



Ministry of National Development Planning  
Interim Inter-Ministerial Climate Change Secretariat

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**ZAMBIA INTEGRATED FOREST  
LANDSCAPE PROJECT**

**PROCESS FRAMEWORK**

20 January 2017

## **EXECUTIVE SUMMARY**

### **PROJECT BACKGROUND**

The Zambia Integrated Forest Landscape Project (ZIFLP) encompasses a series of investments from the BioCarbon Fund, Global Environmental Facility and the International Development Agency that lead ultimately to results-based payments for carbon storage and reduced carbon emissions resulting from reduced deforestation and degradation. The Project falls under the umbrella of a REDD+ project as defined by the United Nations Framework Convention on Climate Change. It, therefore, must be compliant with the safeguard policies for an internationally recognized REDD+ project.

This Process Framework (PF) has been prepared to contribute to the smooth execution of the Project by providing guidelines to address potential adverse social (particularly, livelihood) impacts. An Environmental and Social Management Framework (ESMF) report and a Resettlement Policy Framework (RPF) have also been prepared as separate documents.

### **PURPOSE OF THE PROCESS FRAMEWORK**

This process framework has been prepared because the ZIFL Project may cause restrictions in access to natural resources in legally designated parks and protected areas. Specifically, the process framework applies to areas under state ownership, which are occupied or used by others. The process framework applies regardless of the number of people affected; whether or not they will benefit from project activities; and whether or not they are fully satisfied with the provisions for compensation, relocation, or rehabilitation, as relevant.

The purpose of this process framework is to establish a process by which members of potentially affected communities will participate in the design of Project components, determination of measures necessary to achieve resettlement policy objectives, and implementation and monitoring of relevant Project activities. Specifically, this process framework describes participatory processes by which the following activities will be accomplished:

- Project components will be prepared and implemented and briefly describes the Project and components or activities that may involve new or more stringent restrictions on natural resource use. It also describes the process by which potentially displaced persons participate in the Project design;
- Criteria for eligibility of affected persons will be determined. It establishes that potentially affected communities will be involved in identifying any adverse impacts, assessing of the significance of impacts, and establishing of the criteria for eligibility for any mitigating or compensating measures necessary;

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- Measures to assist affected persons in their efforts to improve their livelihoods or restore them, in real terms, to pre-displacement levels, while maintaining the sustainability of the park or protected area will be identified. It describes methods and procedures by which communities will identify and choose potential mitigating or compensating measures to be provided to those adversely affected, and procedures by which adversely affected community members will decide among the options available to them; and
- Potential conflicts or grievances within or between affected communities will be resolved. It describes the process for resolving disputes relating to resource use restrictions that may arise between or among affected communities, and grievances that may arise from members of communities who are dissatisfied with the eligibility criteria, community planning measures, or actual implementation.

Additionally, the process framework describes arrangements relating to Administrative and legal procedures as well as monitoring arrangements.

### PROJECT DESCRIPTION

The Project Development Objective (PDO) of the ZIFLP is to improve landscape management and increase the flow of benefits for targeted rural communities in the Eastern Province (World Bank, 2016a). The targeted districts are: Nyimba, Petauke, Katete, Chipata, Lundazi and Mambwe, and the project components include:

- Enabling Environment;
- Livelihood and Low Carbon Investments;
- Project Management; and
- Contingent Emergency Response

#### **Component 1: Enabling Environment**

This first component is intended to help create conditions that will allow the livelihood investment of Component 2 to be successfully implemented. This entails supporting plans, partnerships, and regulatory conditions to help rural communities in the project area to be well placed and to have the capacity to adopt sustainable and low-carbon land management practices. The component would include support for (i) institutional strengthening and regulatory framework improvement in targeted districts across the province which are deforestation hotspot, for coordination of delivery of actions to address deforestation with stakeholders; (ii) support to planning processes at both district and local levels; and (iii) private sector engagement to foster partnerships for community based natural resource management, and leverage existing private sector investments to improve land management practices in the province. In addition this component will support establishment of the REDD+ architecture for GRZ to receive future results-based emission reductions payments for the Eastern Province. Enabling environment interventions will be financed through grant support from the BioCarbon Fund-ISFL and IDA credit.

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### **Component 2: Livelihood and Low-Carbon Investments**

Component 2 will finance on-the-ground activities that improve rural livelihoods and reduce GHG emissions. It has 3 subcomponents: Upscaling climate-smart agricultural practices, Community-based forestry management, and Wildlife management. These activities will be financed by IDA and GEF resources. Although the subcomponents are sectoral in nature, the cross-sectoral and landscape approach of the planning activities that will underlie the activities will ensure a landscape approach is retained.

### **Component 3: Project management**

This third component will finance activities related to national and provincial-level project coordination and management, including annual work planning and budgeting; fiduciary aspects (financial management and procurement); human resource management; safeguards compliance monitoring; M&E and impact evaluation studies; and communication strategy and citizen engagement. Funds will cover the cost of management unit contract staff, and operations and maintenance (O&M) costs, such as office space rental charges, fuel and spare parts of vehicles, office equipment, furniture, and tools, among others. It will also finance the costs of project supervision and oversight provided by the National Project Steering Committee and National Technical Committee (or the Provincial Project Steering Committee), and other project administration expenses.

### **Component 4: Contingent Emergency Response**

This zero budget component is included to facilitate the use of IDA funds in the event of a disaster and to be able to respond quickly to a potential Government request to reallocate some funding from existing World Bank projects to provide emergency relief.

## **STAKEHOLDER CONSULTATIONS**

The PF preparation included stakeholder consultations, and the key Project stakeholders identified for consultations included government ministries, government agencies, NGOs, royal establishments, community leaders and local communities in the study area.

Meetings were held with key officials and opinion leaders to gauge the level of awareness and involvement with the proposed Project, concerns of Project implementation, and to obtain relevant documents or baseline information. The consultations also served to gather information on institutional mandates and permitting requirements to inform the development of the project.

## **ENVIRONMENTAL AND SOCIAL BASELINE**

The Project area lies in the Luangwa watershed with two distinct landscapes, the plateau and the valley. The major part of the province lies on the Central African Plateau which rises to an altitude of 900 – 1200 metres above sea level, whilst a smaller part of it lies in the Luangwa Valley at 300 – 600 metres above sea level.

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Important considerations around land tenure, land and natural resource use and the drivers of deforestation are presented. Gender issues are also highlighted.

### SAFEGUARDS REVIEW

The PF was developed by carrying out a number of activities including the following: literature review; stakeholder analysis; analysis of baseline environmental and social data; site visits and field assessments; interviews and focus group discussions; and the analysis of WB safeguard policies and Zambian policies, legislation and international agreements.

### PF PROCESSES

This PF details the processes, procedures and requirements through which the ZIFLP activities will be implemented to ensure compliance with WB safeguards and Zambian policies and legislation. It also details the measures through which the livelihoods of the affected persons will be restored, in real terms, to pre-displacement levels, while maintaining the sustainability of protected areas.

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## ACRONYMS AND ABBREVIATIONS

ADC	Area Development Committee
AFOLU	Agriculture, Forest and Other Land Use
AIDS	Acquired Immuno Deficiency Syndrome
AWP&B	Annual Work Planning and Budgeting
BP	Bank Procedure
BSM	Benefit Sharing Mechanism
BioCF	BioCarbon Fund
CA	Conservation Agriculture
CAC	Camp Agriculture Committee
Cap	Chapter
CBD	Convention on Biological Diversity
CBNRM	Community Based Natural Resource Management
CBO	Community Based Organization
CCA	Community Conservation Area
CDD	Community Driven Development
CDP	Community Development Plan
CFMG	Community Forest Management Group
CITES	Convention on International Trade in Endangered Species of Wild Flora and Fauna
COMACO	Community Markets for Conservation
COMPACI	Competitive African Cotton Initiative
CRB	Community Resource Board
CSA	Climate Smart Agriculture
CSO	Civil Society Organization/ Central Statistical Office
DDCC	District Development Coordinating Committee
DDT	Dichlorodiphenyltrichloroethane
DNPW	Department of National Parks and Wildlife
DPCU	District Program Coordination Unit
EA	Environmental Assessment
EAC	Environmental Assessment Committee
ECZ	Environmental Council of Zambia
EHS	Environmental, Health and Safety
EIA	Environmental Impact Assessment
EIS	Environmental Impact Statement
EMA	Environmental Management Act
EPB	Environmental Project Brief
EPPCA	Environmental Protection and Pollution Control Act
ESIA	Environmental and Social Impact Assessment
ESMF	Environmental and Social Management Framework
ESMP	Environmental and Social Management Plan
FD	Forestry Department
FMP	Forest Management Plans
FR	Forest Reserve
GEF	Global Environmental Facility
GHG	Greenhouse Gas
GMA	Game Management Area
GMO	Genetically Modified Organism
GRZ	Government of the Republic of Zambia

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HDI	Human Development Index
HIV	Human Immuno Virus
HR	Human Resource
HWC	Human Wildlife Conflict
ICCS	Interim Climate Change Secretariat
IDA	International Development Agency
ILUA	Integrated Land Use Assessments
IMF	International Monetary Fund
ISFL	Initiative for Sustainable Forest Landscapes
ISFM	Integrated Soil Fertility Management
ITCZ	Inter Tropical Convergence Zone
IUCN	International Union for Conservation of Nature
M&E	Monitoring and Evaluation
MDAs	Ministries, Departments and Agencies
MDG	Millennium Development Goal
MLNREP	Ministry of Lands, Natural Resources and Environmental Protection
MNDP	Ministry of National Development Planning
MRV	Measuring, Reporting and Verification
MTEF	Medium Term Expenditure Framework
NAPA	National Adaptation Program of Action
NBSAP	National Biodiversity Strategy and Action Plan
NCCRS	National Climate Change Response Strategy
NDCC	National Development Coordinating Committee
NGO	Non-Governmental Organization
NHCC	National Heritage Conservation Commission
NP	National Park
NPU	National Program Unit
NRP	National Resettlement Policy
NTCA	Nyika Transfrontier Conservation Area
NWFP	Non Wood Forest Product
O&M	Operation and Maintenance
OP	Operational Policy
PCB	Polychlorinated Biphenyl
PDCC	Provincial Development Coordinating Committee
PDO	Program Development Objective
PF	Process Framework
PID	Project Information Document
PIU	Project Implementation Unit
PMP	Pest Management Plan
POP	Persistent Organic Pollutant
PPE	Personal Protective Equipment
PPCR	Pilot Program for Climate Resistance
PPU	Provincial Planning Unit
PPSC	Provincial Planning Sub-committee
PPU	Provincial Program Unit
R&D	Research and Development
RAP	Resettlement Action Plan
REDD+	Reducing Emissions from Deforestation and Forest Degradation
REL	Reference Emission Level
RPF	Resettlement Policy Framework

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R-SNDP	Revised-Sixth National Development Plan
SADC	Southern African Development Community
SALM	Sustainable Agriculture Land Methodology
SESA	Strategic Environmental and Social Assessment
SI	Statutory Instrument
TFCA	Trans Frontier Conservation Area
TNC	The Nature Conservancy
ToR	Terms of Reference
UNCCD	United Nations Convention to Combat Desertification
UNCED	United Nations Conference on Environment and Development
UNFCCC	United Nations Framework Convention on Climate Change
UNIQUE	UNIQUE Forestry and Land Use
VPC	Village Productivity Committee
WB	World Bank
WDC	Ward Development Committee
ZEMA	Zambia Environmental Management Agency
ZIFLP	Zambia Integrated Forest Landscape Project

## **1. INTRODUCTION**

### **1.1 PROJECT BACKGROUND**

The Zambia Integrated Forest Landscape Project (ZIFLP) encompasses a series of investments from the BioCarbon Fund (BioCF), Global Environmental Facility (GEF) and the International Development Agency (IDA) that lead ultimately to results-based payments for carbon storage and reduced carbon emissions resulting from reduced deforestation and degradation (ICCS, 2016d).

The Government of Zambia is currently supporting a National REDD+ Readiness process, which includes the development of a National REDD+ strategy that provides a national vision on strategic options, actions and responses to support REDD+ in Zambia. Among other outcomes, the strategy provides overall guidance on actions to be undertaken in key sectors such as agriculture, energy and land use more broadly, as well as guidance on thematic and core design issues such as incentive payments, financing, benefit sharing, safeguards, carbon rights, conflict management, measurement, reporting and verification (MRV) systems, and Reference Emission Levels/Reference Levels, amongst others. A technical assistance program funded by the Forest Investment Program (FIP) and administered through the World Bank is currently ongoing to prepare the Investment Plan for the National REDD+ Strategy, and is complementary to ZIFLP. The ZIFLP is fully aligned with Zambia's National REDD+ Strategy.

The BioCarbon Fund's (BioCF) Initiative for Sustainable Forest Landscapes collaborates with countries around the world to reduce emissions from the land sector through smarter land use planning, policies, and practices. Through these catalytic efforts, millions of tons of emissions can be reduced but, just as important, the investments and capacity built can improve livelihoods, reduce poverty, and ensure the long-term sustainability of these countries' economies. The ISFL seeks to promote reduced greenhouse gas emissions from the land sector, from deforestation and forest degradation in developing countries (REDD+), and from sustainable agriculture, as well as smarter land-use planning, policies and practices. Operating at the scale of the jurisdictional landscape is considered one of the key design features of the ISFL. It is a prerequisite to allow national or jurisdictional governments to consider the trade-offs and synergies between different land-uses that may compete in a jurisdiction—such as agriculture, energy, and forest protection and successfully identify integrated solutions that serve multiple objectives. Adopting a landscape approach means implementing a development strategy that is climate smart, equitable, productive and profitable at scale and strives for environmental, social, and economic impact. The ZIFLP's engagement of the private sector in landscape conservation is another key design feature that sets ISFL apart from previous climate and forest initiatives. The ZIFLP will give recognition and show important role that the private sector plays in spurring innovation, leveraging cutting-edge expertise and knowledge, and mobilizing capital necessary to scale up successful land-use practices and accelerate the greening of supply chains.

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The Zambia Integrated Forest Landscape Project fits within a longer-term program and vision of the Government of Zambia. It can be considered as constituting three phases: the Preparation phase, where the GRZ and the WB undertook a series of preparatory activities such as studies and project preparation. The Implementation phase is essentially all the activities that are included under the current ZIFLP. In this phase, financed by the BioCF grant, an IDA credit, and a GEF grant, the GRZ will create the necessary enabling environment and finance the livelihood investments in agriculture, forestry, and wildlife as well as the biodiversity conservation investments specific to the GEF. Financing from the GRZ itself and a range of other donors will be making the investments necessary to set the stage for emissions reduction purchases.

Finally, under the Emissions reduction phase, the BioCF will purchase carbon emission reductions under an ERPA that is to be negotiated and signed in the near future. The World Bank plans to process this project as an emissions reduction purchase project.

This Process Framework (PF) has been prepared to contribute to the smooth execution of the Project by providing guidelines to address potential adverse social (particularly, livelihood) impacts. An Environmental and Social Management Framework (ESMF) report and a Resettlement Policy Framework (RPF) have also been prepared as separate documents.

## **1.2 PURPOSE OF THE PROCESS FRAMEWORK**

This process framework has been prepared because the ZIFL Project may cause restrictions in access to natural resources in legally designated parks and protected areas. Specifically, the process framework applies to areas under state ownership, which are occupied or used by others. The process framework applies regardless of the number of people affected; whether or not they will benefit from program activities; and whether or not they are fully satisfied with the provisions for compensation, relocation, or rehabilitation, as relevant.

The purpose of this process framework is to establish a process by which members of potentially affected communities will participate in the design of Project components, determination of measures necessary to achieve resettlement policy objectives, and implementation and monitoring of relevant Project activities. Specifically, this process framework describes participatory processes by which the following activities will be accomplished:

- Project components will be prepared and implemented and briefly describes the Project and components or activities that may involve new or more stringent restrictions on natural resource use. It also describes the process by which potentially displaced persons participate in the Project design;
- Criteria for eligibility of affected persons will be determined. It establishes that potentially affected communities will be involved in identifying any adverse

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impacts, assessing of the significance of impacts, and establishing of the criteria for eligibility for any mitigating or compensating measures necessary;

- Measures to assist affected persons in their efforts to improve their livelihoods or restore them, in real terms, to pre-displacement levels, while maintaining the sustainability of the park or protected area will be identified. It describes methods and procedures by which communities will identify and choose potential mitigating or compensating measures to be provided to those adversely affected, and procedures by which adversely affected community members will decide among the options available to them; and
- Potential conflicts or grievances within or between affected communities will be resolved. It describes the process for resolving disputes relating to resource use restrictions that may arise between or among affected communities, and grievances that may arise from members of communities who are dissatisfied with the eligibility criteria, community planning measures, or actual implementation.

Additionally, the process framework describes arrangements relating to Administrative and legal procedures as well as monitoring arrangements.

## **1.3. PROJECT DESCRIPTION**

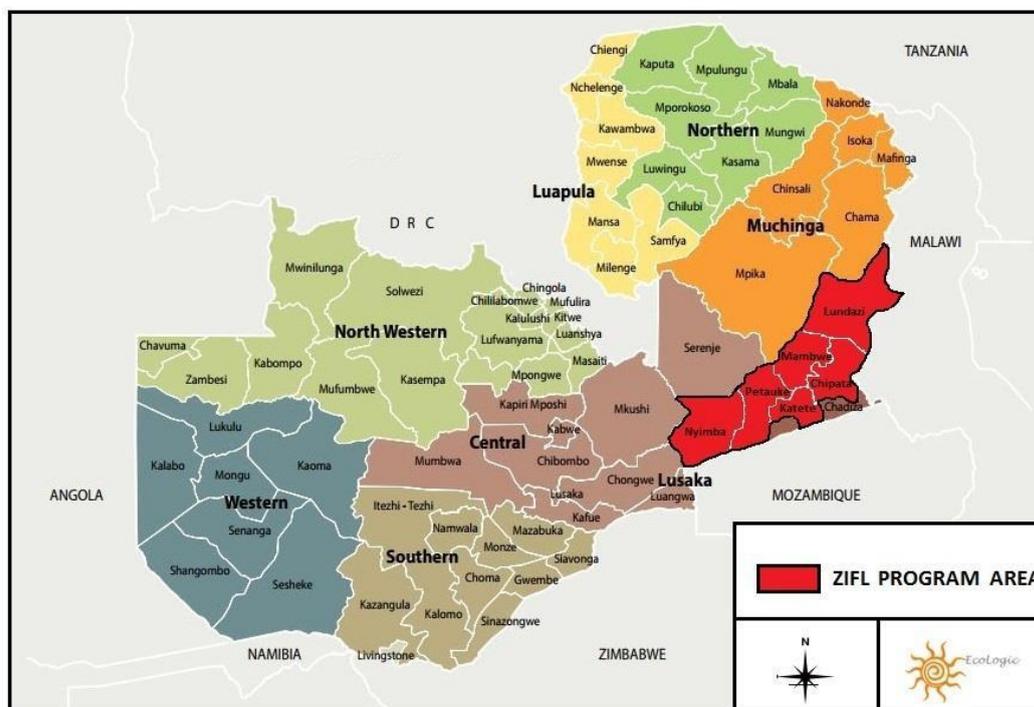
### **1.4. Project Development Objective**

The Project Development Objective (PDO) of the ZIFLP is to improve landscape management and increase the flow of benefits for targeted rural communities in the Eastern Province (World Bank, 2016a). The targeted districts are: Nyimba, Petauke, Katete, Chipata, Lundazi and Mambwe, and the project components include:

- Enabling Environment;
- Livelihood and Low Carbon Investments;
- Project Management; and

- Contingent Emergency Response

Figure 1: ZIFL Project Area



Source: Zambia Environmental Atlas, ZEMA, 2012

### Component 1: Enabling Environment

This first component is intended to help create conditions that will allow the livelihood investment of Component 2 to be successfully implemented. This entails supporting plans, partnerships, and regulatory conditions to help rural communities in the project area to be well placed and to have the capacity to adopt sustainable and low-carbon land management practices. The component would include support for (i) institutional strengthening and regulatory framework improvement in targeted districts across the province which are deforestation hotspot, for coordination of delivery of actions to address deforestation with stakeholders; (ii) support to planning processes at both district and local levels; and (iii) private sector engagement to foster partnerships for community based natural resource management, and leverage existing private sector investments to improve land management practices in the province. In addition this component will support establishment of the REDD+ architecture for GRZ to receive future results-based emission reductions payments for the Eastern Province. Enabling environment interventions will be financed through grant support from the BioCarbon Fund-ISFL and IDA credit.

Sub-Component 1.1. Institutional and Regulatory Framework. The sub-component will provide resources to support activities to strengthen the institutional and regulatory

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framework for implementation of the project and will focus on (i) Institutional strengthening at national level; and (ii) policy and regulatory reforms relevant to improved agriculture, forest and land management.

Specifically, the sub-component will support policy and regulatory reforms considered necessary to moving forward the ZIFLP. Investments would include consultants for specialized studies, consultation workshops, and legal consultants. The sections below outline policy gaps and needed reforms that were identified during the preparation phase.

Agricultural policy issues. Input Subsidies and Maize Price Support Policies. Public Expenditure is skewed towards fertilizer subsidies under the Farmers Input Support Program (FISP) and maize price support under the Food Reserve Agency (FRA). These two programs jointly account for anywhere between 50 to 70 percent of Government expenditures on agriculture. Although fertilizer and maize subsidies are categorized as Poverty Reduction Programs, they benefit only 10 to 20 percent of Zambia's smallholders, who are in fact the better-off households with the highest incomes. They crowd out essential productivity enhancing investments such as research and development (R&D) and irrigation. These expenditures do not bring about long-term, pro-poor growth, diversification, and do not foster competitive, private sector-driven food and cash crop production and marketing systems. The mismatch of expenditure priorities is undermining future sector growth, and is currently stunting the sector's poverty reducing potential.

The project will support policy dialogue to encourage policy makers to adopt a rules-based system to reform maize marketing policy and the fertilizer subsidy program by introducing higher degrees of transparency, predictability and cooperation towards the private sector. The project would also foster private-sector led input markets, for example the e-voucher input project currently being piloted in Southern and Central provinces.

Forestry policy issues. The Government of Zambia has recently revised its Forest Act to enhance community-based planning and management of natural resources. The ZIFLP will help the GRZ implement critical components of its recently established Forest Act. In terms of driving policy reform and development the ZIFLP will provide funding for streamlining the application and registration process for villages and communities for seeking community forest management rights and also support an awareness initiative to communicate the benefits of obtaining community forest management rights. In the Eastern Province, several of the Act's provisions will be put in practice for the first time at the community level and there will be a need to develop processes and regulations to facilitate systematic implementation. For example, the application process for villages and communities to apply and register community forest management agreements is being developed. The project will provide support and inputs to Government policy development and for the implementation process with particular attention paid to supporting best management forestry practices such as those described in FAO's Sustainable Forest Management (SFM) Toolbox located at <http://www.fao.org/sustainable-forest-management/toolbox/en/>.

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Wildlife policy issues. The Wildlife Act was approved by the GRZ in 2015. It notably redefines how the community resource boards (CRBs) function and more clearly defines rights and responsibilities of communities and the Government with respect to wildlife management. Specific regulations are missing to implement the provisions of the Act; this project will provide support to DNPW in their formulation and consultation. A major focus of the GWP is tackling poaching and reducing wildlife crime not just at specific sites but also at national and even global levels. Under the ZIFLP, support will be provided to wildlife crime initiatives of the GRZ at the national, sub-regional, and global level. As many actors are currently providing support to a range of countries in Africa on combatting regional wildlife crime, during the first year of the project financing gaps will be identified for ZIFLP support.

Sub-component 1.2 Regularization of land and resource rights. The sub-component will provide analytical and technical assistance support to carefully evaluate and where necessary expand past and ongoing efforts at documenting land rights to develop the regulatory and institutional preconditions for a larger-scale effort at rural land rights registration that, by feeding into the National Land Titling Program, could underpin adoption of sustainable low-carbon land management practices and private sector engagement. This will be achieved by (i) developing cost-effective systems to sustainably manage information on land rights and link it to land use; (ii) identifying new ways of private sector engagement based on an assessment of the extent and impact of existing arrangements; (iii) designing ways of documenting different types of land rights in ways that are supported by local stakeholders, provide incentives for sustainable land use and intensification as appropriate, and can be sustained; and (iv) exploring ways to link land rights documentation to key parameters of land use (crop cover, soil moisture, soil carbon) using remotely sensed imagery to allow continued monitoring and independent verification of the impact of different types of interventions.

Sub-component 1.3 Private sector Engagement. The ZIFLP will seek to engage private sector agribusiness companies. They are important in the EP as many operate in outgrower schemes with large smallholder farmer networks. Activities will include assessment of the potential for private sector support for forestry activities such as outgrower schemes for woodlots/plantations. The project will try to influence these production networks to reduce land-based greenhouse gases associated with deforestation and agricultural production practices. Many of these companies do have interest in reducing land-based emissions, however are not aware of cost effective sustainable land management measures that they can promote or how premium pricing schemes can be implemented to better market their product. Thus the ZIFLP will provide business case analyses for private agribusiness companies working in the Eastern Province to help them fulfil their sustainability commitments. Such studies could also identify potential services from the World Bank Group's International Finance Corporation (IFC) to assist agribusiness companies with their zero deforestation commitments in the Eastern Province. To date, the BioCarbon Fund has begun working with the Competitive African Cotton Initiative (COMPACI), which is a producer group of two major cotton companies NWK Agri-services and Alliance Ginners. COMPACI has a zero deforestation commitment instituted in their mandate but to date companies have not enacted such sustainability measures into their production. The ZIFLP will start by

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engaging the COMPACI group members and then proceed to work with other agribusiness companies in the Eastern Province.

