garantir que todos os procedimentos sejam compreendidos pelos homens e mulheres envolvidos na implementação. Eles também podem precisar da ajuda de um especialista em comunicação, possivelmente do Gabinete de Imagem e Comunicação da FNDS ou contratado, que também será responsável pela comunicação externa.

A UIP do Mozbio2, através da UGP e da gestão da AC, assegurará que as famílias a quem a compensação foi paga pela perda de ativos produtivos recebam parcelas de terra para agricultura com título sempre que possível, e que a parcela de terra não seja vendida curto tempo depois de ser recebida.

O FNDS garantirá que os contratados sejam instruídos para que não comecem a trabalhar nos locais do Projecto ocupados ou utilizados até que os bens sejam compensados e as áreas fisicamente desocupadas. Onde foram criados a nível comunitária (vê em baixo), Comités Comunitárias precisarão de fornecer à FNDS um relatório com informações suficientes para garantir que essa conformidade possa ser registada.

O Pelouro de Gestão de Projectos da FNDS será responsável por supervisionar a coordenação intra- e interdepartamental e por garantir o cumprimento da divulgação pública, participação e consulta.

A **nível distrital**, o SDAE e o SDPI apoiarão a avaliação de bens produtivos e de bens não produtivos, quando necessário, e apoiarão no rastreio de subprojectos para identificar a magnitude dos impactos. A comunicação entre estes Serviços e os gestores da AC e UGPs será importante para contribuir para o redesenho de actividades, locais ou acordos com os PAPs para reduzir ou evitar impactos sempre que forem detectados através de PRPTs.

Duas ACs já possuem equipes de Desenvolvimento Comunitário que podem estar envolvidas na realização de estudos de referência e no monitoramento da implementação de PRs / CPs. Em Marromeu, nenhuma das ACs tem oficiais de Desenvolvimento Comunitário. Dois Facilitadores de Desenvolvimento Comunitário por cada Paisagem são recomendados no Quadro de Processos participativos da Mozbio2, e serão essas pessoas que serão responsável por auxiliar na colecta de informações, planificação e implementação da compensação.

Durante a preparação do PR / PC pelo assistente de Salvaguardas Sociais na paisagem, esta pessoa irá treinar e supervisionar um Facilitador de Desenvolvimento Comunitário na paisagem, para que eles possam posteriormente apoiar a implementação de PR / PC e o pagamento de compensação. O assistente de Salvaguardas Sociais coordenará o envolvimento do SDAE, do SDPI e do SDSMAS, do Gestor da CA, dos Facilitadores do Desenvolvimento Comunitário e outros relevantes para a implementação do processo.

A equipe de salvaguardas da UGP delegada para trabalhar no Projecto, a equipe ambiental do Município de Marromeu e os Governos Distritais, e as autoridades locais coordenarão, monitorarão e

supervisionarão a consulta e participação da comunidade na implementação do PR / PC, a nível local. A equipe da UGP coordenará as actividades nos distritos e fornecerá informações ao Coordenador da UIP. A UGP deve garantir que uma cópia de todas as informações sociais colectadas localmente seja mantida nos escritórios da UIP da FNDS.

É improvável que a escala de actividades precisará de qualquer organização de **nível comunitário** - como Comitês de Compensação (CCs), entretanto, onde interações sejam feitas directamente com as comunidades, estas devem ser feitas através das autoridades locais, líderes locais e somente depois destes, directamente com as pessoas afectadas.

No início do processo de implementação, se o número de famílias afectadas por uma actividade ou subprojecto for igual a 40 ou mais, um Comitê de Compensação (CC) de subprojecto será estabelecido para representar e defender os interesses desses grupos. O CC incluirá representantes das várias áreas afectadas de acordo com suas divisões administrativas. Os CCs devem ser treinados em questões sociais e de gestão e devem ser apoiados por Facilitadores de Desenvolvimento Comunitário.

Os membros do Comitê devem incluir pelo menos 40% de mulheres e, de preferência, uma percentagem ainda maior, para que sua representação seja adequada. Os Facilitadores de Desenvolvimento Comunitário organizarão a criação e o desenvolvimento da capacidade dos comitês. Esses comitês serão pontos focais importantes para a implementação e resolução de questões de compensação, e serão mecanismos para ligação aos Facilitadores de Desenvolvimento Comunitário, aos contratados, autoridades locais, município, governo distrital, pessoal de salvaguardas da UGP e UIP de Mozbio2.

Todos os Planos abreviados de Reassentamento / Planos de Compensação (PR / CP) serão submetidos à UIP da FNDS e ao Banco Mundial para revisão e aprovação antes que a compensação seja concedida e subsequentemente, o início dos trabalhos de construção ou outras actividades do sub-projecto.

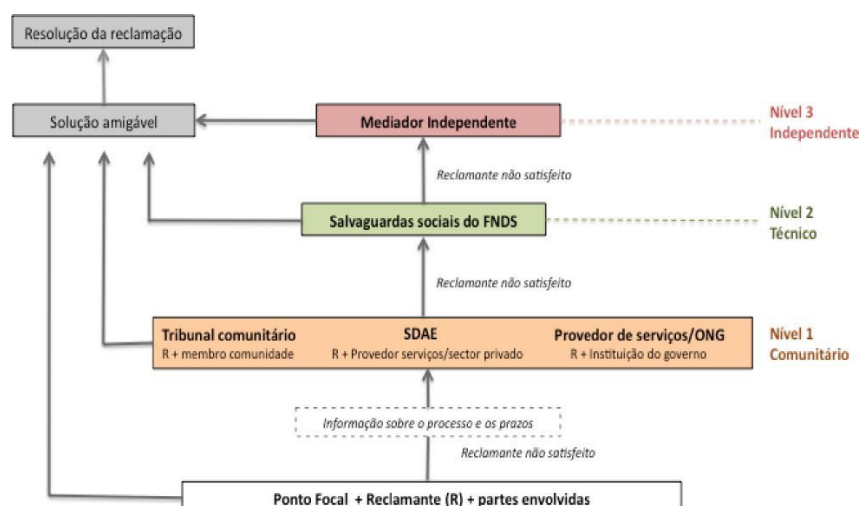
Consulta, Queixas e Monitoramento

O processo de preparação do PR / PC é participativo e através de consultas durante os estudos socioeconômicos e avaliações de impacto, os potenciais conflitos e canais de comunicação para as reclamações devem ser identificados. O processo de consulta deve envolver todas as pessoas potencialmente afectadas. Durante e após a implementação, as consultas individuais e em grupo devem continuar a verificar o progresso dos acetados em assumir novas actividades de subsistência e em restaurar as suas vidas aos níveis anteriores aos impactos do Projecto.

O Mozbio2 contará com o Mecanismo comum de Reclamações e Reparações que foi estabelecido para todos os projectos incluídos na Carteira Integrada de Gestão da Paisagem do Banco Mundial em Moçambique - denominado "Mecanismo de Diálogo e Reclamações (MDR)"². Um esboço disto é mostrado abaixo:

² Veja: <https://drive.google.com/file/d/1qJ6SgclpBP9n7gVs6hiwchUqWyqE37LL/view>

O processo de resolução de reclamações de acordo com o MDR



As reclamações são feitas directamente aos destinatários do primeiro nível ao nível da comunidade, onde eles podem ser resolvidos imediatamente, se possível. Caso necessitem de apoio técnico dos Especialistas em Salvaguardas Sociais da FNDS ou decisões da gestão do FNDS, estes podem ser solicitados como um recurso de segundo nível. Finalmente, se um caso não puder ser resolvido internamente, ele pode ser encaminhado pelo FNDS (com a concordância do reclamante) para um mediador independente para resolução.

As reclamações deverão, na medida do possível, ser resolvidas de maneira amigável e a nível local de acordo com os regulamentos e critérios do Manual de Implementação do Projecto. Se para a resolução do caso for necessário considerar compensações adicionais significativas, medidas correctivas complexas ou a imposição de sanções, estas devem estar em linha com as regras operativas do Projecto, o quadro legal nacional, e as políticas do Banco Mundial (particularmente as salvaguardas sócio ambientais).

Decisões sobre resolução e comunicação ao reclamante devem ser tomadas em tempo hábil em todos os níveis. Se as pessoas afectadas não ficarem satisfeitas com o processo informal do MDR, ou porque a natureza da queixa requer um apelo a um nível mais alto, a legislação nacional prevê a apresentação de queixas em vários sectores nos níveis mais altos do Governo, como Directores Nacionais e Ministros.

Além disso, caso uma das partes esteja insatisfeita, a parte afetada pode levar a queixa ao tribunal, onde será tratada de acordo com a lei moçambicana. Em princípio, uma comunidade pode levar uma empresa a tribunal por não cumprir os termos de um plano de gestão ambiental. Todos os cidadãos têm o direito de apresentar denúncias ao Ministério Público, que é responsável por assegurar a correcta aplicação da lei, particularmente no desenvolvimento de instrumentos de gestão territorial e sua implementação.

O FNDS garantirá que um "Registo de Reclamações" seja mantido no nível da paisagem. Em todos os casos em que são feitas reclamações sobre a implementação das actividades do Projecto, o FNDS é obrigado a investigar a reclamação e resolvê-la internamente, aplicando o Quadro do Processo e o MDR em uso no Projecto e retornando a resposta dentro de um período inferior a 15 dias.

A gestão do MDR é de responsabilidade do MITADER/FNDS que deve assegurar a implementação com apoio de parceiros e o Governo a nível provincial e local.

Os assistentes de salvaguardas das UGP, oficiais comunitários das Áreas de Conservação e os técnicos de manejo comunitário a nível do DPTADER são os pontos focais do MDR e portanto, responsáveis de

receber, tramitar, investigar e acompanhar o processo de resolução das reclamações. Para reclamações que não possam ser resolvidas informalmente, os oficiais de salvaguardas e oficiais comunitários serão responsáveis por canaliza-las a outras instancias de decisão (de acordo com o definido no Passo 4 do Procedimento no Manual de MDR) e manter informados aos reclamantes.

O FNDS é responsável pelo monitoramento através do sistema do MDR alojado no Sistema de Informação de Salvaguardas (SIS) da plataforma da medição, relatório e verificação (MRV) do REDD+ para realizar a monitoria das reclamações. Os sistemas de monitoria e avaliação do Projecto devem incluir indicadores para medir a eficiência da monitoria e resolução das reclamações e incorporá-la no Quadro de Resultados do Projecto.

Ao nível da comunidade, os comitês de co-gestão serão os principais fóruns envolvidos no monitoramento participativo. Todas as estruturas de gestão da comunidade ligadas às autoridades locais e ao Conselho de Administração da AC devem ouvir, verificar e responder a queixas à medida que os direitos são compreendidos e aceitos ou mudam com o tempo.

Caso a escala de compensação tenha requerido a criação de CCs, e a Comissão Distrital de Reassentamento estiver envolvida, então estes, os oficiais da UGP e da AC serão responsáveis pela coordenação de seus membros para monitorar e supervisionar a preparação e implementação de PR / PC. As equipes técnicas monitorarão regularmente a situação dos grupos vulneráveis por meio de consultas e, quando necessário, o trabalho de acompanhamento com comunidades e indivíduos identificará atividades e fontes de renda que podem melhorar seu bem-estar.

Por fim, as comunidades e indivíduos afectados pelo Projecto podem enviar reclamações para atendimento do Serviço de Reparação de Reclamações do Banco Mundial ou ao seu Painel de Inspeção Independente que determina se o dano ocorreu ou poderia ocorrer como resultado do descumprimento de políticas e procedimentos do Banco. Para obter informações sobre como enviar reclamações ao Serviço de Reparação de Reclamações corporativo do Banco Mundial, visite <http://www.worldbank.org/en/projects-operations/products-and-services/grievance-redress-service>. Para obter informações sobre como enviar reclamações ao Painel de Inspeção do Banco Mundial, visite www.inspectionpanel.org.

Os custos estimados das actividades de compensação e mitigação são de aproximadamente US \$300,000. Os custos estimados apresentados neste QPR serão actualizados durante a implementação do Projecto.

Executive Summary

Introduction and Background

This Resettlement Policy Framework was prepared for the Mozambique Conservation Areas for Biodiversity and Development Project - Phase 2 (Mozbio2). The document constitutes a World Bank (WB) safeguard instrument triggered by OP 4.12. The document was prepared during project design on the basis of identified social risks and assessment of potential policy triggers. The document was produced on the basis of consultation with the Administrators and Conservation Area (CA) team members in all target ACs, along with a wide range of interviews carried out with various stakeholders. Interviews and on-going dialogue with Mozbio staff at national level and others involved in the design of Mozbio2 were conducted throughout the working period.

Mozbio2 Project description

Objective. The Mozambique Conservation Areas for Biodiversity and Development Project - Phase 2, is part of a series of projects aiming to contribute to conservation and development. The Project Development Objective is to improve *management of targeted Conservation Areas Landscapes and enhance the living conditions of communities in and around these Conservation Areas*. Like Mozbio (1), Mozbio2 has been classified as a category B project since potential negative environmental and social impacts will be minor, specific to each site, reversible and manageable.

Components. Mozbio2 is a five-year project with three components: 1) Strengthening Capacity of National Conservation Institutions and Financial Sustainability of the CA system; 2) Improving Conservation Areas Management in target landscapes; and 3) Promoting conservation-compatible rural development and integrated landscape management in target landscapes.

Target groups. The project will target people living in and around target CAs who may be potentially affected by constrained access and use of natural resources for their livelihoods.

Geographic coverage. The Mozbio2 project is being prepared for 3 Conservation Areas Landscapes. These landscapes are made up of different land uses, with one or more conservation areas as a key land use, which is heavily impacted by land uses around it. They are the following:

The Elephant Coast Landscape (Maputo Special Reserve and Ponta Do Ouro Partial Marine Reserve, Inhaca island and Licuáti Forest Reserve)

Chimanimami Landscape (Chimanimani National Reserve and Moribane, Zomba and Maronga Forest Reserves)

Marromeu Complex Landscape (Marromeu National Reserve, and Coutadas 10, 11 and 14)

All three targeted CAs landscapes have unique ecological, geographic, demographic and social characteristics, which calls for context specific operational responses based on project policy instruments.

Social groups requiring special attention. Women face multiple barriers towards gender equality, including lower education, income and decision-making power than men, are harder hit by household or climatic changes and are also the prime victims of gender based violence. Women play a leading role in managing their homes and feeding their families. Youth also require special attention; without being specifically targeted rural youth have few opportunities outside of agriculture and have low participation in mainstream agriculture or development programmes.

General management arrangements. Several institutions from different sectors will be involved in the implementation of the project under the leadership of the Mozbio2 Project Implementation Unit

(Mozbio2 Project Coordination office), within the National Fund for Sustainable Development (FNDS) housed in MITADER.

Resettlement Policy Framework

This Resettlement Policy Framework (RPF) is one of the Social Safeguard instruments produced for the Mozbio2 Project required by the World Bank (WB). Mozbio2 Project design does not anticipate causing any physical displacement of households as a result of its operations, but its land acquisition and site preparation for construction requirements will probably cause displacement impacts on people who may have productive or non-productive assets on these sites.

The objective of the RPF is to lay out the principles and procedures for screening and rejecting any sub-projects or infrastructure that would cause physical resettlement impacts and responding to the remaining limited social and economic impacts by preparing Abbreviated Resettlement Plans. As these will only address the needs for compensation for economic displacement, for clarity, they will also be called Compensation Plans³ in this RPF. The RPF provides guidance on how to identify when these plans are necessary and on their contents. It provides a reference framework for the measures that should be taken to avoid and minimize impacts causing involuntary resettlement, along with the policies and principles guiding compensation where required and indicative costs of the process. It also describes the institutional arrangements associated with involuntary resettlement planning and implementation under Mozbio2. The contents of this document align with national policies and World Bank policies.

The RPF was prepared after wide consultation with key stakeholders and with support from Mozbio and FNDS safeguards and community specialists, to assist with access to technical data and organizational and institutional information. Stakeholders were met in the three landscapes during information gathering visits.

Key lessons learnt from the target CAs and their landscapes during the preparation of this RPF include as yet unsatisfactory management of human-animal conflicts in and outside of core areas of CAs, and lessons drawn from prior experiences of resettlement in and out of CAs in all the targeted landscapes. These point to the key role of the District Government in leading resettlement hosting processes outside of CAs; the need for District Government recognition of *Coutadas* as partially protected areas with a conservation purpose so that they are not used for siting large or medium scale resettlement.

Unmet expectations resulting from past experience of resettlement and compensation levels may be expressed by communities during Mozbio2. It is important that sufficient information be disseminated through a comprehensive communication strategy and that all compensation processes under Mozbio2 be highly participatory, that is, that they effectively engage men, women, youth and vulnerable groups at all stages of the planning and implementation cycle.

When the details of land rights acquisition and resettlement are not fully known or, as in the case of the Project at present, when physical resettlement is not foreseen in the Project design, as a precautionary principle, a Resettlement Policy Framework is necessary to establish the policy principles for public information and discussion in the event any resettlement must take place due directly or indirectly to the Project.

The **principles** outlined in the World Bank's Operational Policy OP 4.12 are used in preparing the Resettlement Policy Framework. These principles and the resettlement measures stemming from

³ As Mozambique legislation does not distinguish the scale of impact correlating minor impacts with simpler resettlement instruments, in order to clarify that no physical resettlement will take place, the use of the term 'Compensation Plan' indicates the difference and as it is not legislated and therefore does not strictly have to meet the full Resettlement Action Plan requirements under Mozambican law, in line with World Bank norms its level of detail will reflect the magnitude and level of complexity of the economic displacements caused by the Project.

them will apply to all sub projects and activities of MozBio2, whether or not the scale and complexity of compensation and resettlement issues require preparation of a Resettlement Plan (RP).

The World Bank policy applies to all components of the Project that result in involuntary loss of property, regardless of the source of financing. Consequently, if a non-World Bank-financed activity that causes resettlement is part of the design or performance of the project financed by the Bank, (or if the sequencing of activities results in resettlement occurring at the same time as implementation of the Project), the OP 4.12 will be triggered. A due diligence approach will be required if any associated activities not financed by the World Bank but relevant to Mozbio2 performance cause resettlement or compensation during the Project implementation period.

Resettlement covers physical displacement and economic displacement. Thus the need for resettlement and compensation refers to the impact of the development activity causing the loss of, or loss of access to, any assets growing on or permanently affixed to the land, such as shelters, buildings and crops and also to the impact causing loss of or access to an economic resource base or local communities' means of livelihood. Losses may be total or partial. The absence of legal title to use and usufruct of the land does not limit rights to compensation. Preference should be given to land based resettlement strategies for displaced people whose livelihoods are land-based. If sufficient alternative land is not available, non-land-based options built around opportunities for employment or self-employment should be provided in addition to cash compensation for land and other assets lost. People affected by CAs should be assisted to improve or restore their livelihoods in a manner that maintains the sustainability of reserves and protected areas.

Where the community using the resources decides to restrict access to these resources as would be the case in any Community Conservation areas created by the Project, provided the community decision-making process is deemed adequate by the Bank, and that it provides for identification of appropriate measures to mitigate any adverse impacts on the vulnerable members of the community these restrictions are not considered involuntary.

The need to involve communities in the planning and implementation of interventions that result from these policies is indispensable. Particular attention must be paid to the needs of vulnerable groups, especially those living below the poverty line, the landless, the elderly, women and children and ethnic minorities. Displaced people and their communities, and host communities receiving them, should be provided timely and relevant information on rights and options, consulted on resettlement options, and offered choices and provided with technically and economically feasible resettlement alternatives as well as opportunities to participate in planning, implementing, and monitoring resettlement. Appropriate and accessible grievance mechanisms must be established for these groups.

Measures required prior to displacement include provision of compensation and of other assistance required for replacement, relocation, and preparation and provision of resettlement sites with adequate facilities. The taking of land and related assets may be carried out only after compensation has been paid.

Cash compensation for lost assets can be paid for livelihood sources that are not land-based. Compensation levels should be sufficient to replace the assets at full replacement cost in local markets. Cash compensation for lost assets is appropriate when livelihoods are land-based but the land taken for the project is a small fraction of the affected asset and the residual is economically viable, ensuring that compensation levels are enough for replacement of land and other assets at local market rates.

As required, agricultural sites with productive potential in convenient locations should be provided as compensation where necessary, ensuring that conditions are at a minimum equivalent to the advantages of the old site. Alternative or similar resources should be provided to compensate for the loss of access to community resources such as fishing areas and fuel resource areas.

When necessary and only for a transition period, project affected people should be offered support after displacement based on a reasonable estimate of time likely to be needed to restore their livelihood and previous standards of living. They should also be provided with development assistance, in addition to compensation such as land preparation, credit facilities, training, or job opportunities, as necessary.

The Government is not requesting World Bank financing for any costs of involuntary physical resettlement as part of the Mozbio2 project.

There are three main types of **impacts** caused by project activities that could cause displacement and the need for compensation or involuntary resettlement and two risks that are not likely to occur. These are:

- The construction and improvement of existing access roads inside CAs, infrastructure siting in and outside of CAs and the possibility of land-use rights acquisition outside of CAs for project related economic development activities that result in people losing access or use of land on which they had assets or exercised economic or subsistence activities.
- It is also possible that during construction of access roads in particular, but also other infrastructure and buildings that constructors inadvertently cause damage to people's assets such as crops and shelter or other structures for example.
- Concessions for natural resource management or tourism may be created as part of the Project and should efforts to secure tenure involve formal land rights (DUAT) title acquisition, then there is a possibility of people losing access or use of land on which they had assets or exercised economic or subsistence activities.
- There is also a remote possibility of conflicts with wildlife becoming such a high risk that people have to be involuntarily resettled away from the high-risk area but this is foreseen to be limited to isolated cases.