Sub-component 1.4. District and local planning. The sub-component will provide resources to support the following activities: (i) Institutional strengthening at the sub-national level; (ii) Developing integrated district plans in six districts in the province; and (iii) Support for local planning instruments.

Sub-component 1.5. Technical framework for payments for emission reductions. There are substantial technical requirements that must be met in order for Zambia to eventually receive results-based payments for emission reductions at the jurisdictional level in accordance with the methodological guidance and the principles of results-based payments under the BioCF-ISFL.

Component 2: Livelihood and Low-Carbon Investment. Component 2 will finance on-the-ground activities that improve rural livelihoods and reduce GHG emissions. It has 3 subcomponents: Upscaling climate-smart agricultural practices, Community-based forestry management, and Wildlife management. These activities will be financed by IDA and GEF resources. Although the subcomponents are sectorial in nature, the cross-sectorial and landscape approach of the planning activities that will underlie the activities will ensure a landscape approach is retained.

Before any investments are made in a community, there needs to be support to planning and community strengthening. This support will be funded through Component 1.1. Communities will be able to choose activities they want from a “menu” of possible sub-investments that will be available to them, tailored according to their geographic location, the type of landscape they are in, and based on available funding allocated to each broad type of investments. The full details of how the selection process will take place at the local level will be outlined in the Project Implementation Manual (PIM).

Potential criteria for selection of communities receiving investment support:

- Communities that have completed land use planning;
- Communities in hotspot deforestation districts (Petauke, Mambwe, Katete, Lundazi and Nyimba) with high risk of conversion to agriculture;
- Established Community Forest Management Group; and
- Potential to leverage on existing support

Sub-component 2.1. Upscaling climate-smart agricultural practices. The objective of this subcomponent is to provide financing for interventions that increase agricultural productivity, enhance agroecosystem resilience and reduce GHG emissions. These include conservation agriculture (CA) practices, integrated soil fertility management, agroforestry, and crop value chain development. Interventions will aim at enhancing the income and livelihood of the communities and farmer families through income generating and value added activities in the six districts targeted by the project, namely Chipata, Katete, Petauke, Mambwe, Nyimba, and Lundazi.

This component aims to scale up CSA practices for smallholder farmers through financing support for interventions that increase agricultural productivity, enhance agro-ecosystem

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resilience and reduce GHG emissions. The component's objective would be achieved through the introduction of tested best practices in CSA and sustainable land management. Project funds will focus on strengthening agricultural extension by addressing CSA skills gap of extension officers and farmers in the form of targeted trainings (e.g., workshops, exchange visits, production of field manuals), and field-based learning (e.g., site visits, demonstration plots and pilots) provided by competent institutions such as ZARI, CGIAR, and relevant NGOs among others. Specific interventions the component will focus on include (a) conservation agriculture (CA) and integrated soil fertility management practices (ISFM), (b) agroforestry, and (c) agriculture and marketing value chains. The project will provide funds for these activities through various funding instruments, such as matching grants, micro loans, credit guarantee schemes, and technical support consultancies.

Sub-component 2.2. Community-based forestry management. The objective of this sub-component is to assist local communities and their organizations to improve the management and conservation of their natural resources, create income opportunities, and generate carbon benefits. This will be accomplished by developing and implementing participatory land and resource use planning and management – including fire control and prevention-and providing specialized technical assistance and training to identify viable investments from the sustainable production of timber and not-timber forest products. Activities to be supported will be consistent with the land and resource use plans developed at the village and district levels. The sub- component would finance specialized technical and extensions services, small works and equipment, operational costs and non-consultant services (e.g. workshops and study tours). More specifically, the sub component will support:

*Community Forestry Management Groups (CFMG).* Based on the Forest Act of 2015 and its regulations, the Project will assist Villages from selected Chiefdoms and Districts to identify and establish (CFMG). Support will include preparation and approval of Community Forestry Management Agreements, and their formal registration.

*Forest Management Plans.* The Project will support CFMGs to develop and implement forest management plans that are consistent with Village land use plans and follow the guidelines and specifications established in the Forest Act and its regulations. These plans will identify sustainable investments and activities that lead to improving livelihoods and reduce deforestation/degradation.

*Community Forestry Enterprises.* Based on the assessment and productive potential of natural resources identified in forest management plans, the Project will finance small scale investments that fulfil the dual criteria of generating monetary and non-monetary income, and generate carbon related benefits. Support will include technical assistance for resource management and production, establishment of small community enterprises, markets studies, and commercialization skills. Investments under this category may include the cultivation or extraction of any forest and non-forest product that can be sustainably managed in the communal forest area of reference. Some examples include: Bee keeping, sustainable charcoal, wood-lots for fire wood production, carpentries for furniture, medicinal herbs, eco-tourism and recreational activities, commercial timber plantations, grass harvesting and grazing of animals, etc.

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*Fire management and prevention.* Fire is an important element in rural landscapes, and when management properly, it can be beneficial for agriculture, however, if it goes out of control can destroy forests and generate emissions. To reduce this risk, the Project will support activities to revive and enforce the village level fire ordinances that were functional and effective in the past; and draw upon the lessons from other regions, to prepare community by laws on fire management. The Project will also support local governments and communities on training and incentives for fire management and prevention and financing small works and equipment for fire line clearance and maintenance.

*Forest management near protected areas.* The Project will dedicate special efforts to work with Villages and communities in buffer zones and connecting corridors to reduce pressure on protected areas. The Project will work with existing CRBs and CFMG to develop and finance forest management plans that focus on alternative productive and conservation activities to protect or improve wildlife habitat. Efforts invested by communities in these activities could be compensated by revenues from the wildlife reserves and administered by CRBs, or capture other benefit sharing income from carbon markets.

Sub-component 2.3. Wildlife management. This sub-component will have two major focus areas: i) improved management of the complex of protected areas centred on Lukusuzi National Park in the Eastern Province; and ii) adoption of improved management practices of wildlife at the community level, which can contribute to improved livelihoods of targeted communities. The project will support (i) preparation of park management plans; (ii) investments in infrastructure such as guard houses or other park buildings, upgrading of existing roads and tracks to facilitate park management and ecotourism, provision of water holes, fencing (only in limited areas where judged necessary to minimize HWC); (iii) purchase of equipment such as radios for communication, park guard equipment, patrol equipment, etc.; and (iv) support to park patrols, with a particular focus on management of poaching.

With respect to *improved adoption of wildlife management practices*, the Project seeks to promote practices which will maximize opportunities for rural communities from adjacent wildlife resources. These investments will focus on rural communities of the EP in the vicinity of the Lukusuzi and Luambe National Parks. It should be noted that the activities to be supported will in most cases take place in the same communities targeted for agriculture and forestry investments and the various activities will be planned and implemented in coordination and so as to enhance synergies.

Specific activities to be supported to both contribute to economic returns to local communities from wildlife management and to minimize negative impacts will include:

- Consultations with adjacent communities adjacent to the protected areas and establishment of co-management processes and instruments;
- Mitigation of human-wildlife conflict (HWC) where necessary;
- Support to incipient ecotourism initiatives such as local ecotourism strategies, community training, infrastructure;
- Awareness-raising activities;

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- Supporting local involvement and management of game management areas so as to maximize returns from photo safaris and hunting, both a potentially important source of funding to communities;
- Improved management of subsistence hunting, where legally allowed, so as to provide food but to ensure sustainable management of game resources; and
- Possible extension of COMACO model where communities receive support for agricultural investments but are financially compensated for simultaneously protecting wildlife resources.

As concerns *direct support to protected area management*, the Project will focus on the complex of protected areas centered on Lukusuzi National Park. Lukusuzi National Park falls within the Nyika Trans-frontier Conservation Area (NTCA) adopted by the governments of Zambia and Malawi. The ZIFLP will support management investments in Lukusuzi National Park, in the surrounding game management areas, and in adjacent Luambe National Park.

*Livelihood restoration*: Since the Project will work with protected areas, the Project's Process Framework (in a separate document) outlines the process for providing livelihoods-related support during Project implementation to people affected by Project-induced restrictions of access to natural resources within protected areas, in Eastern province. As part of this process, Project implementation will include the preparation and subsequent implementation of Livelihood Restoration Plans, which will provide tailored livelihood support and benefit sharing for nearby communities. In cases where well-organized communities have produced their own investment plans (e.g. CRBs), this livelihood support will be channelled through the appropriate community mechanisms. Communities and households around the Project-supported protected areas will be provided with opportunities to restore their livelihoods to at least pre-Project levels. The LRPs prepared under this Project will take into account any ongoing livelihoods-related support from other sources.

In all of the targeted protected areas in Zambia, the Project will provide funding through the Department of National Parks and Wildlife (DNPW) to carry out the following activities (see details in a separate document and in Project budget tables):

- Preparation of park management plans;
- Investments in infrastructure such as guard houses or other park buildings, upgrading of existing roads and tracks to facilitate park management and ecotourism, provision of water holes, fencing (only in limited areas where judged necessary to minimize HWC);
- Purchase of equipment such as radios for communication, park guard equipment, patrol equipment, etc.;
- Support to park patrols, with a particular focus on management of poaching;

## 1.2 INSTITUTIONAL ARRANGEMENTS

The major investments of the ZIFLP project are intended to be decentralized, to the lowest level possible, in order to have funds managed and controlled by beneficiaries. However, there are some project investments, which are national in scope such as those related to REDD+ policy, MRV, policies, national-level institutional strengthening, etc. Implementation of ZIFLP will therefore require implementing agencies at both the national and Eastern Province levels.

At the national level, the Interim Climate Change Secretariat (ICCS) under the Ministry of National Development Planning (MNDP) will represent the Government of the Republic of Zambia and will host the National Project Unit (NPU). The ICCS will be the National Implementing Agency for the ZIFLP.

At the provincial level, the Provincial Administration of the EP will host the Project Implementation Unit (PIU). The Provincial Administration of the EP will be the Executing Agency of the project. This arrangement follows the decentralization policy of government and aims to devolve decision-making to sub-national structures to enable more efficient project implementation.

Annual Work Planning and Budgeting (AWPB) for the project will be submitted through the NPU for World Bank's approval after clearance by i) the MNDP Permanent Secretary (PS) for the NPU national-level activities; and ii) the PS of the Eastern Province for the sub-national level activities.

### **National level**

Overall project policy guidance will be provided by the ZIFLP National Project Steering Committee (NPSC), which will be chaired by the Permanent Secretary of the MNDP. The members of the NPSC will include PSs from the relevant line ministries, departments and agencies (MDAs), i.e., MOF; Agriculture, Lands; DNPW; Local Government, representative of the private sector, CSOs and NGOs. This fits into the existing government structures and current project oversight of ongoing ICCS programs.

There will additionally be a National Technical Committee (NTC) (using the existing platform) with representation from key MDAs such as the Directors of Forestry, Land, DNPW, Chairpersons of inter-governmental technical working groups, civil society and private sector. The NTC will be responsible for providing technical support and guidance to overall project implementation and advising on the national level investment proposals. The members of the NTC attending each meeting will depend on the agenda or technical advice sought by the NPU and will be at Director level.

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The ZIFLP National Project Unit (as part of its core mandate, will be directly responsible for most of Component 1 and its management costs will be covered through Component 3. It will be responsible for the procurement of major studies and services related to the national component. In addition, the NPU will manage overall project reporting. It will be headed by a National Project Manager supported by an M&E officer, Finance Officer/Project Accountant, Procurement Officer, Internal Auditor, Communication Officer, and the Environmental and Social Safeguards Compliance Officer.

The Ministry of Finance has already established an informal working group on land, co-chaired by the Surveyor General (SG) and the Director, Ministry of Finance. This Group, which also includes Ministry of Local Government, House of Chiefs, etc., will provide technical guidance on **Sub-component 1.2 Regularization of land and resource rights** implementation. The SG will represent this group and regularly report on the status of the sub component to the ZIFLP National Project Unit. Formalization of the membership of this group, and description of its responsibilities will all be finalized at appraisal.

The NPU will be responsible for preparing the Annual Work Plan and Budget (AWPB) for the national component of the investment. In addition, the NPU will consolidate the AWPB for the entire project for submission to and approval by the World Bank.

### **Provincial level**

The Provincial Development Coordinating Committee (PDCC) chaired by the Eastern Province PS, will be responsible for providing policy support, guidance and advice to the ZIFLP in relation to sectorial issues in the province. The PDCC already in place, will comprise provincial heads of government ministries including but not limited to Agriculture, Land, DNPW, Forest, Local Government and representatives from the private sector and civil society. The Provincial Planning Sub-Committee of the PDCC, chaired by the Provincial Chief Planner will be responsible for the day to day oversight on the operations of the PIU including reviewing, advising and approving sub-project activities from the lower levels (districts and communities). The PPSC will also ensure that project activities are incorporated in the Provincial Integrated Development Plan (PIDP). The Provincial Planning Sub-Committee is expected to be reinforced by the inclusion of representatives from traditional authorities, CSOs, and the private sector.

### **The Project Implementation Unit (PIU):**

This unit will be embedded into the Provincial Administration, Provincial Planning Unit (PPU). The PIU will be headed by a Provincial Project Manager (PPM) and report directly to the Provincial Chief Planner. For project progress reporting, the PPM will collaborate with the NPM. The PIU will be responsible for the day-to-day operations of the project's livelihood investments and will be supported by the PPSC. The PIU will oversee the planning, provide specialized technical support, and carry out fiduciary, safeguards and monitoring oversight of the project. The PIU will be supported by the following officers: M&E officer, Project Accountant, Procurement Officer, Internal

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Auditor, Communication Officer, and the Environmental and Social Safeguards Officers. The PIU will work in collaboration with the line ministry technical experts in the PPSC to provide management oversight and will be responsible for selection of the sub-grants for activities related to agriculture, forestry, and wildlife. The EP administration will be responsible for implementing small parts of Component 1, virtually all of Component 2, and their management costs will be covered through Component 3. The PIU will be responsible for preparing the Annual Work Plan and Budget (AWPB) for the Eastern Provincial level project investments, seeking advice from the EP PS before submitting to the NPU for consolidation, submission, and approval by the World Bank.

**District level**

At the district level, the District Development Coordinating Committee (DDCC) chaired by the District Commissioner provides policy guidance on projects in the district. Like the provincial level, the DDCC will comprise district heads of government MDAs including but not limited to Agriculture, Land, DNPW, Forest, Local Government and representatives from the private sector and civil society. The District Planning Advisory Sub-Committee (DPSC) consisting of technical staff, traditional representatives and civil society partners will provide the day to day overall coordination and will be responsible for advising, reviewing and recommending community sub-projects from Wards and Communities. The District Planning Officers under the guidance of the DPSC will ensure that the project is integrated in existing institutional structures and mandates of the district. Districts will be responsible for implementing interventions that fall under their authority and will provide coordination responsibility over community level micro-projects that cut across several communities. In such cases, District Development Plans (DDPs) will be prepared as appropriate. Where government MDAs do not have technical establishments in the districts back stopping and or implementation support will be provided from the provincial office.

**Community level**

At the community level, the structure will be similar, with overall coordinating responsibilities falling under the Ward Development Committees (WDCs) that will be constituted according to local government electoral procedures. The WDCs will consist of community representatives from the respective Zones, civic leaders, government agencies (e.g. agriculture camp officers, wildlife camp officers, traditional authority representatives and civil society partners. Communities will be responsible for implementing and managing interventions at the community level with managerial oversight from the districts and the PPU. If not already existing, Ward Development Plans (WDPs) will be prepared covering plans from the Zones in a given area.

The Ministries, Departments and Agencies (MDAs): The MDAs, i.e. Agriculture, Forest, Lands, DNPW, Local Government, etc. will play a critical technical role at the sub-national levels and ensure synergy with their respective national line ministries. They will be responsible for regular technical back stopping and ensuring linkages of project investments with development plans and policy. When required, they will provide

technical assistance and support, based on agreed annual work plans with the NPU and PPU, against which regular advances will be made and accounted.

## 2. PF METHODOLOGY

This PF has been developed together with the ESMF and RPF for the ZIFL Project. A number of activities have been undertaken in order to meet the safeguards requirements for the assignment including the following: literature review; stakeholder analysis; analysis of baseline environmental and social data; site visits and field assessments; interviews and focus group discussions; and the analysis of World Bank (WB) safeguard policies and Zambian policies, regulations and international agreements.

### 2.1 LITERATURE REVIEW

A literature review was undertaken with a view to gathering relevant secondary data, and the key sources of secondary data are listed under the References/ Bibliography section of the PF. This process was crucial in the development of the PF as it informed the stakeholder analysis, analysis of baseline environmental and social data, site visits and field assessments, interviews and focus group discussions, and the analysis of WB safeguard policies and Zambian policies, regulations and international agreements.

### 2.2 STAKEHOLDER ANALYSIS

A stakeholder analysis was carried out at the commencement of the assignment with a view to informing the stakeholder consultations, and the key stakeholders identified and consulted are listed in Annex 1.

**Table 1: Stakeholders in Eastern province and their thematic areas of participation**

(Source: Kaala Moombe, Land Tenure in Eastern province study report)

Stakeholder	Thematic/project areas	Sites/location (some)
<b>Traditional Organizations</b>		
Chieftaincies	<ul style="list-style-type: none"> <li>- Land administration</li> <li>- Chiefdom governance</li> </ul>	All districts in the province
Community Conservation areas (Committees, etc.)	Natural resources management in customary areas	5 districts and 17 chiefdoms: <ul style="list-style-type: none"> <li>- Chipata: Chinunda, Mpezeni, Nzamane, Chikuwe,</li> <li>- Lundazi: Magodi, Zumwanda, Mwasemphangwe, Chikomeni,</li> <li>- Mambwe: Jumbe</li> <li>- Nyimba: Luembe, Nyalungwe</li> <li>- Petauke: Nyamphande, Mwape, Sandwe, Kalindawaro, Mumbi, Mwanjawantu,</li> </ul>

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CRBs/VAGs	Natural resources management in customary areas including GMAs	<ul style="list-style-type: none"> <li>- Lundazi (Chikomeni)</li> <li>- Nyimba (Luambe and Nyalugwe)</li> <li>- May be formed in Mwape</li> </ul>
Small holder farmers	<ul style="list-style-type: none"> <li>- Out grower schemes</li> <li>- Agriculture and apiculture (Crop, livestock, honey production) production</li> <li>- Soil conservation</li> <li>- Trade</li> <li>- Sustainable integrated land management solutions (SILMS)</li> </ul>	All districts in the province but some thematic interventions are not in all districts
<b>Government Departments</b>		
Resettlement	Resettlement schemes administration and management (up to title acquisition stages)	Chipata and many sites in the province (Katete, Lundazi, Petauke,
Lands	Land administration and management	Chipata
Forestry	<ul style="list-style-type: none"> <li>- Protected forests areas management and protection/preservation and customary areas</li> <li>- Law enforcement and extension services</li> </ul>	All districts in the province
National Parks and Wildlife	Wildlife management, control, conservation	Mfuwe, Lundazi (Chikomeni and town)
Agriculture	Agriculture coordination and management	All districts in the province
District Councils	Town planning	All districts in the province
Conservation Farming Unit	Conservation farming	
<b>Private Organizations</b>		
COMACO	<ul style="list-style-type: none"> <li>- Out grower schemes (legumes and rice)</li> <li>- Conservation farming</li> <li>- Resettlement (Better Life Scheme)</li> <li>- Wildlife and other natural resources management</li> <li>- Trade</li> <li>- Value addition (processing and marketing)</li> </ul>	Nyimba, Mfuwe, Lundazi, Chipata (HUB)

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	- Carbon management (and trade)	
NWK Agriservices	Out grower schemes for cotton	Lundazi, Katete
Cargill	Out grower schemes for cotton	Lundazi, Chipata
JTI	Out grower schemes for tobacco and tree planting	Chipata
China-Africa	Cotton	Chipata, Lundazi
Producer groups	<ul style="list-style-type: none"> <li>- Agriculture (crops and livestock)</li> <li>- Apiculture – commercial beekeeping</li> <li>- Out grower schemes</li> </ul>	
COMACO Cooperatives	Agriculture and apiculture production governance	
ETG	Market for some SNV products	
Mt Meru	Market for some SNV products	
Sedia Agro Services	<ul style="list-style-type: none"> <li>- Agro dealing</li> <li>- Soil testing under the SILMS (SNV) activities</li> </ul>	
Kazumba	Game ranching; law enforcement (through Village Scouts)	
Mopani Hunting Safaris	Eco-tourism	
<b>NGOs/Civil Society</b>		
SNV	<ul style="list-style-type: none"> <li>- Sustainable land and other natural resources management</li> <li>- Biogas industry (small scale farmer level)</li> <li>- Out grower schemes for tree planting</li> </ul>	<ul style="list-style-type: none"> <li>- Lundazi,</li> <li>- Other districts in Zambia: Monze, Mumbwa, Kitwe, etc.)</li> </ul>
GIZ	<ul style="list-style-type: none"> <li>- Livelihood support</li> <li>- TFCA</li> </ul>	Chipata, Lundazi (Mwasemphangwe)
BioCarbon Partners	<ul style="list-style-type: none"> <li>- Community forest management</li> <li>- Carbon management and trade</li> </ul>	Mfuwe, Nyimba, Lundazi
Land Alliance (Chipata, Nyimba)	<ul style="list-style-type: none"> <li>- Piloting customary land registration</li> <li>- Research</li> <li>- Education, Advocacy</li> </ul>	Nyimba, Chipata
ICRAF/WAC	Agroforestry Research	

### **2.3 ANALYSIS OF BASELINE ENVIRONMENTAL AND SOCIAL DATA**

Secondary baseline environmental and socio-economic data was gathered through the literature review, whilst primary data was obtained from the stakeholder consultations and field work. The purpose of the baseline data collection was to:

- Scope the study area from a framework point of view, rather than obtain detailed quantitative data that would normally be associated with a site specific assessment; and:
- Provide information on host environment conditions to be able to analyze and predict the nature and significance of potential Project-related environmental and socio-economic impacts.

### **2.4 SITE VISITS AND FIELD ASSESSMENTS**

Site visits and field assessments to the study area, Lukusuzi and Luambe National Parks and surrounding areas, were carried out in order to undertake stakeholder consultations and fill gaps identified during the literature review. Two site visits were undertaken, 24 October to 1 November 2016 and 27 November to 1 December 2016.

### **2.5 INTERVIEWS AND FOCUS GROUP DISCUSSIONS**

Stakeholder consultations were on-going during the development of the PF and included engagement with the key stakeholders listed in Annex 1. Interviews and focus group discussions were conducted in the following areas:

- Lusaka; Chilanga; Chipata; Lundazi; Mwasemphangwe; Chikomeni; Kakumba; Chitungulu; and Mwanya.

The key issues discussed are also given in Annex 1.

### **2.6 ANALYSIS OF WORLD BANK SAFEGUARD POLICIES AND ZAMBIAN POLICIES, REGULATIONS AND INTERNATIONAL AGREEMENTS**

The ZIFLP is required to comply with the WB Safeguard Policies and relevant Zambian policies and legal framework. An assessment of the WB Safeguard Policies and Zambian policies, regulations and international agreements was, therefore, undertaken so as to determine the safeguards and legal frameworks that would guide the implementation of the ZIFLP. The assessment results are given Section 3 of this PF.

### 3. POLICY AND LEGISLATIVE FRAMEWORK

This section of the PF reviews the Zambian policy and legal framework and the WB resettlement policy framework that is relevant to the ZIFL Project.

#### 3.1 ZAMBIAN POLICY AND LEGISLATIVE FRAMEWORK

##### Relevant Policies

The Zambian resettlement policy framework consists of the National Resettlement Policy, and the legal framework for matters related to the compulsory acquisition of property, in particular land and the alienation of land, is provided for in the Zambian Constitution, Lands Act, and the Lands Acquisition Act. Whilst these three Acts provide the basis for land acquisition, various other national laws define the authority and responsibility of specific sectorial agencies. However, there is currently no specific law pertaining to involuntary resettlement in Zambia.

The Zambian policy and legal framework that are applicable to the ZIFLP are as follows:

- National Resettlement Policy;
- Constitution of Zambia Cap 1;
- Environmental Management Act of 2011;
- Lands Act Cap 184;
- Lands Acquisition Act Cap 189;
- Local Government Act, Cap 281;
- Urban and Regional Planning Act of 2015;
- Arbitration Act No. 19 of 2000;
- Forests Act of 2015;
- Zambia Wildlife Act of 2015;
- National Heritage Conservation Commission Act, Cap 173 of 1989;
- Agricultural Lands Act Cap 187 of 2006;
- Land Survey Act Cap 188; and
- Valuation Surveyors Act Cap 207.

This policy and legal framework is discussed in Annex 2.

##### ***Policy and Legislation Assessment***

This section of the PF discusses the priority policy and legislation that is applicable to the ZIFLP in the context of safeguard instruments.

##### ***National Resettlement Policy***

The National Resettlement Policy (NRP) sets out the Government objectives, principles and measures for dealing with resettlement as a strategy for rural development and as a response to internal population displacements. In addition, it provides a mechanism for dealing with both voluntary and involuntary resettlement. The policy

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focuses on employment creation, access to public social services, increased food security, security of land tenure, stimulating economic growth in rural areas and compensation and resettlement assistance for internally displaced persons. The Department of Resettlement in the Vice President's Office is in charge of implementing the NRP. However, the policy is not legally binding.