Impact mitigation is being addressed at the level of Project design through a number of actions that will mitigate most impacts and in many cases, avoid them altogether. A Process Framework has been developed for the Project to indicate the ways in which Project affected people will participate in taking decisions about mitigation of impacts and management of decisions that will affect them. The objective of their participation is to ensure that decisions to reduce or eliminate use of natural resources in a protected area include mitigation actions to ensure livelihoods and standards of living are not undermined.

The Project's environmental safeguards will make use of a screening process for proposed construction activities and sub-projects that may result in a simplified Environmental (and Social) Assessment (ESA). Screening will involve a tool to identify the risks of potentially affecting individual or community land use rights, occupancy or use at targeted sites. The simplified ESA must recommend avoidance and mitigation measures to minimize impacts. Any losses of access, use and rights to land must be compensated and thus will be addressed according to this RPF.

If the magnitude of impact is likely to involve more than 40 families or approximately 200 people environmental and social assessment would then include a socioeconomic baseline and impact analysis as well. As the activities of Mozbio2 involving acquisition of land use rights are only expected to have minor impacts, assessment of land acquisition impacts would usually be a low-cost, short-duration exercise.

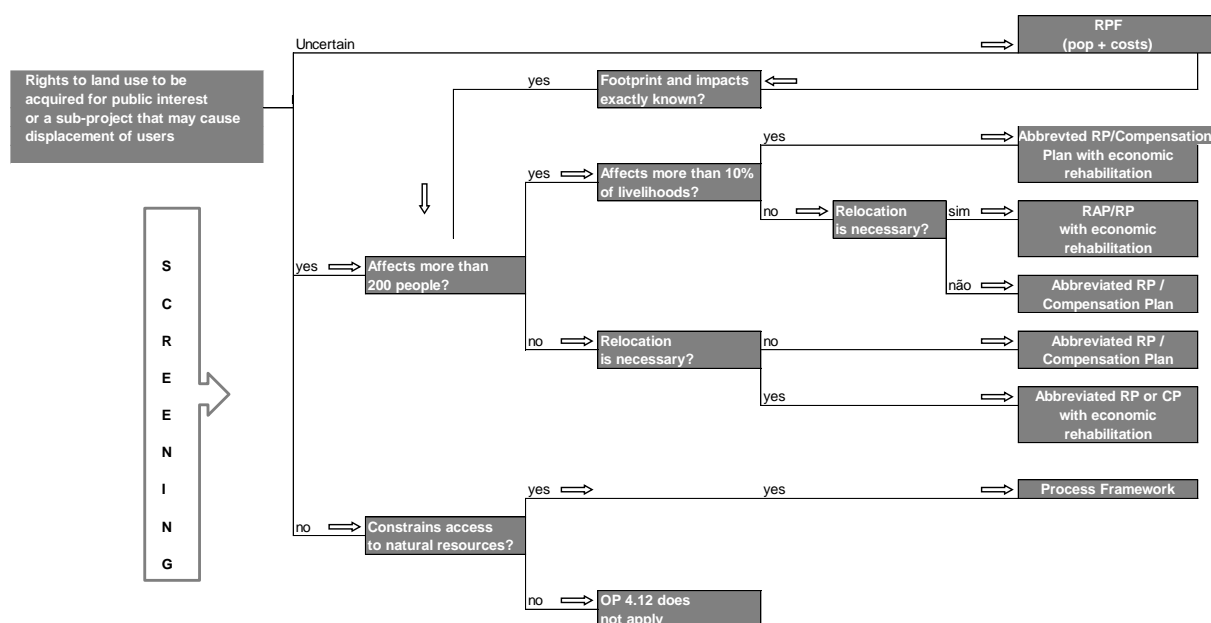
A Land Tenure Regularization Protocol (PRPT) is being finalized to guide the verification of land use and occupation status, as part of the strategy to consolidate land tenure rights by direct project participants in the target landscapes of FNDs projects. As such, this Protocol will also be applied to Mozbio2 to guide the screening tool that will be used to assess the baseline tenure situation of any

proposed sub-project or construction site. However, in the case of activities with minor impacts when an ESA is not required, the PRPT will be used in order to decide whether an RP/CP is necessary.

It is also important to record community attitudes and expectations at this stage, and the process should be closed with a formally signed off document recording the outcomes of the Assessment and agreement of all parties concerned on the way forward.

On the basis of the PRPT the World Bank will also advise the FNDS if an abbreviated RP or Compensation Plan (CP) needs be prepared, and if other remedial actions need to be taken. If, an abbreviated RP or CP is agreed to, this will be prepared according to the requirements of this RPF. If a full RAP is required the sub-project or construction project will not be eligible for financing through Mozbio2.

Figure 1-1 What resettlement instrument should be used?



For areas where sub-projects may be established that involve the acquisition of land use rights title, it is expected that most prior rights holders consulted during the DUAT acquisition process will enter into an agreement on benefit sharing (this may be registered via the PRPT process). If this is the case there is no need for compensation and the agreements would be guided by the Project's participation Process Framework.

Macro zoning is included as part of the project design. It involves high and local level stakeholders who can bring various issues to the discussion that will end with agreement on which areas are to be used for what purposes. Avoidance or mitigation measures to minimize direct impacts on households of property damage or loss that cause households to lose property or access to it, will be important zoning requirements. Where zoning exposes individuals' property to risks of damage or loss due to construction activities, concession applying for new land rights acquisition, or risks of severe conflicts with wildlife requiring involuntary resettlement, appropriate compensation must be agreed on and paid according to the guidelines in this RPF. The Project's participatory Processes Framework should be used to guide impact mitigation and management of all other zoning outcomes in and around protected areas where communities' resource use is constrained.

Construction of infrastructure inside CAs is unlikely to affect people's property due to the low numbers of residents.

Eligibility for compensation

To prevent claims from people arriving after the cut-off date, a census of displaced people and their property must be carried out at the declaration time to identify those who are eligible for compensation. This will identify eligible occupants and establish the size and quality of structures, current land use, and other relevant information.

The likely (economically) displaced persons can be categorized into three groups; Affected Individual, Affected Household and Vulnerable Groups (which may include, HIV/AIDS affected persons, orphans, the elderly, women headed households, etc). Particularly vulnerable groups will have special attention paid to them by identifying their needs from the ESA socio-economic and baseline study so that (i) they are individually consulted and given the opportunity (i.e. not left out) to participate in the project activities, (ii) that their compensation is designed to improve their pre-project livelihood (iii) special attention is paid to monitor them to ensure that their pre-project livelihood is indeed improved upon, (iv) they are given technical and financial assistance if they wish to make use of the grievance mechanisms of the project, and (v) decisions concerning them are made in the shortest possible time.

The asset inventory database will be used to identify all property requiring compensation at individual and community level.

The decision about entitlement will be made by FNDS / LMU following analysis of all claims. Each family eligible for compensation or other assistance must then be informed of the basis of the decision and the options for assistance they have. This process must be fully documented for the RP / CP, including the decisions taken and their reasons at every step of the way. Should complaints be lodged against decisions about eligibility, these must be dealt with through the established procedures for communicating and resolving grievances.

World Bank principles for the calculation of compensation will be used to ensure national norms meet World Bank requirements. These are: a) the use of substitution costs for affected structures (calculated on the basis of up-to-date prices of materials and labour in the local market), b) the inclusion of transaction costs in the compensation value, and c) full replacement cost without considering depreciation.

Thus the latest compensation tables in vigour at the time of required compensation calculation will be used, taking into account cumulative inflation between the date of issuance and the valuation date. Official government documented inflation rates will be used for this purpose. Should the resulting value be lower than the prices resulting from an objective assessment of prices at full replacement value for the same products in the local market, a fair high end price for each asset in the local market and similar settings in nearby locations, will be adopted.

In the event that assets are not listed in official compensation tables and / or equal replacement assets are not available in the local market, technical specialists should be engaged to assess current market value, which would determine the final compensation value per unit.

Since the calculation for compensation for the (temporary) loss of other livelihoods (temporary cessation of economic activity) is not mentioned in the legislation, these will be estimated on the basis of the World Bank's principles.

Community and individual compensation agreements will be formally documented and signed with copies delivered to the recipients of compensation and MITADER /FNDS shall keep the records for a minimum period of five years after compensation is fully paid.

Institutional responsibilities

Mozbio2 Project Coordination office in MITADER's **National Sustainable Development Fund (FNDS)** is responsible for Project operations including planning and implementation of abbreviated Resettlement Plans / Compensation Plans. A safeguards team for all FNDS projects is based in FNDS' Transversal Projects Support Team at central level. Under head of the Projects Management Sector is a Project Coordinator for MozBio Phase 2 Project.

FNDS will establish Landscape Management Units (LMUs) in Sussundenga and Marromeu districts, while for Matutuine district the support will come from the central PIU. At the CA landscape level, the LMUs will coordinate and monitor Project implementation progress and interface with the District authorities. The LMUs will have one coordinator and will be staffed with technical specialists (infrastructures and value chain areas and a sustainable development specialist who will be responsible for the safeguards activities) and administrative support (accountant). They report to the national FNDS/ Projects Management Sector Administrator and to the DPTADER Provincial Directors.

The Mozbio2 Project Coordination office will lead the preparation and implementation of RP/CP through services provided by the LMUs. RP/CP preparation and implementation will be made in coordination with the District Government, CA Management and LMU. The compensation process requires community awareness of the procedures and time frames for implementing the compensation as well as the development of the entire Project. This awareness-raising activity is the responsibility of the Mozbio2 Project Coordination office and LMUs. Technical assistance from the safeguards specialists from the FNDS Transversal Project Support Team will be required to ensure that all procedures are understood by the men and women implementing them. They may also need the help of a communication specialist, possibly from the FNDS Office of Image and Communication or outsourced, who will also be responsible for external communication.

The Mozbio2 Project Coordination office through the LMU and the CA management will ensure that the families to whom compensation has been paid for loss of productive assets are provided parcels of land for agriculture with title whenever possible and that the parcel of land is not sold soon after hand-over.

FNDS will ensure that contractors are instructed so that they do not begin work on Project sites that are occupied or used until the assets are fully compensated, and then cleared and areas physically unoccupied. Where created at community level (see below), Compensation Committees will need to provide FNDS with a report with sufficient information to ensure such compliance can be registered.

The Projects Management Sector of FNDS will be responsible for supervising intra- and inter-departmental coordination, and for ensuring compliance with public disclosure, participation and consultation.

At district level SDAE and SDPI will support productive assets and non-productive assets valuation where necessary and will support sub-project screening to identify the magnitude of impacts. Communication between these Services and the CA management and LMUs will be important in contributing to re-design of activities, sites or arrangements with PAPs to reduce or avoid impacts every time they are detected via PRPTs.

Two CAs already have Community Development staff who may be involved in carrying out baseline studies and monitoring the implementation of RPs / CPs. In Marromeu, none of the CAs has Community Development staff. Two Community Officers per Landscape have been recommended in the participatory Process Framework for Mozbio2, and it will be these people who will be responsible for assisting with information collection, compensation planning and implementation.

During the preparation of the PR / PC by the landscape Social Safeguards assistant this person will train and supervise a Community Officer in the landscape so that they can later support PR / PC implementation and the payment of compensation. The Social Safeguards assistant will coordinate

the involvement of SDAE, SDPI and SDSMAS and the CA Managers, Community Officers and others relevant to implementing the process.

The LMU safeguards staff delegated to work on the Project, environmental staff from Marromeu Municipality and the District Governments, and local authorities will coordinate, monitor and oversee community consultation and participation in the implementation of the PR / PC, at the local level. The LMU team will coordinate activities in the districts and provide information to the Project PIU Coordinator. The LMU should ensure that a copy of all locally collected social information is kept at the Mozbio2 Project Coordination office offices.

It is unlikely that the scale of activities will require any **community level** organization set up – such as Compensation Committees (CCs), however, wherever interactions are made directly with communities, these should be made through the local authorities, local leaders and then the directly affected people.

At the beginning of the implementation process, if the number of families affected per activity or subproject area is equal to 40 or more, a subproject Compensation Committee (CC) will be established to represent and defend the interests of these groups. The CC will include representatives of the various affected areas according to their administrative divisions. CCs should be trained in social and management issues and should be supported by Community Officers.

Members of the Committee should include at least 40% women, and preferably an even higher percentage, in order for their representation to be adequate. The Community Officers will organize the creation and development of the capacity of the committees. These committees will be important focal points for implementing and resolving compensation issues, and will be mechanisms for linking with Community Officers, contractors, local authorities, municipalities, the District Government, LMU safeguards staff, and the central PIU.

All draft abbreviated Resettlement Plans / Compensation Plans (RP / CP) will be submitted to FNDS' Projects Management Sector and the World Bank for review and approval before compensation is awarded and subsequent commencement of construction work or other sub-project activities.

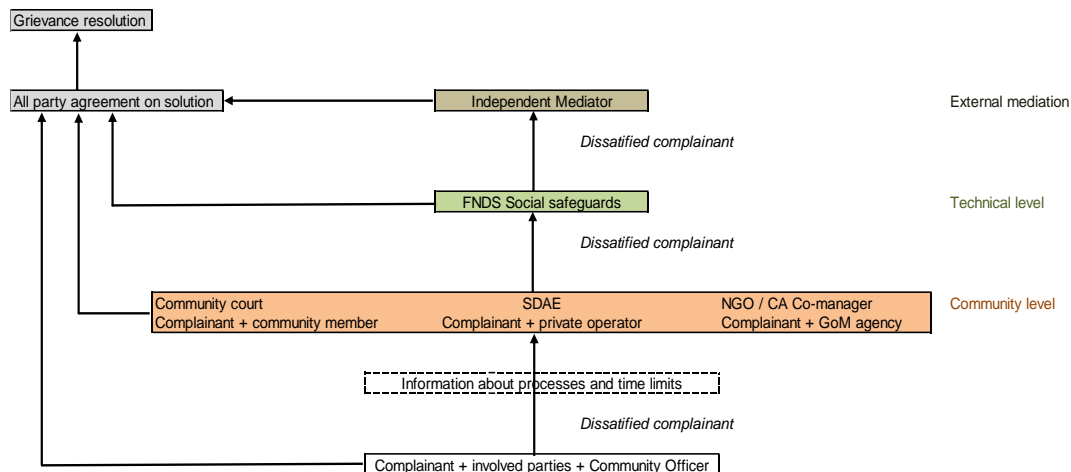
Consultation, Grievances and Monitoring

The RP / CP preparation process is participatory and through consultation during the socio-economic studies and impact assessments, potential conflicts and communication channels for grievances should be identified. The consultation process must involve all potentially affected people. During and after implementation individual and group consultation should continue to verify progress in taking up new livelihoods activities and in restoring their lives to the levels they were prior to the Project impacts.

Mozbio2 will rely on the common Grievance and Redress Mechanism that has been established for all projects included in the World Bank's Integrated Landscape Management Portfolio in Mozambique – called the "Dialogue and Grievance Mechanism (MDR)"⁴. An outline of this is shown below:

⁴ See: <https://drive.google.com/file/d/1qJ6SgclpBP9n7gVs6hiwchUqWyqE37LL/view>

Grievance resolution process outline according to the MDR



Complaints are made directly to first level recipients at community level where these may be resolved immediately if possible. Should they require technical support from FNDs Social Safeguards Specialists or decisions for FNDs management these may be sought as a second level recourse. Finally, should a case not be resolvable internally it may be referred by FNDs (in agreement with the complainant) to an independent mediator for resolution.

Complaints should, as far as possible, be resolved in a friendly manner and at local level in accordance with the regulations and criteria of the Project Implementation Manual. If it is necessary to consider significant additional compensation, complex corrective measures or sanctions, it should be in line with the Project's operational rules, national legal framework, and World Bank policies (particularly social and environmental safeguards).

Decisions on resolution and communication to the complainant must be made in a timely fashion at all levels. Should affected people not be satisfied by the informal process of the MDR, or because the nature of the complaint requires higher level appeal, national legislation provides for making complaints in various sectors at the highest levels of Government such as National Directors and Ministers.

In addition, should either party be dissatisfied, the affected party may bring the complaint to court, where it will be treated in accordance with Mozambican law. In principle, a community may take a Company to court for failing to comply with the terms of an environmental management plan. All citizens have the right to submit complaints to the Public Prosecutor's Office, which is responsible for ensuring the correct application of the law, particularly in the development of territorial management instruments and their implementation.

FNDs will ensure that a "Complaints Register" is maintained at landscape level. In all cases where complaints are made about the implementation of Project activities, FNDs is obliged to investigate the complaint and resolve it internally by applying the Resettlement Policy Framework and MDR manual in use in the Project and returning the response within a period of less than 15 days.

MDR management is the responsibility of MITADER / FNDs which should ensure implementation with support from partners and the Government at provincial and local level.

LMU specialists, Community Officers, CA Community Officers and DPTADER community managers are the focal points of the MDR and responsible for receiving, processing, investigating and monitoring the complaint resolution process. For complaints that cannot be settled informally, safeguards officers and community officials will be responsible for channelling them to other decision-making bodies (as defined in Step 4 of the MDR Manual Procedure) and keep complainants informed.

FNDS is responsible for monitoring through the MDR system housed in the Safeguards Information System (SIS) of the measurement, reporting and verification (MRV) REDD+ platform to monitor complaints. Project monitoring and evaluation systems should include indicators to measure the effectiveness of monitoring and resolution of complaints and incorporate them into the Project Results Framework.

At community level, the co-management committees will be the main forums involved in participatory monitoring. All community management structures linked to local authorities and the CA Management Council should listen to, verify and respond to grievances as entitlements are understood and taken up or as they change over time.

Should the scale of compensation have required the creation of CCs, and the District Resettlement Commission is involved, then these, the LMU and CA Management will be responsible for coordinating their members for monitoring and supervising RP / CP preparation and implementation. Technical teams will regularly monitor status of vulnerable groups through consultation, and where necessary follow-up work with communities and individuals will identify activities and sources of income that can improve their well-being.

Finally, communities and individuals affected by the Project may submit complaints for review to the World Bank Grievance Redress Service (GRS) or to its independent Inspection Panel which determines whether harm occurred, or could occur, as a result of non-compliance with its policies and procedures. For information on how to submit complaints to the World Bank's corporate GRS, please visit <http://www.worldbank.org/en/projects-operations/products-and-services/grievance-redress-service>. For information on how to submit complaints to the World Bank Inspection Panel, please visit www.inspectionpanel.org.

Estimated Costs of compensation and mitigation activities are approximately US \$ 300,000. Estimated costs presented in this RPF will be updated during Project implementation.

1 Introduction

This Resettlement Policy Framework has been prepared for the Mozambique Conservation Areas for Biodiversity and Development Project - Phase 2 (Mozbio2). Project design has triggered the World Bank's policy OP / BP 4.12. The Resettlement Policy Framework has been prepared to address the risks of people's losses of use and occupation of land due to the Project's potential for land use rights acquisition in the buffer zones of targeted Conservation Areas (CAs) and their surrounding landscapes for development of small businesses and value chain linkages, as well as for the need to build and develop access infrastructure and buildings inside CAs to improve operations and tourism revenue as well as social and economic facilities in support of local community development. The threat of wildlife may also cause involuntary displacement of people from their homes during the Project. This document was produced on the basis of consultation with the Administrators and Conservation Area (CA) team members in all target CAs, along with a wide range of interviews carried out with numerous stakeholders in the target landscapes. Interviews and on-going dialogue with Mozbio staff at national level and others involved in the design of Mozbio2 were conducted throughout the working period to assist in understanding institutional arrangements of the Project.

2 Background

2.1 Socio-economic Profile

Mozambique's economy enjoyed positive and stable economic growth between 1993-2014 averaging 7.9% per year. However, the contribution of economic growth to poverty reduction is half of that in other Sub-Saharan Africa countries⁵. As such, poverty remains widespread with 46.1% of Mozambicans still living under the poverty line, affecting 50.1% of the population in rural areas (versus 37.4% in urban areas). Poverty is also more pronounced in the northern region of the country⁶. Evidence shows that poverty is greater in isolated areas as it limits household capacity to generate returns on assets such as land or education⁷.

Multidimensional poverty, that is, poverty characterised by inadequate living standards, access to basic services and human development is also widespread in Mozambique⁸. In 2015 Mozambique ranked 181/188 in the Human Development Index⁹.

A large proportion of the population in rural areas depends on natural resources for their livelihoods and practice subsistence agriculture or fishing. Low production and productivity levels, poor access to markets, low access to financial services and adverse weather conditions are some of the barriers locking people in poverty¹⁰.

Women in Mozambique are poorer, have less space to participate in decision making processes, are more greatly affected by HIV and AIDS due to higher prevalence rates and assumption of caring roles

⁵ <http://www.worldbank.org/en/news/opinion/2016/12/21/picking-up-the-pace-of-poverty-reduction-in-mozambique>

⁶ Ministério de Economia e Finanças, October 2016. Pobreza e Bem-Estar em Moçambique. Quarta Avaliação Nacional, Inquérito ao Orçamento Familiar (IOF) 2014/15.