*Environmental Management Act of 2011*

This is the principal legislation on environmental and social protection and management in Zambia.

Under the provisions of this Act, a strategic environmental assessment report will be prepared and submitted to the Zambia Environmental Management Agency (ZEMA) for approval prior to the implementation of the ZIFLP.

Environmental Project Briefs (EPBs) will also be prepared for all ZIFLP Category B sub-projects in accordance with the provisions of the Environmental Protection and Pollution Control (Environmental Impact Assessment) Regulations of 1997. An EPB corresponds with the requirements of a WB Category "B" EA and will serve to identify and evaluate any sub-project's potential environmental and social risks and impacts in its area of influence, and to outline measures for preventing, minimizing, or mitigating any adverse environmental impacts identified. The ICCS will be responsible for the preparation of the EPBs, either internally or through a consultant. The EPBs will be approved by the ZEMA, through a decision letter with attached conditions, prior to the sub-project activities being implemented.

It is worth noting that the Project will not support WB Category "A" sub-projects, and these will be screened out through the use of the EIA Second Schedule and consultation with the ZEMA.

Following the approval of a subproject, any potential adverse environmental impacts identified by the ZEMA under the conditions of the decision letter will be subject to licensing and compliance inspections as provided for under the Environmental Management (Licensing) Regulations of 2013.

Where resettlement is triggered as a result of sub-project activities, a RAP will be prepared as part of the EPB process. Similarly, where the ZIFLP results in restrictions of access to natural resources in legally designated parks and protected areas, an LRP will be prepared as part of the EPB process by the ICCS, either internally or through a consultant. Both Plans will be reviewed and approved by the ZEMA, through a decision letter with attached conditions, prior to the implementation of sub-project activities.

*The Lands Act Cap 184*

The Lands Act controls the alienation of land and will guide any land acquisitions for ZIFLP sub-projects and the conversion of land from customary tenure to statutory.

The Act empowers the President of the Republic to compulsorily acquire property. The principles of compensation are pivoted on the basis that the value of property for the purpose of compensation shall be the value of the amount which the property might be expected to realize if sold on the open market by a willing seller at the time of the publication of notice to yield possession of the property.

### ***Land Tenure Systems***

There are two main land tenure systems in Zambia, statutory and customary.

#### *Statutory Tenure*

Statutory tenure involves State Land, which is administered by the Lands Commissioner through Local Authorities on behalf of the President. All land in Zambia is vested in the Republican President who holds it in perpetuity on behalf of the Zambian people.

The President has delegated his execution and disposition powers to the Commissioner of Lands, who is supported by Agents who plan and sub-divide the land into plots, and select and recommend suitable candidates to him for issuance of a certificate of title. The Agents are the District, Municipal, and City Councils, who use the provision of the Urban and Regional Planning Act of 2015 for this purpose.

#### *Customary Tenure*

Customary Tenure is applicable in areas under the jurisdiction of Traditional Authorities (chiefs/chieftainesses). The traditional land tenure system is the most prevalent among the majority of Zambians who live in the rural areas of the country.

Tenure under customary land does not allow for exclusive rights to land. No single person can claim to own land, as usually the whole land belongs to the community members for their own use. In addition, land is considered as a valuable heritage for the whole community.

It is the duty of traditional rulers to ensure that every member of his or her community capable of owning land is allocated land. Therefore, the issue of access, as in State Land, is tied to capability. However, being capable is entirely up to the discretion of the Chief, and this has often led to dissatisfaction among community members, the most vulnerable groups being women, youths and the disabled.

Normally, customary land cannot be used as collateral, as in many cases there are no legally defined physical boundaries, as required under the Land Survey Act. Thus, customary lands are prone to encroachments, which often result in land disputes.

### ***Forests Act of 2015***

The following issues will be addressed under the provisions of this Act and the Forests (Community Forest Management) Regulations, 2016:

- Recognition of community forest management groups by the Director Forestry Department through a letter; and
- Registration of Community Forestry Management Agreements with the Forestry Department.

### ***Zambia Wildlife Act of 2015***

Under the provisions of this Act, Park Management Plans will be prepared and approved by the Department of National Parks and Wildlife, prior to sub-project implementation. In addition, where it is deemed that Community Resource Boards need to be formed to allow communities to effectively participate in resource protection and champion conservation awareness campaigns in the communal areas e.g. in the Chikomeni and Mwasemphangwe areas, these could also be formed through the provisions of this Act.

### ***National Heritage Conservation Commission Act, Cap 173 of 1989***

Under the Act, any project being implemented is required to disclose any new archaeological, paleontological, or cultural sites it encounters to the National Heritage Conservation Commission (NHCC) and to follow their procedures for the investigation and/or removal of material from them prior to continuing construction activities.

Any Project-supported activities that could impact sites of social, sacred, religious, or heritage value will have to be reported to the Commission prior to the activities being carried out. In addition, the "Chance finds" procedures detailed in section 4.8 of this report will be followed during the implementation of the ZIFLP.

## **3.2 WORLD BANK RESETTLEMENT POLICY FRAMEWORK**

The World Bank Operational Policy (OP) 4.12 relates to the administration of resettlement issues in the event of Project activities inducing the displacement of people and disrupting their livelihoods. The policy may apply to some sub-project activities to be implemented under ZIFLP Component 2.

### **World Bank OP 4.12**

According to the World Bank's OP 4.12, particular attention should be given to the needs of vulnerable groups such as the poverty stricken, the landless, the elderly, widows, child-headed households and other disadvantaged persons. It is also a requirement of the policy that the provision of compensation and other assistance be effected prior to people's displacement. This implies that the acquisition of land for project activities can only take place after those affected have been compensated. In addition, the policy offers the impacted persons an opportunity to improve their livelihoods and living standards through participation in the planning, preparation and implementation of Resettlement Action Plans (RAPs) and LRPs. The policy states that:

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- Resettlement or displacement should be avoided wherever possible or minimized, and all viable alternative project designs should be considered before finally deciding on displacement;
- Resettlement or displacement activities should be conceived as sustainable development programs, providing sufficient investment resources to enable the person displaced by the project activities to share in project benefits; and
- Displaced persons should be assisted in their efforts to improve their livelihoods and standards of living or at least restore them, in real terms to pre-displacement levels or to those prevailing prior to the beginning of project implementation, whichever is higher.

The policy stipulates that the PF and LRP should include measures to ensure that the displaced persons are safeguarded by being:

- Informed about their options and rights pertaining to resettlement or displacement;
- Consulted, offered choices and provided with technically and economically feasible resettlement alternatives;
- Provided with prompt and effective compensation at full replacement cost for loss of assets attributed directly to the project. The resettlement plan or resettlement policy framework should include measures to assure that the displaced persons are provided with: assistance, such as transport and other allowances during relocation; residential housing or housing sites or as required agricultural sites for which a combination of productive potential, location advantages and other factors are at least equivalent to the advantages of the old site;
- Offered support after displacement, for a transition period, based on a reasonable estimate of time likely to be needed to restore their livelihood and standards of living; and
- Provided with development assistance in addition to compensation measures such as land preparation, credit facilities or job opportunities.

### **3.3 COMPLEMENTARITY OF ZAMBIAN LAND LEGISLATION AND THE WORLD BANK RESETTLEMENT POLICY**

#### **Similarities**

There are a number of similarities between the Zambian land legislation (i.e. Zambian Constitution, Lands Act, and the Lands Acquisition Act) and the World Bank's OP 4.12. These include:

- The requirement to pay compensation in advance where land is compulsorily acquired;

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- Compensation being based on full market value or through grant of another plot of land or building of equal quality, size and value;
- Avoidance, wherever possible, of impacts on forest reserves, national parks and other fragile ecosystems;
- The requirement to compensate for losses whether temporary or permanent in production or damage to productive assets and crops; and
- Provision for the rights of appeal and other judicial avenues for resolution of disputes.

### Gaps

Gaps do exist between the World Bank OP 4.12 and Caps 1, 184 and 189, and these are as follows:

- Comprehensive resettlement planning - there is no requirement under the Zambian land legislation for the preparation of a comprehensive formal RAP including carrying out a census, social economic survey, consultations with Project affected people, monitoring, and reporting. The Urban and Regional Planning Act of 2015, which deals with issues of human settlements and development in Zambia does not refer to involuntary settlement, but only to the removal of squatters on state lands needed for urban expansion and development.
- Compensation eligibility in Zambia - under Zambian land legislation, only people and entities with title deeds are entitled to compensation, including those with registered third party rights or those who have legally obtained the right to register but have not yet completed registration. However, under the WB's OP 4.12 illegal land users without title to the land are entitled to compensation for land use and affected structures on it (but not compensated for land). In some cases of illegal development, compensation is provided on discretionary basis on case by case basis.
- Compensation and resettlement assistance - the current Zambian land legislation provides for the payment of compensation at market value for losses of land, buildings, crops and other damages arising from the acquisition of land for Project activities. Under the Zambian law, moving costs or rehabilitation support to restore previous levels of livelihoods or living standard are not recognized, and there is no government agency charged with that responsibility.
- Property measurement - under the Zambian land legislation, compensation is equal to the market value of the property without reference to depreciation. On the contrary, under the WB Safeguards, compensation for lost properties is calculated on the basis of full replacement cost i.e. equal to what enables the Project affected people (PAP) to restore their livelihoods at the level prior to resettlement/ displacement.
- Income restoration - the current Zambian land legislation does not recognize compensation for lost income contrary to the World Bank's OP 4.12, which requires that lost income due to Program activity should be compensated.

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- Livelihood restoration – under the WB OP 4.12, displaced persons are required to 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. However, under the Zambian land legislation only those with legally-binding rights are entitled to compensation/ livelihood restoration.

**Measures to Close the Gaps**

This PF's requirements are based on the policies of the World Bank and Zambian national legislation. However, where there are discrepancies between the requirements of World Bank OP 4.12 and the Zambian requirements, the World Bank guidelines and requirements will be followed during the implementation of the sub-projects, as they are normally considered as de facto standards by the ZEMA.

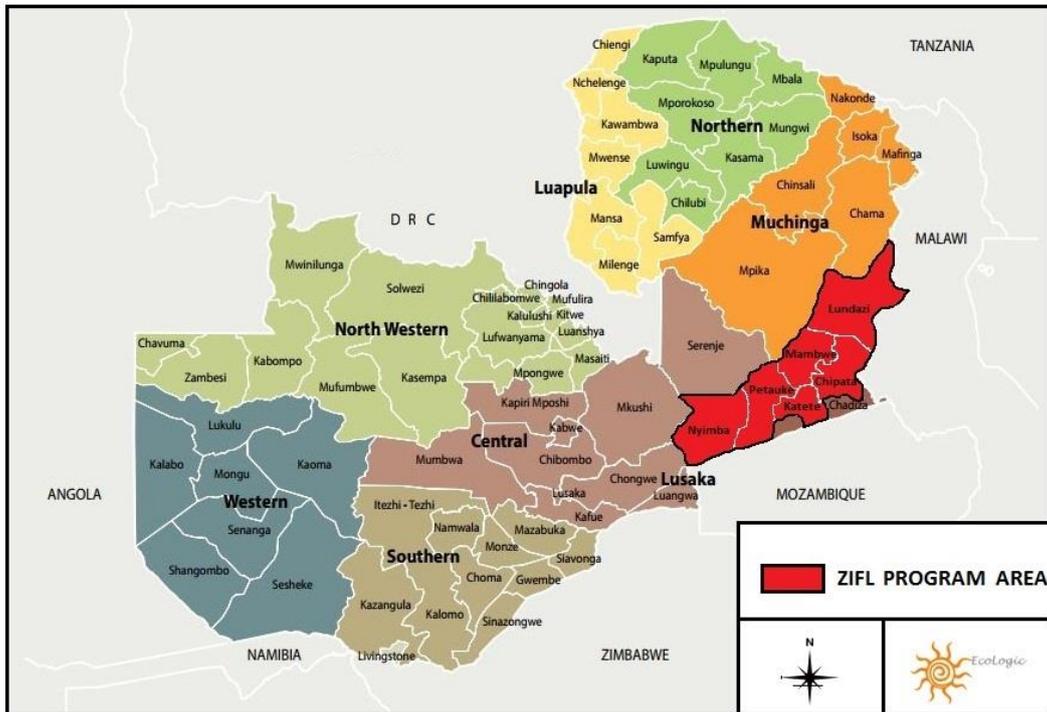
## 4. SOCIO-ECONOMIC BASELINE OF THE PROJECT AREA

This section of the PF provides a description of the socio-economic environment in the Eastern Province of Zambia, and in particular in the proposed ZIFL Project districts of Nyimba, Petauke, Katete, Chipata, Lundazi and Mambwe. The descriptions are based on the literature review and consultations and observations made during the site visits.

### 4.1 LOCATION

The ZIFL Project will be implemented in the Eastern Province of Zambia, and more specifically in the districts of Nyimba, Petauke, Katete, Chipata, Lundazi and Mambwe as shown in Figure 2 below.

Figure 1: ZIFL Project Area



Source: Zambia Environmental Atlas, ZEMA, 2012

### 4.2 POPULATION AND DEMOGRAPHIC PROFILE

Table 2 shows the human population statistics for the 6 (six) ZIFLP districts. According to the information presented in this table, which is derived from the 2010 population census, the human population in the proposed Project area is growing with Mambwe District having the highest population growth rate, and Nyimba the least.

Table 2: Population Statistics of the Project Area

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DISTRICT	TOTAL POPULATION	ANNUAL POPULATION GROWTH (%)	POPULATION DENSITY (PERSONS/KM2)	% RURAL	% POPULATION (AGED 0-34)	% WOMEN
Nyimba	85,025	1.9	8	91	80	50.6
Petauke	307,889	2.7	37	90	81	50.7
Katete	243,849	2.6	61	91	81	50.8
Chipata	455,783	2.2	68	74	80	50.6
Lundazi	323,870	3.2	23	95	80	51.1
Mambwe	68,918	3.8	13	91	81	50.3

Source: CSO, June 2012

A consequence of this population increase is that due to the communities' dependence on agriculture, new lands are opened-up to cultivate food and provide income for the increasing population. In addition to agriculture, charcoal production is a key livelihood activity.

The districts with 90% or more of the population living in rural areas such as Nyimba, Petauke, Katete, Mambwe, and Lundazi are among the top districts in terms of absolute forest area loss (UNIQUE, 2016a), indicating that having a large rural population, which is poor could contribute to deforestation as well as other factors such as production methods and concentration of population per ha.

In addition to the actual growth in population, there is local migration within the Eastern Province as well as fertile land seekers within the same district/ chiefdom. The people come largely from within the same districts/ province but also from outside, and tend to settle in forested areas. In certain cases the traditional authorities and the local politicians allow such people to settle even though they know it is illegal to do so, and in other instances it is done from a land grab opportunistic perspective as a result of a weak enforcement capacity. According to the 2010 population census, only the Eastern Province and Northern Province had net in-migration (CSO, 2012). The migrants encroach on the forest clearing it to open land for crop cultivation and settlement. The forest encroachment is usually detected by the government at a much later stage as the Forest Department lacks monitoring capacity – commonly when the forest has already been badly affected. The problem of migration and settlement in forested areas is compounded by political interference and expediency, where political elites and local/ traditional leaders tend to take sides with the forest encroachers or simply do not actively support any moves to control or remove them. Such encroached forests eventually become candidates for de-gazettement and resettlement. For instance, in 2005, Mvuvye FR, at the Nyimba and Petauke district borders, was de-gazetted following heavy encroachment by both locals and migrants. In Lundazi district, the Lundazi National Forest is currently encroachment.

In terms of the Lukusuzi NP, three evictions of people who have illegally settled in the Park have been undertaken by the DNPW. The first was in between 31 October and 4 November 2015, and the other two were in October and November 2016. The people

tend illegally go into the Park to undertake activities such as illegal poaching, small scale mining and farming.

### **4.3 EMPLOYMENT**

There are high levels of unemployment in the Project area, with a large portion of the population being engaged in informal economic activities such as subsistence farming practices, fishing (in the rainy season), production and selling of charcoal, casual work (particularly in the agricultural sector), informal trading activities (such as vending foodstuffs) and the production of handcrafted items.

### **4.4. ECONOMIC PROFILE**

Most of the livelihoods in the ZIFL Project area are in agriculture and related activities. Rural farming families typically grow a variety of crops such as maize, sweet potato, groundnuts, soybeans, mixed-legumes, sunflower, seed cotton and tobacco. Cotton, tobacco and maize are the major cash crops. Agricultural productivity on existing agricultural lands is very low and estimated at only 2 tons/ha/year compared with the national average of 2.4 tons/ha/year (Sitko *et al.*, 2011, Tembo and Sitko, 2013). This is attributed to: nutrient depletion on existing croplands as a result of poor farming methods such as burning crop residues; reduced input subsidies; smallholder farmers being unable to afford the high price of chemical fertilizer; and limited high quality seeds that are needed to produce high crop yields. Due to low productivity on existing croplands, farmers are encouraged to open up new land by clearing forests.

Forests are very important for rural livelihoods in the Project area as forest goods and services provide food, medicine, shelter, fuel and cash income for the rural population. Forest-based activities such as carpentry, beekeeping and timber and rattan sales provide more than 50 percent of the average household income in some parts of the province. Mushrooms, fruits, leafy vegetables, tubers and insects collected from the province's miombo woodlands are widely consumed by rural households and enrich their starch-based diets with important vitamins and minerals. These foods are often available at the start of the rainy season and thereby serve as an important source of nutrition when food stocks are low. Most forest product harvesting and sale is seasonal, providing cash income at different times of the year. However, the province's increasing deforestation rates pose threats to the forest economy (World Bank, 2016a).

The Project area contains large parts of the globally biodiversity significant Luangwa Valley, and supports one of Zambia's highest revenue generating parks (South Luangwa National Park). The wildlife sector in Eastern Province provides substantial income to the Eastern Province mainly from tourism and hunting activities. A recent study conducted by The Nature Conservancy (TNC) valued the South Luangwa Park's tourism activity at \$20M per year. However, the gains from tourism almost entirely go to private lodge owners and thus do little to alleviate the poverty in nearby communities. Increases in food insecurity and high poverty levels have driven increased poaching of wildlife for bush meat consumption and illegal wildlife trade.

Deforestation from fuelwood harvesting and smallholder agriculture expansion have also reduced the suitable habitat area for effective wildlife management. Human encroachment is extending toward national parks from major roads as fast as 2 km/year. This is threatening protected buffer zones, decreasing wildlife connectivity, eliminating viable TFCAs and driving accelerated deforestation and associated GHG emissions (World Bank, 2016a).

#### **4.5 LAND TENURE**

The lack of clear land tenure is a major underlying driver of agriculture expansion into forest land. According to the Integrated Land Use Assessment (ILUA) survey, forest ownership in Zambia is divided amongst the following entities: customary authorities, i.e., forests on communal land or “customary forests” – about 63% of total forestlands in the country; state, i.e., forests on state land or “state forests” – about 24%; private land, i.e., “private forests” – about 10%; and the rest (3%) has undefined/ unknown ownership (Mukosha and Siampale, 2008).

A large proportion of land in the Eastern Province is under customary land tenure. However, the exercising of tenure rights over forest is very weak because there is limited: understanding of the forest tenure; and capacity to manage the forests “owned”. The chiefs/chieftainesses of the various chiefdoms exercise some authority over customary forests, but their power mainly lies in the control of land resources and the ability to allocate it to different users. Hence, land allocation and land use processes on customary lands are often based on local governance processes. For instance, obtaining permission to settle and use land within a chiefdom has to be negotiated with the chiefs/chieftainesses, who usually dictate the rights, responsibilities and use for the land users. However, the traditional authority of the chiefs/chieftainess is weakening due to a breakdown of traditional cultural values. Consequently, their ability to properly manage areas under their control is declining. Conflicts over land resources and heir-ship claims complicate this issue.

The lack of recognition of forest tenure and capacity to exercise the tenure rights is contributing to the acceleration of forest destruction. This is due to the fact that customary forests are perceived as open-access forest resources and that some rural inhabitants do not benefit much from the forests, hence, the lack of incentive to sustainably use the forest resources (Gumbo et al., 2013). In other cases, the exercising of tenure and ownership rights directly causes deforestation. For instance, some farmers clear the land for agriculture in order to lay due claim to it. Community members normally acquire land for cultivation and settlement by requesting it from the traditional leaders, i.e., chiefs/chieftainesses and their advisors. However, if a community member is allocated a piece of land and does not clear the forests on it to show that he/ she is actively using it, the authorities may withdraw it and give it to someone else.

## 4.6 PROTECTED AREAS AND FOREST Resources

### **Forest resources**

#### *Habitats and Vegetation Types*

The Luangwa watershed has 31 and 68 national forests and local forests over an area of 1,427,492 and 227,178 ha, respectively (MLNREP, 2016). The main habitat in the area is the miombo woodland, which is evergreen with common species of *Brachystegia*, *Julbernardia* and *Isoberlinia*. Other tree species include *Colophospermum mopane* (found in pure stands), winterthorn (*Acacia albida*, a deciduous tree that provides winter-feed), *Acacia tortilis*, *Combretum imberbe*, *Acacia nigrescens*, *Monochoria africana*, wild mango - *Cordyla africana*, African ebony - *Diospyros mespiliformis*, Fig - *Ficus bussei* and *Ficus sycomorus*, and Natal mahogany - *Trichelia emetic*.

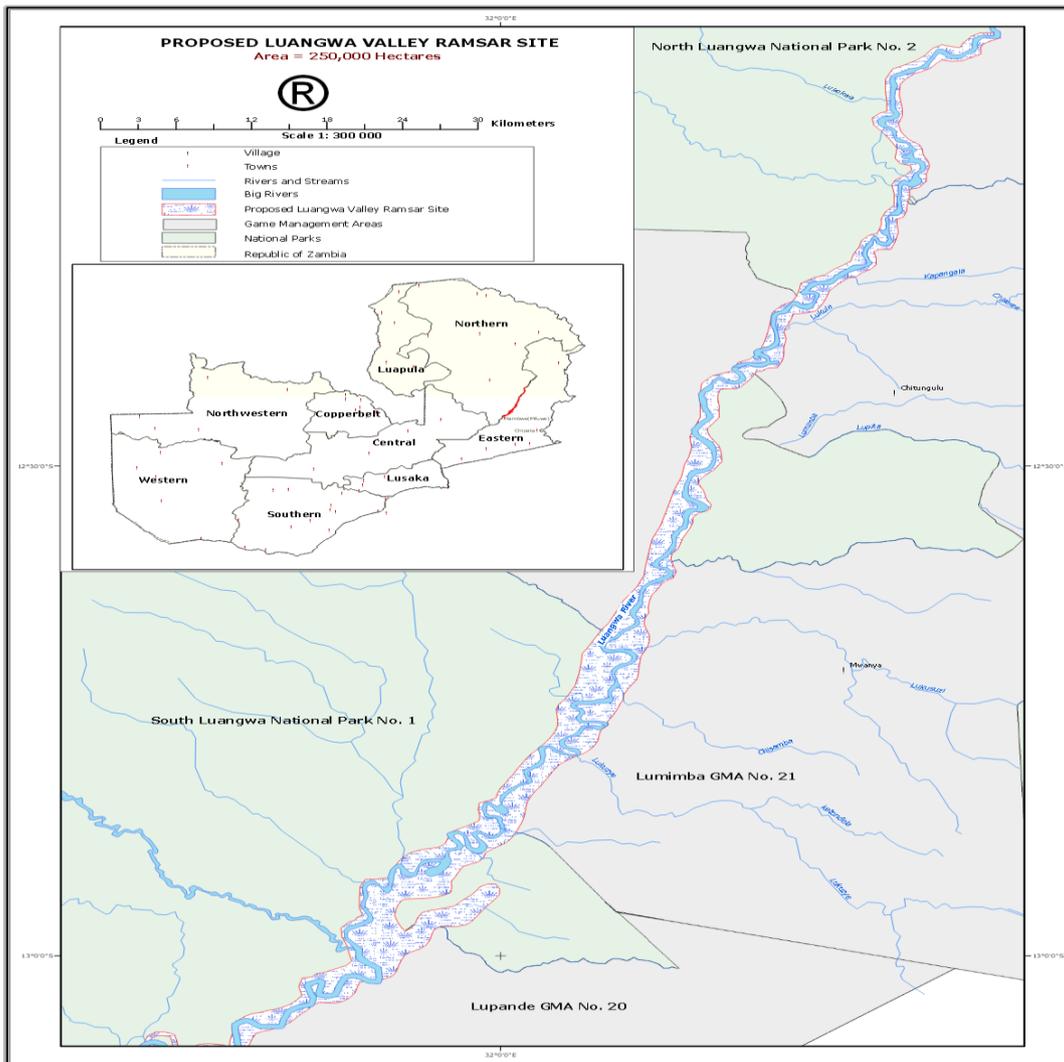
#### *Ramsar Wetland Site*

Zambia is a signatory to the RAMSAR Convention and the Luangwa Flood Plain is a designated RAMSAR site that is ecologically sensitive and subject to restrictions on development in or around the area, and Figure 2 shows the site.

The site covers part of South Luangwa National Park and the North Luangwa National Park to the north-west and the Luambe National Park to the south-east. It also encompasses portions of a number of game management areas within it, including the Munyamadzi GMA No. 24, the Lumimba GMA No. 21, and the Lupande GMA No. 20.