⁷ WB, 2016. Accelerating Poverty Reduction in Mozambique: Challenges and Opportunities.

⁸ Ministério de Economia e Finanças, October 2016. Pobreza e Bem-Estar em Moçambique. Quarta Avaliação Nacional, Inquérito ao Orçamento Familiar (IOF) 2014/15.

⁹ UNDP, 2016. Human Development Report 2016. Human Development for Everyone: Briefing Notes for Countries on the 2016 Human Development Report, Mozambique.

¹⁰ WB, 2016. Accelerating Poverty Reduction in Mozambique: Challenges and Opportunities.

and are the prime victims of gender based violence. Women's participation in employment and self-employment mostly takes place in the informal market; women earn less than men. In Mozambique, women are largely responsible for day-to-day management of their households, agricultural fields and feeding their families.

As a result of these disparities, women are less able to engage and reduce the impacts of household level changes or in times of crisis¹¹, for example, human-wildlife conflict and involuntary displacement for whatever reason, tend to affect women more. Monitoring impacts on women and men must be disaggregated, and interventions promote gender equality and empowerment of men and women.

2.1.1 Communities in and around Conservation Areas

Communities living in and around Conservation Areas (CAs) are among the poorest, most isolated groups, dependent on natural resources for their livelihoods. Without viable economic alternatives households have little incentive to consistently support environmental protection in the short and medium term. Without targeted investments in education and entrepreneurship in areas where conservation is promoted, the youth, who constitute a large proportion of the population, have few alternative avenues in the future.

3 Mozbio2 Project

3.1 General Project Description

The Government of Mozambique has made considerable investments to date to develop CAs. Mozambique's system of conservation areas is currently made up of seven National Parks, six National Reserves and eleven controlled hunting concessions (or *coutadas*). The use of natural resources by communities living inside and around these areas is threatening the conservation of biodiversity. Commercially oriented illegal exploration of resources like timber, ivory and marine species including sharks, further exacerbate this trend.

The first phase of Mozbio initiated in 2015 targeted 15 CAs and aimed to further strengthen the effective management of the CAs and enhance their contribution to the diversification of economic opportunities of the populations living in and around them. Design of the second phase of the Mozambique Conservation Areas for Biodiversity and Development Project (Mozbio2), is based on four pillars: a) policies, legislation and institutions; b) financial sustainability; c) biodiversity conservation management; and d) community development.

Mozbio2 is a follow up in a series of investment projects implemented in Mozambique over the past two decades. The project intends to build on Mozbio1 results, integrate lessons learned from previous projects and other projects implemented in the country in relevant areas such as those using a landscape approach.

The landscape approach adopted for Mozbio2 is based on the Integrated Landscape Management (ILM) approach of the Ministry of Land, Environment and Rural Development (MITADER). The approach brings together rural development interventions within the administrative boundaries of a province, adapted to the relevant landscape boundaries of target CAs, their buffers and influence areas.

The Mozbio2 project is being prepared for 3 Conservation Areas Landscapes. These landscapes are made up of different land uses, with one or more conservation areas as a key land use, which is heavily impacted by land uses around it. The following three landscapes have been selected: (i) The Elephant

¹¹ INGC, 2016. Plano Estratégico de Género do Instituto Nacional de Gestão das Calamidades 2016 – 2020. INGC a Caminho das Mudanças nas Relações de Género.

Coast Landscape includes two CAs (Maputo Special Reserve [MSR] and Ponta do Ouro Partial Marine Reserve [POPMR], including Inhaca Island, (ii) the Chimanimani Landscape includes the Chimanimani National Reserve [CNR], its buffer zone, three Forest Reserves (Maronga, Moribane and Zomba) and the adjacent land areas in the Sussundenga District, and (iii) the Marromeu Complex Landscape comprises the Marromeu National Reserve, Coutadas 10, 11, and 14, and adjacent land areas in Marromeu, Cheringoma, and Muanza Districts. Two of the CAs, Chimanimani National Reserve and Maputo Special Reserve were also included in the first phase of Mozbio.

Albeit to different degrees, all the buffer zones in the three landscapes need investments in livelihood associated infrastructure and in basic social services. Landscape level macro-zoning will enable CA and landscape stakeholders to define areas destined for different uses. Community level planning through micro-zoning will address sensitive areas where there may be higher risks of human-wildlife conflicts or degradation of the landscape as well as identifying areas for community development opportunities. Communities living in and outside CAs may then become involved in taking responsibility for the stewardship of wildlife and forest resources as well as becoming involved in livelihoods development activities.

The results of macro zoning will be integrated in CA Management Plan updates and District Level Land Use Plans (PDUTs), which define the areas of preferential use, occupation norms and use of land and natural resources.

Like the first phase of Mozbio, Mozbio2 has been classified as a category B project since potential negative environmental and social impacts will be minor, specific to each site, reversible and manageable.

Mozbio2 will provide enhanced and systematic support to the development of sustainable local livelihoods in and outside of the CAs. International and national experience indicates that when household and community needs are not met and future prospects are not sizeable, communities have limited incentives to actively engage in the protection of natural resources and contribute to overall conservation efforts in protected areas, as their livelihoods largely depend on the natural resources around them. In addition, conservation efforts at times coexist with illegal activities such as gold-mining (as is the case in Chimanimani National Reserve), poaching (which constitutes an important challenge anywhere where there are elephants and other large mammals hunted for their tusks illegally sold in the global world market), or indiscriminate fishing activities linked to illegal sale of protected species to foreign traders (which has been indicated to be occurring on the coastal stretch of Marromeu National Reserve). For communities to engage in conservation, alternative livelihood opportunities need to be offered to them.

In addition, Mozbio2 intends to continue introducing wildlife to the CAs to render them more attractive to tourism, which could increase household or community vulnerability to conflicts due to damage of property and risks to people's lives.

The Mozbio2 Process Framework describes how the residents of CAs will be involved in identifying their needs and the processes whereby their priorities are identified in Action Plans annexed to broad Community Agreements that may optionally address conservation performance based benefit sharing.

All livelihood development activities supported under Mozbio2 will be encouraged to take into account the divergent needs and aspirations of men and women of different ages in each of the target areas.

3.2 Project Development Objective

The Project Development Objective (PDO) of the second phase of Mozbio is to improve management of targeted Conservation Areas Landscapes and enhance the living conditions of communities in and around these Conservation Areas.

3.3 Project Components

Component 1: Strengthening Capacity of National Conservation Institutions and Financial Sustainability of the CA system

The objective of this component is to consolidate the national conservation institutions ANAC, FNDS and BIOFUND:

Strengthening of ANAC. The project will support ANAC to become a reference conservation institution in southern Africa, by strengthening its business development capacity to attract investments in support of conservation. The project will finance: a) establishment and functioning of a “Business Unit” to identify, market, manage and monitor public private partnerships for CA management (co-management) and to promote tourism concessioning within CAs, particularly new tourism concessions in the targeted CAs; b) development and piloting of an electronic visa (e-visa) system to facilitate tourists’ entry in the country through an online application process; c) participation in national, regional and international conservation meetings to guarantee exchange of knowledge with other partners and institutions; d) technical assistance (firms and individual consultants) to draft regulations (such as for human resources and gender guidelines for CA Management among others); e) office equipment and operating costs (especially for utilities, stationaries, travel to field among others). ANAC will also be supported through the Conservation Leadership Program (below).

Strengthening of BIOFUND. The project will strengthen BIOFUND’s capacity to become an international reference on sustainable financing of CAs. The project will finance: a) part of the salaries and operating costs of the BIOFUND secretariat, which will permit full use of the endowment fund for distribution to the operating costs of the CAs thus improving CA management. This will also allow for the endowment fund to continue to build and foster future self-sustainability; b) studies to explore sources of sustainable financing for CAs and to secure such opportunities, including a funds mobilization strategy, assessing the real value of conservation areas for national and local economies, opportunities for payments of ecosystem services, and piloting a biodiversity offset initiative with the private sector. The project intends to contribute to the conservation endowment fund managed by BIOFUND, through GEF 7 funding once available, through an additional finance to the current project.

Strengthening of FNDS. The project will support FNDS to strengthen its role of promoting sustainable rural development, including within the target conservation areas landscapes, and to ensure proper fiduciary and safeguards management for this project. The project will finance: a) salaries of key project management staff (such as the coordinator, a protected area management officer (to oversee Component 2), value chains specialists (to oversee Component 3), community development specialists (to oversee community activities in Components 2 and 3), M&E officers, safeguard officers, financial managers, accountants, and procurement officers (part of FNDS fiduciary support unit); b) operating costs at the national level for equipment maintenance, utilities, travel, communication, and subsistence on the field; c) vehicles, field and office equipment.

To enable the institutional environment and ensure the financial sustainability of the Conservations Areas system, the following are also foreseen:

Promotion of the Conservation Leadership Program. The project will establish and maintain a Conservation Leadership Program to promote a cohort of skilled professionals in biodiversity conservation who is expected to work for the different organizations in Mozambique’s CA system. This will be promoted through: a) long- and short-term trainings delivered by national

and international organizations, b) professional experience in national and international conservation institutions. The Program will teach a broad set of skills, including leadership (conservation management, planning, monitoring, financial management, etc.), science (ecology, botany, zoology, etc.), and climate change risks. The Program will establish an internship program, grant scholarships and promote an annual conference on biodiversity to raise awareness of conservation skills needs and offers in the country. Targeted beneficiaries are staff currently employed at key conservation institutions (ANAC, BIOFUND and FNDs) and young Mozambicans engaged in conservation. Beneficiaries will be selected through a robust transparent and merit-based process (with at least 10 percent of staff beneficiaries being women and 50 percent of the broader public beneficiaries being women), led by ANAC and BIOFUND. The Program will establish partnerships with international agencies, such as South Africa's Parks (SANParks) and the Brazilian Park's Agency (ICMBio), and collaborate with regional training institutions, such as Southern Africa Wildlife College (SAWC), Mweka Wildlife College, and others, and with domestic knowledge centers, particularly the E.O. Wilson Lab in the Gorongosa National Park and other relevant academic partners.

Component 2: Improving Conservation Areas Management in target landscapes

This component will improve biodiversity conservation management of target CAs, particularly the governance of CAs (including its relationship with surrounding stakeholders), human resources management, infrastructure establishment and maintenance, human-wildlife coexistence, research, resources control and patrolling, promoting environmental awareness and strengthening of community-based organizations (CBOs) among local communities. Activities to be financed will be in line with the CA management plan. Biodiversity conservation management is a pillar of the MozBio Program, to which this component contributes directly. Expected results include significantly improved management effectiveness of the targeted CAs (an average increase of 20 percent in the Management Effectiveness Tracking Tool score across the targeted CAs), ensuring that key species populations are maintained or increased, among others.

Enhancing CAs' human resources and fixed assets. The project will support: a) human resources development, including salaries and training of key staff; b) climate smart and resilient infrastructure, including construction, repair or maintenance of infrastructure mainly for management (headquarters, staff and rangers housing, roads, drifts, fencing, small works for the promotion of human-wildlife co-existence) and tourism (access road, viewing structures, camp site, trails, signage); c) technical assistance for management plans; d) equipment, including vehicles, boats, field equipment, tents, radios, repeaters; e) research and surveys, including climate change risks to CA management, integrated wildlife and ecosystem management, and pilot a registry of ecosystem degradation and efforts of restoration to feed into the biodiversity offset system; f) translocation of wildlife. These activities will be implemented by FNDs.

Supporting CAs' operations. The project will finance: a) operational costs to strengthen CA governance, including the establishment and functioning of CA management councils; b) resource protection including patrol costs (ration, fuel, bonus, etc.); c) delivery of environmental awareness and education campaigns through the use of cultural activities including local community radio programs (including family planning messages), support to girls' and environmental clubs, scholarships to local youth, and promotion of vocational training; d) strengthening community-based organizations among local communities; and e) a pilot of payments for ecosystem services (PES) in Maputo Special Reserve. These activities will be implemented by BIOFUND.

Activities specific to the targeted CAs are as follows:

- a) **Elephant Coast Landscape (Maputo Special Reserve and Ponta do Ouro Marine Reserve).** The project will finance: I. *Related to human resources and fixed assets:* a) staff salaries and training; b) infrastructure development, including a connection road to the park entrance/headquarters building and an all-weather game loop in its vicinity, construction of additional staff housing and rehabilitation of a training center; c) equipment, including field equipment; d) translocation of animals. II. *Related to CAs' operations:* a) supporting operational costs linked to the governance of the CA, including the establishment of its management council; b) enhancing environmental awareness, promotion of girls' clubs, provision of scholarships, community trainings and campaigns including on family planning; c) support to CBOs; d) operating costs, including fuel, rations, equipment maintenance; Peace Parks Foundation (PPF) will act as the co-manager for these CAs through an agreement signed with the GoM.

- b) **Chimanimani Landscape (Chimanimani National Reserve).** The project will finance: I. *Related to human resources and fixed assets:* a) staff salaries and training; b) infrastructure construction and maintenance, including staff housing, camps, roads, drifts, trails, signage, c) equipment, including field equipment; d) translocation of animals. II. *Related to CAs' operations:* a) operational costs linked to the governance of the Reserve, including the establishment of its Management Council, b) updating the management plan, c) enhancing environmental awareness, promotion of girls' clubs, provision of scholarships, community trainings and campaigns including on family planning; d) operating costs, including fuel, rations, equipment maintenance. A partnership for the co-management of this CA will be pursued by ANAC.

- c) **Marromeu Complex Landscape (Marromeu Reserve and Coutadas 10, 11, 14).** The project will finance I. *Related to human resources and fixed assets:* a) staff salaries and training; b) infrastructure construction and maintenance, including staff housing and office, water and electric access, and road improvement, c) equipment, including field equipment; d) translocation of animals. II. *Related to CAs' operations:* a) operational costs linked to the governance of the Reserve, including the establishment of its Management Council, b) updating the management plan, c) enhancing environmental awareness, promotion of girls' clubs, provision of scholarships, community trainings and campaigns including on family planning; d) operating costs, including fuel, rations, equipment maintenance; e) research and survey work, including on estuarine and marine ecosystems, considering climate change impacts. A partnership for the co-management of this CA will be pursued by ANAC.

Component 3: Promoting conservation-compatible rural development and sustainable landscape management in target landscapes

This component will promote conservation-compatible rural development in target landscapes through support to sustainable value chains, and promote integrated landscape management, by financing land use planning, establishment of Landscape Management Units, and capacity strengthening of targeted districts to reduce pressure on CAs. Restoration of degraded habitats will be promoted once GEF 7 funds are available. These activities contribute to a pillar of the MozBio Program, and requires addressing several constraints, including limited access to credit, technical assistance and inputs, insufficient market access and employment opportunities. This can only be achieved through an integrated set of interventions across the landscape (integrated landscape management), including spatial planning, and restoration of degraded habitats (land, forests, mangroves, etc.). Conservation-compatible rural development aims to improve the livelihoods of communities living in these landscapes while also reducing pressure on CAs from surrounding

communities and restoring degraded habitats. Expected results include an increase in the number of rural households and local communities connected to sustainable value chains, and restoration of degraded habitats. This component draws on the implementation tools of the ongoing Sustenta Program, financed by the Bank. Expected results include: increased number of households included in sustainable value chains, in particular of women-headed households, rural population's financial literacy increased, local land use plans completed, and area of degraded habitats restored.

Promoting conservation-compatible rural development through access to finance and technical assistance (matching grant scheme – Sustenta Biodiversidade). The project will finance a) a matching grant scheme targeting local entrepreneurs, community-based organizations (CBOs) and micro, small and medium enterprises (MSMEs) to promote conservation-compatible value chains, including financial literacy of local communities through the establishment of Saving and Credit Groups (PCRs), which primarily comprise women and represents one of the few working mechanisms that help women to increase their financial credit and savings.

Promoting integrated landscape management, particularly landscape zoning, restoration of degraded habitats and reduction of habitat loss in the targeted landscapes. The project will finance: a) operational costs and consultancy to develop participatory and gender sensitive land use zoning plans for the target landscapes, including consultation, mapping, field work, and dissemination; b) operational costs and equipment to establish Landscape Management Units; c) operational costs and equipment to strengthen the capacity of Districts in the targeted landscapes; d) operational costs, equipment and consultancy to restore degraded habitat, including land restoration, and to halt the loss of critical habitats through the adoption of sustainable land use practices (such as conservation agriculture, agroforestry and reforestation). These sustainable land management activities are expected to be financed through GEF 7 (as additional financing to this project). Land restoration activities will be entered in the national registry to facilitate the financing of ecological restoration activities by the private sector as a potential biodiversity offset asset.

Activities specific to each landscape are mentioned below.

Elephant Coast Landscape. The project will support: a) value-chain activities, possibly including: fisheries associations in the bay area of the marine reserve, nature-based tourism private or community/private joint ventures, sustainable wildlife management and cattle farming, conservation-compatible livestock schemes, crab farming, handcrafting, beekeeping; (b) establishment of Savings and Credit Groups. A Special Land Use Plan (PEOT) for the landscape will be the base for the Elephant Coast Management Plan (currently under preparation). With GEF 7 financing, habitat restoration efforts will be conducted (including clearance of alien invasive species in Maputo Special Reserve), as well as reduction of habitat loss in critical areas (such as the Licuati forest reserve) potentially through the establishment of a community conservation area.

Chimanimani Landscape. Potential value-chain to be promoted include: a) NBT private or community/private joint ventures, wildlife and cattle farming, forestry, including small-scale plantations; conservation agriculture—e.g. macadamia, coffee, beekeeping, soy, maize, sesame, which also provide opportunities for improved adaptive capacity to manage climate related risks. b) New Savings and Credit Groups will be formed. A detailed land use plan for the Sussudenga District will be conducted. With GEF 7 financing, land restoration, including restoration of areas along the key rivers of the watershed, will be promoted as well as reduction of habitat loss in critical areas potentially through the establishment of community conservation areas.

Marromeu Complex Landscape. Potential value-chains to be promoted include: a) fisheries in the estuary and coastal area; private or community/private joint ventures in game farming; forestry, non-timber forest products; conservation agriculture—e.g. cashew nuts, sugar cane, beekeeping, wildlife products; crab farming; b) new Savings and Credit Groups will be formed. A detailed land use plan for the Marromeu District will be conducted, which complements the already existing Zambezi Valley land use plan. With GEF 7 financing, land restoration activities will be promoted, including mangrove and wetland restoration, as well as the reduction of habitat loss in critical areas.

The Matching Grant Scheme (MGS) will provide matching funds to local entrepreneurs, community-based organizations (cooperatives, associations, and natural resources committees, among others), small and medium enterprises and individuals for revenue-generating businesses. At least 30 percent of beneficiaries will be women and/or youth. Businesses to be supported have to be (i) conservation-compatible, (ii) consistent with the approved zoning for the landscape, (iii) economically viable. Types of businesses to be promoted include value chains based on wildlife products, such as buffalos and crocodile farming, on forest products (timber and non-timber forest products), NBT, agriculture and livestock. The project will provide assistance for the identification, preparation and implementation of the business plans. MGS will follow the procedures currently implemented by the Sustenta project (P149620).

3.4 Institutional Arrangements for the Project

Several institutions from different sectors will be involved in the implementation of the project under the leadership of the Mozbio2 Project Implementation Unit (Mozbio2 Project Coordination office), within the National Fund for Sustainable Development (FNDS) housed in MITADER.

The Mozbio2 Project Coordination office will drive project implementation through its FNDS Landscapes Management Units (LMUs), in coordination with ANAC and the BIOFUND. Site level implementation plans for CA Administrations in partnership with NGOs to manage the selected CAs. This approach has proven successful and Mozbio2 aims at fine tuning and strengthening these institutional and implementation arrangements, which still reflects the current Government vision for managing conservation area landscapes.

ANAC will assume a lead role at policy level, while being in charge of external relations, scientific endeavours, crime management and licensing.

FNDS will house the Mozbio2 Project Coordination office and assume overall responsibility for project management, procurement and financial management, adherence to safeguards, as well as developing and maintaining the project's monitoring and evaluation system.

Mozbio2 Project Coordination office will be in charge of the day-to day management of components 1 (except sub-component 1.3 devoted to strengthening the BIOFUND), 2 and 3 in line with the Project Implementation Manual (PIM).

The BIOFUND will finance recurrent costs related to target CAs, manage and distribute an additional contribution to its endowment and lead the implementation of the conservation leadership program.

LMUs will be in charge of implementing project activities within target local communities. Two LMUs will be created to assume responsibility in Mozbio2 target areas; either one in Sussundenga District (responsible for Chimanimani Landscape) and another in Marromeu District (responsible for the Marromeu Landscape). Given the proximity to the capital city of Maputo, the Elephant Coast Landscape will be managed by the Mozbio2 Project Coordination office core team based at FNDS, which will serve as the landscape unit.

In line with the current Mozambican Conservation Policy, CA co-management arrangements are gradually being developed on the basis of partnerships. While models are yet to be finalized, it is likely that a Mozambican entity will be created to enter into co-management agreements with MITADER. In these arrangements under development, it is expected that qualified international and / or national entities provide technical expertise and financial support and be accountable for results. Partners considered to date in the three target landscapes are:

- The Gorongosa Restoration Project (GRP) in the Marromeu Landscape;
- The Peace Park Foundation (PPF) in the Elephant Coast Landscape; and
- The Fauna and Flora International (FFI) and MICAIA consortium in the Chimanimani Landscape.