The Luangwa Floodplains host a number of endangered species, such as the lion (*Panthera leo*) and the elephant (*Loxodonta africana*), which the IUCN Red List classify as vulnerable. The leopard (*Panthera pardus*) is also present at the site (CITES Appendix I) as well as the African wild dog (*Lycaon pictus*) (endangered, IUCN Red List) and the Black rhino (*Diceros bicornis*) (critically endangered, IUCN Red List). Crocodile (*Crocodylus niloticus*) and hippos (*Hippopotamus amphibius*) are present too (CITES Appendix II).

Figure 2: Lugangwa Flood Plain Ramsar Site



Source: [rsis.ramsar.org](http://rsis.ramsar.org)

### Wildlife resources

#### Overview

The Luangwa watershed has 7 national parks and 11 game management areas covering 1,711,971 and 5,115,435 ha, respectively (MLNREP, 2016). The area has large populations of elephant (*Loxodonta africana*), buffalo (*Syncerus caffer*), hippo (*Hippopotamus amphibius*), giraffe (*Giraffa camelopardalis*) lion (*Panthera leo*), leopard (*Panthera pardus*), crocodile (*Crocodylus niloticus*), warthog (*Phacochoerus aethiopicus*), puku (*Kobus vardonii*), impala (*Aepyceros melampus melampus*), zebra (*Equus burchelli*), waterbuck (*Kobus ellipsiprymnus*), bushbuck (*Tragelaphus scriptus*), cookson's wildebeest (*Connochaetes taurinus cooksoni*), hyena (*Crocuta crocuta*), kudu (*Tragelaphus strepsiceros*), eland (*Taurotragus oryx*) and various other antelopes.



Under such livelihood hardships, many farmers over the past several decades have resorted to wildlife poaching in the Lukusuzi NP to make-up for shortfalls in food and income, and a steady decline in wildlife numbers has resulted. Many of the Park's key species including black rhino, buffalo, and elephant disappeared and smaller species reduced greatly in population size. As a national park, its status became regarded as depleted, and limited park management and law enforcement resources were directed elsewhere to higher priority national parks, leaving Lukusuzi NP with a small force of 10 wildlife police officers guarding the entire Park.

The Lukusuzi NP falls under the Malawi-Zambia Trans Frontier Conservation Area (TFCA), which was formally established on 7 July 2015 and has two components: the Nyika-North Luangwa; and the Kasungu–Lukusuzi. The German Government has committed EURO18million under KfW to support infrastructure development, conservation activities, procurement of equipment, and community livelihood needs under the Nyika-North Luangwa component.

A GIZ project called “Strengthening Joint Management and Promoting Community Alternative Livelihoods in the Kasungu-Lukusuzi Component of the Malawi-Zambia TFCA” is currently being implemented in the Kasungu–Lukusuzi component. The main objective of the project is “to reduce threats of unsustainable use of natural resources in the TFCA component by strengthening various management strategies and promoting alternative livelihood options for the communities”, and the priority areas are: the Lukusuzi National Park, the Kasungu National Park, Chikomeni and Mwasemphangwe communities, as well as the communities surrounding the Kasungu NP within a 5 km buffer. The project is scheduled to end in May 2018.

#### **4.7 ENCROACHMENT AND EVICTIONS IN LUKUSUZI NATIONAL PARK**

Zambia Wildlife Act No. 12 of 1998 prohibits occupation of people and any other form of livelihoods in legally protected areas. However, since 2011, there has been continued encroachment and occupation of the Lukusuzi National Park. The park was encroached by agriculture land seekers who settled in the areas called, Kamwankunku, Mbuluzi, Mnyamazi, Msikizi and Kamaibe. These areas are considered to have a rich biodiversity of natural resources.

In its continued effort to protect the natural resources from illegal utilization in Lukusuzi National Park, ZAWA in collaboration with the Zambia Police (ZP), Zambia National Service (ZNS), Office of the president (OP), Drug Enforcement Commission (DEC) and Immigration department, jointly conducted a special operation of evicting hundreds of illegal settlers from Lukusuzi National Park in 2015. Approximately, 3,000 people were evicted.

The eviction exercise took place in the east part of Lukusuzi National Park bordering Mwasemphangwe chiefdom in Lundazi District, located in the Eastern side of Luangwa Valley.

## 4.8 LAND USE

Another underlying driver of agriculture expansion into forest land is the lack of land use planning as there are no proper processes for the allocation of land for different uses at various jurisdictional levels. In addition, there are no enforcement provisions for dealing with illegal allocations. This leads to inconsistencies in managing land use activities within districts and chiefdoms. As a result, forests are easily converted to agricultural land use including through government channels, especially when they are degrading or degraded.

Customary forests often do not have management plans or guidelines. This also applies to the Forest Reserves that are managed by the District FD officers. Therefore, forests are generally very vulnerable to encroachment for agriculture and charcoal burning as there is no planning or any structured management processes. However, an exception to this is that some communities in the Project area have received external support from the non-profit company Community Markets for Conservation (COMACO), and conservation management plans have been developed for Community Conservation Areas (CCAs) in a number of chiefdoms including Chikomeni, Chikuwe, Jumbe, Luembe, Magodi, Mwasemphangwe, Mwape, Nyamphande, and Zumwanda. See Annex 9 for draft Land status study

## 4.9 ENERGY USAGE

80% of the Zambian population is still reliant on wood biomass for energy (MNDP, 2016), and in terms of contribution to direct cash income for rural communities, fuelwood is the most important forest product obtained from the forests, followed by Non-Wood Forest Products (NWFPs) such as wild meat, honey, mushroom and caterpillars. This is due to the fact that it is fairly easy to enter into the fuelwood business for short-term income or as a long-term income generating activity because most fuelwood producers (both firewood and charcoal) operate without any license, especially those who sell fuelwood that is harvested when clearing land for agriculture, and if required a license can be obtained at short notice from the FD district offices (Gumbo et al., 2013). However, most charcoal producers opt not to get one, therefore, produce charcoal illegally.

Generally, there are relatively minimal entry barriers into the fuelwood business. In addition, the business of producing and selling charcoal itself requires minimal monetary and technical inputs. Therefore, producers are often opportunistic, and begin to produce when extra cash is needed, or when no alternate employment opportunities exist. Migrant or landless families are also responsible for significant charcoal production, as it is considered as an easy-to-get income activity. Whilst this may be beneficial in terms of providing a quick poverty mitigation solution, it means a large population is involved in unregulated extraction of wood from the forests, thus, driving forest degradation.

#### 4.10 ARCHAEOLOGY AND CULTURAL HERITAGE

The proposed ZIFLP encompasses the Luangwa floodplains, which have a number of historical hot springs within the Luangwa Valley. One occurs at the saltpan in the Nsefu sector of the Luangwa South NP. The streams are surrounded by saline deposits, which were valued by the local people in the past. The Project area also has many graveyards as it is typical for each village community to have its own graveyard. In addition, the Lukusuzi NP is reported to have rock paintings and caves that date back to the late Stone Age (Mbewe, 2016).

Cultural property includes monuments, structures, works of art, or sites of significant points of view, and are defined as sites and structures having archaeological, historical, architectural, or religious significance, and natural sites with cultural values. This includes cemeteries, graveyards and graves. The negative subproject attributes, which will make a subproject ineligible for support includes any activity that will adversely impact cultural property.

The Project-supported civil works could impact sites of social, sacred, religious, or heritage value. "Chance finds" procedures would apply when these sites are identified during the construction period. In the event of finding of properties of cultural value during construction, the following procedures for identification, protection from theft, and treatment of discovered artifacts should be followed:

- Stop the construction activities in the area of the chance find;
- Delineate the discovered site or area;
- Secure the site to prevent any damage or loss of removable objects.
- Notify the Supervising Engineer who in turn will notify the responsible authorities;
- The National Heritage Conservation Commission, in collaboration with the relevant local authority, will be in charge of protecting and preserving the site before deciding on subsequent appropriate procedures.
- Decisions on how to handle the finding will be taken by the National Heritage Conservation Commission and other responsible authorities. This will include changes in the layout (such as when finding an irremovable remain of cultural or archeological importance), conservation, restoration and salvage.
- Implementation of the authority decision concerning the management of the finding will be communicated in writing by the National Heritage Conservation Commission;
- Construction work will only resume after permission is given by the National Heritage Conservation Commission and other responsible authorities concerned with safeguarding the cultural property.

These procedures will be included in standard bidding documents for construction contracts. During project supervision, the Supervising Engineer will monitor compliance with these procedures, which relate to the treatment of any chance finds encountered. Relevant findings will be recorded in World Bank Supervision Reports and Implementation Completion Reports will assess the overall effectiveness of the project's cultural property mitigation, management, and activities, as appropriate.

#### **4.11 GENDER ISSUES**

The ZIFLP recognizes that livelihoods in the Eastern Province of Zambia are largely based on natural resources, primarily through agricultural activities. However, in Zambia, 80 percent of female-headed households own less than 2ha of land, and 48.5 percent own less than 1ha. In terms of male-headed households the corresponding numbers are 61 and 27.1 percent, respectively. Women provide more than 60 percent of the agricultural labor force, but do not have the same access to productive inputs (e.g. land, finance, and information), which makes women more vulnerable to the negative impacts of climate variability and related shocks. For example, female-headed households in Eastern Province are less likely to: access innovation; and adopt improved technologies in agriculture such as ploughing, ripping, and fertilizer or herbicide use. In addition 43 percent of male-headed households engage in crop commercialization whilst only 29 of female-headed households are able to progress beyond subsistence farming.

ZILF-P activities may induce shifts in the labor-based gender roles at community level. For instance, the adoption of conservation agriculture practices will potentially shift the labor input from ploughing, which is traditional a male activity to ripping, which increases land preparation and is traditionally seen as female work (Midgley et al, 2012). However, where ripping is done with oxen, it may rely on male labor input. Climate-smart agriculture practices may also require substantial investments of time, labor or cash, which often are considerable constraints for women.

Despite the harmonization of customary and statutory land laws, women do not have equal voice and power on a national, local or household level. For instance, in Eastern Province, women are less likely to engage in landscape management, including forest meetings, forest management groups or village forest leadership (USAID, 2016).

ZIFLP will seek to address inequities in human capital, economic empowerment and voice through the design and targeting of the proposed activities. However, existing literature and data is limited information with regard to women and men's roles in the proposed activities. In order to adequately understand the gender impacts of project activities, all data collected under the project will be disaggregated by sex. For households, information should clarify the gender of the head of the household (IAPRI, 2016). In addition, ZIFLP will select the most relevant indicators to measure changes in outcomes between men and women, the preliminary indicators are given below.

*Access to markets and extension (economic empowerment and improving human capital)*

- Number and percentage of women and men who access employment or increase their incomes due to project activities;
- Changes in women's workload compared with men's due to environmental changes and adaptation activities;
- Number and percentage of training sessions targeted at women and men, by content area;
- Number of people reached with assets and/or services from ISFL programs (% women);
- Land users who have adopted sustainable land management practices (% women) as a result of ISFL support; and
- Land users who have received training for improving land management, including agricultural productivity (% women).

*Women's participation in community groups (voice & rights)*

- Evidence that climate change policies, strategies, and plans require the participation and involvement of poor women and men in developing and managing local adaptation and mitigation plans; and
- Number and percentage of women and men who attend community-based meetings on natural resource management.

#### **4.12 KEY ISSUES FROM STAKEHOLDER CONSULTATIONS**

This section of the baseline summarizes the key issue from the stakeholder consultations that are given in Annex 1, and the relevant issues have been incorporated in the various aspect of this ESMF.

The main issues arising from the stakeholder discussions are as follows:

- Lack of capacity in most government institutions;
- Livelihood enhancement activities such as agroforestry, bee-keeping and the development of markets for non-timber forest products such as fruits, mushrooms and bamboos are key to preventing the cutting down of trees and wildlife depletion activities such as poaching;
- Support to extension services and the fostering of a participatory extension approach are key to ensuring that the communities benefit from extension services;
- Good crop storage facilities are critical for productivity improvement;
- Lack of use of personal protective equipment during the implementation of climate-smart and conservation activities;

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- The support of local chiefs is paramount in ensuring the success of conservation activities as they have jurisdiction over customary land and are reported to also be involved in illegal sale of customary land;
- Conservation farming activities being encouraged in the Project area include crop rotation, minimum tillage, manure application, retention of crop residues, agroforestry (using *Gliricidia sepium*) and fire management;
- Communities need to be empowered with value addition to their products;
- Establishing woodlots using the fast growing species *Gliricidia sepium* is being widely used for woodlot establishment;
- Community sensitization and awareness is very important in ensuring that rural communities remain committed to conservation efforts;
- Small scale poultry, vegetable gardening and bee-keeping are important livelihood activities for women in the Project area;
- Energy efficient technologies being used and promoted in the Project area include bio-digesters and rocket cook stoves;
- The Project area has community graveyards, rock painting, caves and iron smelting artifacts of the late stone age, which will need to be managed in accordance with the National Heritage Conservation Commission guideline, should they be disturbed;
- Despite the restrictions embedded in the Forests Act of 2015, people are residing and conducting farming activities in National Forest Reserves. The Lundazi Forest Reserve has been encroached with large human settlements and the communities have also opened up small scale farms for a variety of crops, causing a serious depletion on natural resources;
- BCP is implementing REDD+ activities under the Community Forests Program (CFP) in the Lumimba GMA, specifically in Mwanya Chiefdom adjacent to the Lukusuzi national park, the South Luangwa National Park and Luambe National Park to the north. The organization is currently supporting the communities in the area to form community forest management groups;
- The COMACO Model - COMACO helps small-scale farmers become good stewards of their land and better neighbours to national protected areas by using market incentives and effective training methods to encourage the adoption of skills that protect soils and reduce threats to forests and wildlife habitat. COMACO currently operates across nearly a third of Zambia, encompassing the entire Luangwa Valley ecosystem and adjacent watersheds that feed into Bangweulu Swamp and the lower end of the Zambezi River. Through its growing capacity to leverage change in farming and land use practices, COMACO has reduced some of the key drivers of forest degradation, deforestation, wildlife poaching, and soil degradation. It has also initiated Africa's first project to capture multiple pools of carbon derived from REDD+, SALM (Sustainable Agriculture and Land Management), fuel-efficient cook stoves, and recycled bio-wastes into renewable energy;
- Community participation in sustainable use and protection of wildlife resources is very minimal. The communities who reside on the borders of National Parks (NPs) are the ones who have direct impacts on the resources

and consequently bear the positive and negative impacts arising from the protection/ lack of protection of the NPs. These communities, therefore, need to fully participate in resource protection. Two Community Resource Boards (CRBs), Chitungulu and Mwanya, currently exist on the western side of the Lukusuzi NP. However, on the eastern side of the park, the two CRBs that were established in Mwansempangwe and Chikomeni, as forums under which communities could participate in resources protection, no longer exist and the number of volunteer scouts recruited under these CRBs has substantially reduced due to absence of physical benefits and legal support. Consequently, the Mwansempangwe area is currently an entry point for illegal activities, such as poaching, mining and farming, in the park;

- The area between the South and North Lwangwa, Luambe, Lukusuzi and Kasungu National Parks provides an important ecological connectivity. Increased human activity in the area would reduce the effectiveness of this area to provide the needed connectivity and can cause an end to the movement of animals through this landscape; and
- Resource management in the Lukusuzi NP is constrained by a number of factors including the lack of a sufficient budget allocation from the government to effectively support operations and management activities such as law enforcement operations, research activities, transport, capacity building activities, conservation awareness raising, communication, and infrastructure maintenance. As a result poaching and human-wildlife-conflicts are common. Human encroachment has also been a major problem in the park.

## 5. POTENTIAL PROJECT RESTRICTIONS ON ACCESS TO PROTECTED AREAS, IMPACTS AND LIVELIHOODS RESTORATION MEASURES

WB OP 4.12 is triggered in anticipation of the ZIFLP sub-project activities impacting on assets and livelihoods and resulting in economic restrictions. This PF makes provisions to minimize impacts through the involvement of landowners, traditional authorities, farmers and communities as a whole, where practical, in order to minimize livelihood impact concerns. The PF outlines the means by which the affected communities will participate in the further planning and implementation of the sub-projects that are deemed to have impact on restriction of access. The PF approach is consistent with the overall Project approach of involving communities in identification and management of activities, which will reduce forest degradation.

### 5.1 POTENTIAL CASES OF RESTRICTIONS OF ACCESS TO PROTECTED AREAS

The development of the Process Framework is a requirement for Projects that may entail restricted access to legally designated parks and protected areas that result in adverse impacts on the livelihoods of affected persons. Some activities to be undertaken under the ZIFLP may restrict access of communities to legally protected areas which could result in adverse impacts on their livelihoods.

Sub-component 2.3: Wildlife management will specifically support some activities around National Parks in Eastern province that might restrict access.

With respect to *improved adoption of wildlife management practices*, the project seeks to promote practices which will maximize opportunities for rural communities from adjacent wildlife resources.

This part of the sub-component investments will focus on rural communities of the EP in the vicinity of Lukusuzi National Park. It should be noted that the activities to be supported will in most cases take place in the same communities targeted for agriculture and forestry investments and the various activities will be planned and implemented in coordination and so as to enhance synergies.

Some specific activities to be supported to both contribute to economic returns to local communities from wildlife management and to minimize negative impacts will include:

- Consultations with adjacent communities adjacent to the protected areas and establishment of co-management processes and instruments
- Mitigation of human-wildlife conflict (HWC) where necessary
- Support to incipient ecotourism initiatives such as local ecotourism strategies, community training, infrastructure
- Awareness-raising activities

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- Supporting local involvement and management of game management areas so as to maximize returns from photo safaris and hunting, both a potentially important source of funding to communities
- Improved management of subsistence hunting, where legally allowed, so as to provide food but to ensure sustainable management of game resources
- Possible extension of COMACO model where communities receive support for agricultural investments but are financially compensated for simultaneously protecting wildlife resources

As concerns *direct support to protected area management*, the project will focus on Lukusuzi National Park (LNP). Lukusuzi National Park falls within the Malawi/Zambia Transfrontier Conservation Area (MAZA) adopted by the governments of Zambia and Malawi. The MAZA is currently being supported by a World Bank GEF-funded project (the Zambia/Malawi Sustainable Management of the Nyika Transfrontier Conservation Area Project, P108879) and major additional funding is coming on-line from KfW. However, the current and proposed funding for the MAZA does not include Lukusuzi National Park and surrounding areas. Although one of the largest national parks in Zambia, with excellent long-term potential for biodiversity conservation and ecotourism, Lukusuzi NP receives very limited support through government funding and is in urgent need of investments to establish even the most basic management of the park. The ZIFLP will support such management investments in LNP, in the surrounding game management areas, and possibly in adjacent Luambe National Park (to be considered during project implementation). It should be noted that a sister GEF-funded project in Malawi, also implemented through the World Bank, is now in preparation and will similarly support that country's Kasungu National Park, also a part of the MAZA. This complex of protected areas is biologically connected to Zambia's globally important protected areas of the Luangwa Valley.

In all of the targeted protected areas in Zambia, the project will provide funding through the Department of National Parks and Wildlife (DNPW) to carry out the following activities.

- Preparation of park management plans
- Investments in infrastructure such as guard houses or other park buildings, upgrading of existing roads and tracks to facilitate park management and ecotourism, provision of water holes, fencing (only in limited areas where judged necessary to minimize HWC)
- Purchase of equipment such as radios for communication, park guard equipment, patrol equipment, etc.
- Support to park patrols, with a particular focus on management of poaching
- Support to binational initiatives with Malawi for joint management measures within the existing framework of the NTCA and the long-term

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creation of biological connectivity between Kasungu National Park in Malawi and the Luangwa valley complex of protected areas in Zambia

- Development of livelihood restoration plans

Sub-component 2.2 on community-based forest management may also be of social impact significance. Forest management near protected areas, might specifically require triggering of the Process Framework. The project will dedicate special efforts to work with villages and communities in buffer zones and connecting corridors to reduce pressure on protected areas. The project will work with existing CRBs and CFMG to develop and finance forest management plans that focus on alternative productive and conservation activities to protect or improve wildlife habitat. Efforts invested by communities in these activities could be compensated by revenues from the wildlife reserves and administered by CRBs, or capture other benefit sharing income from carbon markets.

**5.2 POTENTIAL SOCIAL IMPACTS**

As part of the Project preparatory activities, there has been extensive consultation with Project institutions and communities, and some of the significant potential social impact issues from community consultations and subsequent analysis are as follows:

- Lack of job opportunities;
- Poverty and dependence on agriculture;
- Population growth;
- Low productivity on existing agricultural lands;
- Weak tenure and land use planning;
- Inadequate agricultural support;
- Fuelwood extraction;
- Fuelwood dependency;
- Inefficient fuelwood use;
- Ease of entry into the fuelwood production;
- Weak regulatory and institutional structures;
- Forest fires;
- A breakdown in the authority of traditional leaders;
- Inadequate capacity of fire control programs;
- Climate change;
- Inadequate knowledge and appreciation of fire impacts on forest; and
- Weak tenure.

**Resettlement Audit and Review**

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A resettlement audit has been undertaken to understand the gaps from a recent resettlement exercise in Lukusuzi National Park by The Zambian Government. The main objective of the audit of the resettlement process, was to determine gaps in the process and propose actions to address them. Specifically, the review and audit sought to:

- To collect all relevant documentation of the process of resettlement as conducted by Zambia government and obtaining an overall understanding of the process of conducted to date;
- Seek views of the affected persons and determine their current status to assess the relative impact of their relocation;
- Assess the fairness of the process followed and the appropriateness of compensation provided, and identifying any key issues and potential gaps for consideration in the future processes, where the WB is involved; and
- Prepare an action plan to address the gaps, and ensure the project address the gaps.

The audit report contains an action plan and recommendation to address any gaps through ongoing government projects (e.g. supported by GIZ and COMACO), as well as livelihood activities as part of ZIFLP implementation. The gaps identified include:

- Inadequate consultations with encroachers and the host communities;
- Lack of support to restore and enhance livelihoods.

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**5.3 LIVELIHOOD RESTORATION MEASURES**

Livelihoods-related support during project implementation will be provided to people affected by project-induced restrictions of access to natural resources within protected areas, in Eastern province. As part of this process, project implementation will include the preparation and subsequent implementation of Livelihood Restoration Plans, which will provide tailored livelihood support and benefit sharing for nearby communities. In cases where well-organized communities have produced their own investment plans (e.g. CRBs), this livelihood support will be channeled through the appropriate community mechanisms. Communities and households around the project-supported protected areas will be provided with opportunities to restore their livelihoods to at least pre-project levels. The LRP prepared under this project will take into account any ongoing livelihoods-related support from other sources, and partner's active in the Eastern Province including those projects under implementation by GoZ.

This preliminary analysis provides guidance on eligible activities and recipients for the livelihood restoration assistance. These criteria may be refined further through site-specific community consultations through which the affected persons will identify adverse impacts, establish mitigation measures, eligibility criteria and choose eligible mitigation measures, and procedures for specific activities and their phasing for particular areas.

An LRP will be prepared and the restoration activities may include:

- Provision of agricultural inputs and extension to improve productivity of legally held lands /non encroachment areas;
- Alternative land allocation;
- Assistance with land preparation;
- Assistance with alternative livelihood schemes; and
- Assistance to access alternative resources.

Sub-component 2.2 Community-based Forestry Management, the project will support alternative livelihoods through Community Forestry Enterprises. Based on the assessment and productive potential of natural resources identified in forest management plans, the project will finance small scale investments that fulfill the dual criteria of generating monetary and non-monetary income, and generate carbon related benefits. Support will include technical assistance for resource management and production, establishment of small community enterprises, markets studies, and commercialization skills. Investments under this category may include the cultivation or extraction of any forest and non-forest product that can be sustainably managed in the communal forest area of reference. Some examples include: Bee keeping, sustainable charcoal, wood-lots for fire wood production, biodigesters to mitigate biogas demand, dissemination of improved cookstoves, carpentries for furniture, medicinal herbs, eco-tourism and recreational activities, commercial timber plantations, grass harvesting and grazing of animals, etc.

*The subcomponent will Community Forestry Management Groups (CFMG).* Based on the Forest Act of 2015 and its regulations, the project will assist villages from selected chiefdoms and districts to identify and establish community forest management groups (CFMGs). Support will include preparation and approval of Community Forestry Management Agreements, and their formal registration.

*Forest Management Plans.* The project will support CFMGs to develop and implement forest management plans that are consistent with Village land use plans and follow the guidelines and specifications established in the Forest Act and its regulations. These plans will identify sustainable investments and activities that lead to improving livelihoods and reduce deforestation/degradation

Sub-component 2.3: Wildlife management, will support several activities that will benefit communities whose livelihoods could be affected by the project. The project will include the preparation and subsequent implementation of Livelihood Restoration Plans, which will provide tailored livelihood support and benefit sharing for nearby communities. In cases where well-organized communities have produced their own investment plans (e.g. CRBs), this livelihood support will be channeled through the appropriate community mechanisms. Communities and households around the project-supported protected areas will be provided with opportunities to restore their

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livelihoods to at least pre-project levels. The LRPs prepared under this project will take into account any ongoing livelihoods-related support from other sources.

The assets that could be considered are physical and non-physical assets such as productive lands, farm lands, communal resources, income earning opportunities, social and cultural networks and activities, and the categories of affected persons or communities may include:

- National Forest fringe communities;
- National Park fringe communities;
- Communities with no legal rights to resource (squatters);
- Persons without formal legal rights to resource but have claims to property recognized by community leaders; and
- Persons with no recognizable legal right or claim to resources.

Persons or communities encroaching on forest resources after the notification of boundaries will not be eligible for compensation or any form of assistance.

### **Funding of Livelihood Restoration Plans**

Funding of PF related activities including Livelihood Restoration Plans will be derived from the project, through ICCS, as well as other related projects under implementation in EP. Other active players in EP e.g. GIZ, COMACO, has been consulted to enhance coordination of these livelihood activities.

The LRP for a sub-project would include an itemized, indicative budget and the implementing agency will finance this budget through the administrative and financial management rules and manuals like any other activity eligible for payment under the ZIFLP. This budget will be subject to the approval by the implementing agency. The implementing agency will have to finance the LRP because they will be impacting on the people's livelihoods.

The project has a sub-component on livelihoods support.

## 6. ELIGIBILITY CRITERIA

### 6.1 DEFINITION OF AFFECTED PERSONS

Affected persons are those persons who, as a direct consequence of an activity or sub-project would, without their informed consent or power of choice either: (a) physically relocate or lose their shelter, (b) lose their assets or access to assets, or (c) lose a source of income or means of livelihood, whether or not they physically relocate to another place.

### 6.2 CUT-OFF DATE

Upon identification of the need for involuntary resettlement in a sub-project, the ICCS will be responsible, in collaboration with relevant local authorities, to carry out a census to identify the persons who will be affected by the sub-project. This will help the sub-project proponent to determine who will be eligible for assistance early enough in the Project cycle. It will also help to prevent an inflow of ineligible people living outside the sub-project area of impact, but who might want to take advantage and claim for assistance. The form to be completed to conduct the survey is included in Annex 3. The completion of the census will mark the cut off-date for eligibility for compensation. Those who will come into the area after the cut-off date will not be eligible for compensation.

### 6.3 ELIGIBILITY CRITERIA

For purposes of determining eligibility criteria, displaced persons will be classified in one of the following three groups, depending on the type of right they have to the land they occupy:

- **Any person(s) with formal legal rights to land.** According to Zambia's land tenure system, this group consists of two types of people: those with title deeds and a 99-year renewable leasehold of state land, and the land they own has legally recognizable commercial value; and those who occupy land under the customary land tenure system, and the land is controlled and allocated to them by traditional authorities (chiefs) - the owners do not have title deeds but they have a 'customary' legal claim to it, and they may not involve themselves in land transactions without the consent of the chief;
- **Any person(s) who do not have formal legal rights to land at the time the census begins but have a claim to such land or assets.** This group of people mostly comprises those who have bought land or other immovable property, but have not yet completed the process of acquiring title deeds. The other group consists of those in legally established voluntary relocation areas who have not yet reached the retirement age, at which point they become eligible for title deeds; and

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- **Those who have no recognizable legal right or claim to the land they are occupying prior to the cut-off date** - these are mostly encroachers into state land or those who may or may not occupy customary land without permission or recognition by the local authority (chief).

## 7. PARTICIPATORY INSTITUTIONAL ARRANGEMENTS FOR THE IMPLEMENTATION OF PROPOSED MEASURES TO ASSIST AFFECTED PERSONS AND COMMUNITIES

A workable administrative and institutional arrangement to preempt future problems arising from restrictions imposed on individual and community access to resources is identified in Table 3.

**Table 3: Participatory Institutional Arrangement for the Process Framework**

REF.	INSTITUTION	IMPLEMENTATION RESPONSIBILITY	GRIEVANCE REDRESS RESPONSIBILITY
1.	ICCS	<ul style="list-style-type: none"> <li>Overall supervision of the Process Framework and Livelihood Restoration/ Compensation Plans</li> <li>Provision of funds for livelihood restoration/ compensation activities</li> </ul>	Coordinate and resolve issues referred to it by the PPU
2.	PPU	Regional supervision of LRPs and reporting to the ICCS	To assist in resolving issues referred to it by Provincial Project Implementation Unit (PPIU), which will consist of personnel from the Environment and Natural Resources sub-committee of the PDCC
3.	PPIU	Supervision of the DPIU and reporting to the PPU	To assist in resolving issues referred to it by DPIU
4.	District Program Implementation Unit (DPIU), which will consist of personnel from the Environment and Natural Resources sub-committee of the DDCC	<ul style="list-style-type: none"> <li>District supervision of LRPs and reporting to the PPIU</li> <li>Trigger the process through inventory of affected persons and assets and implement plans in close consultation with the PPIU/ Community/ Consultant</li> </ul>	<ul style="list-style-type: none"> <li>To assist in resolving issues received directly or referred to it by the Camp Agriculture Committee<sup>1</sup> (CAC)/ Ward Development Committee</li> <li>To liaise with the PPIU to resolve issues</li> </ul>
5.	CAC/ Ward Development Committee	To represent the community and assist in the inventory of affected persons	To receive complaints at community level and liaise with DPIU to resolve issues
6.	Traditional Leaders	To represent the community and assist in the inventory of affected persons	To receive complaints at community level and liaise with DPIU to resolve issues
7.	NGOs, Community Resource Boards (CRBs), Community	As for CAC above	As for CAC above

<sup>1</sup> The Camp Agriculture Committee is a community technical forum of government departments, community leaders, NGOs who are based in a particular area, CRBs and CFMGs. It has representation from the forestry, agriculture and wildlife sectors.

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REF.	INSTITUTION	IMPLEMENTATION RESPONSIBILITY	GRIEVANCE REDRESS RESPONSIBILITY
	Forest Management Groups (CFMGs)		
8.	ZEMA	Review and monitor livelihood restoration/ compensation plans	-
9.	Land valuation officers (Department of Government Valuation or Independent private sector practitioners)	To assist in the valuation and compensation payment process and reporting	To assist in re-valuing disputed values of communal properties
10.	Consultant, if required	Prepare Plans and assist with implementation and capacity building	-

The ICCS has the overall responsibility for preparing and implementing the PF with World Bank approval. It will ensure that all compensation, restoration and rehabilitation activities are carried out satisfactorily.

The PPU will organize the regional and district orientation and training for the PPIU, DPIU and the various government departments likely to be involved in the process, to be ready to implement alternative livelihood schemes and the payment of compensation, and other activities in a timely manner. The PPU will ensure that progress reports reach the ICCS regularly. The Project administration and restoration planning will run concurrently.

Most of the work will be done at the district level. The PPU (through the DPIU), will ensure that:

- Communities are properly and adequately informed (timely, and also their rights and options relating to their properties that may be affected by the Project);
- Coordinate activities between different communities implementing the restoration or compensation plans;
- Ensure timely implementation of plans and provision of compensation, in cash and/ or kind; and
- Attend to any grievances submitted by the affected persons/ communities.

The DPIU through the CAC and community leaders will engage and involve all sections of the community in discussions on the Plan. They will:

- Schedule open meetings to ensure that all community members are informed and fully aware of their rights and options regarding the restoration activity; and
- Identify impacts on lands and assets and the members of the community to be affected and to what extent they will be affected.

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To boost the capacity of ICCS, 3 safeguards and stakeholder engagement specialists will be hired. 1 at the national level, and 2 at the Eastern Province headquarters. These 3 personnel will be fully funded by the project. Their main task will include monitoring and supervision of social aspects related this project.

## 8. PARTICIPATORY MONITORING INCLUDING DESCRIPTION OF INDICATORS

### 8.1 SEQUENCE OF IMPLEMENTATION AND RESPONSIBILITY

The sequence of implementation activities and responsibilities is summarized in Table 4.

**Table 4: Sequence of Implementation Tasks and Institution**

REF.	TASK	INSTITUTION
1.	Identification of sub-projects and preparation of plans	Communities (through CAC)
2.	Preliminary assessment of restoration issues	DPIU
3.	Assessment of the need to re-design sub-project	PPIU/ DPIU/ Communities (through CAC)
4.	Re- design of sub- project	ICCS/ PPU/PPIU/ DPIU/ Communities (through CAC)
5.	Confirm need for restoration/ compensation actions	PPIU/ DPIU/ Communities (through CAC)
6.	Assess the restoration options	PPIU/ DPIU/ Communities (through CAC)/ Land Valuation Officers (Department of Government Valuation or Independent private sector practitioners)
7.	Assess the number of affected persons	DPIU/ Communities (through CAC)
8.	Prepare Livelihood Restoration/ Compensation Plan for World Bank approval	ICCS/ PPU/ Consultant
9.	Land acquisition and compensation payments	ICCS/ PPU
10.	Review Plans	ZEMA/ ICCS/ PPU/ PPIU/ DPIU
11.	Budgeting of costs	ICCS/ PPU/ PPIU
12.	Confirm arrangements for managing funds	ICCS/ PPU/ PPIU
13.	Implement Plans	DPIU/ Communities (through CAC)

## **8.2 PROCEDURES FOR IMPLEMENTATION OF ALTERNATIVE LIVELIHOOD SCHEMES**

Participatory plans for mitigation of restriction of community access to resources by provision of alternative livelihoods will consist of the mechanisms discussed below.

### **Livelihood Restoration Committee**

This committee will be responsible for the oversight and implementation of the livelihood restoration process. The committee will be convened by the implementing agency, in and when livelihood restoration cases arise, and will comprise expert representatives from local government and relevant line ministries e.g. Ministry of Agriculture, and the area chief. The Livelihood Restoration Committee will have the following membership: at least 30% women members; 30% members from vulnerable groups. The Committee will be supported by Task Teams and Sub-Committees as required for defined tasks. These groups will be specifically mandated by the Committee, with a clear brief and reporting structure. In addition, discussions about livelihood restoration will include both the husband and wife, when a male-headed household is impacted.

The Committee members will be able to consider the allocation of portfolios, ensuring clear management and reporting lines. Monitoring could be one of the portfolios, and the Committee will receive operational support from the ICCS.

### **Consultations**

The affected persons/ community should be engaged in active consultations at the beginning of the Project and any planned or proposed access restriction should be well explained in advance. Their input to the process is essential and their cooperation will be forthcoming when the Project objective is adequately explained to them. They should have access to the LRP and be encouraged to provide input.

### **Notification**

Affected persons will be notified through both formal (in writing) and informal (verbal) manner, for example at community meetings called by various stakeholders.

### **Documentation**

The names and addresses of affected persons in the community will be compiled and kept in a database including claims and assets. The DPIU, PPIU, PPU and ICCS will maintain records of these persons. The records are also important especially for future monitoring activities.

### **Time Provisions**

Compensation will be paid/ livelihood restoration activities undertaken prior to communities being impacted by Project activities.

## **Redress of Grievances**

### ***Procedure***

Despite best efforts with regard to the public consultation and community relations, there will be times when the Project sponsor and stakeholders disagree. All Project affected persons will be informed of their rights to raise grievances via RAP information sharing initiatives.

Mechanisms will be put in place to ensure that grievances are recorded and considered fairly and appropriately. These include:

- A register of grievances which will be held by the Community Liaison Officer or any appointed mechanism by the ICCS;
- Receipt of grievances will be acknowledged as soon as possible, by letter or verbal means;
- The grievance will be reviewed by the Livelihood Restoration Committee and appropriate action will be implemented. The preferred course of action will be discussed with the person bringing the grievance. Wherever possible, grievances will be resolved at this level;
- Relevant details of grievances, with outcomes, will be made available to the affected parties through personal notification of the ICCS, who will develop a communication strategy for grievance redress mechanism for the Project, which should include an explanation on the methods used in carrying out the Project's activities and such compensation payments.

### ***Unresolved Grievances and Disputes***

Unresolved issues will be referred to a credible and independent person or body for arbitration. Other RAP processes where disagreements are severe could opt to involve community recognized local institutions such as senior church officials, or other respected civil society figures.

There are three ways in which grievances will be resolved, and these are discussed below.

### ***Arbitration***

The Arbitration Act makes provisions for aggrieved parties to agree to settle disputes out of court through arbitration. In order to use arbitration in the settlement of disputes, the parties ought to make a written agreement to submit a present dispute, or future disputes to arbitration. The parties are at liberty whether or not to name an arbitrator in the agreement. Where an arbitrator is not named in the agreement, the agreement should designate a person who would appoint an arbitrator.

### ***Courts of Law***

It should be noted that arbitration only works where the parties to a dispute agree to resolve a difference through arbitration. Where there is no consent, then a court of jurisdiction may be used to resolve a dispute.

### ***Grievance Redress Committee***

The Project will set up a grievance redress mechanism (GRM) building on both traditional conflict-resolution flows as well as administrative and Project based steps to ensure community members or any stakeholders have an opportunity and means to raise their concerns or to provide suggestions regarding Project-related activities. From the community to the national level, there will be focal persons to receive, record and address grievances, queries and suggestions.

A reporting line of received (and addressed) grievances will also be clearly defined, so that the ICCS (national level project unit) will have a full set of data. Complaints will be categorized and recorded at each level of the structure, and consolidated periodically in a national-level grievance database. The database will also be an effective management tool to monitor progress and detect potential obstacles in the Project implementation.

During the participatory assessment process for sub-project preparation and sensitization sessions, the Project's GRM ("communication steps" for beneficiaries) will be explained so that all stakeholders are aware and encouraged to use the mechanism for transparency and better Project implementation. To better inform stakeholders, the Project will prepare materials (e.g., posters, leaflets) in a widely spoken local language and displayed in public accessed areas as part of the communication activities. More detailed plans on the GRM will be explained in the Project Implementation Manual (PIM).

The illustration in Annex 4 summarizes the procedure for grievances redress and outlines the entry points and decision-making at respective levels.

## **8.3 MONITORING PLANS AND INDICATORS**

### **PF Monitoring**

The ICCS will carry out the monitoring of the PF to ensure compliance with its provisions by stakeholders. In addition, the ICCS will design and put in place the monitoring mechanism, which will include the monitoring of resettlement activities such as compensation valuation and compliance with the WB involuntary resettlement policy.

### **Internal Monitoring**

To enable the sub-project proponents to measure progress against set targets, performance monitoring will be carried out as an internal function by the organization(s) responsible for implementing the Livelihood Restoration Plans. Monitoring reports will be prepared at monthly, quarterly, half yearly and yearly

intervals depending on the issues to be monitored. The performance targets will include:

- Public meetings held;
- Compensation disbursed;
- Census surveys completed;
- Assets inventories and socio-economic studies completed;
- Compensation agreements signed;
- Number of people impacted;
- Number of people with land title, amount of land available for crops;
- Proportion of displaced people relocated;
- Income restoration and development activities initiated; and
- Feedback from affected people (presented in resettlement implementation report).

If the volume of work involved in performance monitoring is beyond the capacity of the implementing organization to carry out, then the monitoring function will be sub-contracted to a consultant.

### **Impact Monitoring**

The impact monitoring to be undertaken by the sub-project proponent, or an independent agency, will provide assessments of the effectiveness of the livelihood restoration strategies in meeting the affected population's needs. Quantitative and qualitative indicators will be used to compare the effects of the activities with the baseline conditions of the affected populations before and after the relevant exercises. The satisfaction of the affected population with the livelihood restoration initiatives will be assessed for their adequacy or deficiency, whilst the census assets inventories and socio-economic studies will constitute the baseline for the affected population, for the purpose of evaluating impact assessment.

### **External Completion Audit**

Completion audit(s) will be carried out after the completion of all LRP inputs. The main aim of the completion audit or external monitoring will be to assess: how far the sub-project proponents' efforts have gone in the restoration of the living standards of the affected population; and whether the strategies for the restoration of the living standards of the affected people have been properly conceived and implemented.

The issues that need to be verified in the external monitoring will include:

- Physical inputs committed in the LRPs;
- Delivery of services provided in the LRPs;
- The effects of mitigation measures prescribed in the LRPs;
- The affected populations and host populations social economic status; and
- Plan for any mitigation that may be required to comply with requirements.

### Development of Verifiable Indicators

In order to ensure that monitoring the impacts of the compensation and resettlement activities for the project are done successfully, a number of objectively verifiable indicators (OVI's) will be used. These indicators will be targeted at quantitatively measuring the physical and socioeconomic status of the PAPs, to determine and guide improvement in their social well-being. Therefore, monitoring indicators to be used for the RAP will have to be developed to respond to specific site conditions. As a general guide, Table 5 provides a set of indicators that can be used.

**Table 5: Types of Variable Indicators**

REF.	MONITORING	EVALUATION
1.	Outstanding compensation or resettlement contracts not completed before next agricultural season	Outstanding individual compensation or resettlement contracts
2.	Communities unable to set village-level compensation after two years	Outstanding village compensation contracts
3.	Grievances recognized as legitimate out of all complaints lodged	All legitimate grievances rectified
4.	Pre-Project production versus present production (crop for crop, land for land)	Equal or improved production per household

### *Indicators to Determine the Status of Affected People*

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

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

### *Indicators to Measure LRP Performances*

In order to access whether the goals are met, the LRPs will indicate parameters to be monitored, institute monitoring milestones and provide resources necessary to carry out the monitoring activities. The following parameters and verifiable indicators will be used to measure the plans performance:

- The Local Governments, with support from the PIU, will maintain a complete database on every individual impacted by the sub-project land use requirements including relocation/ resettlement and compensation, land impacts or damages;

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- Number of individuals receiving cash or a combination of cash and in-kind compensation;
- Number of payments made in a month/ year;
- The number of contentious cases out of the total case;
- The number of grievances and time and quality of resolution;
- Ability of individuals and families to re-establish their livelihood (activities, land and crops or other alternative incomes) to the same level as prior to pre-Project level or better;
- Mining and agricultural productivity of new lands; and
- Number of impacted locals employed by the Project activities.

***Indicators to Monitor and Evaluate Implementation of LRPs***

Financial records will be maintained by the Local Governments and the executing agencies to permit calculation of the final cost of compensation per individual or household. Each individual receiving compensation will have a dossier containing:

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

Additional information will be acquired for individuals eligible for resettlement/compensation such as: level of income and production; and inventory of material assets and improvements in land and debts.

## 9. STAKEHOLDER CONSULTATIONS

### 9.1 STAKEHOLDER ENGAGEMENT PROCESS

A stakeholder engagement process was followed during PF preparation, which included interactions with communities in the ZIFLP area. The methodology included desk studies to determine the types of stakeholders and qualitative surveys in the Project areas. The field work was based on focus groups and in-depth interviews with communities of the Project areas, local NGOs, representatives of local commercial enterprises, government officials and representatives of local government. A list of the stakeholders consulted is given in Annex 1.

The objective of the meetings was to:

- Assess the existing social conditions;
- Determine the potential negative impacts of the proposed Project;
- Serve as a vehicle for community consultations and participation on the Project; and
- Inform the ongoing Project design.

The Inception Report for the PF process was discussed at a stakeholder meeting held at the ICCS in Lusaka, and this PF will be further discussed at a workshop in Chipata. The key Project stakeholders will be invited to attend the workshop, and a copy of the PF will be sent to the stakeholders prior to the workshop.

### 9.2 DISCLOSURE REQUIREMENTS

Copies of the PF will be made available to the public at Chipata, Katete, Lundazi, Mambwe, Nyimba and Petauke District Council Offices. The LRPs will also be disclosed to various stakeholders in a similar manner.

To meet the consultation and disclosure requirements of the WB, the implementing agency will issue a disclosure letter to inform the general public and key stakeholders of the approval of relevant environmental assessment reports. This stage of disclosure will also serve as Government's authorization to the World Bank to disclose such documents in its Info shop in Washington D.C. The steps towards disclosure of the safeguard documents have to be completed prior to appraisal of the ZIFLP as required by the Bank's Disclosure Policy OP 17.50.

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## ANNEXES

### ANNEX 1: LIST OF STAKEHOLDERS CONSULTED

#### ANNEX 1.1: STAKEHOLDERS CONSULTED

- Chikomeni Community Farmers;
- Mwasemphangwe Community Farmers;
- Chinunda Community Farmers;
- Mwanja Community Farmers;
- Chitungulu Community Farmers;
- Mwanja Community Resource Board;
- Chitungulu Community Resource Board;
- Interim Climate Change Secretariat;
- Forestry Department – National level;
- Department of National Parks and Wildlife – National level;
- Ministry of Agriculture – National level;
- COMACO - Lusaka;
- ZEMA;
- BioCarbon Partners;
- East Luangwa Area Management Unit of the Department of National Parks and Wildlife Headquarters;
- Chikomeni Sector of the East Luangwa Area Management Unit of the Department of National Parks and Wildlife, which includes the Lukusuzi Park;
- Kasungu-Lukusuzi Component of the Malawi-Zambia Trans-Frontier Conservation Area;
- Provincial Forestry Officer, Eastern Province;
- District Forestry Officer, Chipata;
- District Forestry Officer, Lundazi;
- Chief Planner, Provincial Planning Unit – Eastern Province;
- COMACO, Chipata Hub;
- Provincial Agricultural Coordinating Officer – Eastern Province;
- District Agricultural Coordinating Officer, Chipata;
- District Agricultural Coordinating Officer, Lundazi;
- District Commissioner, Lundazi;
- District Chiefs and Traditional Affairs Officer, Lundazi;
- World Vision – Chikomeni Area Development Program;
- Cargill;
- NWK AGRI;
- Royal Establishments;
- Ward Councillors;
- Department of Cooperatives; and
- Eastern Province Round Table Members.

## ANNEX 1.2: KEY ISSUES DISCUSSED DURING CONSULTATIONS

25/10/2016

**Ministry of Agriculture – Moffat Khosa, Principle Agriculture Extension Officer**

- Communities need to be empowered with value addition to their products;
- Need to mainstream environmental and social issues in all sectors;
- There is need to foster a participatory extension approach as the current system has a lot of gaps that need to be filled.
- Crop storage should be emphasized in productivity improvement programs as currently there is a lot of emphasis placed on productivity, but little on storage;
- Post-harvest losses due insect pests are high and this leads to food insecurity;
- There is a lack of capacity in most government institutions. The Project should therefore be implemented using existing structures in order to build capacity in the institutions
- Extension services are weak because the government allocation is very low, and it is often disbursed very late.

25/10/2016

**Community Markets for Conservation (COMACO)**

Dale Lewis

Japhet Seulu

Whiteson Daka

Nemiah Tembo

Samuel Penza

COMACO is implementing community conservation plans in 24 chiefdoms. The activities being undertaken include the following:

- **Climate-smart agriculture:** integrated soil fertility management; conservation agriculture – minimum tillage; agroforestry – fast growing species and drought resistant i.e. *Gliricidia sepium*; dam construction with guidelines of dos and don'ts; agro-processing; small scale poultry; small scale vegetable farming; community based conservation areas; promotion of agro-crops that are environmentally friendly and do not get rid of forest stands such as cereals and legumes; discourage crops that need farmers to clear huge pieces of land and utilize wood during processing; seed inputs banks-legumes and vegetables i.e. tomatoes and spices; environmental calendar to guide different seasons and possible calamities to be avoided e.g. fires, erosion, rain pattern – awareness information is aired on radio and through posters and leaflets; local leaders meetings on sensitization for rain patterns, agroforestry, markets and planning; compliance scoring of chiefdoms through stakeholder meetings to show case how each area is fairing in conservation agriculture and provision of feedback to chiefs for action; provision of markets driven by conservation efforts to get a better price i.e. premium price, which is the highest and below market price, which is the lowest; guide and sensitize communities on crops to embark on and solutions in areas in conflict with wildlife especially near the parks.
- **Sustainable forest management:** woodlot establishment – fast growing species i.e. *Gliricidia sepium*; community managed natural regeneration through community conservation areas and green zones; forest fire management; beekeeping (honey and bees wax) – use of modern bee hives and not bark hives; non-timber forest products e.g. fruits, mushrooms and bamboos; fuel efficient technologies – rocket cook stoves; Alternative energy sources –usage of brickettes made from groundnut shells and rice husks; community conservation plans – to guide the dos and don'ts; creation of community conservation areas with allowed practices clearly spelt out; adding value to non-timber forest products e.g. drying mushrooms and caterpillars and extraction of juice from fruits; restricting insecticide and pesticide use in order

## ZIFLP Process Framework

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to preserve insect life; creation of better markets for non-timber forest products e.g. mushrooms and wild fruits; encourage gender participation in bee-keeping, tree planting and fire management; Adding value to the beauty of forests by creating lodges, bush camps and heritage sites; involving local leaders in planning, implementation, benefits sharing and challenges in management of the forests and communities such as cooperatives; carry out patrols with local leaders on the activities that are being discouraged and coming up with plans on how to deal with such issues.

- **Wildlife conservation and improvement of rural livelihoods:** involving chiefs; partnerships with other NGOs, fire management; reducing poaching- voluntary surrender of guns and snares; conservation incentives - markets, inputs and compliance assessments; creation of community conservation plans and green zones to govern conservation areas; continuous sensitization meetings, leadership with communities and their leaders; capacity building of community conservation leaders in governance, conservation and income generating activities; diversification of agricultural activities i.e. beekeeping, vegetable production and poultry; introduction of new technology in conservation i.e. rocket cook stoves to address habitat loss, agroforestry to supply fuel wood to stoves as an alternative to natural forests; production of impact stories that are aired on radios, relayed in leaflets and other publications e.g. transformation of poachers' lives.

26/10/2016

### **Kabinga Camp Conservation Area**

Andrew Mbewe - farmer

Simon Mwale - farmer

Japhet Banda – principal farmer

Standwell Kamanga – lead farmer

- Creating community conservation areas and green zones with a view to achieving community managed natural re-generation.
- Establishing woodlots using fast growing species e.g. *Gliricidia sepium*.
- Livelihood enhancement activities are key to preventing the cutting down of trees. Activities being implemented include agroforestry, bee-keeping using modern bee-hives and not bark hives, use and the development of markets for non-timber forest products such as fruits, mushrooms and bamboos.
- Challenges faced include the illegal selling of land in conservation areas by the royal establishment. Once the land is allocated and put on title in a customary area, then it is difficult to prevent unsustainable activities at such a farm. There are too many people in the traditional hierarchy with powers to allocate land, and often land is allocated to people illegally at an illegal fee. There is need to restrict the practice of land allocation to only a few people in the royal establishment.