4 Resettlement Policy Framework

4.1 Preparation and Objectives of the Resettlement Policy Framework

This Resettlement Policy Framework (RPF) is one of the Social Safeguard instruments produced for the Mozbio2 project. The objective of the RPF is to lay out the policies, procedural guidelines and institutional arrangement for the implementation of any involuntary resettlement interventions that could be required under Mozbio2. The contents of this document align with national policies and WB requirements.

4.1.1 Potential impacts

The RPF was prepared on the basis of anticipated social impacts, which could trigger involuntary resettlement requiring compensation for losses of property and access to sources of livelihoods. This may occur when:

- The construction and improvement of existing access roads inside CAs, infrastructure siting in and outside of CAs and the possibility of land-use rights acquisition outside of CAs for project related economic development activities that result in people losing access or use of land on which they had assets or exercised economic or subsistence activities.
- It is also possible that during construction of access roads in particular, but also other infrastructure and buildings that constructors inadvertently cause damage to people's assets such as crops, livestock and shelter or other structures for example.
- Concessions for natural resource management or tourism may be created as part of the Project and should efforts to secure tenure involve formal land rights (DUAT) title acquisition, then there is a possibility of people losing access or use of land on which they had assets or exercised economic or subsistence activities.
- There is also a remote possibility of conflicts with wildlife becoming such a high risk that people have to be involuntarily resettled away from the high risk area but this is foreseen to be unlikely to occur and limited to isolated cases.

The risk of climate change related disasters such as floods and related emergency operations was also identified in one of the target areas (Marromeu Complex Landscape). Should flood-related resettlement be carried out in the CA by the National Disaster Management Institute (INGC) charged with this responsibility, it will be executed according to the international standards the INGC complies with, and is not covered by this RPF.

Specific risks of displacement impacts in the landscapes where Mozbio2 will be implemented can be seen in Table 1 below.

Table 1: Risks in Mozbio2 that could trigger World Bank OP 4.12

Target Area	Risky Activities by Landscape That Could Trigger OP 4.12		
	Loss of assets due to acquisition of rights to sites for infrastructure construction and any damage caused by constructors to people's property	DUAT acquisition outside of CAs for sub-projects	Human / wildlife conflicts pressurizing people to leave their homes
Elephant Coast Landscape	<i>Possible:</i> road construction, CA entrance buildings, rehabilitation of a training centre and tourism investor activities.	<i>Highly probable</i> for tourism investments and conservation or livestock & fisheries value chain development	<i>HWC has taken place</i> with elephants and requests made for assistance to leave the CA. Pilot voluntary relocation by Peace Parks Foundation due to start in 2018. This activity is not part of the Mozbio2 Project.
Chimanimani Landscape	<i>Possible:</i> CA administration infrastructure roads, housing, drifts and an education centre. Nature based tourism buildings.	<i>Highly probable</i> tourism investments and conservation or livestock, fisheries and agriculture value chain development	In the <i>buffer zone</i> HWC needs improved management.
Marromeu Landscape	<i>Possible:</i> administration infrastructure roads, housing, nature based tourism developments.	<i>Highly probable</i> tourism & sport hunting investments and conservation or fisheries and agriculture value chain development	<i>Frequent fatal HWC</i> with crocodiles and damages by buffalo and elephant. Needs improved management.

A Land Tenure Regularization screening process¹² will precede any land use acquisition planning, and a social assessment will be carried out as part of a simplified ESA wherever construction is foreseen. These studies will guide the design of specific interventions in each area and the application of relevant WB safeguard instruments, including Resettlement Plans.

The RPF is a safeguard instrument to be used in the case of anticipated impacts that could cause economic losses or, the remote possibility of physical displacement being caused. It must be understood however, that physical resettlement activities are not deemed to be required nor have been planned under Mozbio2 and activities that might cause them will be screened out as describe in this RPF.

Consistent with the vision of the Government of Mozambique (GoM) and the World Bank, the document takes into account gender aspects to ensure that both men and women are fairly treated and receive equal benefits for losses compensated using this RPF.

4.2 Method used for preparing the Resettlement Policy Framework

Collection of as much data as available in Maputo and the internet and review of this was made to prepare for field visits to each one of the target Landscapes.

Field visits were made to meet with key stakeholders and for the social safeguards team comprised of the consultant and Mozbio and FNDS safeguards and community specialists, to update basic socio-economic and organizational and institutional information.

¹² This is one of the implementation tools currently being developed for the Landscape Portfolio which is also financed by the World Bank, that will be used in Component 3 of Mozbio2.

Thus aside from the Conservation Area Administrator and where available, community development staff (from Chimanimani and Maputo Reserves), the District Administrators of Marromeu, Sussundenga and the Permanent Secretary of Matutuine and key informants from the District Government services for agriculture, construction and planning and development were met, in the case of Marromeu the President of the municipal Council was also met. The main objective was to learn of the evolution of sector developments, constraints and resettlement experience and outcomes in the area. Private sector stakeholders of importance were also interviewed and visited at their operations including two *Coutada* operators, a representative of Companhia de Sena the large sugar production concessionaire in the Zambezi Delta and conservation NGOs including the Micaia Foundation, Peace Parks Foundation and Worldwide Fund for Nature.

Since the situation in Marromeu Complex was the least well understood, three communities living in Conservation Areas in Marromeu were also met, and interviews held with traditional community leaders, local leaders and household members to discuss key events, issues and concerns, involvement in resettlement, and expectations for the future.

Key lessons learnt from the target CAs and their landscapes during the preparation of this RPF include the management of human-animal conflicts in and outside of core areas of CAs, which involves locally specific strategies and to date has not been satisfactory for most of those involved. This RPF recognises the lack of guidance on the subject, and the remote possibility that involuntary resettlement might be caused.

All the targeted landscapes have experiences of resettlement in and out of CAs and points of interest include the District Government's role has been minimal only providing property valuation for compensation, and agreeing to proposals and plans made by CA operators or managers.

- The District Government needs to not only to be involved but lead all resettlement hosting processes outside of the CAs as recommended in this RPF.
 - Experience with INGC-led flood-caused resettlement in the Zambeze River valley resulted in a large resettlement village being located inside *Coutada* 11 with significant negative impacts on the *Coutada's* natural resources.
 - Land use planning processes need to be participatory and recognise the partially protected status of *Coutadas* as well as their conservation purpose.
 - Further resettlement in seven or eight years later carried out by the operator of *Coutada* 11 with assistance from the District Government to ensure compensation was calculated appropriately, resettled part of a community to another area around five kilometres away inside the core area of the *Coutada* and provided families with social service infrastructure built with permanent building materials and the traditional leader with his own house.
 - Although *coutadas* may legally contain people, the incentives to stay inside them are already high due to benefit-sharing including meat from hunted game, and creating further socioeconomic attractions inside the CAs may not contribute positively to the long term conservation objectives of the areas, unless these communities contribute more actively to the conservation effort.
 - The importance of a structured, participatory, spatial planning process to develop an agreed-upon common framework for the many different actors and interests is well institutionalised in the Territorial Planning legislation but the leadership, knowledge about conservation, resettlement and development together with resource allocations to implement the various plans are often lacking. This should be taken into account in any resettlement operation needed under Mozbio2.
 - Resource allocation responsibility for implementing District Development Plans and District Land Use Plans in buffer zones with reference to conservation related

practices and projects involving communities varies by location and whether the buffer zone is legally part of a CA or not, the latter generally needs much greater efforts at collaboration. This should be taken into account should involuntary resettlement and livelihoods restoration activities be carried out in buffer zones.

It is possible that unrealistic or unmet expectations resulting from past experience of resettlement and compensation levels are expressed by communities during Mozbio2. It is important that sufficient information be disseminated through a comprehensive communication strategy that will be required by this RPF so that men, women, youth and vulnerable groups are engaged and understand the Project's compensation and involuntary resettlement principles.

4.3 Impact Mitigation and Management Instruments

4.3.1 Planning to avoid involuntary resettlement and mitigate impacts that may cause it

Mitigating potential social impacts is being addressed at the level of Project design through a number of actions that will mitigate most impacts and in many cases, avoid them altogether. A Process Framework has been developed for the Project to indicate the ways in which Project affected people will participate in taking decisions about mitigation and management of socioeconomic impacts that will affect them. The objective of their participation is to ensure that measures are designed to ensure Project affected people can improve or at least restore their livelihoods and standards of living.

Project design includes various mechanisms to protect the interests of the people negatively affected by it, also thereby, reducing the risk of displacement impacts. All mitigation efforts will be made by the Project not to cause any involuntary resettlement whatever.

The location of infrastructure to be financed under the Project that is not only driven by technical considerations and spatial development plans, but various participatory processes that will allow stakeholders to understand, negotiate and take decisions concerning siting and consequences of this. These include:

- a. Construction in CAs, buffer zones and outside of these will be preceded by a **screening** process associated with the *Environmental (and Social) Assessment* (ESA) which can flag the risks of potentially affecting people's property. Environmental and social screening process and instruments are described in the ESMF (See ESMF Chapter 10. Guidelines for ESMF Implementation and its Annex 3. Environmental and Social Screening Checklist and Annex 4. Preliminary Environmental Information Sheet) and this RPF.

ESA mitigation plans will outline the procedures used to minimize the negative impacts on the community as whole or on part of it or on single households. Where these require resettlement, these procedures will be defined in detail in a Resettlement Action Plan (RAP).

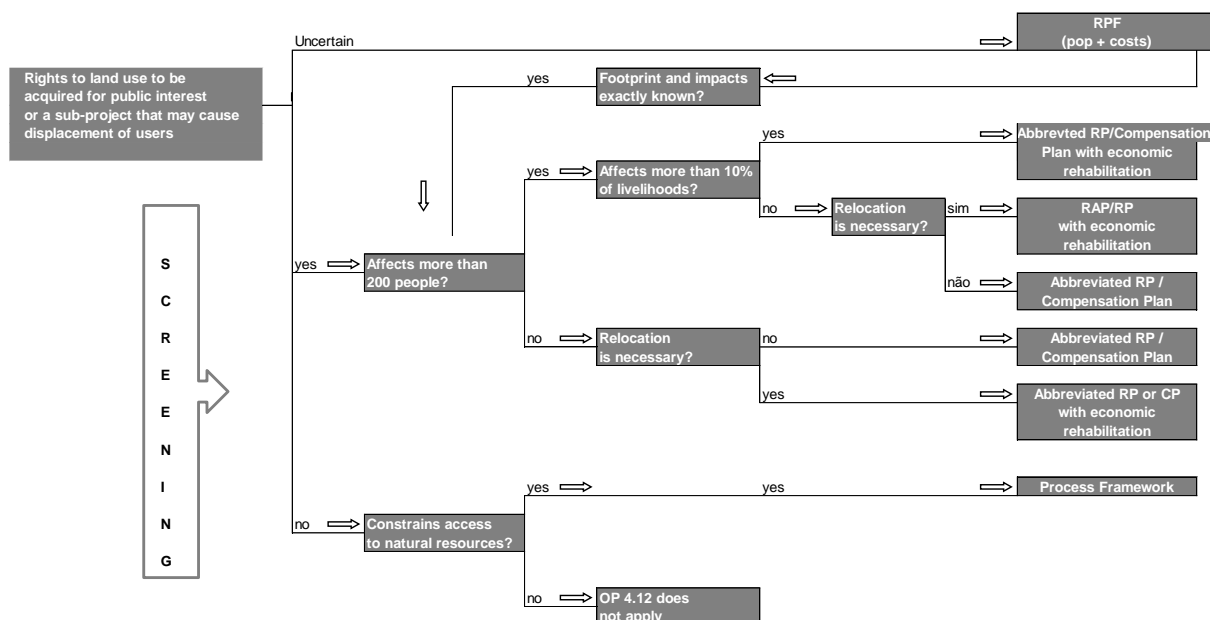
When the details of economic development or conservation activities that require land use rights acquisition that cannot avoid compensation or as a last resort, physical displacement, are fully known, an Abbreviated Resettlement Plan (RP) or Compensation Plan (CP) as it would be known as in Mozambique¹³, or a RAP may therefore be identified to provide the implementation guide for the respective compensatory activities.

OP 4.12 specifies that a full Resettlement Action Plan (RAP) is required if over 200 people must be relocated or these people are not physically displaced but lose enough of their assets due

¹³ As Mozambique legislation does not distinguish the scale of impact correlating minor impacts with simpler resettlement instruments, in order to clarify that no physical resettlement will take place, the use of the term 'Compensation Plan' indicates the difference and as it is not legislated and therefore does not strictly have to meet the full Resettlement Action Plan requirements under Mozambican law, in line with World Bank norms its level of detail will reflect the magnitude and level of complexity of the economic displacements caused by the Project.

to the project that the remainder are unviable as livelihoods sources. If the impact is less than this an abbreviated resettlement plan should be prepared instead. A full RAP will not be required for Mozbio2.

Figure 4-1 Decision flow diagram of which resettlement instruments to use



A social impact assessment with a socio-economic baseline study and detailed inventory of assets (with photographic records, maps and coordinates) would also be required for the preparation of an abbreviated RP elaborated when extraordinary circumstances of vulnerability including high risks of conflicts with wildlife require limited involuntary resettlement.

- b. If there is a risk of land being acquired possibly displacing people or their property as a result of Component 3 subprojects as well as construction activities and concessions planned inside CAs in Component 2, the screening process in the ESMF will be used and consultation with the communities will be held to guide whether an ARAP is needed or the sub-project could not be financed because it exceeds the threshold of 20% of loss requirement¹⁴.

Construction projects and sub-project proposals that are detected by the screening process to cause involuntary physical displacement will not be financed by Mozbio2. The PRPT tool will be used for screening by Landscape level Community Officers or CA Community Officers with support from the LMU specialists. The LMU would need to seek approval of exceptions from the Mozbio2 Project Coordination office, especially if physical resettlement is required. They would also seek technical support to prepare more complex RP/CP plans from the FNDS safeguards team in the FNDS Projects Management Sector.

¹⁴ To complement the screening process a Land Tenure Regularization Protocol - which is in process of being finalized – will be used in the Landscape portfolio to guide the projects to evaluate tenure in specific subprojects and identify situations of conflict over the process of community delimitation and regularization of DUATs in the target landscapes of FNDS projects. This Protocol and associated checklists will also be applied in Mozbio2 to verify the land use and occupation situation deriving from constructions or concessions (Component 2) or from sub-projects (Component 3).

At district level SDAE and SDPI will support sub-project screening to identify the magnitude of impacts. Communication between these Services and the CA management and LMUs will be important in contributing to re-design of activities, sites or arrangements with PAPs to reduce or avoid impacts every time they are detected. This may be through reduction of site size, a change in location or configuration, alteration of activities and relations with the affected parties. Time must be made during preparation of these activities to make these alterations to avoid displacement whenever possible.

If local community members are or were among the users of the land, then it is important to record the following:

- i. The attitude of communities vis-à-vis the DUAT acquisition or concession and record whether they have been consulted and informed about it; and
- ii. Whether affected community members agree to the use of the land for the purposes of the sub-project activity and why they do so, and how they expect to formalize their consent.
- iii. If they agree to the use of the land, their expectations, their perceptions of their roles in the development and the conditions which they see as pre-requisites to their continuing or improved livelihood status as a result of the concession must be included in the formal consent document. If the communities do not agree to the sub-project, then it will be necessary to redefine the sub-project boundaries and/or objectives with relation to the land area, or close the sub-project proposal with a signed refusal. It will be necessary that the PRPT form is signed by all parties involved in a concession or sub-project proposal including representatives of the communities (as defined in the draft PRPT) – whether they have agreed or not to the sub-project proposed.

On the basis of the PRPT the Bank will also advise MITADER if a full or abbreviated RAP needs be prepared, and if other remedial actions need to be taken. If, an abbreviated RAP or Compensation Plan is required, this will be prepared according to the requirements of this RPF.

Macro zoning is included as part of the project design. It involves high and local level stakeholders who can bring various issues to the discussion that will end with agreement on which areas are to be used for what purposes. Avoidance or mitigation measures to minimize direct impacts on households of property damage or loss that cause households to lose property or access to it will be important zoning requirements. Where zoning exposes individuals' property to risks of damage or loss due to construction activities, concession applying for new land rights acquisition, or risks of severe conflicts with wildlife requiring involuntary resettlement, appropriate compensation must be agreed on and paid according to the guidelines in this RPF. The Project's participatory Processes Framework should be used to guide impact mitigation and management of all other zoning outcomes in and around protected areas where communities' resource use is constrained.

- c. For areas where sub-projects may be established that involve the acquisition of land use rights title, it is expected that any prior rights holders consulted during the DUAT acquisition process will enter into an agreement on voluntary land contribution and benefit sharing (this will be registered via the PRPT process) with the investor in private and community partnerships. If this is the case there is no need for compensation or any further safeguards instrument application. In practice it is highly likely that following community awareness-raising on rights and procedures, if they have not already done so, that prior to DUAT acquisition, the community requests to delimit its land. Delimitation involves a micro-zoning exercise that identifies resources and will be used to clearly identify the communities' expectations about

benefits if development is carried out in specific parts of their delimited area. These results will provide the basis for a Community Agreement (see the Process Framework for details) that will accompany the ceding of any community land and stipulate the conditions agreed on.

Construction of infrastructure inside CAs is unlikely to affect people's property due to the low numbers of residents.

4.3.2 Principles governing involuntary resettlement and the preparation of management instruments

When the details of land rights acquisition and resettlement are not fully known or, as in the case of the Project at present, when physical resettlement is not foreseen in the Project design, as a precautionary principle, a Resettlement Policy Framework (RPF) is considered necessary to establish the policy principles for public information and discussion in the event any resettlement must take place due directly or indirectly to the Project.

The principles outlined in the World Bank's Operational Policy OP 4.12 are used in preparing the Policy Framework. These principles and the resettlement measures stemming from them will apply to all sub projects and activities of MozBio2, whether or not the scale and complexity of compensation and resettlement issues require preparation of a RP.

The World Bank policy applies to all components of the Project that result in involuntary loss of property, regardless of the source of financing. If a non-World Bank-financed activity that causes resettlement is relevant to the design or performance of the project financed by the Bank, or if the sequencing of activities results in resettlement occurring at the same time as implementation of the Project, the OP 4.12 will be triggered. A due diligence approach will be required if any associated activities not financed by the World Bank but that affect the results of Mozbio2 cause resettlement or compensation during the Project implementation period. This could include flood induced resettlement in the Zambeze River delta, or initiatives taken by *Coutada* operators according to their approved management plans. Due diligence concerning resettlement would involve obtaining information on the procedures to identify and address adverse impacts, the applicable standards, the outcomes that are expected, and any significant issues. Due diligence would refer to and be guided by the principles and standards outlined in this RPF as well as legislation.

Given the disruption caused by resettlement on affected populations, associated risks and the high costs of appropriately mitigating these, the WB policy OP 4.12 highlights the following key principles:

- Involuntary resettlement and land use rights acquisition should be minimized or avoided where possible exploring all viable alternative project designs. Where land rights acquisition is unavoidable, the project will be designed to minimize adverse impacts.
- Resettlement activities should be conceived and executed as sustainable development programmes. Sufficient investment resources should be provided to enable the persons displaced by the project to share in project benefits.
- Displaced people (including women, the disabled, youth and elderly people) should be meaningfully consulted and should have opportunities to participate in planning and implementing resettlement programs.
- Displaced persons should be assisted in their efforts to improve their livelihoods and standards of living or at least to restore them, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.

The OP 4.12 on Involuntary Resettlement ensures that the population displaced by a project receives benefits from it. This covers those with usufruct or customary rights to the land or other resources taken for the project. The OP is inclusive, ensuring that all those affected both directly and indirectly by project developments are compensated as part of the project.

Resettlement covers physical displacement and economic displacement. The need for resettlement and compensation refers to the impact of the development causing the loss of, or loss of access to, any assets growing on or permanently affixed to the land, such as shelters, buildings and crops and also to the impact causing loss of or access to an economic resource base or local communities' means of livelihood.

Losses may be total or partial. The absence of legal title to use and usufruct of the land does not limit rights to compensation. Preference should be given to land based resettlement strategies for displaced people whose livelihoods are land-based. If sufficient alternative land is not available, non-land-based options built around opportunities for employment or self-employment should be provided in addition to cash compensation for land and other assets lost. The lack of adequate land must be demonstrated and documented.

The policy is specific about resettlement in the case of the involuntary restriction of access to legally designated parks and protected areas resulting in adverse impacts on the livelihoods of the displaced persons. These include restrictions on the use of resources imposed on people living outside the park or protected area, or on those who continue living inside the park or protected area during and after project implementation. It is one of the main aims of Mozbio2, in line with the legal statute of people living in Conservation Areas, to assist people whose use of resources is restricted by the CAs to improve or restore their livelihoods in a manner that maintains the sustainability of the CAs.

It should be noted that OP 4.12 does not apply to restrictions of access to natural resources under community-based projects. Where the community using the resources decides to restrict access to these resources, provided the documented community decision-making process is deemed adequate by the Bank, and that it provides for identification of appropriate measures to mitigate any adverse impacts on the vulnerable members of the community these restrictions are not considered involuntary.

The need to involve communities in the planning and implementation of interventions that result from these policies is indispensable. Conflict resolution mechanisms must be identified as part of the above planning and implementation. Particular attention must be paid to the needs of vulnerable groups, especially those living below the poverty line, the landless, the elderly, women and children, indigenous peoples and ethnic minorities.

Implementation of resettlement activities must be linked to the implementation of the investment component of the project to ensure that displacement or restriction of access does not occur before necessary measures for compensation or resettlement are in place.

Measures required prior to displacement include provision of compensation and of other assistance required for replacement, relocation, and preparation and provision of resettlement sites with adequate facilities. The taking of land and related assets may be carried out only after compensation has been paid.

Cash compensation for lost assets should be paid for livelihood sources that are not land-based. Compensation levels should be sufficient to replace the assets at full replacement cost in local markets.

OP 4.12 affirms that cash compensation for lost assets is appropriate in the following circumstances, ensuring that compensation levels are enough for replacement of land and other assets at local market rates:

1. "Livelihoods are land-based but the land taken for the project is a small fraction of the affected asset and the residual is economically viable;
2. Active markets for land, housing, and labour exist, displaced persons use such markets, and there is sufficient supply of land and housing; or
3. Livelihoods are not land-based."

Displaced persons and their communities, and host communities receiving them, should be provided timely and relevant information on rights and options, consulted on resettlement options, and offered choices and provided with technically and economically feasible resettlement alternatives as well as opportunities to participate in planning, implementing, and monitoring resettlement. Appropriate and accessible grievance mechanisms must be established for these groups.

As required, agricultural sites with productive potential in convenient locations should be provided as compensation where necessary, ensuring that conditions are at a minimum equivalent to the advantages of the old site. Alternative or similar resources should be provided to compensate for the loss of access to community resources such as fishing areas and fuel resource areas.

When necessary and only for a transition period, project affected people should be offered support after displacement based on a reasonable estimate of time likely to be needed to restore their livelihood and previous standards of living. They should also be provided with development assistance, in addition to compensation such as land preparation, credit facilities, training, or job opportunities, as necessary. The policy identifies that land based resettlement should be the preferential option offered when the livelihoods of affected people are land based.

Resettlement programs will include adequate institutional arrangements to ensure effective and timely design, planning and implementation of rehabilitation measures. Adequate arrangements for effective and timely internal and external monitoring will be made on implementation of all rehabilitation measures.

The World Bank will not cover any costs of physical resettlement as part of the Mozbio2 Project.

Given gender inequality issues prevailing in the country and since women and youth are often the ones marginalized from development processes and are unable to access and enjoy the benefits of development interventions, the RPF requires that any resettlement operations conducted under the Project:

- Ensure that dissemination of information target men and women equally, through the channels most used by men and women.
- Promote active participation of men, women and youth in all consultation and decision-making processes and access to opportunities conferred by programme.
- Provision of adequate training and support to implementers.
- All data collected by the Project in relation to this RPF should be disaggregated by gender.
- Payment procedures should ensure that where appropriate women should be identified and required to sign off on compensation received individually or with their husbands.

4.4 Legal Framework

The ESMF provides a comprehensive listing and description of the overall legal, policy and regulatory framework for Mozbio2. This section looks at relevant national laws, policies and regulations and WB safeguard principles applicable for Mozbio2 in the context of resettlement interventions.

Any involuntary resettlement activities carried out in the context of Mozbio2 will align to the Mozambican legal and policy framework and international best practices included in World Bank safeguards.

4.4.1 National legislation, regulatory and policy framework on resettlement and compensation in conservation areas

Mozambique has made important progress in terms of legal and policy development relevant for the context of conservation, promotion of development, participatory processes and resettlement. Table 2 lists some of the key laws and policies guiding Mozbio2.

Table 2: Key Mozambican laws and policies underpinning Mozbio2 design.

Area	Legal / Regulatory / Policy Instrument
The Constitution of the Republic of Mozambique, Enacted in 2004	
Land, Territorial Planning and Heritage	The Land Law No. 17 / 1997 of 1 st October
	The Land Law Regulations, Decree No. 66 / 1998
	The Territorial Planning Law No. 19 / 2007 of 18 th July
	The Territorial Planning Policy, Resolution No. 18 / 2007
	The National Heritage Protection Law of 1998
Resettlement	The Regulation of Resettlement Processes Resulting from Economic Activities Decree No. 31 / 2012 of 8 th August, and Directives No. 155/2014 and 156/2014
Consultation and Participation	Decree on Local Authorities No. 15 / 2000
	The environmental sector directive for Public Participation Processes, Ministerial Diploma No. 130 / 2006
	The Public Consultation Process Decree No. 54 / 2015
Forest and Wildlife	The Forest and Wildlife Policy, Resolution No. 8 / 1997 of 1 st April
	Forestry and Wildlife Law No. 10 / 1999
	<i>Coutada</i> Regulations, Legal Diploma No. 2629 / 1965 of August 7 th
	The Regulations for Forestry and Wildlife, Decree No. 12 / 2002
Tourism	The National Tourism Policy and Implementation Strategy, Resolution No. 14 / 2003 of 4 th April
	The Tourism Law No. 4 / 2004
State Administration	Law on Local State Administration No. 8/2003, 19th May provides for community participation through “integrated administration” focusing on District governance and budget decisions
	Decree No. 15/2000 describes the articulation of local state authorities and community leadership in conflict resolution, representing community opinions on applications for land, and identifying and delimiting community land.
Fisheries	Fisheries Law No. 3/1990 endorses involvement of communities in management of artisanal fisheries and a participatory approach to conservation and appropriate use of aquatic biologic resources and ecosystems
Environment and conservation	The National Environment Policy, Resolution No. 5 / 1995 of 3 rd August
	The Environment Law No. 20 / 1997
	The Environmental Impact Evaluation Regulations, Decree No. 45 / 2004
	Burial Regulations Decree No. 42/1990 of 29 December
	The Conservation Policy 2010 – 2015 Resolution No. 63 / 2009
	The Conservation Areas Law No. 16 / 2014
	Law on Protection, Conservation and Sustainable Use of Biological Diversity No. 5/2017 altering and republishing the Conservation Areas Law of 2014.

Mozambique's Constitution warrants equal rights, duties and freedom to all its citizens. In the context of conservation, development or resettlement activities this includes freedom of expression by all community members and project affected people (PAP). The Constitution also introduces the notion of fair compensation.

Land ownership and natural resources are governed by the Mozambican Land Law, which defines land use rights based on customary claims. The Law sets the procedures to be followed by individuals and communities to acquire land use titles (DUATs). It also establishes that land use rights can be revoked to public interests with the payment of fair compensation. The regulations under this law define areas designated as "*Total Protection Zones*" and "*Partial Protection Zones*". The Total Protection Zones includes areas designated for nature conservation activities. The Law specifies that no land use and benefit rights can be acquired in total and partial protection zones, which are considered public domain, however special licences for specific activities may be issued.

DUATs are allowed and local communities may legally reside inside game farms, controlled hunting areas and community conservation areas managed as conservation and sustainable use areas. This also applies to forest concessions according to Article 25 of the Forest and Wildlife Law.

Territorial planning is mandatory in rural Mozambique. Territorial planning supports the rational and sustainable use of natural resources and the preservation of the environment through providing instruments for area planning to promote quality of life, improve housing, infrastructure and urban service systems, public safety and reduce vulnerability to natural disasters or accidents. Where damage or degradation occurs in a territorial area that may affect environmental sustainability, the entity identified as responsible for causing the damage is required to repair such damage and pay compensation for damage to the quality of life of affected citizens. Transfer of property by expropriation must be preceded by payment of compensation.

The Law specifies that fair compensation has to be paid for: Loss of tangible or intangible goods; disruption of social cohesion; and loss of productive assets. The regulations of the Territorial Planning Law state that "fair compensation" is understood to not only cover the actual and real value of the expropriated assets at the time of payment, but also the damage and loss of profits to the owner as a result of the expropriation of his property. The, Guidelines for the Expropriation Process due to Territorial Planning (Ministerial Diploma No. 181/2010) sets the rules for calculation of compensation for assets, goods and productive assets.

Principles orienting local community participation in **sustainable natural resources management in and outside of protected areas** are established in the Forestry and Wildlife Legislation. The legislation defines national parks, reserves and areas of historical or cultural value as Protected Zones. These protected areas are allocated buffer zones for multiple resource use around them by the Council of Ministers and their use is regulated by the protected area management plan. The Forestry and Wildlife Law points out that agriculture and livestock rearing are prohibited in national parks unless otherwise stipulated in a management plan. Regulations in this domain determine that communities have an inalienable right to draw benefit from conservation that uses land and resources over which they have tenure or hold rights of access and use.

Further: (i) 20% of concession fees should go to local communities resident in the concession area; (ii) communities have the right to participate in decision making; and (iii) multistakeholder groups, namely, Local Participatory Management Councils (COGEPs) should be created to articulate and defend interests over the use of natural resources.

As legislated in relation to **sport hunted wildlife** the meat from these activities is distributed to the local population after trophies are removed by the hunters.

Conservation legislation presents new categories for the classification of protected areas into a) total conservation areas and b) sustainable use conservation areas. The interests and involvement of communities legally inside CAs and their buffer zones, in income generating activities that promote biodiversity conservation will be considered in new CA Strategic Development Plans. Community conservation areas with land use rights provide communities with area management options of partnerships and concessions to third parties. Of special interest to this RPF is that the legislation determines that the State can resettle people to outside of a CA if their presence is incompatible with the legal status of the CA or if their presence impedes good management of the CA.

Provisions are made for the legal establishment of Conservation Area Management Councils (CGAC), advisory bodies covering one or more CA composed of representatives of local communities, the private sector, associations and local state bodies for the protection, conservation and promotion of sustainable development and use of biological diversity.

In turn, the legislative framework on **environmental issues** prohibits activities that may threaten conservation, reproduction, quality and quantity of biological resources. It also warrants community participation in the management of environmentally protected areas.

Resettlement operations in the context of economic activity in Mozambique need to uphold the following individual rights:

- Re-establishment of income to the same levels or higher as before;
- Restoration of living standards equal or higher than before;
- Provision of support for the transfer of goods and assets to new location of residence;
- To live in a physical environment with infrastructure and social services;
- Having access to space in which to practice livelihood activities;
- To share opinion at all times during the resettlement process.

The proponent of the activity is responsible for developing and implementing the resettlement plan, as well as bearing the costs of the process. The approval of resettlement plans is the responsibility of the District Government and is preceded by the issuance of a favourable technical opinion of the sector in charge of territorial planning, after hearing the sectors of agriculture, local administration and public works and housing. The approval of the resettlement plan precedes the issuance of the environmental license.

The Technical Directive for the Process of Elaborating Resettlement Plans (Ministerial Diploma No. 156/2014 of 19 September) defines the procedures and steps to be followed in drawing up the resettlement plan which involves three stages, with corresponding deliverables:

- Phase 1. The preparation of a Physical and Socio-economic Survey Report;
- Phase 2. The preparation of the Resettlement Plan; and
- Phase 3. The preparation of a Resettlement Implementation Action Plan.

A robust process of public consultation during the resettlement process is also prescribed by both Decree No. 31/2012 and Ministerial Diploma No. 156/2014. The public consultation system should create conditions for resettled and host communities to actively participate during all phases of the decision-making process in terms of resettlement, and to have access to all information regarding the content of studies and the process of resettlement.

Consistent with the rest of the legislation, the resettlement framework in Mozambique is underpinned by principles of consultation / participation, adequate planning, implementation and monitoring.

Resettlement in the context of emergencies, such as floods, is not governed by the resettlement legislation. The National Civil Protection Unit (UNAPROC), a multisectorial unit, is responsible for rescue and relocation operations of civilians on the ground in the context of natural disasters including floods. Further, the National Institute for Disaster management (INGC) is responsible for preventing, reducing and operating in the context of natural disasters in Mozambique. In light of this, it assumes

a lead role in promoting the voluntary relocation of populations facing important risks of floods, and when needed, the involuntary resettlement of affected populations.

The principles of **community and broader stakeholder participation** are upheld across relevant legislation. In addition, the Environment sector's specific directive for Public Participation Processes provides detailed guidelines on participation to be integrated in ESAs, as well as for permanent or temporary relocation of people or communities, and the displacement of goods or assets or restrictions on the use of or access to natural resources.

4.5 World Bank Policies

Overview of World Bank Safeguard Policies

Of the World Bank's ten Safeguard policies, the Social Safeguards Policies that apply to Mozbio2 can be seen in the table below:

World Bank Safeguard Policy	Triggered
<p>OP 4.01 Environmental Assessment</p> <p>The objective of this policy is to ensure that Bank-financed projects are environmentally sound and sustainable, and that decision-making is improved through appropriate analysis of actions and of their likely environmental impacts. This policy is triggered if a project is likely to have potential (adverse) environmental risks and impacts on its area of influence. OP 4.01 covers impacts on the natural environment (air, water and land); human health and safety; physical cultural resources; and trans-boundary and global environment concerns.</p>	<p>Yes. Category B - potential direct adverse impacts on human populations or environmentally important areas including protected and partially protected areas, wetlands, grasslands, and other natural habitats will be minor, site specific, reversible and easily manageable.</p> <p>Project social impacts will largely result from construction of civil works for essential and necessary facilities, which will include administrative buildings, small bridges and access roads in selected conservation areas. The construction of these facilities is expected to produce localized adverse environmental and social impacts that are low to moderate while also minimizing impacts of physical displacement.</p>
<p>OP 4.11 Cultural Property</p> <p>The objective of this policy is to assist countries to avoid or mitigate adverse impacts of development projects on physical cultural resources. These may be located in urban or rural settings, and may be above ground, underground, or underwater. The cultural interest may be at local, provincial or national level, or within the international community. Trigger: This policy applies to all projects requiring a Category A or B Environmental Assessment under OP 4.01.</p>	<p>Possibly Yes. It is possible that the project will affect or involve physical cultural resources due to civil works that may imply some excavations of earth movements. The ESMF and national requirements pertaining to chance finds procedures will be followed in compliance with requirements of this policy.</p>

<p>OP 4.12 Involuntary Resettlement</p> <p>The objective of this policy is to (i) avoid or minimize involuntary resettlement where feasible, exploring all viable alternative project designs; (ii) assist displaced persons in improving their former living standards, income earning capacity, and production levels, or at least in restoring them; (iii) encourage community participation in planning and implementing resettlement; and (iv) provide assistance to affected people regardless of the legality of land tenure.</p> <p>This policy is triggered by not only physical relocation, but any loss of land or other assets resulting in: (i) relocation or loss of shelter; (ii) loss of assets or access to assets; (iii) loss of income sources or means of livelihood, whether or not the affected people must move to another location. This policy also applies to the involuntary restriction of access to legally designated parks and protected areas resulting in adverse impacts on the livelihoods of the displaced people.</p>	<p>Yes. This Resettlement Policy Framework presents the mitigation instruments to be used for involuntary resettlement.</p> <p>The Resettlement Policy Framework describes the Resettlement Plans that would mitigate displacement impacts. The Process Framework is a key mitigation instrument for inside and directly adjacent to CAs.</p>
--	--

4.5.1 Comparison between the Laws of the Republic of Mozambique and World Bank OP4.12 on land tenure, involuntary resettlement and compensation

Entitlements for payment of compensation are based on the right to use of and benefit from the land which in Mozambique is the property of the State as defined under statutory law. On the other hand the World Bank's OP 4.12 states that all project affected people are entitled to some form of compensation whether or not they have legal title if they occupy the land up to a cut-off date. The Bank's focus is to mitigate the adverse impacts of poverty as part of a project where any adverse impacts occurring are directly or indirectly attributable to activities funded by the project or, if other financiers cause, plan and implement resettlement concurrently with the project that has significant contributions to the outcomes of the project.

For Mozbio2 the Mozambican Law would take precedence in as far as it recognizes rights of tenure. In cases where project affected people have no rights of tenure according to the law; the provisions of the Bank OP 4.12 would apply and they would maintain rights to compensation, consultation, and grievance mechanisms. Where there is conflict between laws of Mozambique and the World Bank OP 4.12, the latter must take precedence to be compliant with the Bank's due diligence process and policy standards.

In cases of development projects that may involve involuntary resettlement, even where the exact scale of impacts and numbers of project affected people is not known, the Project implementing agency must screen sub-projects through the submission of a Resettlement Policy Framework prior to appraisal that conforms to OP 4.12. The framework estimates, to the extent feasible, the approximate total population to be affected and the likely overall resettlement costs.

If activities financed by other agencies or financial intermediaries involve involuntary resettlement a RPF must also be submitted prior to appraisal. If resettlement is not foreseen prior to appraisal, but during design or implementation is found to be necessary, the financial intermediaries must ensure a resettlement plan is prepared and implemented by the Project proponent consistent with OP 4.12.

People may lose their ownership, occupancy, or use rights, because of land use rights acquisition or restriction of access in the creation of legally designated parks and protected areas. Restriction of traditional access to resources in legally designated parks and protected areas is an OP 4.12 issue addressed through the Mozbio Process Framework.

Mozambican decentralization and deconcentration policies advocate greater involvement of citizens and local level government, more transparent governance, participatory planning processes and consultation with communities as clients. This is endorsed completely by OP 4.12 which emphasises the need for meaningful and participatory consultation and joint planning in the resettlement process, as a fundamental means of encouraging trust and sustainable outcomes.

Mozambican legislation concerning resettlement requires resettlement planning for the substitution of lost residences and property; it also requires payment of compensation for losses and damages caused by any public or private economic development activity. Mozambican legislation underlines that potential displacement automatically triggers the realization of an ESIA and the production of an environmental management plan. Environmental licensing according to resettlement legislation is now conditional on the production and approval of a Resettlement Plan. The planning process is covered in the Regulation on Resettlement and its directives that guide implementation. The Regulation covers planning aspects in detail but has important gaps relating to social impact assessment and livelihoods restoration and is limited in its application. The Directive on the Expropriation Process provides guidance on compensation calculation, but not at full replacement value. For all projects the principles and procedures stipulated in the Bank's OP 4.12 will prevail and will supplement all gaps where requirements of local legislation are less.

Table 3 provides a detailed comparison of Mozambican Legislation and WB OP 4.12 in relation to specific issues pertaining to resettlement and compensation in which differences have been identified. In addition, the table offers mitigation measures for each of these cases for Mozbio2.

Table 3: Comparison of Mozambican Law and World Bank OP4.12 regarding resettlement and compensation

Category of Project Affected People / Type of Lost Assets	Mozambican Law	World Bank OP4.12	Mitigation Measures
Land Use and Benefit Title Owners	Entitled to consultation and agreement on compensation at a fair rate for improvements on the land during acquisition of title process.	Gives preference to land based resettlement strategies for displaced persons whose livelihoods are land-based as compared to monetary compensation. Other compensation is valued at full replacement cost.	Land-for-land compensation will be prioritized. Other compensation (including for land if not compensated in kind) is at full replacement cost.
Land Users	Entitled to consultation and agreement on benefits or compensation at a fair rate for improvements on the land based on rights gained by occupation for over 10 years. Land users occupying for less than 10 years and land users and occupants of partially or totally protected areas are not entitled to compensation for loss of rights.	Policy does not distinguish between land rights holders with or without title. All are entitled to some form of compensation whatever the legal recognition of their occupancy and rights. Preference given to land based resettlement strategies for displaced people whose livelihoods are land-based. Other compensation is valued at full replacement cost, and income must be restored to pre-project levels at least.	Whatever the legal recognition of their occupancy land users will be entitled to compensation so that they may maintain or raise their levels of well-being / income. Land-for-land compensation will be prioritized. Other compensation (including for land if not compensated in kind) is at full replacement cost.

Category of Project Affected People / Type of Lost Assets	Mozambican Law	World Bank OP4.12	Mitigation Measures
Occupants of residential buildings made of 'permanent or non-permanent' materials	Replacement with minimum three bedroom permanent houses of a stipulated size and within a minimum size land area. Emphasis on formal urbanization and land-use planning, and construction of social and public facilities at resettlement sites. Entitlement recognises buildings on land with community or individual land rights; no need for title.	Entitled to in-kind compensation or cash compensation at full replacement cost including labour and relocation expenses, prior to project impact.	Entitlement to minimal housing and services standards according to Mozambican law and coverage of relocation expenses all carried out prior to project impact.
Owners of non-residential buildings made of 'permanent' and 'non permanent' materials	Cash compensation based on the market value including depreciation.	Entitled to cash compensation at full replacement cost including labour and relocation expenses, prior to project impact.	Entitlement to in-kind compensation or cash compensation at full replacement cost including labour and relocation expenses, prior to project impact.
Users suffering loss of traditional access to or restricted use of resources inside fully or partially protected areas as a result of the Project	Legally due benefits from tourism and hunting concession fees and taxes to 'local communities' resident in CAs. Should participate in the creation of CA management plans and definition of uses of resources in CAs. Resettlement only when CA statutes prohibit settlement or good CA management is impeded.	All negative impacts on the livelihoods of people affected by a CA should be addressed and treated as 'resettlement'. Negative impacts should be avoided or mitigated wherever possible through Project design and a Process Framework describing PAP participation in decisions on how to avoid or mitigate impacts. The losses are sufficient entitlement for compensation and where necessary, resettlement as a development-oriented activity.	Sustainability will require Community Agreements on livelihoods alternatives and annexed Action Plans for implementation. Mostly addressed by design provisions in Community Agreement and Action Planning process under the PF. If there are residual impacts Project affected people will be treated according to this RPF.
Owners of perennial and annual crops	Cash compensation based upon rates calculated as an average net agricultural income. Tree crops cover productivity, age and market price factors, annual crops include a factor (up to 1) to cover intangible value.	Cash compensation at full replacement cost is paid for all assets on land with or without formal legal rights at the time of the census, providing the claim can be validated by national law or through a process identified in the resettlement plan.	As per section 5.2 of this RPF and disclosed in Maputo, the CAs and the World Bank Infoshop prior to approval.
Livelihoods restoration	Resettlement sites must have access to the means of subsistence.	Assistance to displaced people to improve or at least restore their livelihoods and standards of living to pre-project levels or pre-resettlement levels whichever is higher. This is especially focused on land-based livelihoods for people leaving CAs.	WB policy will apply and should economic losses leave affected people with unviable land-based options, alternative livelihoods should be used to meet the World Bank requirements.