26/10/2016

### **Titukule Women's Club in Chikomani**

Misozi Zulu

Gladys Mwanza

Beauty Nkata

Eliza Zimba

Involved in Poultry, bee-keeping, and management of a green zone where they will be able to harvest mushrooms and create a habitat that could eventually be used for eco-tourism.

- The use of rocket stoves, which require only a small amount of firewood, means that they can spend less time collecting firewood;

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- They do not need to collect logs of fire wood as twigs are sufficient for cooking;
- Twigs can be obtained from fry pieces of wood that have fallen off the trees naturally, as opposed to cutting down large trees and causing deforestation;
- Women do not have to travel long distances to collect large pieces of wood, and face the risks of being raped whilst they are own their own in the bush;
- Poultry activities are generating a steady income for the families. This allows them to buy essential goods and pay for their children’s schools and hospital bills.
- Overall, the use of rocket stoves results in the following benefits: use of less firewood; less smoke is generated improving the health and safety of women; reduced labor as a smaller amount of firewood has to be transported; reduces the chances of women being attached by elephants, lions snakes; reduces the chances of women being raped as they do not have to go far to fetch the twigs; more energy efficient than conventional wood fires used for household cooking.
- Benefit sharing mechanism for the honey harvested from apiaries: Honey is currently sold at K1.20/kg; K0.70 is retained by the women club, whereas K0.50 is paid to the chief and his/her council of indunas as an incentive for the traditional authority’s support for the venture, and as a way of saying thank you to the chief in line with Zambian tradition norms.
- The apiaries are located in “Green Zones” in the Lukusuzi-Kasungu TFCA, which provide mushrooms, masuku and other fruits.
- The bees in the apiaries need water, but this is a challenge in the dry season as most streams in the area dry up.
- In long-term, the club hopes to create animal habitats in the “Green Zones” and venture into eco-tourism.

27/10/2016

**Kenani Village Conservation Farm**

John Phiri – Extension Manager

Simon Banda – Cook Stove Project

Samaria Zulu - farmer

- Most people in the area were involved in unsustainable activities such as sand excavation, cutting down trees (for charcoal, firewood and brick making), and poaching, but they are being persuaded to stop such activities as they are not sustainable.
- Conservation farming activities being encouraged and involve: crop rotation; minimum tillage; manure application; retention of crop residues; and fire management.
- A four year crop rotation cycle can be: groundnuts/ soya beans – maize – sunflower – cotton.
- Water availability is generally a problem, especially during the dry season as most streams in the area are ephemeral.
- Drought spells cause a reduction in yields in some years, and the loss of yields causes farmers to clear more land in the following season to make up for the losses. Therefore, agroforestry using the drought resistant *Gliricidia sepium* is being encouraged so that farmers stick to one homestead and avoid clearing more land and impacting on forests.
- Extension Officers are encouraging the use of *Gliricidia sepium* for agroforestry because it is fast growing, and drought resistant. In addition, it fixes nitrogen in the soil and its twigs can be used as firewood for the rocket stoves that are being promoted in the area. The flower part of the tree is a good source of pollen for foraging bees.
- It is estimated that the use of *Gliricidia sepium* for agroforestry has resulted in a 60% reduction in the use of fertilizers in the area.

27/10/2016

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**Mwasemphangwe Evicted Illegal Lukusuzi National Park Settlers**

Dawson Tembo (also Councillor of Diwa Ward)

Masauso Lungu

Enoch Mtonga

Edward Banda

- They settled in the Park in 2011 after the DNPW Camps in the Chinunda and Mwasemphangwe areas were closed down.
- They moved into the park in search of fertile agriculture land.
- The areas they settled in the Park are called Kamwankunku, Mbuluzi, Mnyamazi, Msikizi and Kamaibe. It was widely known that the place had been dormant for a long time. They settled in the Park with their families and had a park community with a social fabric that included a borehole and football field.
- Some evicted settlers claim that they bought the land in the park from an Induna (Chieftainess Mwasemphangwe's Adviser) – the individual fees paid were up to K10,000.
- There were 199 Zambian households and 15 Malawian households living in the Park, with a total population of 2,917 people.
- They were involuntarily evicted from the Park between 31 October 2015 and 4 November 2015.
- The evictions were not undertaken in accordance with good practice international standards i.e. the settlers were loaded in trucks, their housing units set on fire and dumped along the Chipata-Lundazi main road.
- When the community was evicted, they were promised that Government would make arrangements for the chief's in the areas where they originally came from to allocate them alternative land.
- However, land has not been allocated to any of them, and as a result their livelihoods have been severely destroyed.
- This is why they keep going back into the Park illegally.
- 2 people were found in the Park during the field work.

27/10/2016

**Department of National Parks and Wildlife – Lukusuzi National Park**

Moses Mbewe – Park Ranger

Mable Shibata - Park Ranger

- The General Management Plan for Lukusuzi Park needs updating.
- There is no buffer zone on the eastern side of the Park.
- Lukusuzi NP has an ecological connectivity with Kasungu NP in Malawi, and this linkage is being disturbed as a result of population increase. This in turn is resulting in human-wildlife-conflicts (HWCs).
- The rivers in the Park are seasonal, and the lack of water in the dry season triggers the movement of animals to areas outside the Park.
- Edge effects around the Park cause HWCs e.g. animals leaving the Park into human locations and people going into the Park to access fertile farm land and natural resources, and poach animals. Illegal settlement in the Park also introduce domestic animals into the Park, which results in HWCs as the wild animals raid the settlements for kill the domestic animals.
- Illegal activities in the Park include poaching, small scale mining and settlements. Illegal settlements were created in the Kamwankunku, Mbuluzi, Mnyamazi, Msikizi and Kamaibe areas of the Park, but all the illegal settlers, totaling 2,917 people were evicted by the DNPW last year (2015) in October and November.
- Some people went in illegally again, but were apprehended and the cases are in court.

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- 7 families are reported to have gone in again, and these will also soon be evicted.
- In terms of Park Management, late wild fires are a constant problem that need to be managed.
- The Park is intact with a number of species, but capacity needs to be built e.g. fire breaks, road infrastructure, sensitization, buffer zones, staffing (currently only 10 out of a complement of 75 required staff), operational vehicles and equipment, watering holes, office and staff accommodation, water and sanitation in staff compound.
- The Park also has rock painting, caves and iron smelting artifacts of the late Stone Age.

28/10/2016

#### **Chamukoma Camp Conservation Area**

Steaby Zimba - farmer

Maganizo Chibambo - farmer

Betty Chunga - farmer

Andrew Banda - farmer

- Undertaking forest conservation activities within the framework of the Community Conservation Plan.
- The Community Conservation Plan consists of: Community Conservation Areas that have been zoned; general land and natural resources management needs and responsibilities; and conservation plan governance.
- Livelihood activities in the area include agroforestry, apiaries and gardening (cabbage, potatoes, bananas, chili peppers, tomatoes, okra, garlic, egg plants, Chinese cabbage, sugarcane, guavas, lemon, rape (spring greens), chibwabwa and bondwe).
- It was noticed that the gardens were too near the stream (a buffer zone is required in order to protect the stream) and that pesticides which are distributed to the farmers as part of the cotton input supplies (e.g. Fortis K50 EC supplied by Dunavant) were being used for vegetables. This could present a serious health and safety risk. In addition, no personal protective equipment were being used whilst handling the chemicals.
- The farmers in the area experience human-wildlife-conflicts, especially from monkeys and baboons from the Lukusuzi National park, which tend to feast on their bananas. To protect the bananas, the farmers cover the bananas with sacks.

03/11/2016

BioCarbon Partners (BCP)

Godfrey Phiri

- BCP is implementing REDD+ activities under the Community Forests Program (CFP) in the Lumimba GMA, specifically in Mwanja Chieftdom adjacent to the Lukusuzi national park, the South Luangwa National Park and Luambe National Park to the north.
- The aims of the CFP are: bringing 700,000 ha of intact and uninhabited community forests under agreement for Emissions Reduction; livelihoods development targeting 10,000 Households; and capacity development.
- The activities undertaken to date on the CFP include: chieftdom consultations for REDD+ implementation using participatory methodologies; seeking letter of consent/ support for CFP permission to proceed with Viability Assessments; participatory community mapping and identification rough boundaries of forest to be protected under REDD+; comprehensive data collection for Participatory Forest Management Plan (PFMP) Generation.
- The forest selection process involves: participatory forest demarcation meetings in 5 village area groups (VAGs) of Mwanja; initially done using of Participatory Learning and Action (PLA) community mapping tools and techniques/ map sketches on the ground; drawing on chieftdom map using community mapping; collection of Key features data using GPS; group discussion of

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maps and validation by community members through several feedback meetings; and final draft map done and validated in all 5 VAGs.

- Validation of forests selected: “Flying Free Prior and Informed Consent (FPIC)” process; driving and ground-truthing to physically confirm/ clarify proposed Participatory Forest Management Areas (PFMA) boundaries; a total of 7 community VAG level consultative meetings have been conducted; facilitated by local community ambassadors, GRZ Forestry Department, Department of National Parks and Wildlife, Ministry of Chiefs and Traditional Affairs; and Ministry of Agriculture; using participatory learning and action methodologies and tools; culminating in the development of Participatory Forest Management Plans.
- Zonation of Participatory Forest Management Area: Conservation Forest (CF) (REDD+ “project area” intact forest; stays forest, through implementation of the terms of the PFMP; successful implementation results; long-term forest protection; performance-based revenue share payments to stakeholders and deforestation in the Conservation Forest is a breach of the PFMP); Sustainable Development Zone (SDZ) (area surrounding the Conservation Forest within the Chiefdom; settlement, agriculture, (sustainable) harvesting of resources and other development will take place according to a Sustainable Land Use Plan, which is to be collaboratively developed by key implementing partners and stakeholders in Mwanja Chiefdom; deforestation in the Sustainable Development Zone may take place; REDD+ project supports sustainable development and farmer support in the Sustainable Development Zone).
- Community activities have included: 3 (three) partnership impact projects (PIPs) have been implemented in Mwanja communities (a banana boat has been procured for the Lukusuzi community to help in the crossing of the Lukusuzi river during the rainy season, specifically in the Mukwela Village Action Group; furniture has been procured for the Yakobe Community Health Post; and at Mukasanga a Maternal Child health Annex is under construction and to be completed by 30th November); BCP have been conducting sensitization on REDD using Theater for Development; Assisted to form the CRB and a capacity assessment is being conducted for local governance structures for capacity building; community forest boundaries have been confirmed; and capacity is being built for Conservation Fees role out in the second quarter of 2017.
- Key milestones: forest selected and boundaries confirmed; needs assessment done; community consent letters given; official REDD+ start date letter given in relation to DNPW letter; and CFMG application to the Director - Forestry Department done pending response.

28/11/2016

### **Chitungulu Community Resource Board**

Ray Chazangwe – COMACO Monitoring and Evaluation Officer

Joshua Banda – farmer

Matias Mvula – farmer

Nelson Phiri – Chitungulu Community Resource Board

Mike Sakala - Chitungulu Community Resource Board

- The Community Resource Board (CRB) activities include: village scouting; overseeing community infrastructure projects; forest resource management; forest conservation awareness; general natural resource awareness e.g. no use of poisons chemical when catching fish; blasting using gun powder to scare away animals; and managing community funds from hunting concessions and animal fees.
- Animal fees – the community retains 50% and the DNPW gets 50%; 5% of the amount that the community retains is given to the chief.
- Hunting concession permit fees - the community retains 20% and the DNPW gets 80%.
- COMACO is teaching the CRB a lot of skills.

**ZIFLP Process Framework**

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- Challenges: operational funds come late and are misused at time; To date K199,000 has not been received from government; no Personal Protective Equipment; sensitization meetings are only supported by COMACO – the DNPW does not support this activity; HWCs – a child was killed and eaten by a lion recently whilst sleeping at night; the CRB is unable to compensate for assets destroyed by animals, and therefore, gets a lot of abuse from the community; government does not help with blasting materials – only COMACO is helping; adjacent protected areas are getting encroached e.g. the Lundazi National Forest is heavily encroached along the Lundazi-Chitungulu Road.

28/11/2016

**Mwanya Community Resource Board**

Clement Phiri  
Mendrick Phiri  
James Tembo  
Andsen Zimba

Activities include: village scouting; overseeing community infrastructure projects; forest resource management and forest conservation awareness.

They have employed 21 village scouts.

Challenges: no salaries have been paid for the last 6 months; no Personal Protective Equipment; no transport; no operational rations; area gets cut-off during the rainy season – a power boat is required.

29/11/2016

**Eluhangeni Village, Lundazi**

Abel Tembo

- Mr Tembo is part of an Energy for Agriculture pilot project in Lundazi District. He has invested in a 6m<sup>3</sup> bio-gas plant that converts animal manure into combustible methane gas, which is also known as bio-gas. This clean energy source can be used by low income small scale farmers with no or unreliable access to electricity.
- The bio-gas can be used for domestic cooking and lighting, and reduces the need for traditional fuels and charcoal, which exhaust the environment and increase the workload of women and children. The gas is also more affordable than charcoal in the long run.
- The by-product, bio-slurry, is an organic fertilizer that can be used to increase agricultural production.

29/11/2016

**Sustainable Integrated Land Management Solutions Project**

Zaccheaus Mtonga  
Mercy Lungu

- The goal of the SILMS Project is to develop a gender and business inclusive climate-smart agricultural business model that increases income generating opportunities in rural areas through the sustainable use of natural resources.
- The key aspects/ partners of the project are: integrated soil fertility management; agroforestry; deforestation-free supply chains; gender; input suppliers; processors/ traders; finance; agro-dealers; and farmers.
- The project ends in 2018.

30/11/2016

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**Kakumba SNV Camp, Lundazi**

Nevers Gondwe - farmer

Rachel Chunga - farmer

Kapwela Mwale - farmer

Chisala Melwa - farmer

- These farmers recognize that agriculture is a major driver of deforestation and are, therefore, involved in sustainable land management practices with the support of SNV, Netherlands Development Organization.
- Their activities include: integrated soil fertility management; agroforestry; deforestation-free supply chains; seed multiplication enterprises; tree nurseries; establishment of farmer associations for bulking purposes; and improved market access.

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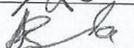
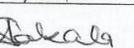
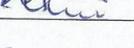
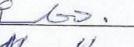
ANNEX 1.3: CONSULTATION REGISTER

DATE	NAME	POSITION/ ORGANISATION	PHONE NO./EMAIL	SIGNATURE
25/10/16	Joyce Mwirambare	ALPFO (Forestry)	0977332333 joycemwirambare@yahoo.com	
25/10/16	Sylvestre Siambi	FORESTRY TECH	0978074991 slysiamb@yahoo.co.uk	Siambi
25/10/16	Noel Muchimbo	Provincial Planning Unit	0977402661 muchimbo.noel@gmail.com	Noel
27/10/16	Jawet Palutani	D.C. Lundazi	0PePdalu@gmail.com	J. Palu
27/10/2016	BENSON CANAAN MBEWE	DISTRICT CHIEF OF TRADITIONAL AFFAIRS OFFICER - LUNDAZI	0977153056 canaanmbewe2007@yahoo.com	Benson
27/10/16	Dennis Mawelela	NWK AGRI		Dennis
27/10/16	Goma Peter	CARILL	FIELD MANAGER 0975481544	Goma
24/10/16	Joseph Harawa	Finance Controller	joseph-harawa@wv.vg	Joseph
27/10/16	Mweemba Christopher	Child Infr Officer	chismweemba30@hotmail.com	Mweemba
29/10/16	Tobin Siawwaps	Manager (WVZ)	0979835922 0977835163	Tobin
27/10/16	HOLMES LUBANZE	A.O MDA LUNDAZI	0977763984 hlubanze@wv.vg	Holmes
27/10/16	MOSSES MBEWE	PARK RANGER	0974433695	Mosses
03/11/16	GODFREY PITERI	ENGAGEMENT COORDINATOR BCP/CFP/USMID	godfrey@biocarbonpartners.com 0976139405	Godfrey

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DATE	NAME	POSITION/ ORGANISATION	PHONE NO./EMAIL	SIGNATURE
25-10-2016	JAPHET SEULU	GIS MANAGER	0977265499/ jseulu@itswild.org	
25/10/2016	WHITESON DAKA	EXTENSION MANAGER	0977193910 wdaka@itswild.org	
25/10/2016	NEMIAH TEMBO	Conservation Manager	0977946465 ntembo@itswild.org	
"	DALE LEWIS	President	0977-373747 dlewis@itswild.org	
25/10/2016	Samuel Penza	LOOKSTOR Manager	0977607845	
25/10/2016	KHOSA MOFFAT	PRINCIPAL AGRIC. OFFICER - EASTERN	penzaSamuel@gmail.com	
25/10/16	MABLES SHIBATA	Park Ranger	khosamoffat@gmail.com	
2			mablesheba@epilwa.com 0969212349	
25/10/16	PHIRI TIMOTHY JOHN	EXTENSION MANAGER	timothyphiri@gmail.com 0974670998/0979635155	
	Simon Paule	ASS. MANAGER PROJECT COLLECTOR Lundazi	0966262567	
27/10/16	Councillor DAWSON .C. TEMBO DIWA	Councillor Diwanard	0976464990	
27/10/16	RAPHEAL Q. MONGA	CHIEF CHINWANA	0972835383	

ZIFLP Process Framework

DATE	NAME	POSITION/ ORGANISATION	PHONE NO./EMAIL	SIGNATURE
28/11/16	RAY CHAZANGWE	COMACO	0977 980223	
28/11/16	JOSIAH DANNA	PRINCIPAL S.L.F	0978617786	
28/11/16	MATIASI MUKULA	CHITUNGULU COOPERATIVE COMACO VICE CHAIRPERSON	0973227296	M MUKULA
28/11/16	NELSON PHIRI	CHITUNGULU CRB	0979398397	
28/11/16	MURE SAKALA	CHITUNGULU CRB	0974091857	
28/11/16	PHIRI CLEMENT	CHIEF MWANJA REP	0978644746	
29/11/16	PHIRI MEURICK	MWANJA COMMUNITY Resources Officer	0973761679	
29/11/16	James Tembo	MWANJA COMMUNITY Resource champion	0971 606071	
29/11/16	ANDSEN LIMBA	MWANJA C.D.C champion	0979719369	
28/11/16	CHIEF CHITUNGULU			

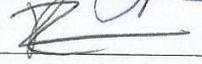
ZIFLP Process Framework

DATE	NAME	POSITION/ ORGANISATION	PHONE NO./EMAIL	SIGNATURE
26/10/16	ANDREW . A. MREWE	CHAIR PERSON CFMG	0977967646	
26.10.16	SIMON XWALE	CHAIRPERSON CHANULUMA CO-OPERATIVE	0978132240	
26.10.16	KALUBA MWANZA	SECRETARY - U		
26.10.16	MISOZI ZULU	CHAIR LBDY - U		M. ZULU
26.10.16	GLADYS MWANZA	TREASURER - U	0979196734	G. MWANZA
26.10.16	BEAUTY NKHATA	VICE   CHAIR PERSON - U		B. NKHATA
26.10.16	ELIZA ZIMBA	MEMBER - U	0972789061	E. ZIMBA
26.10.16	EPHEL NYIRENDA	VICE   SECRETARY - U		E. NYIRENDA
26/10/16	JOHN S NYIRONGO	INASSICE - U	0977717325	J.S. NYIRONGO
26/10/16	JARHEI BANDA	PRINCIPAL & PARTNER - U	0974104954	
26/10/16	STANDWEL KAMANQA	Leadfarmer - U		
03/11/16	LACKSON MWENYA	PROJECT COORDINATOR KASUNGU-LIKUZUZIGIZ PROJECT	0977690475	

ZIFLP Process Framework

DATE	NAME	POSITION/ ORGANISATION	PHONE NO./EMAIL	SIGNATURE
28/10/16	Emma Sakala	DFO / FOREST <sup>GHAPATA</sup>	llachas82@yahoo.com 0977318359	<i>[Signature]</i>
28/10/16	CLEMENTINA M. SINKALA	AGDAO / MoA	0979996339 clementina-mungu@gmail.com	<i>[Signature]</i>
28/10/16	JONAS SIKAWA	CI METI	0955887813 jonasikawa@gmail.com	<i>[Signature]</i>
30/11/16	Smith Kapuya	Comao/R. mangga	0467-777723	s.kapuya@hswild.org

ZIFLP Process Framework

DATE	NAME	POSITION/ ORGANISATION	PHONE NO./EMAIL	SIGNATURE
29/11/2016	BOTO KAOMA	(COUNCIL SECRETARY) LUNDAZID COUNCIL	0975 337744 b-ldkaoma@yahoo.com	
29/11/2016	PHILLIMON LUNGU	DACO Min. of Agric	0974 515 023 phillimon70@gmail.com	
29/11/2016	Mtonga Zaccarias	PROJECT OFFICER - SILWS	0977454538	
11	MERCY HUSAU	Regional Biogas Technician - E4A	0977 681040	
29/11/2016	Stanley Heapowa	District Manager etc	0977-807017 shaabowah@yahoo.com	

## **ANNEX 2: ZAMBIAN POLICY AND LEGAL FRAMEWORK**

### **ANNEX 2.1: POLICY FRAMEWORK**

#### **National Resettlement Policy**

The National Resettlement Policy (NRP) sets out the Government objectives, principles and measures for dealing with resettlement as a strategy for rural development and as a response to internal population displacements. In addition, it provides a mechanism for dealing with both voluntary and involuntary resettlement. The policy focuses on employment creation, access to public social services, increased food security, security of land tenure, stimulating economic growth in rural areas and compensation and resettlement assistance for internally displaced persons.

The Department of Resettlement in the Vice President's Office is in charge of implementing the NRP, and its key functions include the following:

- Identification and acquisition of land for resettlement;
- Demarcation of farm plots;
- Processing of applications for resettlement;
- Allocation of settlement farm plots to suitable applicants;
- Recommending deserving settlers to acquire certificate of titles to their farm plots from the Commissioner of Lands; and
- Coordinating provision of infrastructure in resettlement program schemes.

## **ANNEX 2.2: LEGAL FRAMEWORK**

### **Constitution of Zambia Cap 1**

The Constitution of Zambia is the supreme law of Zambia and any other written law, customary law and customary practice that is inconsistent with its provisions is void to the extent of the inconsistency. It was amended in January 2016 by the Constitution of Zambia (Amendment) Act No. 2 of 2016.

### **Devolved Governance**

The Act provides for the management and administration of the political, social, legal and economic affairs of the State to be devolved from the national government level to the local government level. The system of devolved governance that is recommended in the Act should follow the following principles: good governance, through democratic, effective and coherent governance systems and institutions; respect for the constitutional jurisdiction of each level of government; autonomy of the sub-structures; and equitable distribution and application of national resources to the sub-structures.

The district level local government functions prescribed in the Act include: administering the district; overseeing programs and projects in the district; making by-laws; and encouraging the involvement of communities and community organizations in matters of local government.

### **Land**

The Constitution provides for land to be classified as State land, customary land and any other classification as prescribed. It also provides for land to be held for a prescribed tenure, and to be used and managed in accordance with the following principles: (a) equitable access to land and associated resources; (b) security of tenure for lawful land holders; (c) recognition of indigenous cultural rites; (d) sustainable use of land; (e) transparent, effective and efficient administration of land; (f) effective and efficient settlement of land disputes; (g) investments in land to also benefit local communities and their economy; and (h) plans for land use to be done in a consultative and participatory manner.

Article 16 of the Zambian Constitution provides for the protection from deprivation of property. More specifically, the Article states that “property of any description shall not be compulsorily taken possession of, and interest in or right over property of any description shall not be compulsorily acquired, unless by or under the authority of an Act of Parliament which provides for payment of adequate compensation for the property or interest or right to be taken possession of or acquired”.

The Article further provides that the Act of Parliament under reference shall provide that, in default of agreement on the amount of compensation payable, a Court of competent jurisdiction shall determine the amount of compensation.

### **Environment and Natural Resources**

The Act provides for the utilization of natural resources and management of the environment in accordance with the following principles: (a) protection of genetic resources and biological diversity; (b) implementation of mechanisms that minimize waste; (c) promotion of appropriate environment management systems and tools; (d) encouragement of public participation; (e) protection and

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enhancement of the intellectual property in, and indigenous knowledge of, biodiversity and genetic resources of local communities; (f) ensure that the environmental standards enforced in Zambia are of essential benefit to citizens; and (g) establish and implement mechanisms that address climate change.

### **Environmental Management Act of 2011**

#### **Overview**

The Environmental Management Act (EMA), which repealed and replaced the Environmental Protection and Pollution Control Act (EPPCA) No. 12 of 1990 Cap 204 of the Laws of Zambia, is the principal legislation on environmental management in Zambia. The EPPCA was the first comprehensive piece of legislation on environmental protection and pollution control. Under the Repealed Act regime, a number of secondary or subsidiary legislation was promulgated by the GRZ. These included the Water Pollution Control Regulations, 1993; the Waste Management Regulations 1993; the Pesticides and Toxic Substances Regulations 1994; the Air Pollution Control Regulations, 1996; the Environmental Impact Assessment Regulations, 1997; the Ozone Depleting Substances Regulations, 2001; and the Hazardous Waste Management Regulations, 2001.

The foregoing Regulations except for the Environmental Impact Assessment Regulations have since been revoked following the passing of the Environmental Management (Licensing) Regulations Statutory Instrument No. 112 of 2013.