Entitlement assessments should in all areas not mentioned by Mozambican law be guided by the World Bank's OP 4.12. For all activities required for Mozbio2 outcomes involving resettlement financed by agencies other than the World Bank, a draft RAP must be provided to the World Bank for due diligence, and gap filling measures may be required.

In the case of floods-induced resettlement occurring in any of the target areas, INGC will coordinate all resettlement operations. While these interventions are not regulated by resettlement legislation, due diligence will be necessary to ensure that dialogue with INGC verifies compliance with disaster management legislation of plans and actions in resettlement interventions supported by them as well as international good practice and human rights and settlement standards. [Particularly, people should be resettled permanently within a reasonable time frame and not to a location where their rights would have a precarious status, such as within a CA.]

5 Resettlement instruments

When a MozBio2 component investment, or a third party financed investment unavoidably entails land rights acquisition or change in land use that results in adverse effects on residents or users with impacts on the Project, the Mozbio2 Project Coordination office or its LMUs will develop for public information, discussion and agreement, a draft full or abbreviated RP/CP to guide implementation of the resettlement operation. Each RP/CP will accord with the principles and procedures of this Resettlement Policy Framework.

A full RAP would be required only if over 200 people or 40 families have to be relocated or if these people are not physically displaced but lose enough of their assets due to the project that the remainder are unviable as livelihoods sources. Since any sub-project presented with these characteristics would not be approved for financing nor would any CA infrastructure proposal be approved that caused such displacement, no physical resettlement of this scale is expected in this Project. As a result, the procedures for elaborating a full RAP are not included in the RPF.

If another financing agency external to the Project supports a resettlement activity so that it contributes to the outcome of Mozbio2 and is implemented at the same time as the Project, the instruments used will be submitted to the World Bank for due diligence and gap filling measures may be required.

5.1 Abbreviated Resettlement Plan / Compensation Plan

On the occasions that construction in or outside of CAs requires sites that have community members' productive or other assets or economic activities on them, or sub-projects that require acquisition of land use rights that are being used by community members with assets on the sites and have not agreed to participate in the sub-project, an abbreviated RP will be required to describe the procedures, institutional organisation and costs of the process to be presented for approval by the World Bank, before compensation may be paid and Project activities advance in these areas.

An abbreviated RP or Compensation Plan would require:

- A description of the project activity and actions to minimise resettlement;
- An officially certified survey of displaced persons (census), asset inventory and valuation and, [if appropriate,] socio-economic survey;
- A detailed description of compensation and other resettlement assistance including entitlement to participation in alternative livelihoods development activities to be provided;
- Valuation methodology for assessing losses and description of compensation for losses
- Results of consultations with displaced people about acceptable alternatives;
- A description of institutional responsibility for implementation and procedures for grievance redress;

- Arrangements for implementation and monitoring; and
- a timetable and budget detailing all costs, including relocation, compensation, administrative costs and monitoring fees.

Should displaced people lose more than 10% of their productive assets the plan must include the socio-economic survey and the measures that are proposed for restoring affected families' living conditions and income. If physical relocation is required, such as might occur if wildlife conflicts escalate in a particular area, then a full RAP / RP must include the socio-economic survey and the measures that are proposed for restoring affected families' living conditions and income (and see Figure 4-1).

Study results should present the socio-economic and cultural characteristics, livelihoods sources and quantified income from formal as well as informal activities and health of at least 25% of displaced households according to Mozambican legislation. In settlement clusters of over 40 families this is deemed enough to provide enough data to monitor livelihoods restoration of the affected parties. In cases of isolated households, 100% of them must be surveyed to obtain useful results.

Of particular interest are people's land tenure and transfer systems and any issues raised by different tenure systems in the Project area. Patterns of social interaction in the affected communities, including social networks and social support systems, and how they will be affected by the project should be shown, and the formal and informal institutions that may be relevant to the consultation and resettlement strategies.

Details of the scale and extent of partial and total physical and economic losses expected for all affected people must be presented and for vulnerable groups in particular.

5.2 Eligibility Criteria for Defining Categories of People Affected by the Project

5.2.1 Cut off date

If people must be displaced from a location, a date for a moratorium on occupiers' construction activities and investments in permanent improvements on the land such as new tree crops for example should be declared by FNDS through the District Administrator. Establishing a cut-off date as early as possible in the planning process will prevent people who encroach on the area after it from obtaining compensation or any other form of resettlement assistance to which they are not eligible.

The cut-off date for each site should be chosen by the LMU/Mozbio2 Project Coordination office in close consultation with the Local Authorities and SDAE with advice from DINAT/MITADER, together with the traditional and local influence leaders, when the affected people are identified through a full census. This date must be communicated effectively to the potential project affected people and surrounding local communities. The local communities and traditional leaders will play a key role in identifying eligible land users.

Since declaration of the cut-off date prohibits people being eligible for making claims after a specified date, the conditions of the cut-off date, the availability of the grievance response mechanism and how to gain access to it, as well as organising for enforcement of the moratorium against further construction or planting tree crops for example need to be widely disseminated. A strategy for implementing the cut-off date must be prepared as part of an RP/CP.

If, as is likely, sub-project sites requiring land use rights acquisition or sites that will be used for public infrastructure, contain the assets of less than 200 people, it may not be necessary to carry out the formal declaration of a cut-off date, instead terms of agreements with communities and affected individuals, may be enough. These would be the agreement terms of affected individuals' or households' a) eligibility agreement and b) agreement from community leaders responsible for the area to manage any encroachment. Dissemination of the conditions of eligibility would always have

to be widely disseminated however, as there is always a risk of non-eligible outsiders wanting access to compensation.

To prevent claims from people arriving after the cut-off date, the census of displaced people and their property must be carried out at the declaration time to identify those who are eligible for compensation. This will identify eligible occupants and establish the size and quality of structures, current land use, and other relevant information.

The census should be carried out in the initial stages of project identification and as soon as tentative location and physical boundaries of the sub-project or construction site can be established.

The census must be accompanied by a photographic record and GPS coordinates of inventoried items which can assist in later verifications of the land-use and livelihoods activities at that time, and form part of the baseline records of displaced people. Arrangements should be agreed for cropping and other non-permanent uses to continue.

5.2.2 Categories of displaced people

Implantation of new subprojects, construction activities or concessions may involve people's loss of productive assets and structures, and access to these. These are families affected by economic displacement. This displacement is the result of actions which interrupt or eliminate their access to productive assets and natural resources in or outside protected areas, although they themselves will not be physically relocated.

FNDS will ensure that Project resettlement planners include the provision of means of restoring livelihoods so that affected families may become better off than they were before the Project.

Categories of people who lose assets are indicated in Table 4 below, however others may be identified during the development of RP / CPs. Households in which single members are affected by a sub-project or construction site are considered members of affected families. The exact numbers of displaced people, the degree of impact on the families' livelihoods (their losses, ownership status, tenancy status etc.) will be determined during the process of developing the RP / CP.

Table 4: Criteria for assessment of potentially affected families

Impact Type		Description
I.		<i>Families who practice agriculture or use natural resources in the CA on a development site.</i>
	Partial economic displacement	Families that will lose part of their farm plots and produce, and/or lose use and access to natural resources used for their livelihoods.
II.		<i>Families who practice agriculture or use natural resources on a development site outside the CA.</i>
	Partial economic displacement.	Families that will lose houses and part of their farm plots and produce and use of natural resources.
III.		<i>Families who carry out small businesses (with permanent or temporary structures) on a development site in or outside of a CA.</i>
	Partial economic displacement.	Families that will lose income from closure of business and who lose structures erected for this activity.
IV		<i>Families who own ancillary structures that are located in a development site in or outside of a CA.</i>
	Partial economic displacement	Families that will lose domestic ancillary structures such as field shelters, currals, or other non-residential structures.

Impact Type		Description
V		<i>Families living or working in rented houses in the CA or development site on a seasonal or occasional basis related to livelihood resources</i>
Partial displacement	economic	Families that will lose the house they rent and occasionally occupy as shelter or to carry out business.
VI		<i>Families renting houses seasonally used by others located in the development site</i>
Partial displacement	economic	Families that will lose the house they rent to others short or longer term.
VII		<i>Families or communities with cultural property on the development site</i>
Partial cultural losses		Families or communities that may lose access to physical cultural assets (sacred sites, cemeteries etc.)
VIII		<i>Families in situations of extreme vulnerability (safety, social and subsistence impacts) created by Project conservation and tourism promotion activities in CAs</i>
Extraordinary displacement	physical	Families or individuals at risk of major wildlife conflicts requiring their resettlement.

All other partial displacement related to loss of access and use to resources in CAs is covered in the Mozbio2 Process Framework for mitigation without involuntary resettlement planning. The Process Framework describes the measures to mitigate the risks of living in CAs that will avoid the need for any 'extraordinary physical displacement' caused by the Project.

5.2.3 Land Acquisition and Likely Categories of Impact

The likely (economically) displaced persons can be categorized into three groups, namely; Affected Individual, Affected Household and Vulnerable Groups. Rachel Waterhouse (2009) has clearly identified vulnerability as both a cause and a symptom of poverty in Mozambique. Vulnerability describes people's capacity to withstand or succumb to external shocks and risks, in order to maintain their livelihoods and well-being (Abbot & Waterhouse 2007, DFID-DRC).

The idea of resilience in this context, sees people with the capacity to retain their assets and maintain their well-being and livelihoods in the face of adversity. People's poverty is therefore intricately related their vulnerability to losing their tangible and intangible assets.

Waterhouse argues that understanding more about vulnerability can help to explain why some people are more likely to be poor. She identifies three key dimensions of vulnerability:

- a) *Lack of internal defences*: Demographic or life-cycle factors such as infancy, chronic illness, old age, or social factors such as being orphaned or widowed, and little human and social capital.
- b) *Exposure to external risks and shocks*: Sudden events such as natural disasters, violent conflict and long-term processes such as climate change, market trends, currency devaluation.
- c) *Social exclusion and discrimination*: Exclusion of people from society, the economy and political participation.

Vulnerable groups in terms of the Project may include people at high risk of severe wildlife conflicts, HIV/AIDS affected persons without access to support or treatment inside CAs, orphans who as numbers increase are not always easily absorbed into extended families, the elderly – especially those

living alone, who are also frail, chronically sick and partially incapacitated, women headed households, etc. These groups are being identified as particularly vulnerable so that special attention would be paid to them by identifying their needs from the socio-economic and baseline study so that (i) they are individually consulted and given the opportunity (i.e. not left out) to participate in the Project community development activities, (ii) that their compensation is designed to improve their pre-project livelihood (iii) special attention is paid to monitor them to ensure that their pre-project livelihood is indeed improved upon, (iv) they are given technical and financial assistance if they wish to make use of the grievance mechanisms of the Project, and (v) decisions concerning them are made in the shortest possible time.

5.2.4 Eligibility for Community Compensation

Communities permanently losing use of land and/or access to assets and or natural resources inside protected areas under statutory rights will be eligible for compensation. Examples of community compensation could be for use of community land areas, culturally significant sites related to community well-being, market places and schools. The rationale for this is to ensure that the pre-project socio-economic status of communities where adversely impacted, is restored at the collective level.

5.2.5 Procedures for Assessing Entitlement

Procedures for assessing entitlement to compensation and other forms of assistance should be organised along the following lines:

- A census of all people who will be affected by the specific Project activity will be carried out in the early planning stages of the sub-project by a Landscape Community Officer or CA Community Officer. This will identify those eligible for assistance and discourage an inflow of people ineligible for assistance. Names of all family members and their relationship to the head of the household, details of resource use and location and household location must be registered and maintained at the LMU.
- Together with the local authority (community or locality head or similar), local influence leaders and a representative from the Local Government the CA Administration or activity developer, the Community Officer/CA Community Officer must investigate the basis of each claim of the identified families. Information should be cross-checked through initial interviews with the local leaders on their own, followed up with visits to each affected family to make a detailed register of all affected assets.
 - The inventory should record numbers of houses, the area they occupy, age, and condition, as well as the types of crops, their age, productivity and quantity and size of land areas taken and all other non-farm livelihoods sources. Assessment of the families with partial economic displacement claims should be sensitive to the complexity of obtaining access to and using livelihoods resources, so that it may be established which families will genuinely lose use of, or income from these as a result of displacement.
- The decision about entitlement will be made by FNDS Safeguards or LMU following analysis of all claims. Each family eligible for compensation or other assistance must then be informed by the Community Officers or CA Community Officers of the basis of the decision and the options for assistance they have.
- This process must be fully documented for the RP / CP by the Community Officers or CA Community Officers, including the decisions taken and their reasons at every step of the way. Should complaints be lodged against decisions about eligibility, these must be dealt with through the established procedures for communicating grievances described in section 68 below.
- Agreements on compensation types, location for resettlement and amounts must be drafted by the LMU with support where needed from the Mozbio2 Project Coordination office and

the Community Officers or CA Community Officers will ensure they are signed by each family and witnessed by a local leader and government officer. The document will serve to clarify the rights of affected families and defend the CA or activity developer in the case of any claims against it.

- The entitlement matrix, eligibility of people affected by the Project and agreements presented in the RP /CP will require a No Objection from the World Bank prior to implementation.

5.2.6 The need for livelihoods restoration

If small pieces of productive land are taken for an activity and in a fertile area where the land pieces are small, a person loses their entire livelihood source, they could be made vulnerable if the benefits from the Project are not adequately shared and delivered to this person. The baseline assessment should include information on total productive assets held, so that a position of vulnerability can be seen from the data. Following on from this, assistance will be provided for comparative agricultural development on land replaced by the District Government out of the CA, incorporation in community benefits and development activities in a CA or alternative livelihoods sources of choice in or outside of the CA.

5.2.7 Entitlement Matrix

A summary matrix that shows probable categories of displaced people and the respective entitlements to various types of compensation and other benefits from the Project can be seen below.

Category of Project Affected People	Type of Loss	Compensation for loss of Structures	Compensation for loss of Assets	Other assistance
Families who practice agriculture on a development site in the CA	Loss of standing crops	-	Cash compensation for lost standing crops at full replacement price.	Tree seedlings to replace lost productive tree crops. Livelihoods and income generation development support if the losses represent more than 20% of family livelihoods source.
Families who use natural resources on a development site in the CA.	Loss of access and use of natural resources including land	-	Provision of alternative land for cultivation, provided in time for the next agricultural cycle.	If alternative land is not provided with time to guarantee the next harvest & if the subsequent losses represent more than 20% of family livelihoods source, a food subsidy may be necessary until production is re-established or the next harvest, whichever occurs first. Livelihoods and income generation development support as per the Process Framework providing alternative income and benefits to replace those lost from NR use, such as wood lots, plant nurseries, savings and credit schemes, or participation in matching grant schemes. Other benefits needing replacement might include clean water supplies, or access to health services.
Families who use the natural resources on a development site outside the CA.	Loss of physical assets and loss of access / use of natural resources + land	Cash or (construction) material plus labour compensation for lost structures	Cash compensation for loss of crops and provision of alternative land for cultivation and transitional assistance.	Livelihoods and income generation development support as per the Process Framework.
Individuals or families with a house / market stall / shop on a development site as livelihoods source.	Loss of structure and interruption of income	Replacement of structure, construction materials plus labour or cash compensation	Cash compensation for loss of property according to undepreciated full replacement costs.	Cash compensation for period of interrupted trade. Assistance to develop alternative comparable income generating activity.

Category of Project Affected People	Type of Loss	Compensation for loss of Structures	Compensation for loss of Assets	Other assistance
Families who own domestic ancillary structures on a development site	Loss of property	Replacement of structure, construction materials plus labour or cash compensation	Cash compensation for loss of property according to undepreciated full replacement costs.	-
Families or communities that may lose access to physical cultural assets (sacred sites, cemeteries etc.)	Loss of cultural and social well-being	-	-	Based on agreement with those directly affected, assistance to transfer physical property to another site and support for appropriate ceremonies/rituals to be performed. Identification of alternative site were appropriate.
Families or individuals at risk of major wildlife conflicts extraordinarily requiring their resettlement	Loss of shelter, physical productive and non-productive assets and loss of access / use of natural resources + land	Replacement housing the meets national legal requirements in a hosting hub or with family outside of the CA. Replacement of structure, construction materials plus labour or cash compensation.	Cash compensation for loss of crops and provision of alternative land for cultivation and transitional assistance.	Moving allowance, assistance to transport good and chattels to new residential site (temporary and permanent). Transport of construction materials of the old house, livestock and other productive goods to the new site. Tree seedlings to replace lost productive tree crops. If alternative land is not provided with time to guarantee the next harvest & if the subsequent losses represent more than 20% of family livelihoods source, a food subsidy may be necessary until production is re-established or the next harvest, whichever occurs first.
	Vulnerability created by household family member injured or killed by wildlife. Loss of capacity to subsist due to fragilization of social support as a result of contextual changes caused by the project	-	-	Registration with and support from DSMAS to address impacts of vulnerability. Livelihoods and income generation development support from the Project as per the Process Framework providing alternative income and benefits to replace those lost from NR use, such as wood lots, plant nurseries, savings and credit schemes. Other benefits needing replacement might include clean water supplies, or access to health services.
Families living adjacent to areas where construction will take place.	Damage to physical assets and loss of livelihood	Compensation [paid by the contractor] at undepreciated full replacement costs.	Cash compensation [paid by contractor] for lost standing crops, livestock,	None.

Category of Project Affected People	Type of Loss	Compensation for loss of Structures	Compensation for loss of Assets	Other assistance
	sources (agricultural or other resources)		damages to property and lost profits at full replacement cost.	

5.3 Valuation of Affected Assets and Compensation

Adequate compensation must be received by those affected by project interventions, so that they can gain access to assets and livelihoods that benefit them to the same level or better than prior to Project effects being caused. Adequate compensation means ensuring that affected populations are provided access to replacement land or other lost assets of at least the same quality and locational advantages in order to restore or improve their living conditions and their livelihoods source.

In order to ensure fair compensation to affected people as well as avoid unnecessary claims from affected persons, objective and transparent procedures will be put in place by the FNDS / LMU and elaborated in the RP / CP for asset valuation, compensation delivery and monitoring following the general guidelines in this section.

Asset valuation

Compensation calculations may include for individual and community land rights, infrastructure, agricultural land, crops in fields, trees and other assets owned by affected people.

The principles of OP 4.12 require a) the use of substitution costs for affected assets (including land if not replaced in-kind) and structures (calculated on the basis of up-to-date prices of materials and labour in the local market), b) the inclusion of transaction costs in the compensation value, and c) replacement cost without considering depreciation.

- The asset inventory database will be prepared by the Community Officer / CA Community Officer and will be used to identify all property requiring compensation at individual and community level.
- In the absence of a representative market sample and historical data which is the case in almost all CAs and many buffer areas, the Community Officer / CA Community Officer with support from the LMU should base their calculations on the following:
 - The terms for calculating the value of a non-residential asset should take into account the location, size, typology and cost of construction. In order to meet World Bank requirements, the valuation should be calculated using the full replacement costs, not depreciated. Monetary compensation for this subsidiary structure, will correspond to the total value, without depreciation, of replacing the original structure.
 - When possible, using updated tables, compensation of crops and fruit trees can be calculated taking into account the tables issued by the Provincial Directorate of Agriculture and Food Security (DPASA) and, a) by verifying this information with the results of calculations based on Ministerial Diploma nº 181/2010 and b) selecting the highest version ensuring that the compensation is for the total amount of production lost during the interrupted period and its replacement at the current market price.
 - In Maputo, where DPASA does not produce this table, but the formulae for the calculation of the compensation, it will be necessary to seek DPASA support to carry out the evaluation or request the Agricultural and Natural Resources Management Centre (CEAGRE) to carry out a study of the specific conditions in the Elephant Coast Landscape and recommend compensation rates, or update existing relevant tables for the areas concerned.
 - The legislation guiding the calculations on which the DPASA tables are based requires that annual crop values are calculated by multiplying the quantity produced by area of production (kg / m²) by the crop price in kilograms (MZN / kg), and social weighting in terms of local conditions (factor of 0-1). This discretionary factor, allows the calculation result to reach the replacement value, not more. To calculate the value of fruit trees, the years of a tree's productive life are multiplied by its annual production (kg / year) and the sale price of the fruit and other derivatives (MZN / kg), multiplied

by the discretionary factor or social / special local conditions weighting (factor of 0-1).

- OP 4.12 recommends a) the use of replacement costs for affected structures (calculated on the basis of up-to-date prices of materials and labour in the local market), b) the inclusion of transaction costs in the compensation value, and c) replacement cost without considering depreciation.
- In addition to agricultural production, calculation of the (temporary) loss of other livelihoods (temporary cessation of economic activity) is not mentioned in the expropriation legislation. Thus, the (temporary) loss of livelihoods will be estimated on the basis of World Bank principles in agreement with the affected parties.

Valuation should be guided by a thorough community consultation process and a household level participatory process involving affected asset owners. In the case of households, it is recommended that women and men both be consulted in establishing inventories of productive and non-productive assets and income flows that will be lost due to the Project.

In the extraordinary case of a very limited number of vulnerable households being involuntarily resettled out of a CA, the Mozambican legislation is very specific about the replacement of affected houses in which affected families live: Compensation in kind should minimally be a house with three bedrooms, with a total floor area of 70 m², built in a plot of 800 m² in urban areas and 5,000 m² in rural areas. Housing and basic services access should be equivalent but preferably better than in the CA, and should a family have a larger house than the minimum replacement size prescribed by law, in agreement with the householder the replacement house may have more sleeping compartments, or other appropriate arrangements.

In terms of planning to reach and implement compensation agreements with people affected by the Project, it is important that the following be taken into account:

- An information sheet explaining eligibility, compensation rates and other entitlements, a timetable for implementation, and information about grievance procedures should be presented in a clear easy to understand format to the Project affected people.
- Valuation should take place as early as possible in the context of the RP / CP planning process.
- In all cases, compensation shall be made within established timelines and shall be delivered to affected people prior to clearance of a site for a development activity.
- The location of individual replacement agricultural land should be selected in consultation and agreement with the host and compensated people, which shall be informed as well by technical considerations.
- Assistance shall be provided to ensure that agricultural land is handed over in a timely fashion and all land related requirements will be fulfilled (demarcation, where possible, registration, preparation) in time for the next agricultural season.
- In the extraordinary case of the involuntary resettlement of households vulnerable to severe wildlife or social and subsistence risks, these may be assisted with transferring their goods and chattels to temporary housing provided by the Project and approved by them, should there not be enough time for definitive alternative housing to be built for them. They have the right to assistance to take their building materials with them, a moving allowance and support to transport them, their livestock and any food stocks they may have. They must be assisted both to temporary housing and, within the shortest period possible, to the definitive house at a site of their selection and agreement with host community and local leaders and authorities.

Follow-up to verify compensation procedures and dues with each family will focus on any with high proportions of land / crops / livelihoods sources lost or otherwise vulnerable households.

In principle, all compensation to couples including *de facto* unions should be paid jointly. Objections should be handled on a case by case basis.

The safety and security of the recipients of compensation should be a primary concern of the Project at all times. The LMU must take measures to avoid risks of theft or other forms of crime by planning transfers to individual or couples' accounts. If it is necessary that to obtain a bank account, people need identity cards, the Project should assist them with this.

Community and individual compensation agreements will be formally documented by the Community Officer / CA Community Officer and signed with copies delivered to the recipients of compensation. FNDS shall keep the records for a minimum period of five years after all compensation has been provided.

5.3.1 Institutional responsibilities in the preparation and implementation of compensation plans

Supervision, planning and Implementing Agencies

Mozbio2 Project Coordination office in MITADER's **National Sustainable Development Fund (FNDS)** is responsible for Project operations including approval and oversight of planning and implementation of abbreviated RP/CPs. A safeguards team for all FNDS projects are based in FNDS' Projects Management Sector at central level. Under this Sector Administrator is a Project Coordinator for the MozBio Phase 2 Project. The Project Coordinator of the Mozbio2 Project Coordination office is responsible for planning and implementation of abbreviated RP/CPs.

FNDS will establish Landscape Management Units (LMUs) in Sussundenga and Marromeu districts, while for Matutuine district the support will come from the central PIU. At the CA landscape level, the LMUs will coordinate and monitor Project implementation progress and interface with the District authorities (District Service of Economic Activity (SDAE) and the District Service for Infrastructure and Planning (SDPI)) in the target districts.

The LMUs will have one coordinator and will be staffed with technical specialists (infrastructures and value chain areas and a sustainable development specialist who will be responsible for the safeguards activities) and administrative support (accountant). They report to the national FNDS/Projects Management Sector and to the MITADER Provincial Directors and have regular meetings with the Provincial Governors.

The **CA Co-Management structure** will be also directly involved in MozBio-2 implementation, mainly in the implementation of activities for strengthening conservation areas development in targeted landscapes, as well as in facilitating conservation-compatible rural development within the buffer zones. Two of these already have Community Officers who may be involved in carrying out baseline studies and monitoring the implementation of RPs / CPs. In Marromeu, none of the CAs has **Community Officers**. Two have been recommended in the Process Framework for Mozbio2, and it will be these people who will be responsible for assisting with information collection, supervision and monitoring of compensation planning and implementation.

Community Officers and CA Community Officers are responsible for screening out ineligible resettlement activities and for working with Mozbio2 Project Coordination office to seek approval for exceptions from FNDS' Projects Management Sector and the World Bank. These key field officers will require technical support to develop their competencies and to prepare more complex RP /CPs when necessary.

At district level SDAE and SDPI will support productive assets and non-productive assets valuation where necessary and will support sub-project screening to identify the magnitude of impacts. Communication between these Services and the CA management and LMUs will be necessary to re-design activities, sites or arrangements with PAPs to reduce or avoid impacts every time they are detected. The District Service of Women, Health and Social Action (SDSMAS) supports women's community organizations and vulnerable people and will be involved to ensure that women receive equal compensation to men for lost assets, and to ensure no-one is made vulnerable by Project resettlement or compensation activities.

It is unlikely that for the scale of impact foreseen, that a District Resettlement Commission would be established. If it is already established for other resettlement activities in the district, it will not be formally required to review or approve abbreviated Resettlement or Compensation Plans. It is however recommended that since the District Government will be involved in valuation of assets for compensation, receiving complaints about entitlements or compensation that takes place, and ensuring that the Project creates no additional vulnerabilities, that the District Administrator, who is also the head of the Commission, is maintained informed about the process and procedures planned and underway.

If the District Resettlement Commission is active and expresses a need to become involved, its functions and membership are legislated, and operations should follow those requirements. A summary of the Commission's functions can be seen below:

- Mobilize and raise awareness among the population in regards to the resettlement process;
- Be involved in the entire resettlement process, including related supervision and quality assurance;
- Raise awareness as to the rights and obligations of affected households in the resettlement process and ensure observance of these rights;
- Whenever necessary notify the proponent to provide information about the progress of the resettlement process and provide an opinion on public consultation reports concerning resettlement;
- Where complaints cannot be dealt with at local level, receive and forward them to the competent authorities;
- Inform the competent authorities as to any irregularity identified during relocation;
- Prepare monitoring and evaluation reports of resettlement taking into account the previously approved plans;
- Submit reports to the Technical Commission for the Monitoring and Supervision of the Process of Resettlement.

It is unlikely that the scale of compensation activities caused by the Project will require any community level organization set up – such as Compensation Committees (CCs). Even so, whenever interactions are made directly with communities, these should be made through the local authorities, local leaders and then the directly affected people.

For RP/CPs not involving and environmental and social assessment (usually *less than 40 families displaced*) plan preparation and implementation will be made by the Community Officers or CA Community Officers in coordination with the District Government, CA Management and LMU as necessary. Whenever an Environmental and Social Assessment is necessary for a project, and especially if involuntary physical resettlement is extraordinarily necessary, the assessment Consultant will also carry out resettlement and compensation planning, and if necessary, implementation.

Since all social safeguards specialists at central level are located in the FNDS Projects Management Sector, they should provide capacity building support to the Community Officers, CA Community Officers and the Mozbio PIU Communities staff early on in Project implementation. This will ensure that the FNDS Projects Management Sector is not directly responsible for RP/CP preparation and implementation as the competency for this will be created at Project LMU and CA levels under the Mozbio2 Project Coordination office.

At the beginning of the implementation process, if the number of families affected per activity or subproject area is *equal to 40 or more*, a subproject Compensation Committee (CC) will be established to represent and defend the interests of these subprojects. The CC will include representatives of the various affected areas according to their administrative divisions. Measures will be taken to ensure that committees have a balanced representation of both sexes and that women are active participants in decision-making. Members of the Committee should include at least 40% women, and preferably

an even higher percentage, in order for their representation to be adequate. The Community Officers will organize the creation and development of the capacity of the committees.

These committees will be important focal points for implementing and resolving compensation issues, and will be mechanisms for linking Community Officers to contractors, local authorities, municipalities, the District Government, LMU safeguards staff, and the central PIU.

If the number of families directly impacted and due for compensation is *over 100 families* the multi-sectoral District Resettlement Commission should be involved in supervision and monitoring of implementation according to its scope of work. Representatives from the CC or community leaders as preferred by the community, should be members of the Commission to ensure that affected people's interests are adequately taken into consideration in decisions taken by the Commission that affect the affected parties.

5.3.2 Approval and disclosure of compensation plans

All draft abbreviated Resettlement Plans / Compensation Plans (RP / CP) will be submitted by the Mozbio2 Project Coordination office to the FNDS Projects Management Sector and the World Bank for review and approval before compensation is awarded and subsequent commencement of construction work or other sub-project activities. Once an acceptable draft version has been prepared, it must be presented in a summary format or full format as appropriate for the consultation location and made available for wider public consultation involving ensuring those directly affected and involved are included. For example, copies of the document will be prepared in Portuguese, and will be made available in easily accessible locations in affected areas. Comments obtained from the public consultation will be incorporated into the final document.

It should be reiterated that the RAP / CP is a dynamic working document and when there is any change in the situation on the ground, it may be necessary to make corrections to reflect the reality of the terrain. These corrections will follow the same principles and methods and may be attached to the original plan following a similar public disclosure and consultation process.

5.3.3 Procedures for the payment of compensation

The Mozbio2 Project Coordination office will lead the implementation of RP / CP through services provided by the LMUs. Technical assistance from the central FNDS Safeguards members of the Transversal Project Support Team will be required to provide training to ensure that all compensation procedures are understood by the men and women involved and the competency for implementation transmitted to them.

FNDS social safeguards specialists from the Transversal Projects Support Team will train the landscape Community Officers, CA Community Officers and the specialist member of the LMU responsible for Sustainable Development and Safeguards on-the-job during the preparation of the first RP / CP so that they can later facilitate abbreviated PR and PC preparation and implementation (when this is not being carried out by an ESA consultant), including the payment of compensation. The specialist member of the LMU responsible for Sustainable Development and Safeguards will coordinate the involvement of SDAE, SDPI and SDSMAS and the CA Managers and Community Officer and others relevant to implementing the process.

The LMU will transfer monetary compensation directly into the PAP accounts or issue cheques to the PAPs. The delivery of the cheques will be done by the LMU in coordination with the CA management in the presence of witnesses. Community Officers or CA Community Officers should be used for direct contact with PAPs. They should be provided with the necessary means to realize the social and organizational aspects of implementing compensation at the Project sites.

CCs should be trained in social and management issues and should be supported by Community Officers in their work. The LMU safeguards staff delegated to work on the Project, environmental staff

from Marromeu Municipality and the District Governments, and local authorities as members of the District Resettlement Commission or in its absence, as key stakeholders in the informal district working groups will coordinate, monitor and oversee community consultation and participation in the implementation of the PR / PC, at the local level. The LMU team will coordinate activities in the districts and provide information to the Mozbio2 Project Coordination office Coordinator. The LMU should ensure that a copy of all locally collected social information is kept at the Mozbio2 Project Coordination office offices.

Community Officers and CA Community Officers will focus on developing community capacity and supporting families during and after compensation where necessary. Efforts will be made to keep the number of structures set up for the management of compensation to a minimum. The Community Officers and CA Community Officers in conjunction with the LMU safeguards staff should meet specialist technicians, local government officials, and representatives of other communities with experience in compensation and resettlement locally, to learn from them so that lessons can be used to help achieve smooth implementation of the any resettlement or compensation interventions carried out as part of the Project.

The Compensation Committees will contribute to an objective assessment of the effectiveness of the implementation of the RPs / CPs. In addition to monitoring during implementation, CCs will participate in the internal audits and evaluations and should contribute to reports, including a final evaluation of the compensation activities. In the absence of CCs these responsibilities will lie with local leaders.

5.3.4 Awareness raising

The compensation process requires community awareness of the procedures and time frames for implementing the compensation as well as the development of the entire Project. This awareness-raising activity is the responsibility of the PIU and LMUs. Technical assistance from the central FNDS Safeguards members of the Transversal Project Support Team will be required to provide training to ensure that all procedures are understood by the men and women involved, and the competency for compensation implementation transmitted to them. They may also need the help of a communication specialist, possibly from the FNDS Office of Image and Communication, who will also be responsible for external communication.

Male and female Community Officers and CA Community Officers will work with people affected by the Project to ensure they are aware of their rights and responsibilities, their entitlements and the role of compensation agreements, the grievance redress mechanism and how to access it as well as details of implementation procedures and schedule. They may do this through small group meetings, meetings with community leaders and if necessary through local community radio for example. When over 100 families are involved in receiving compensation, a brief communication plan prepared as part of the RP/CP will identify the media and messages to communicate during implementation.

5.3.5 Compensation delivery verification

Project Facilitators and Community Officers and CCs will verify that the cash compensation paid by FNDS is carried out transparently and reaches affected men and women as committed to, before the affected people are displaced and construction or other activities are initiated in the area to be cleared. Project Facilitators and Community Officers will inform the Mozbio2 Project Coordination office and LMU specialist/safeguards supervisors as well as CA management about progress made with preparation and implementation of compensation activities.

Community Officers and CA Community Officers will support CCs by carrying out verification activities and working with Project affected people to ensure that they select appropriate replacement areas for cultivating or trading and where relevant, they choose socially acceptable subsistence activities.

The Mozbio2 Project Coordination office through the LMU and the CA management will ensure that the families to whom compensation has been paid for loss of productive assets are provided

replacement parcels of land for agriculture with title and that the parcel of land is not sold to outsiders until after livelihoods have been re-established and/or alternative viable sources of subsistence identified by the compensated parties are taken up. This commitment would be included in the messages communicated to affected people and their communities and be reflected in individual household compensation agreements.

The Mozbio2 Project Coordination office through the LMU and CA management is also responsible for organizing adequate assistance to displaced persons who lose most of their source of income, specifically during the adjustment period prior to restoration of their livelihoods. Such assistance may include agricultural inputs for continuation of the practice elsewhere or guidelines on alternative livelihood strategies. This assistance can be provided by the local Government or the Municipality.

FNDS through Mozbio2 Project Coordination office will ensure that contractors are instructed so that they do not begin work on Project sites that are occupied or used until the assets are cleared and areas physically unoccupied. The CC or local leaders will need to provide the Project with a report with sufficient information to ensure such compliance can be registered. This will be facilitated by the Community Development staff responsible for implementation at the site.

An LMU specialist must occupy at least 33% of his/her time in supervision of preparation of CPs and supervision of compensation implementation at Project sites. Depending on the scale of compensation, the Safeguards specialists from the FNDS Transversal Projects Support Team may be called upon to assist the LMU to ensure the Community Officers and CA Community Officers are able to effectively implement social processes and CCs can monitor impacts. Obtaining timely monitoring information can help local process managers avoid negative results.

5.3.6 Post- site clearance

After payment of compensation, if situations are detected where people may not be adapting or are unable to take advantage of opportunities to ensure they achieve adequate living standards, Community Officers will accompany and support these people. Consultation and participation of Project affected people is an ongoing activity throughout the compensation planning and implementation process and Community Officers and CA Community Officers will maintain communication with them.

The LMU specialists supervising the implementation of the RPs / CPs will have to ensure coordination of livelihoods rehabilitation of the most negatively affected people and ensure services are provided through agreements with local government entities. Extension workers in the municipal department responsible for agriculture and the SDAE already participating in the Project will be called upon to also, assist Project affected people in agricultural development. The central FNDS Projects Management Sector will be responsible for supervising intra- and inter-departmental coordination, and for ensuring compliance with public disclosure, participation and consultation. It is also responsible for post-resettlement monitoring and implementation of remedial measures where livelihood restoration is not yet attained and where resettlement has created vulnerability.

5.4 Consultation and Participation of People Affected by the Project

The preparation of the RPF has initiated the public consultation process. The RPF was prepared after wide consultation with key stakeholders and with support from Mozbio and FNDS safeguards and community specialists, to assist with access to technical data and organizational and institutional information.

The RPF preparation process involved visits to the Mozbio2 implementation sites and assessments of potential likely social impacts to the types of development planned at the Project's potential sites in May 2018. Stakeholders were met in the three landscapes during information gathering visits that covered Conservation (CA) staff, the District Administrators of Marromeu, Sussundenga and Matutuine and key informants from the District Government services for agriculture, construction,

planning and development, and Marromeu Municipal Council. The main objective was to learn of the evolution of sector developments, constraints and resettlement experience and outcomes in the area. Private sector stakeholders of importance were also interviewed and visited at their operations including two *Coutada* operators, a representative of Companhia de Sena the large sugar production concessionaire in the Zambezi Delta and conservation NGOs including the Micaia Foundation, Peace Parks Foundation and Worldwide Fund for Nature.

Since the situation in Marromeu Complex was the least well understood, three communities living in CAs in Marromeu were also met, and interviews held with traditional community leaders, local leaders and household members to discuss key events, issues and concerns, involvement in resettlement, and expectations for the future. These included meetings with the Secretaries of Bairro Salone Hermoque (*Coutada* 11) and Sacassi Mulico (*Coutada* 14) and with the Régulo of Ngaze Community in *Coutada* 11.

Key lessons learnt from the target CAs and their landscapes during the preparation of this RPF include as yet unsatisfactory management of human-animal conflicts in and outside of core areas of CAs, and lessons drawn from prior experiences of resettlement in and out of CAs in all the targeted landscapes. These point to the key role of the District Government in leading resettlement hosting processes outside of CAs; the need for District Government recognition of *Coutadas* as partially protected areas with a conservation purpose so that they are not used for siting large or medium scale resettlement; the maintenance of people inside *Coutadas* can be encouraged by the benefit sharing activities and installation of social and economic facilities that may not contribute positively to the long term conservation objectives of the areas, unless these communities contribute more actively to the conservation effort.

Where economic displacement risks were identified consultations were held with local entities with involvement in land management and assets, namely SDAE, SDPI and the municipality of Marromeu. The purpose of the consultations was to understand the experience of the resettlement and compensation process at the local level.

Also, consultations were held to develop feasible options for the management of the implementation of the compensation of people with the Mozbio staff.

The content of the RPF was taken to public discussion at public consultation meetings organized jointly with the FNDS safeguards team, held on 29 and 30th of June and 2nd July, 2018, in Sussundenga, Marromeu and Matutuine districts. These meetings were convened through addressed invitations to a restricted group of institutions identified as concerned and potentially affected by the Project including the consultative councils and local leaders. A summary of the public meetings can be seen in Appendix 2.

Stakeholder engagement for RP / CP preparation

It is possible that unrealistic or unmet expectations resulting from past experience of resettlement and compensation levels are expressed by communities during Mozbio2. It is important that sufficient information be disseminated through a comprehensive communication strategy in each RP/CP and that all compensation processes under Mozbio2 be highly participatory, that is, that they effectively engage men, women, youth and vulnerable groups at all stages of the planning and implementation cycle.

The LMU will ensure that the RP / CP preparation process is participatory and through consultation during the socio-economic studies and impact assessments potential conflicts and communication channels for grievances should be identified. Compensation planning will require full community meetings to announce the initiation of the planning process and expectations of involvement of the directly affected people in decisions on their entitlements and compensation packages. This will include the potential need for replacement land or alternative livelihoods activities that will require a process of consultation in which options, risks and benefits are disclosed allowing affected people to

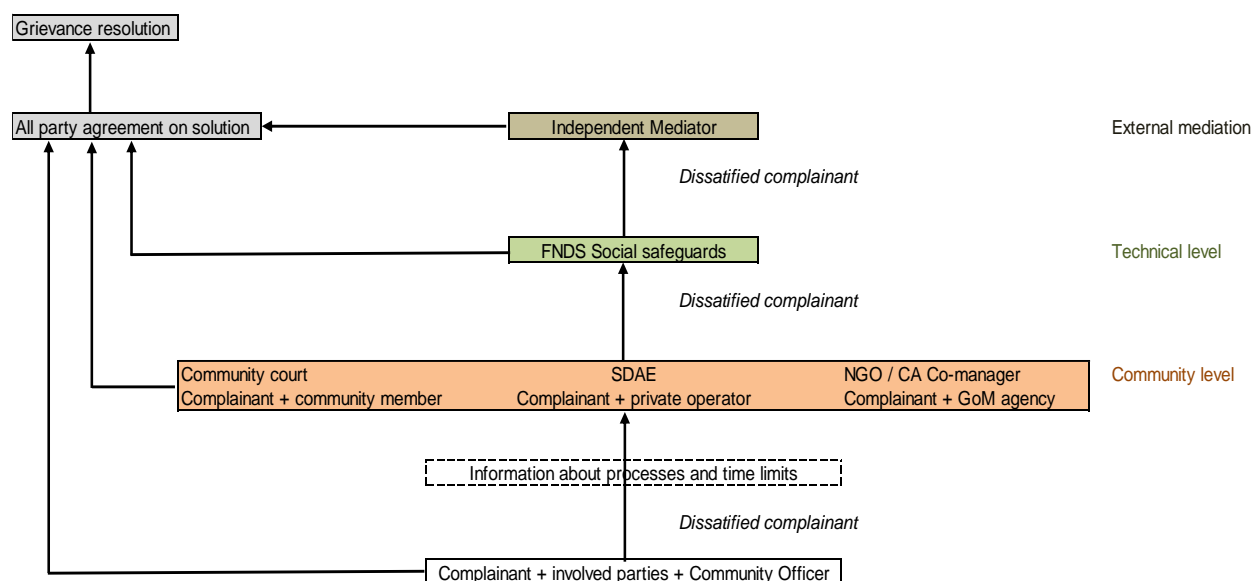
take fully informed decisions. It will also include disclosure of the grievances resolution process and channels for placing complaints. The planning and implementation process must be presented to the whole community once the plan has been drafted so that they are aware of the process and can contribute with their opinions and ideas.