The EMA makes provisions for integrated environmental management including the environmental impact assessment (EIA) of projects prior to implementation, strategic environmental assessment, declaration of an area of land that is ecologically fragile or sensitive to be an environmentally protected area, and the conservation of biological diversity and the fair and equitable sharing of the benefits arising out of the utilization of biological resources.

#### **Environmental Protection and Pollution Control (Environmental Impact Assessment) Regulations of 1997**

The guidelines and specific requirements for Environmental and Social Impact Assessment (ESIA) in Zambia are set out in the Environmental Protection and Pollution Control (Environmental Impact Assessment) Regulations of 1997, which were enacted under the repealed EPPCA of 1990. Section 30 of the EMA empowers the Minister responsible for environmental management to “make regulations for the effective administration of strategic environmental assessments and environmental impact assessments”. To date the new Environmental Management Act (Environmental Impact Assessment) Regulations have been drafted. However, these regulations have not been enacted, and therefore the 1997 EIA Regulations are still relevant.

The ZEMA, formerly Environmental Council of Zambia (ECZ), is the lead agency for environmental management, including EIAs, and is empowered through the EIA Regulations to identify projects, plans and policies for which EIAs are necessary. These regulations stipulate which types of projects require a Project Brief (First Schedule) and which require a full EIA study (Second Schedule).

#### **Environmental Impact Assessment Process**

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An EIA is a thorough investigation of conditions within the environment of a proposed development or project area followed by an assessment of the impacts that the development of the project will have on the environment in its totality i.e. physical, biological and socio-economic aspects. The purpose of conducting an EIA is to enhance the quality of a proposed development by ascertaining its environmental acceptability before it is approved for implementation.

The process for an EIA in Zambia follows three principal stages:

- The scoping study and development of the Draft Terms of Reference (ToR) by the developer and the approval of the ToR and study team by ZEMA;
- The baseline studies, analysis of alternatives, assessment of impacts, development of mitigation measures and consultations; and
- Public consultation, review process and approval or modification of the project.

The ZEMA requires details of the qualifications of the EIA team and must approve the EIA team prior to the EIA phase, in particular baseline studies, being initiated. The Agency is also responsible for advertising the public disclosure of the EIA, and engaging with other governmental agencies.

ZEMA's Environmental Assessment Committee reviews EIA reports, known as Environmental Impact Statements (EISs) with the assistance of its Inspectorate Department. The decision is conveyed to the developer by way of a Decision Letter, signed by the Director General of ZEMA. Other regulatory agencies outside of ZEMA are also requested to review and comment on project briefs and EISs before the approval meeting is held.

### Environmental Management (Licensing) Regulations of 2013

The Environmental Management (Licensing) Regulations of 2013 provide for a licensing regime for air and water pollution, waste management of both hazardous and non-hazardous waste, pesticides and toxic substances and ozone depleting substances.

### Strategic Environmental Assessment

With regard to programs that could have an adverse effect on the environment or on the sustainable management and utilization of natural resources, the Act provides for the conducting of a strategic environmental assessment of the draft program and the submission of the strategic environmental assessment report to the ZEMA for approval. The proponent of the program "shall not adopt or implement" a program, which is not approved by the ZEMA. However, where any proponent considers that a program does not require a strategic environmental assessment, the proponent is required to submit a draft of the relevant document to the ZEMA for review and consideration.

### Forests Act of 2015

The Forests Act establish the Forest Development Fund and provides for the:

- Establishment and declaration of National Forests, Local Forests, joint forest management areas, botanical reserves, private forests and community forests; Participation of local communities,

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- local authorities, traditional institutions, non-governmental organizations and other stakeholders in sustainable forest management;
- Conservation and use of forests and trees for the sustainable management of forests ecosystems and biological diversity; and
  - Implementation of the United Nations Framework Convention on Climate Change, Convention on International Trade in Endangered Species of Wild Flora and Fauna, the Convention on Wetlands of International Importance, especially as Water Fowl Habitat, the Convention on Biological Diversity, the Convention to Combat Desertification in those Countries experiencing Serious Drought and/or Desertification, particularly in Africa and any other relevant international agreement to which Zambia is a party.

In terms of community forest management, the Act provides for the formation of a CFMG for the purpose of communal control, use and management of a forest. Consent from the area chief is required and the group can consist of a group of persons who are: members of a village in or near a forest; managing a forest or part of a forest; or desirous of managing a forest or part of a forest.

The CFMG can enter into a community forestry agreement with the Forestry Department in respect of an area or forest for which the community forest management group is formed. Where a community resource board is already in existence, the group can also enter into a community forestry agreement with the department. A CFMG can, with the approval of the Director, enter into partnerships with other persons for the purposes of ensuring the efficient and sustainable conservation and management of the community forest.

In terms of user rights, a community forestry agreement may confer on a community forest management group the following forest user rights in the community forest concerned: (a) collection of medicinal herbs; (b) harvesting of honey; (c) harvesting of timber or fuel wood; (d) grass harvesting and grazing of animals; (e) collection of forest produce for community based industries; (f) eco-tourism and recreational activities; (g) scientific and educational activities; (h) plantation establishment through non-resident cultivation; and (i) the right to enter into contracts to assist in carrying out specified silvicultural operations;

### **Zambia Wildlife Act of 2015**

The Wildlife Act provides enabling legislation for the sustainable management of wildlife in Zambia. In addition, the Act establishes the Department of National Parks and Wildlife and provides for the winding up of the operations of the Zambia Wildlife Authority. The functions of the Wildlife Management Licensing Committee are defined, in addition to providing for: the establishment, control and management of National Parks, bird and wildlife sanctuaries; the conservation and enhancement of wildlife eco-systems, biological diversity and objects of aesthetic, pre-historic, historical, geological, archeological and scientific interest in National Parks.

In terms of community partnerships, the Act provides for: the registration of community resources boards; the promotion of opportunities for the equitable and sustainable use of the special qualities of public wildlife estates; the establishment, control and co-management of Community Partnership Parks for the conservation and restoration of ecological structures for non-consumptive forms of recreation and

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environmental education; the sustainable use of wildlife and the effective management of the wildlife habitat in Game Management Areas; the development and implementation of management plans; and enhancement of the benefits of Game Management Areas to local communities and wildlife through the involvement of local communities in the management of Game Management Areas;

The Act includes provisions for the regulation of the keeping, ranching, harvesting, hunting, and import and export of animals (including birdlife) and their products. It also covers the legal requirements for the control of illegal hunting or collection of wildlife during the construction process.

In addition, the Act provides for the implementation of the Convention on International Trade in Endangered Species of Wild Fauna and Flora, the Convention on Wetlands of International Importance especially as Waterfowl Habitat, the Convention on Biological Diversity, the Lusaka Agreement on Cooperative Enforcement Operations Directed at Illegal Trade in Wild Fauna and Flora.

### **Agricultural Lands Act Cap 187 of 2006**

This Act establishes the Agricultural Lands Board, whose functions are to: keep under review the use that is being made of State Land outside urban and peri-urban areas; carry out other duties in connection with the alienation of State Land into farm development or settlement schemes; and make recommendations to the Minister. Under this Act, a lessee has the right to cut down and use indigenous trees on his holding as he may from time to time require for his own farming and domestic purposes, but he is not entitled, except with the prior approval of the President, to sell or move any timber from the holding.

### **National Heritage Conservation Commission Act, Cap 173 of 1989**

The National Heritage Conservation Act establishes the National Heritage Conservation Commission (NHCC), and provides for the conservation of ancient, cultural and the natural heritage, relics and objects of aesthetic, historical, pre-historical, archaeological or scientific interest. Under the Act, any project being implemented is required to disclose any new archaeological, paleontological, or cultural sites it encounters to the NHCC and to follow procedures for the investigation and/or removal of material from them prior to continuing construction activities.

### **Lands Act Cap 184**

The Act repeals the Land (Conversion of Titles) Act and empowers the President of the Republic to compulsorily acquire property. The principles of compensation are pivoted on the basis that the value of property for the purpose of compensation shall be the value of the amount which the property might be expected to realize if sold on the open market by a willing seller at the time of the publication of notice to yield possession of the property.

### **Lands Acquisition Act Cap 189**

Section 3 of the Lands Acquisition Act empowers the President of the Republic to compulsorily acquire property, whilst sections 5 to 7 provide for the issuing of notices to show the intention to acquire, notice to yield up property and to take up possession. Section 10 of the Act provides for compensation as consisting of such moneys as may be agreed from moneys appropriated for the purpose by Parliament. Furthermore, this section provides that where the property to be compulsorily acquired is land, the

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President, with the consent of the person entitled to compensation shall in lieu or in addition to any compensation payable under the section, grant other land not exceeding the value of the land acquired.

Under the Lands Acquisition Act, the value of the property for purposes of compensation shall be the value of the amount, which the property might be expected to realize if sold on the open market by a willing seller at the time of the publication of the notice to yield up possession of the property. Section 11 of the Lands Acquisition Act provides for the settlement of the disputes relating to the amount of compensation in the High Court.

Part VI of Act provides for the establishment of Compensation Advisory Board to advise and assist the Minister in the assessment of any compensation payable under the Act. Other functions of the board, its operations and constitution are also prescribed in the Act.

### **Local Government Act, Cap 281**

This Act provides for the system of local government administration in Zambia at city, municipality and district council levels. Each level has delegated statutory functions with respect to development planning and participatory democracy.

The GRZ expects to devolve the powers of national government to local government in 2017. This will require: autonomy of the local government structures at both district and sub-district; equitable distribution and application of national resources to the sub-structures; and the involvement of communities and community organizations in matters of local government.

### **Urban and Regional Planning Act of 2015**

This Act repeals the Town and Country Planning Act of 1962 and the Housing (Statutory and Improvement Areas) Act of 1975 and provides for: development, planning and administration principles, standards and requirements for urban and regional planning processes and systems; a framework for administering and managing urban and regional planning; a planning framework, guidelines, systems and processes for urban and regional planning; establishment of a democratic, accountable, transparent, participatory and inclusive process for urban and regional planning that allows for involvement of communities, private sector, interest groups and other stakeholders in the planning, implementation and operation of human settlement development; functional efficiency and socio-economic integration by providing for integration of activities, uses and facilities; establishment of procedures for integrated urban and regional planning in a devolved system of governance so as to ensure multi-sector cooperation, coordination and involvement of different levels of ministries, provincial administration, local authorities, traditional leaders and other stakeholders in urban and regional planning; sustainable urban and rural development by promoting environmental, social and economic sustainability in development initiatives and controls at all levels of urban and regional planning; and uniformity of law and policy with respect to urban and regional planning.

### **Arbitration Act No. 19 of 2000**

This Act provides for arbitration in cases where the land owner/occupier does not agree with the amount of compensation being offered. Under section 12 (2) of the Act, the parties to arbitration are free to determine the procedure for appointing the arbitrator or arbitrators. Section 12 (3) (b) states that if the

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parties are unable to agree on the arbitration, another arbitrator shall be appointed, upon request of a party, by an arbitral institution.

**Land Survey Act Cap 188**

The Land Survey Act provides for the surveying of lands and properties before they are numbered, allocated and registered.

**Valuation Surveyors Act Cap 207**

This Act provides guidance for the valuation practice in Zambia and the requirement that for one to practice as a land valuator, he is supposed to be registered under the provisions of this Act by the Valuation Registration Board.

## **ANNEX 3: CENSUS SURVEY FORMS**

The following information should also be captured for each impacted household:

- Age;
- Gender;
- Occupation/livelihood activities for each individual;
- Does the impact constitute above or below 20 percent of the asset/land?
- Type of ownership (including whether ownership is claimed or rental);
- Census and related impact details regarding persons who may be working, but not claiming ownership to land/asset;
- Impact regarding permanent or temporary loss of access.

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The form below is the form to be used as a basis to conduct the census survey, to be conducted by the Climate Change Secretariat, in collaboration with local authorities (see chapters 3 and 5).

**POPULATION CENSUS, ASSET INVENTORY AND SOCIO-ECONOMIC SURVEY**

Number of families who live on the parcel of land to be taken: \_\_\_\_\_

**CURRENT HOUSING**

FAMILY	HOUSE PLOT SIZE (m <sup>2</sup> )	HOUSE DIMENSIONS (m <sup>2</sup> ); (Number of Rooms)	CONSTRUCTION MATERIALS	OTHER INFRASTRUCTURE (E.G., WELL, LATRINE, FENCE)	OTHER OBSERVATIONS
PAP 1.					
PAP 2					
PAP 3					
...					

Observations on Housing:

PAP 1: \_\_\_\_\_

PAP 2: \_\_\_\_\_

PAP 3: \_\_\_\_\_

**REPLACEMENT HOUSING COST**

FAMILY	HOUSE PLOT COMPENSATION (M)		HOUSE COMPENSATION			OTHER INFRASTRUCTURE (E.G., WELL, LATRINE, FENCE)			TOTAL
	Replace	Cash Comp	m <sup>2</sup>	Kwacha /	Total	Item	Kwacha/	Total	

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	in-Kind	Kwacha/ m <sup>2</sup>	Total	m <sup>2</sup> (same building material s)		/ per			
PAP 1									
PAP 2									
PAP 3									
...									
Totals									

Number of businesses on the parcel of land to be taken : \_\_\_\_\_

CURRENT BUSINESSES

BUSINESS TYPE (E.G., TAILOR, HARDWARE STORE, GRAIN SELLER)	PLOT SIZE (M <sup>2</sup> )	BUSINESS DIMENSIONS (Note structure, or table kiosk ; structure, number Rooms)	CONSTRUCTION MATERIALS	OTHER INFRASTRUCTURE (E.G., WELL, LATRINE, FENCE)	OTHER OBSERVATIONS (E.G., AMOUNT OF INVENTORY, NUMBER OF EMPLOYEES, MONTHLY PROFITS)
1.					
2.					
3.					
...					

Observations on Businesses :

1 : \_\_\_\_\_

2 : \_\_\_\_\_

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3: \_\_\_\_\_

REPLACEMENT COSTS

BUSINESS	PLOT COMPENSATION (M <sub>2</sub> )			STRUCTURE COMPENSATION			OTHER INFRASTRUCTURE (E.G., WELL, LATRINE, FENCE)			LOST WAGES, PROFITS (PER MO.)		TOTAL	
	Replace in-Kind	Cash Comp		m <sup>2</sup>	Kwacha/m <sup>2</sup> (same building materials)	Total	Item	Kwacha/ / per	Tot	Employee			Profit
		Kwacha/ m <sup>2</sup>	Tot							No.	Wage		
PAP 1													
PAP 2													
PAP 3													
---													
Totals													

Number of Agricultural Plots Taken: \_\_\_\_\_

FARMER PAP	LAND			CROPS			TREES					OTHER INFRASTRUCTURE		TOTAL
	m <sub>2</sub>	In-kind	Cash Total (and Kwacha/ m <sup>2</sup> )	Crop (kg/ha)	Value (Kwacha /ha)	Total (Prod ha x Kwacha /ha)	Timber		Fruit			Item	Value	
							Species	Value	Species	Yield (Kwacha/ kg)	Value			
1														

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2.														
3.														
...														
<b>Totals</b>														

## ANNEX 4: GRIEVANCE REDRESS MECHANISM

### GRIEVANCE REGISTRATION FORM

Plaintiff: \_\_\_\_\_

ID Number : \_\_\_\_\_

Contact Information : \_\_\_\_\_

(Village ; mobile phone)

Property Contested : \_\_\_\_\_

(Type, e.g. land, house)

Location : \_\_\_\_\_

Description of Property : \_\_\_\_\_

\_\_\_\_\_ Nature  
of Complaint :

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**Record of Prior Contacts and Discussions of Issues to Date:**

Date	Individuals Contacted	Summary of Discussions

Signed (Plaintiff); \_\_\_\_\_ Date \_\_\_\_\_ :

Signed \_\_\_\_\_ (Filer of \_\_\_\_\_ Complaint) :

Name \_\_\_\_\_ of \_\_\_\_\_ Person Filling \_\_\_\_\_ in  
Complaint : \_\_\_\_\_

(if different from Plaintiff)

Position or Relationship to Plaintiff : \_\_\_\_\_  
Date : \_\_\_\_\_



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\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Was agreement reached on the issues?:                      Yes                      No

If agreement was reached, detail the agreement below :

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

If agreement was not reached, specify the points of disagreement below :

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signed : \_\_\_\_\_                      Signed : \_\_\_\_\_  
                    Chairperson, CDC  
                    Plaintiff

Signed : \_\_\_\_\_                      Signed : \_\_\_\_\_  
                    Member, CDC

Signed : \_\_\_\_\_                      Signed : \_\_\_\_\_  
                    Member, CDC

Signed : \_\_\_\_\_                      Signed : \_\_\_\_\_  
                    Member, CDC

Date : \_\_\_\_\_



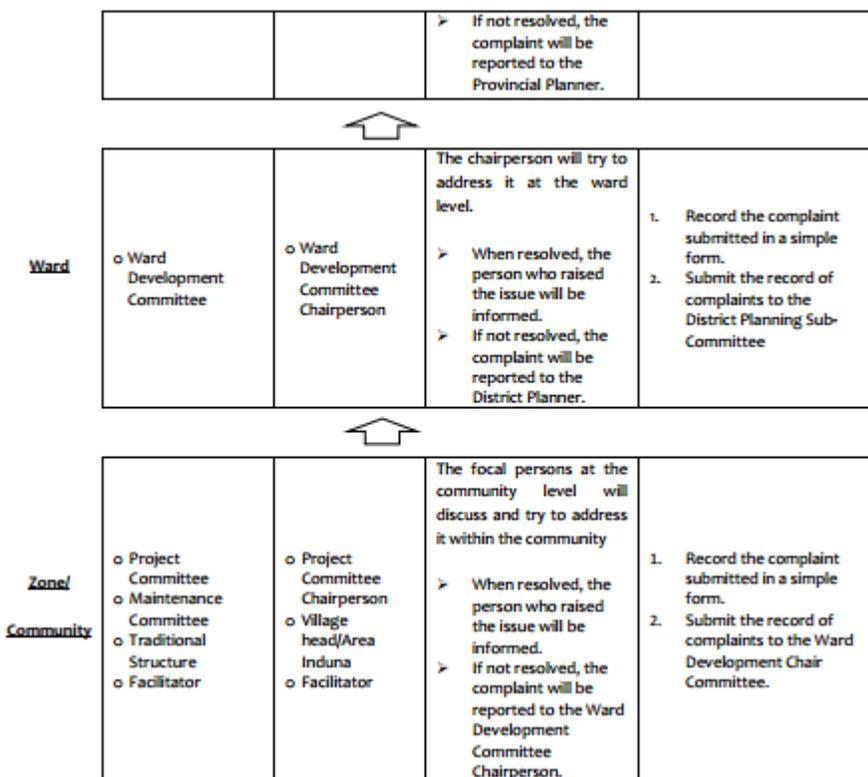


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Figure: Grievance Redress Mechanism for the Project

	<u>Focal Point Unit/Organizations</u>	<u>Focal Persons</u>	<u>When a complaint is submitted...</u>	<u>Recording complaints</u>
<b>National</b>	<ul style="list-style-type: none"> <li>o National Project Coordination Unit (PCU)</li> </ul>	<ul style="list-style-type: none"> <li>o National Coordinator</li> <li>o M&amp;E Officer</li> <li>o Independent Auditor</li> </ul>	<p>The PCU (or an independent auditor) will try to address it.</p> <ul style="list-style-type: none"> <li>➤ When resolved, the person who raised the issue will be informed.</li> <li>➤ If not resolved, the complaint will be reported to the World Bank, by the Climate Change Secretariat, within two weeks</li> </ul>	<ol style="list-style-type: none"> <li>1. Record the complaint submitted in the national-level grievance database.</li> <li>2. Review monthly monitoring submitted by the district/provincial-level, and enter all complaints with the status will be recorded in the national-level grievance database.</li> <li>3. M&amp;E officer will periodically review the grievance database and follow-up with focal persons to ensure all cases will be addressed.</li> </ol>
	↑			
<b>Provincial</b>	<ul style="list-style-type: none"> <li>o Provincial Planning Sub-Committee</li> <li>o Provincial Project Implementation Unit</li> </ul>	<ul style="list-style-type: none"> <li>o Provincial Planner</li> <li>o Provincial Project Manager</li> <li>o M&amp;E Officer</li> </ul>	<p>The planner and the project manager will discuss the issue and try to address it at the provincial level.</p> <ul style="list-style-type: none"> <li>➤ When resolved, the person who raised the issue will be informed.</li> <li>➤ If not resolved, the complaint will be reported to the National Coordinator (or if the complaint regards the Coordinator, submit to the Independent auditor).</li> </ul>	<ol style="list-style-type: none"> <li>1. Record the complaint submitted in the monitoring form.</li> <li>2. Submit the project's monthly monitoring form including a record on complaints to the national-level PIU.</li> </ol>
	↑			
<b>District</b>	<ul style="list-style-type: none"> <li>o District Planning Sub-Committee</li> </ul>	<ul style="list-style-type: none"> <li>o District Planner</li> </ul>	<p>The planner will try to address it at the district level.</p> <ul style="list-style-type: none"> <li>➤ When resolved, the person who raised the issue will be informed.</li> </ul>	<ol style="list-style-type: none"> <li>1. Record the complaint submitted in a monitoring form.</li> <li>2. Submit the project's monthly monitoring form including a record on complaints to the Provincial PIU</li> </ol>

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**SUGGESTED TIMEFRAMES FOR GRIEVANCE REDRESS**

PROCESS	TIME FRAME
Receive and register grievance	within 5 Days
Acknowledge, Assess grievance and assign responsibility	within 14 Days
Development of response	within 14 Days
Implementation of response if agreement is reached	within 1 Month
Close grievance	within 7 Days
Initiate grievance review process if no agreement is reached at the first instance	within 1 Month
Implement review recommendation and close grievance	within 2 Months
Grievance taken to court by complainant	-

## ANNEX 5: LRP CONTENTS

- Project description;
- Guiding principles for livelihood restoration;
- Description of process followed for developing LRP;
- Overview of potentially affected population: number of potentially affected people; demographic and social economic profile; income services and livelihood practices in the sub-project area;
- Eligibility criteria: people to be affected; public consultation and Grievance redress procedure;
- Legal frameworks: host country legal requirements; and WB policies and procedures;
- Methodology for valuation of assets and potential loss of all other income opportunities; and assets;
- Inventory of Losses (physical description of assets lost);
- Socio-Economic Assessment (of the vulnerability of the affected people, and the importance of the assets acquired to their livelihoods e.g. % contribution to household income/ food production);
- Summary of Compensation and/ or asset replacement and/ or rehabilitation measures;
- Alternative income generation opportunities;
- Income restoration plans;
- Organizational responsibilities for specific sub-projects;
- Public Consultation and Grievance redress mechanism/ procedure;
- Schedule and responsibilities for LRP implementation;
- Funding source and cost of resettlement; and
- Monitoring of LRP.

## ANNEX 6: ENVIRONMENTAL AND SOCIAL SCREENING FORMS

Sub-project name: Sub-project Location (e.g. region,) (Include map/Sketch): Type of activity:(e.g. new construction, rehabilitation, periodic maintenance)			
Estimated Cost( \$ USD) Proposed Date of Commencement of Work:			
Technical Drawing/Specifications  Reviewed:	Circle Answer	Yes	No

Issues	Low	Site Sensitivity Medium	High	Rating
Natural habitats	No natural habitats present of any kind	No critical natural habitats; other natural habitats occur	Critical natural habitats present	
Water quality and Water resource availability and use.				
Natural hazards vulnerability, floods, soil stability/erosion				
Cultural Property				

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Involuntary resettlement (including loss of land, assets affixed to land such buildings, productive crops and trees, access to commercial operating space)				
Indigenous Peoples				

**2. Checklist questions:**

Physical data:	Yes/ No answers and bullet lists preferred except where descriptive detail is essential.
Site area in ha	
Extension of or changes to existing alignment	
Any existing property to transfer to sub-project.	
Any plans for new construction	

Refer to project application for this information

Preliminary Environmental Information:	Yes/No answers and bullet lists preferred except where descriptive detail is essential
State the source of information available at this stage (proponents report, Environmental Impact Assessment or other environmental study).	
Has there been litigation or complaints of any environmental nature directed against the proponent or sub-project	

Refer to application and/or relevant environmental authority for this information.

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Identify type of activities and likely environmental impacts:	Yes/No answers and bullet lists preferred except where descriptive detail is essential
What are the likely environmental impacts, opportunities, risks and liabilities associated with the sub-project?	

**Impact, Mitigation and Monitoring Guidelines**

Determine environmental screening category:	Yes/No answers and bullet lists preferred except where descriptive detail is essential
After compiling the above, determine which category the sub-project falls under based on the environmental categories schedule 1,2or3	

**Screening and Review Process**

Mitigation of Potential Pollution	Yes /No answers and bullet lists preferred except where descriptive detail is essential.
Does the sub-project have the potential to pollute the environment, or contravene any environmental laws and regulations?	
Will the sub-project require pesticide use?	
If so, then the proposal must detail the methodology and equipment incorporated in the design to constrain pollution within the laws and regulations and to address pesticide use, storage and handling.	
Does the design adequately detail mitigation measures?	

**Mitigation and Monitoring Guidelines**

Environmental Assessment Report or Environmental studies required:	Yes /No answers and bullet lists preferred except where descriptive detail is essential.
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If screening identifies environmental issues that require an EIA or study, does the proposal include the EIA or study?	
Indicate the scope and time frame of any outstanding environmental study.	
Required environmental Monitoring Plan:	
If the screening identifies environmental issues that require long term or intermittent monitoring (effluent, gaseous discharges, water quality, soil quality, air quality, noise etc.), does the proposal detail adequate monitoring requirements?	