The consultation process must involve all potentially affected people. During and after implementation individual and group consultation should continue to be carried out by the Community Officers and CA Community Officers together with an informal working group created for the purpose comprised of District Government technicians, to verify progress in taking up new livelihoods activities and in restoring their lives to the levels they were prior to the Project impacts.

5.5 Grievance resolution

Mozbio2 will rely on the common Grievance and Redress Mechanism that has been established for all projects included in the World Bank's Integrated Landscape Management Portfolio in Mozambique – called the "Dialogue and Grievance Mechanism (MDR)" ¹⁵. A manual of procedures and a communication strategy were prepared and an IT platform was designed to register and monitor the reported cases. This mechanism has been discussed with key stakeholders, including local communities, and has been tested in the Maputo Special Reserve to validate its procedures. The MDR is in the process of being implemented and will be operationalized in all Project areas either as part of Mozbio1 or at the inception of Mozbio2. This can be seen in the outline below:

Figure 5-1. Grievance resolution process outline according to the MDR



Complaints are made directly to first level recipients at community level through locally identified and trusted communication channels. These local receptors will be site specific and identified via the stakeholder analyses that will constitute part of the Project's communication strategies. Should community level interfaces require technical support from FNDs Social Safeguards Specialists or decisions from FNDs management these may be sought as a second level recourse. Finally, should a case not be resolvable internally it may be referred by FNDs (in agreement with the complainant) to an independent mediator for resolution.

Complaints should, as far as possible, be resolved in a friendly manner and at local level in accordance with the regulations and criteria of the Project Implementation Manual. If it is necessary to consider significant additional compensation, complex corrective measures or sanctions, it should be in line

¹⁵ See: <https://drive.google.com/file/d/1qJ6SgclpBP9n7gVs6hiwchUqWyqE37LL/view>

with the Project's operational rules, national legal framework, and World Bank policies (particularly social and environmental safeguards).

Decisions on resolution and communication to the complainant must be made in a timely fashion at all levels. Should affected people not be satisfied by the informal process of the MDR, or because the nature of the complaint requires higher level appeal, national legislation provides for making complaints in various sectors at the highest levels of Government such as National Directors and Ministers.

In addition, should either party be dissatisfied, the affected party may bring the complaint to court, where it will be treated in accordance with Mozambican law. In principle, a community may take a Company to court for failing to comply with the terms of an environmental management plan. All citizens have the right to submit complaints to the Public Prosecutor's Office, which is responsible for ensuring the correct application of the law, particularly in the development of territorial management instruments and their implementation.

FNDS will ensure that a "Complaints Register" is maintained at landscape level. In all cases where complaints are made about the implementation of Project activities, FNDS is obliged to investigate the complaint and resolve it internally by applying the Resettlement Policy Framework and MDR manual in use in the Project and returning the response within a period of less than 15 days.

MDR management is the responsibility of MITADER / FNDS which should ensure implementation with support from partners and the Government at provincial and local level.

LMU specialists, Community Officers, CA Community Officers and DPTADER community managers are the focal points of the MDR and responsible for receiving, processing, investigating and monitoring the complaint resolution process. For complaints that cannot be settled informally, safeguards officers and community officials will be responsible for channelling them to other decision-making bodies (as defined in Step 4 of the MDR Manual Procedure) and keep complainants informed.

FNDS is responsible for monitoring through the MDR system housed in the Safeguards Information System (SIS) of the measurement, reporting and verification (MRV) REDD+ platform to monitor complaints. Project monitoring and evaluation systems should include indicators to measure the effectiveness of monitoring and resolution of complaints and incorporate them into the Project Results Framework.

At community level, the co-management committees will be the main forums involved in participatory monitoring. All community management structures linked to local authorities and the CA Management Council should listen to, verify and respond to grievances as entitlements are understood and taken up or as they change over time.

Should the scale of compensation have required the creation of CCs, and the District Resettlement Commission is involved, then these, the LMU and CA Management will be responsible for coordinating their members for monitoring and supervising RP / CP preparation and implementation. Technical teams will regularly monitor status of vulnerable groups through consultation, and where necessary follow-up work with communities and individuals will identify activities and sources of income that can improve their well-being.

Finally, communities and individuals affected by the Project may submit complaints for rapid review to the World Bank Grievance Redress Service (GRS). For information on how to submit complaints to the World Bank's corporate Grievance Redress Service (GRS), please visit <http://www.worldbank.org/en/projects-operations/products-and-services/grievance-redress-service>. Project affected communities and individuals may also submit a complaint to the World Bank's independent Inspection Panel which determines whether harm occurred, or could occur, as a result of non-compliance with its policies and procedures. Complaints may be submitted at any time after concerns have been brought directly to the World Bank's attention, and Bank Management has been

given an opportunity to respond. For information on how to submit complaints to the World Bank Inspection Panel, please visit www.inspectionpanel.org.

5.6 Monitoring and Evaluation

DPTADER is responsible for external monitoring for environmental management, resettlement plans and land use plans compliance. LMUs will coordinate and monitor RP/CP implementation progress and interface with the District authorities SDAE, SDPI and SDSMAS in the target districts.

Informal working groups will be made for monitoring visits made from district level. They will include relevant government services and representatives of the LMU and CA management. In addition to verifying progress, they will also be charged with the responsibility for consulting with affected parties and others, and producing a report on the conclusion of compensation for presentation to DPTADER and FNDS for approval so that project activities may begin on the site.

Should the scale of compensation have required the creation of the District Resettlement Commission is involved, then its RP/CP planning and implementation monitoring responsibilities will be supported by the District Government and other stakeholders involved including affected party representatives.

Project monitoring of RP/CP implementation progress will be carried out by site visits by LMU technical teams. These teams will ensure that Community Officers and CA Community Officers regularly monitor and record the status of vulnerable groups through meetings with communities and individuals involved.

The LMU's landscape level monitoring of RP/CP implementation activities will be report to the Mozbio2 Project Coordination office. Safeguards related issues will be reported by the LMU to the FNDS Safeguards specialists of the Projects Support Team in parallel.

Written agreements between FNDS via the LMU and community or household representatives will be jointly monitored and community organizations will be responsible for ensuring the compliance of community members.

Participatory and other monitoring tools will be developed for each RP/CP.

If the scale of interventions merits, an audit will be carried out one year after all compensation has been paid to verify its use and outcomes of any livelihoods restoration activities undertaken.

Community consultation and participation in the compensation planning process will identify impact indicators. These will be used to formulate the RP/CP, for participatory monitoring and providing feedback to external monitors during the implementation of the RP/CP.

Communities will participate in verifying the impact of resettlement and alternative livelihoods activities on affected communities and individuals. They will also participate in external evaluation of outcomes of resettlement.

Community co-management committees such as the CGRN and Community Fisheries Councils (CCP) will be the main forums involved in participatory monitoring of impacts of RP/CP implementation. They will identify indicators for RP/CPs developed with their participation, and will be trained on how to manage monitoring information for the Project's and committee/council's use. All community management structures are linked to local authorities, the CA Management and the LMUs who must organise themselves to regularly listen to, verify and respond to issues raised by them.

5.7 Estimated Costs

Project funds will be used to cover preparation, management and supervision costs. They will also cover the costs of facilitators of implementation, monitoring and all compensation and mitigation measures. The items are covered in the following way:

1. Four abbreviated RPs or Compensation Plans are budgeted for an average of 10 affected people per plan.
2. The cost of management and supervision of compensation by FNDS and the LMUs.
3. Compensation plan implementation includes community Committee creation, awareness raising publicity about how to access the grievances resolutions system and how it works, as well as community capacity building to monitor and report on progress and issues.
4. Cash compensation assumes loss of crops and possibly a few structures at an average of \$250 per family, the equivalent of around five trees or around an eighth of a hectare of cassava plus the value of lost land rights.
5. Livelihood restoration includes costs of preparing replacement land for 50% of those resettled outside of the CA and seeds, tools and agricultural technical support for the next agricultural cycle.
6. This line covers all costs of an estimated six families being physically resettled - as a conflict resolution measure. The line covers the costs of planning and executing their resettlement including livelihoods restoration.
7. Monitoring and evaluation costs include an ex-post audit if necessary, on compensation that also required significant livelihoods restoration support.

Below are the items to be considered for preparing and implementing four RP / CPs, including monitoring, evaluation, auditing and capacity building.

Table 5: Estimated budget and items

Activity Description	Total in USD
Preparation of RP/CPs	\$ 30,000.00
Management organization, supervision and technical assistance	\$ 15,000.00
Mitigation including community awareness and organization	\$ 75,000.00
Cash compensation	\$ 15,000.00
Livelihoods restoration	\$ 90,000.00
Conflict resolution resulting in physical resettlement	\$ 60,000.00
Monitoring and evaluation	\$ 15,000.00
Total Resettlement Policy Framework	\$ 300,000.00

6 APPENDICES:

6.1 Appendix 1 Population data

Precise census data is not available for Mozbio target CAs. Recent census data point to target districts being home to over 670,000 people, however local estimates indicate that it is probable that only about 16% of these live in the project target area.

Table 6: Population data per district covered by target landscapes

Conservation Area	Province	District	Population Projections 2018 ¹⁶
Maputo Special Reserve & Ponta D'Ouro Marine Reserve	Maputo	Matutuine	42,136
Chimanimani Natural Reserve	Manica	Sussundenga	178,125
Marromeu Special Reserve and Adjacent <i>coutadas</i>	Sofala	Marromeu	189,562
		Cheringoma	77,443
		Muanza	41,944
	Zambézia (Zambezi River Delta)	Chinde	140,843

Source: <http://www.ine.gov.mz/estatisticas/estatisticas-demograficas-e-indicadores-sociais/projeccoes-da-populacao>

Communities living in buffer zones are also potentially affected as they will also be governed by CA management plans, be subject to zoning and development plans for sustainable resource use which may include creation of community-based CAs.

6.2 Appendix 2: Public consultation summaries

Consultation meetings on the MozBio-2 Safeguards were held in the three landscapes, with the participation of members of the district consultative council, including representatives of district government, local authorities, civil society and private sector.

Table 7. Consultations meetings to present Drafts of the Safeguards Instruments

Landscape	Date	Location	Nr. of Participants
Elephant Coast	02.07.2018	Bela Vista town	37
Chimanimani	29.06.2018	Sussundenga town	60
Marromeu Complex	30.06.2018	Marromeu town	66

¹⁶ District level census data from the 2017 population census is not yet available; population projections produced by the National Statistics Institute (INE, *Instituto Nacional de Estatística*) have been used to provide an indication of population trends in target districts.

The minutes of these meetings and the lists of attendees are included in Annex 11 of the ESMF.

In all meetings MozBio-2 was welcomed and seen as an opportunity for socioeconomic development and for minimization of conflicts with conservation.

Meetings held in the Elephant Coast and Chimanimani landscapes a clear understanding of the conservation objectives was evident and they understood that tourism opportunities could benefit the communities. The development of value chains activities outside the buffer zone was welcomed and additional products were proposed. In Chimanimani some concern was raised on the possible provision of DUATs and establishment of development activities within the buffer zone, as this is the area that has wildlife.

In Marromeu the conflicts due to encroachment of public and private activities and installations into Coutadas 11 and 14 are causing an important desire for new zoning and land use planning to clearly define the land use boundaries. In addition, the opportunities of the large community in Malingapansi Administrative Post in Marromeu Reserve to assist the district develop economically due to its highly marketable sweet potatoes and freshwater fish have established a very strong linkage of this location with markets in Marromeu and beyond. However access roads, to Malingapansi and to the Marromeu Reserve were identified as great constraints to their development and tourism. Education in schools and awareness raising among adults and rangers was raised as a priority given that almost all of Marromeu District is covered with protected areas and conflicts between community members and rangers are frequent. In addition support to livelihoods development was strongly supported and ideas raised ranged from sugarcane outgrowing to honey production as income generating activities.

These ideas will be followed up during Project implementation, through the initial Social Assessment and the process for identifying and supporting sub-projects in Component 3. The zoning process is included in Project design and will be supported by participatory methods identified in the Process Framework that endorse stakeholder identification and trade-off facilitation to reach agreements on the alternatives that are legally possible and that are favoured by those affected by them.

6.3 Appendix 3: Compensation Planning and Implementation Responsibilities

The following institutional responsibilities by phase were presented in the public consultation meetings to the stakeholders for validation.

Organização Institucional e Visão Geral das Responsabilidades no Processo de Compensação

Rastreio Social (e de Deslocação)		
Planificação do projecto - construção, concessão / Sub-projecto	Instituição	Responsabilidades
	FNDS/ Equipa Transversal de Salvaguardas	Assegurar TdR de planificação e desenho do projecto incluem orientações para evitar ou minimizar a necessidade de compensação ou reassentamento. Capacitar Unidades de Gestão de Paisagem (UGP) no rastreio de uso e ocupação da terra, como minimizar os impactos e re-avaliar os resultados. Capacitar UGPs, Facilitadores de Desenvolvimento Comunitário (FDC) e Oficiais Comunitários (OC) das AC na selecção de instrumento apropriado de planificação de reassentamento / compensação.
	FNDS/ Pelouro de Gestão Projectos	Aprova os projectos e sub-projectos.
	FNDS/ Mozbio2 UIP	Identifica e selecciona os projectos propostos dentro das ACs e sub-projectos propostos fora das ACs.
	UGP ou Gestão da AC	Identificar necessidades de compensação ou reassentamento em projectos através de rastreio social e propor instrumento a Equipa de Salvaguardas do FNDS, acompanhar as etapas da avaliação ambiental e social.
	Departamento do Ambiente / DPTADER	Categorização ambiental de projectos para avaliação ambiental e social. Assegurar que o TdR do Estudo Ambiental Simplificado (EAS) inclui a colecta de dados básicos socioeconomicos e censo dos afectados.
	Banco Mundial	No Objection a categorização ambiental dos projectos e de selecção do PR abreviado ou PC caso necessário.

Preparação do Plano de Reassentamento (PR) / Plano de Compensação (PC)

Fase de Actividade	Instituição / Agência	Responsabilidades
Dados básicos socio-economicos e EAS	Consultor ou FDC/OC da AC + apoio UGP e Equipa Transversal de Salvaguardas FNDS	Consulta comunitária, levantamento no terreno, identificação de rendimento e fontes de subsistência e os potenciais impactos do projecto. Mitigação inclui um PR abreviado /PC, identificando nº de pessoas afectadas e bens afectados.
	FNDS/ Pelouro de Gestão de Projectos	Autoridade do Projecto. Responsabilidade estratégica e de supervisão, relacionamentos entre instituições e mecanismos de comunicação.
	Equipa Transversal de Salvaguardas FNDS	Capacitação dos pontos focais das UGPs na elaboração e implementação de PR / PC.
	FNDS/Mozbio2 UIP	Responsável pelos resultados de implementar planos de compensação. Organizar a elaboração do PR/PC. Acompanhar o consultor de EAS na elaboração do PR/PC. Ou, elaborar PCs menores.
	FNDS/UGP	Identificar a terra de substituição + afectados. Assegurar DUAT.
	Consultor de EAS	Elaboração do PR/PC seguindo o QPR.
	Consultor de EAS + FDC e Oficial Comunitário da AC	Consulta comunitária, censo, inventário de perdas, fluxo de rendimento da família, selecção da terra de substituição, consulta com anfitriões, líderes e outros intervenientes, estabelecer acordos de compensação.
	DPASA/SPGC+SDAE	Verificação do local de reassentamento, DUAT, planeamento físico e supervisão.
	Governo do Distrito SDPI	Assegura o cumprimento da consulta pública e divulgação do PR/PC.
	DPASA + SDAE ou CEAGRE	Apoiar no inventário e avaliação do valor dos bens estruturais.
Preparação do PR/PC	Autoridades da Localidade/ Posto Administrativo / Distrito	Apoiar com a localização do sítio para reassentamento junto com os líderes comunitários.

Implementação de Compensação

Implementação do processo de compensação	Instituição / Agência	Responsabilidades
	FNDS/ Pelouro de Gestão de Projectos	Autoridade do Projecto. Responsabilidade estratégica e de supervisão do relacionamentos entre instituições e os mecanismos de comunicação. Assegura o cumprimento de consulta pública e divulgação do PR/PC de acordo com o magnitude dos impactos e nº de pessoas afectadas pelo Projecto.
	FNDS/ UGP	Gestão financeira, pagamento e registo das compensações. Coordenar os implementadores do PR/PC.
	UGP e Administração da AC	Supervisão do processo de compensação através de FDC. Oficiais Comunitários das AC ou contratados.
	FDC, Oficiais Comunitários das AC ou consultor	Facilitar o processo social e técnico de compensação assegurando a continuidade das consultas e negociação da fase de elaboração do PR/PC.
	FNDS/ Equipa Transversal de Salvaguardas	Liderar a assistência sobre salvaguardas e funcionar como elo de ligação entre FNDS e a UGP e este e os grupos de trabalho do Distrito.
	SDAE	Demarcação do local para reassentamento.
	SDSMAS	Apoio na compensação de pessoas vulneráveis. Registo de novos casos de vulneráveis identificados para receberem apoio. Membro da equipa da supervisão de implementação do PR/PC a velar para tratamento por igualdade das mulheres.
	DPASA + SDAE	Apoiar no desenvolvimento agrícola nas terras de substituição.
	Mun.deptº de Actividades Economicas+ SDAE, SDSMAS	Apoiar na reabilitação das fontes de sustento da vida e a promoção de desenvolvimento de iniciativas de geração de rendimento etc.
	Governo do Distrito	Assegurar a participação e coordenação na consulta através de grupos de trabalho informais e a participação na implementação de plano de compensação ao nível do distrito quando necessário.

Comunicação de reclamações e respostas

	Instituição / Agência	Responsabilidades
Comunicação de reclamações e respostas	Reclamante	Apresentar a sua reclamação em confidencialidade, a uma entidade ou indivíduo da sua confiança para a resolução a nível da comunidade ou para transmitir para resolução ao nível do distrito se for relevante.
	Comité de Compensação	Fórum de ligação para a transmissão de reclamações para o SDAE, o tribunal comunitário ou o FDC ou Oficial Comunitário da AC.
	Líderes locais	Primeiro recurso para resolução de reclamações relacionadas com uso de terra e outros recursos.
	Secretário do Bairro	Resolução de conflitos locais.
	SDAE a liderar o grupo de trabalho informal do Distrito	Resolução de Investigação sobre reclamações e conflitos que requeiram autoridade ao nível do distrito relacionados com operadores privados ou a delegação da resolução ao nível técnico ou para mediação externa.
	Comissão de Reassentamento do Distrito	Resolução de questões relacionadas com mal entendimentos ou erros na implementação do processo de compensação Promoção de resolução atempada por todos os departamentos do Governo Distrital, ONGs ou operadores privados.
	Co-gestor da AC	Investigação sobre questões relacionados com o Governo e as suas agências e a delegação da resolução ao nível técnico ou para mediação externa.
	Mediador independente	Resolução de questões recebidas relacionadas com compensação quando não foram resolvidas a nível do distrito ou pelos técnicos da FNDS.
	Tribunal civil ou Administrativo	Resolução de litígios trazidos por partes agredidas.

Monitoria e Avaliação

	Instituição / Agência	Responsabilidades
Implementação d'PR/ PC e pós-compensação	Consultor do PR / PC	Identificação dos indicadores de progresso e impacto no PR/PC e o sistema de MeA para a compensação.
	UGP e Administração da AC	Monitorar implementação do PR/PC directamente ou através de grupos de trabalho informalmente feitos a nível do Distrito.
	Grupo de trabalho informal do Distrito	Monitoria do processo de compensação e dos indicadores identificados no PR/PC. Consulta com os afectados e outros. Relatório final de conclusão da compensação para aprovação e iniciação das obras do projecto de desenvolvimento.
	Auditor externo	Auditoria dos resultados após conclusão de toda compensação se for necessário, como meio de aprender lições para o futuro.
	FNDS/Pelouro de Gestão Projectos/Div. monitoria	Supervisão do desenvolvimento do sistema de MeA para compensação.
	UGP e Administração da AC	Manutenção dum registo da informação de monitoria da implementação do PR/PC. Passagem de informação relevante para o Gabinete de Comunicação.
	FDC ou Oficial Comunitário da AC	Participar no MeA e apoiar o consultor do PR/PC na identificação de indicadores relevantes. Gerir a colecta de informação local de monitoria e canalizar o relevante a UGP e gestores da AC.
	Comité de Compensação	Participar na monitoria e avaliação.
	Pessoas compensadas e acolhedoras	Participar na monitoria e avaliação.