**Impact, Mitigation and Monitoring Guidelines**

Public participation/ information requirements:	Yes /No answers and bullet lists preferred except where descriptive detail is essential.
Does the proposal require, under national or local laws, the public to be informed, consulted or involved?	
Has consultation been completed?	
Indicate the time frame of any outstanding consultation process.	
Land and resettlement:	Yes /No answers and bullet lists preferred except where descriptive detail is essential.
What is the likelihood of land purchase for the sub- project?	
How will the proponent go about land purchase?	
What level of type of compensation is planned?	
Who will monitor actual payments?	

<b>Actions:</b>	
List outstanding actions to be cleared before sub- project appraisal.	
Approval/rejection	Yes /No answers and bullet lists preferred except where descriptive detail is essential.
If proposal is rejected for environmental reasons, should the sub-project be reconsidered, and what additional data would be required for reconsideration?	

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**Recommendations:**

Requires an EIA and/or RAP, to be submitted on date: \_\_\_\_\_

Requires EMP, to be submitted on date: \_\_\_\_\_

Does not require further environmental studies: \_\_\_\_\_

Reviewer: \_\_\_\_\_

Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

## ANNEX 7: ENVIRONMENTAL AND SOCIAL SCREENING CHECKLIST

**A. NAME, DEPARTMENT, JOB TITLE, AND CONTACT DETAILS FOR  
THE PERSON WHO IS RESPONSIBLE FOR FILLING OUT THIS FORM:**

Completed by

(Name): \_\_\_\_\_ Contact

details: \_\_\_\_\_

Date: \_\_\_\_\_

Signature: \_\_\_\_\_

**B. PROJECT DESCRIPTION**

Name of Project: \_\_\_\_\_

Name of Project Execution Organization: \_\_\_\_\_

Location of the Project: \_\_\_\_\_

Type and scale of the Project: \_\_\_\_\_

Approximate size of the Project in land area the location of the project: \_\_\_\_\_

Estimated Cost: \_\_\_\_\_

**C. THE CHECKLIST**

Please fill in the checklist below:

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### PROJECT SITING:

1. Are there any environmentally sensitive areas (intact natural forests, Rivers or wetlands etc.,) or threatened species (specify below) that could be adversely affected by the project?: Yes \_\_\_\_\_ No \_\_\_\_\_

2. Does the project occur within/adjacent to any protected areas designated by government (national park, national reserve, etc.): Yes \_\_\_\_\_ No \_\_\_\_\_

3. Based upon visual inspection or available literature, are there areas of possible geologic or soil instability (erosion prone, landslide prone, subsidence-prone): Yes \_\_\_\_\_ No \_\_\_\_\_

4. Is the project located near to water sources used for domestic consumption such as boreholes, water wells or springs?: Yes \_\_\_\_\_ No \_\_\_\_\_

5. Based on available sources, consultation with local authorities, local knowledge and/or observations, could the project alter any historical, archaeological or cultural heritage site?: Yes \_\_\_\_\_ No \_\_\_\_\_

6. Will the project result in displacement, loss of assets, or access to assets?: Yes \_\_\_\_\_ No \_\_\_\_\_

7. Will the project result in the permanent or temporary loss of crops, fruit trees and household infra-structure (such as granaries, outside toilets and kitchens, etc): Yes \_\_\_\_\_ No \_\_\_\_\_

### CONSTRUCTION RELATED ACTIVITIES

**ZIFLP Process Framework**

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Will construction or operation of the Project use large amounts of local natural resources such as water, timber, gravel from river beds, stones especially any resources which are non-renewable or in short supply?: Yes \_\_\_ No \_\_\_

Will the Project involve use, storage, transport or handling of substances or materials which could be harmful to human health or the environment?: Yes \_\_\_ No \_\_\_

Will the Project produce solid wastes during construction or decommissioning? Yes \_\_\_ No \_\_\_

Will construction require the use of heavy machinery or equipment?: Yes \_\_\_ No \_\_\_

**Operational Phase**

Will the Project result in the production of solid wastes during the operational phase? Yes \_\_\_ No \_\_\_

Will the Project result in hazardous wastes during the operational phase? Yes \_\_\_ No \_\_\_

Will the Project produce waste water that require drainage?: Yes \_\_\_ No \_\_\_

Will the Project require community management of the services?: Yes \_\_\_ No \_\_\_

**D. PROPOSED ACTION**

All the above answers are 'NO'

If all the above answers are 'NO' there is no need for further action. The CDL and VDA will sign this form, and attach it to the project proposal before forwarding it to the RO for further processing.

There is at least one 'YES'



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Member, CDL

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Member, CDC

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**E. RECOMMENDATION OF head of the project coordination unit**

Circle one of the following screening recommendations:

1. All answers to the questions in Section D above are “No,” and there is no need for further action, circle the ‘NO’ below and sign this form

**NO**

\_\_\_\_\_

Signed: \_\_\_\_\_

Head of Project Coordination Unit

2. For all issues indicated by “Yes” answers to the questions in Section D above, the proponent has included adequate mitigation measures in the project design. While no further planning action is required, implementation of the mitigation measures will require supervision by the appropriate agency.

**YES**

\_\_\_\_\_

Signed: \_\_\_\_\_

PIU Coordinator

3. For all checklist questions with “Yes” answers in Section D above (specify questions numbers), specify whether or not the proponent has provided adequate mitigation measures. Where measures are deemed inadequate, the proponent must revise the proposed project plan to provide adequate mitigation.

Also note whether specialist advice may be required in the following areas:

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4. For all checklist questions with "Yes" answers in Section D above (specify question numbers), indicate whether or not the proponent must prepare an **environmental assessment** of the proposed project, and revise the project plan according to the results of that assessment.

Also note whether specialist advice will be required in the following areas:

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Signature: \_\_\_\_\_

Head of Project Coordination Unit

Date : \_\_\_\_\_

## ANNEX 8: MONITORING FORMS

The monthly (or periodic) field report from each village development group should recount the progress to date and in the immediately prior month. It is necessary to report only on those aspects of land and asset acquisition that are relevant in the specific project (i.e., land, houses, businesses, crops, and/or trees, whatever is in fact taken). In that context, the following summary tables should be of use in organizing the reporting of project information.

When the resettlement operation is completed, a PAP satisfaction survey (last matrix) should be added.

Village: \_\_\_\_\_ Region: \_\_\_\_\_

Project Name: \_\_\_\_\_

Month Covered: \_\_\_\_\_ PAP: \_\_\_\_\_ (for satisfaction survey)

### LAND

PAP	IN-KIND COMPENSATION (REPLACEMENT PLOT) [ENTER NUMBER OF CASES]				CASH COMPENSATION [ENTER NUMBER OF CASES]				
	IDENTIFIED	AGREED TO BY PAP	TITLE TRANSFERRED	IN PRODUCTION	COMPENSATION AGREEMENT	COMPENSATION PAID	NEW PLOT IDENTIFIED BY PAP	NEW PLOT ACQUIRED BY PAP	IN PRODUCTION
1									
2									
3									
...									
Total									

### HOUSES/BUSINESS LOCALES: IN-KIND COMPENSATION

PAP	IN-KIND COMPENSATION	SUPPLEMENTARY PAYMENTS

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	HOUSE/SHOP UNDER CONSTRUCTION	HOUSE/SHOP READY	PAP RELOCATED	BUSINESS OPEN AGAIN	ITEM	PAID	RE-PLACED
1.							
2.							
3-							
...							
Totals							

**HOUSES/BUSINESS LOCALES: CASH COMPENSATION**

PAP	CASH COMPENSATION						SUPPLEMENTARY PAYMENTS			
HOUSE/SHOP UNDER CONSTRUCTION	AMOUNT	PAID	FOUNDATION/WALLS UP	HOUSE/SHOP READY FOR OCCUPATION	PAP RELOCATED	BUSINESS OPEN AGAIN	ITEM	AMOUNT	PAID	RE-PLACED
1.										
2.										
3-										
....										
Totals										

**CROPS, TREES**

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PAP	CROP OR TREE SPECIES	VALUATION AMOUNT	PAID (AMOUNT)	TREE SEEDLINGS PROVIDED (YES/NO)
1.				
2.				
3				
....				
Totals				

**PAP SATISFACTION WITH RESETTLEMENT PROGRAM**

	Fully Satisfied	Partly Satisfied	Partly Dissatisfied	Wholly Dissatisfied	Extent of Information Provided (1-5, where 5 represents fully informed)
Project information provided					
Usefulness of public meetings					
Individual consultations					
Individual negotiations					
Compensation amount					
Timeliness of compensation					
Handling of any grievance					

(Enumerator: Please inquire into the cause for any dissatisfaction):

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Signed: \_\_\_\_\_

Position: \_\_\_\_\_

(Responsible Officer of Monitoring Agency)

Date: \_\_\_\_\_

Signed: \_\_\_\_\_

Position: PIU Coordinator

Date: \_\_\_\_\_

[NOTE: Report can include tables for last month, for month previous to last, and the comparison, which is progress last month. Table for last (i.e., most current full month) is also the table for progress to date.]

### Annex 9

#### ZIFLP LAND STUDY MISSION PROGRAM

Eastern Province | Nyimba, Chipata and Lundazi

Aggregated Field Notes

Kaala B. Moombe, Consultant-land Study

22<sup>nd</sup> – 30<sup>th</sup> December 2016

Nyimba, 22 & 30.12.16; Lundazi, 27 & 28.12.16, Chipata, 23-26 & 29.12.16

#### Resettlement and Settlement

Two sites/areas were visited to learn from resettlement experiences. Thus, Better Life Schemes (BLS) spearheaded by COMACO and Lukusuzi National Park (LNP) that was led by DNPW [then known as ZAWA]

#### Resettlement schemes (Office of the President, OVP), OVPRSs

- Purpose and target. The Land Resettlement program (LRP) is an inter-ministerial activity. The department of resettlement (DOR) executes the LRP. The DOR is under the OVP. These schemes provide social services and as such target retired public servants, public servants serving on contract or within four years before retirement, unemployed youths and adults, the internally displaced, and vulnerable groups since 1990. The latest on the program is the Mnkwa scheme that is two years old and obtained to resettle the Nkwengwe internally displaced people. They promote planned settlement. The aim is to give free land to people who are willing to engage in productive agriculture on land to which they will have a title. The broad concept for the LRP is to increase the food security.
- There are seven (7) OVPRSs in eastern province with a total land size of 600,000 ha located in six (6) districts with largest (31, 000 ha) in Petauke at Ukwimi (former refugee camp).

## ZIFLP Process Framework

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- The schemes are on state land that was acquired from customary areas. A provincial committee meets to interview the applicants to the scheme. The 9-member committee is: resettlement, lands, water Engineer. Others are district secretary or council secretary, chiefs and traditional affairs, community development officer, a representative of the Chief for the area within which the scheme is situated, area councilor and members of parliament.
- Land acquisition process for the LRP:
  - The district commissioner informs the council.
  - The council requests for land from the chief.
  - The DOR inspects the land for boundary demarcations and map preparations.
  - The chief endorses and signs on the site plan. The plots are numbered.
  - Application by applicants on DR 1 forms obtainable from the DOR at provincial and national offices.
  - DOR screens the applicants for authenticity and rejects those who do not qualify.
  - The 9-member committee (ibid.) interviews applicants.
  - Counselling of successful applicants on a number of issues concerning rules and regulations in the scheme, community based leadership structures, and sustainable farming practices.
  - Physical allocation of land to the successful applicants whereby they are first given offer letters (date of offer, farm plot size and beacons defining boundaries).
  - The farms plots are visited each year before and after the rain season to check on land practices and abandoned plots are reclaimed by the state.
  - Making recommendations for title to the ministry responsible for lands is only done after a two year observation window. The criteria for recommendations include: consistence in participation in community projects (self-mobilisation), development done on the farm plots. Once title are given, the mandate of the DOR ends, and land department takes over.
  - There has been no resettlement of people from state protected areas like national parks, forest reserves, etc.
- The main activities on the schemes are agriculture related, and the DOR ensures that there are multi-disciplinary extension services provided to the communities. The form is filled in triplicate for the applicant, receiving office and for title deed application.
- Institutional arrangements and infrastructure. The DOR organizes the settlers into self-managing communities. There are three categories of plots: 4-10 ha (50% of the land), up to 20 ha (35% of the land) and up to 50 ha (15% of the land). The following infrastructure is provided: schools, health centers, roads network, water services, etc. However, boreholes are provided only for up to 10 ha category of plots.

### Challenges

- Encroachments into resettlement schemes. The resettlement development is done in stages so people move in area without authority so that they are included allocation of land. The resettlement scheme has no direct supporting law. Thus, law enforcement becomes difficult at times.
- The scheme infrastructure is not developed up front. This creates some problems in access where settlers are impatient and move in willingly and knowingly that there is no basic infrastructure and later start complaining about the same, despite settling on their plots
- People refused to go to Mnukwa Resettlement scheme. Half of the scheme is still open for settlement. The families do not want to lose their business of crashing stones along the roadsides. They say they will no generate money if they moved to Mnukwa.
- Chief do resettle people in land offered for the LRP.

## ZIFLP Process Framework

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- Low budget (resources) for the program

### Settlement schemes (Agriculture Department)

- There are 20 settlement schemes in 113 camps with 1,089 plots covering a total of 66,743 hectares of land in six districts of Katete, Lundazi, Chadiza, Nyimba, Chipata and Petauke. The largest scheme is in Nyimba with 10,205 ha. The Mwasemphangwe scheme is in Lundazi and operational with a lot of land wrangles amongst the settlers.
- Conservation agriculture program; the Conservation Agriculture Scaling Up Project (CASU)
  - Purpose. Promotion of Conservation Agriculture among the small holder farmers in the province
  - Target. 6,500 lead farmers and 97,500 follower farmers
  - Achievements: 5,080 lead and 76,185 follower farmers trained, improved productivity from the national average of 1.6 tons per hectares to 3.5 – 4.2 tons per hectare
  - The numbers of farmers have doubled in almost all the schemes due subdivisions by the farmers.

### Challenges

- Uncertainty in weather patterns
- Non-support to follower farmers, which discourages adoption of CF practices. At the start there was 100% follower farmer involvement but dropped due to non-support.
- Withdrawal of packs to lead farmers, thereby impacting negatively adoption
- Untimely and inadequate funding [structures are ok, transport situation at camp level is that all camps have motorbikes]
- Boundary wrangles
- Chiefs holding back land for settlement due to extended periods of no engaging in developing the areas.
- Contradicting messages to farmers. For example, on planting spaces, some NGOs advise farmers to plant at the spacing of 75 cm x75 cm while government advice is 90 cmx75cm.
- Low and poor release of funding, for example K12, 500 released against 256,000 for land husbandry budgeted for per year.
- Dependency syndrome of farmers, which results in extended demonstration of technological practices and no or delayed graduation of programs from demonstration to upscaling

### Farm blocks

There is one farm block in Chikumbilo that is under developed. The farm block has been dormant for a long time despite having surveys and EIA done.

### The COMACO Better Life Scheme

The Better Life Scheme (BLS) spearheaded by COMACO in Chamilala area of Nyalugwe chieftom

- The genesis. COMACO initiated the process to relocate the communities. Efforts to relocate and establish the scheme started in 2012, but some meaningful progress was made in 2013 when some people accepted to move even though actual movement occurred in June 2015.
- Drivers. The people were relocated to try and reduce the destruction of trees for charcoal production that the people had been engaged in along the Great East road starting from the Luangwa River Bridge. This practice is not compatible with the carbon management that COMACO engaged with communities and other stakeholders.

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- Pop.. There are 38 households from the 55 that had been earmarked for resettlement. The settlers do not know how many they are except for the number of households. Some family members (children) are yet to join some family members.
- Land tenure and acquisition. Chief Nyalugwe allocated the land for BLS in his chieftdom. Each household is allocated five hectares. The majority if not all of the livelihood activities at household level are supposed to be on this land. The land is customary land and no titles will be issued to anyone. However, the settlers appear to think that titles will be given. COMACO has made applications for land allocation and result of this application is still awaited from community development. However, the situation does not clear as it appears to be in conflict with the land allocation and conditions spelt out in the certificate put on a display by HRH Chief Nyalugwe (during the interview at his own palace).
- Infrastructure. The infrastructure in the scheme is still basic and very limited and temporary. Some people are using tents as dwelling units. There are also pole-structures as living units. There is one borehole, and some space has been cleared just outside the BLS demarcated area for a solar grinding meal siting.
- Resettlement process. The process involved:
  - Initial discussions with the HRH Chief Nyalungwe and COMACO
  - Search for land where to settle the people within the chieftdom. This included COMACO, traditional leaders or headmen/women.
  - Inspection/assessment of the area by multidisciplinary team to check its suitability for human settlement. The team included government departments (agriculture, forestry, policy, education, community development, etc.). The area was assessed as having good soils and near social welfare facilities like a school, water sources, access road, clinic, etc.
  - Resettling people. This was done after the chief's consent. It happened only four years after the idea was hatched with one of the headmen moving to the area. The others followed but others refused to move out saying that they would not want to move to a camp as if they were refugees and are still there. Yet others went and tried to settle in Chief Mpanshya's chieftdom. However, they were refused settlement because they did not follow the normal procedures for seeking settlement.
- Institutional arrangement. The institutional arrangement in the BLS is nontraditional. There is non-traditional governance arrangement. There are no headmen/women or indunas but chairpersons, committees, etc. these structures are governing the residents in resources management, dispute resolution, etc. COMACO and the chieftaincy are also engaged in management of the settlers but at higher level and from different perspective. COMACO is running an out grower/contract farming and has since recruited people
- Livelihood activities. People just moved into the area in June this year (2015). They are engaged in the first agricultural season. COMACO is supporting the settlers through its contract farming model. They have planted various crops including maize, soybean, groundnuts, etc. They have also put up Top bar hive apiaries at individual level. The settlers have been given small ruminants (10 goats) and local free-range chickens are scheduled to be given (4/household). All these as part of the out grower scheme. Under this scheme, people are trained in conservation farming. Activities include soil ameliorating technologies like planting *Gliricidia*.
- Challenges. There are what may be called teething issues that include:
  - Lack of roads. Currently the plots are accessed through other people's plots. There is concern from the settlers that the five hectares, which they already think is not enough, may not be reduced to 4 when roads are constructed.

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- There are some immigrants from Mozambique that have occupied land left by the BLS settlers. The structures were not destroyed at the time of relocation. However, the settlers said they have no idea about what is happening there because they have never returned there.
- Limited water. The place gets very dry in the hot season.
- Lack of entrepreneurial financial capital for stop gap measures as the out grower support is yet to mature.
- Even if beekeeping is one of the practices already adopted, managing the bees on the five hectare land is not only difficult but also of great risks from bee stings. They think the hives are too close to homestead and will be stinging people in the scheme.
- Impact of resettlement. So far, COMACO says there is reduction in the unplanned and illegal use of natural resources especially trees for charcoal production. There are good access to roadside for, which offers a good opportunity for product marketing beyond COMACO.
- Future outlook. There are plans to increase and improve the infrastructure in the scheme. The community Development Department will build permanent structures for the settlers. The exact position for this is known. There will be two to three more boreholes to be drilled to adequately cater for the population. Roads are yet to be done. However, the settlers feel the future is bright. They are happy. They are optimistic about their settlement area and lives being a lot better in future than where they relocated from and now especially once the challenges highlighted above are addressed.

### Protect Areas

#### Forest reserves and customary wood/forest/tree lands

- Issues in Lundazi regarding forests reserves include:
  - Encroachments/settlement. There people in the forests from all chiefs from the district. Some are migrating from Mwase Lundazi where the soils are depleted/poor. The squatters are evicted, some fine through courts of law, but pay and return to the forests. People have permanent structures in forest reserves (brick structures with iron sheets roofs) including Chimaliro which is the source of the Lundazi stream
  - Low capacity of the forestry department
  - Lack of clear demarcations; forest reserves are mistaken for customary areas
  - Requests for changing of forest reserves to customary land resources e.g. Chief Magodi is asking for degazetion of Chimaliro forest reserve
  - Mining in forest reserves. There is Rudolf mine (discovered in 2013) with official documents during baseline for Lumimba planning.
- There 90 hectares of plantation forest lands. However, they are not properly managed due to limited resources. The trees are attacked by termites, some have been suppressed by regrowth. There is tree planting individually (woodlots, scattered, etc.) in Mwasemphangwe and others
- In customary lands trees are cut down for especially from tobacco product ( especially in Mwase Lundazi area)
- There is collaboration with a number of actors in the forestry sector in Lundazi:
  - COMACO, agriculture, care, DNPW, chiefs and traditional affairs.
  - BioCarbon partners (BCP): 98, 000ha have been set aside in Mwanja Chiefdom for conservation under the community forestry program with financial support from USAID. There are participatory forest management plans developed.

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- In Nyimba the issues are similar to those in Lundazi; like encroachments in Kacholola where some people have settled/lived in there for at least 40 years!; unclear or no marked reserve boundaries, chiefs allowing people to settle in reserves, charcoal production especially illegal especially in Nyalugwe chieftdom, other players in the sector include agriculture, council, resettlement, community (resettled people are assisted with inputs, infrastructure, transport, etc.), DNPW (law enforcement), police (law enforcement), land alliance, BCP (CFM program: in Nyalugwe, Luembe and Mwape chieftdoms), COMACO (outgrower schemes, mitigation against forest loss, etc.)
- BCP has employed 5 community mobilisers in Nyimba and plans to engage them for a year in 2017. It has built infrastructure under its CFM program in Nyalugwe and Luembe. Originally, there were fears that BCP would alienate land, but this has changed due to the promise the *social enterprise* has made in its operational areas.

### Nyimba District Land Alliance

- works at three levels of (1) general awareness on land laws (process of conveying land, etc.); through community land advocacy committees, study circles) share information, land laws, property rights), targeting civic leaders, (2) paralegal services/desk to empower communities; (3) conducting research (academic, has pilot projects for evidence-based, study on traditional land holding document and how it will work alongside the statutory process.) The idea is to create parity between statutory and customary land tenure (there will be a symposium in April 2017 to discuss and analyse all these issues)
- The traditional land bill is on hold. The interest is to standardize land administration. The chiefs' concern on it include 1/ having standards on land administration, 2/ reducing bureaucracy, 3/reduce cost of land transfer e.g. from K500 to between K100 and K300, thus quicken land transfer process
- There are more than 1,000 titles given out in Nyimba through NDLA programs and structures like the Ndake village land committee, but some chiefs are apprehensive about this like Chieftainess Mwape
- Issues include:
  - Chiefs concerns include who will be issuing titles under the proposed land administration policy? Why not just empower communities
  - Seemingly remove of the powers of the chiefs through the land board proposal. The chiefs say they are chief due to land. What will be their role if not included in the land transfer process.
  - There are [boundary] disputes between the Mchimazi resettlement scheme and customary areas
  - Nyimba township boundaries are expanding but in the process swallowing up villages ( thus, disputes)

### National parks, GMAs and GRs

- There are 2 categories of land tenure: state land (National Parks) and customary (GMAs or open areas). There is private investment in open areas like game ranches (GRs). GRs are under title in customary areas and are number of them in Nyimba district. The process of land acquisition from GRs:
  - Investor approaches chief
  - Chief consults the traditional council of elders (village headmen/women, etc.) and sell the ideas
  - Community discuss community pledges with the investor in which they indicate what they need in their communities, with minutes of the meeting to the district council
  - Council considers and approves. GRs are up to 5,000 ha in size. If more than this, then the request seeks approval of Commissioner of Lands in Lusaka.

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- Investor receives letter of consent (it usually gets rejected if the proposal encroaches into other properties .e.g. schools, etc.)
- There are no titles in the GMA, but controlled human settlement is allowed to promote conservation and community livelihood symbiosis. The West Petauke was declared as such in 1991. There are 2 hunting blocks (HBs) and 5 camps ( 3 in open areas and 2 in HBs) in the West Petauke GMA: the Nyalugwe (27% of the GMA) and Luembe 973% of the GMA) HBs. There is no HB in Mwape chiefdom even though there prospects with the adjustment of boundaries between Mwape and Luembe Chiefdoms that results in part of the former chiefdom having being in the Luembe HB. There are concession agreements and entitlements in the HBs in Nyimba district. The CRBs (community resources boards) partners with government and through these community based natural resources management (CBNRM) receives benefits from non-consumptive use (NCU) of wildlife resources. The agreements are up to 15 years. There is not hunting including resident hunting quotas (RHQs) are allowed in this time period. During this period the investor commits to pay K200, 000/year into the DNPW account and K200, 000 into the CRB account (which is like buying a hunting quota). In addition, the investor employs 20 village scouts (VSs) and equips them for law enforcement, etc. the NCU/Tourism concession is signed by the DNPW, the CRB headed by Chief Nyalugwe, Luembe, etc.)
- There are GRs on titled land i.e. Munyamdzi and Kazumba, while Nkalamu is on MoU that is subject to evaluation every five years.
- In Luembe HB, there is Mopani Hunting Safaris operating. The communities are happy because the company has opened new camps in the area and has employed 16 new VSs additional to the 14 existing VSs making the total number of VSs 30; contributed to the construction of the Chiefs Palace.
- BCP is also running the USAID supported CFM in Nyimba district. For its REDD+ program it has the following land coverage: Nyalugwe HB=74,526.70 ha with ca. 60,302 ha under the REDD+ program and ca. 14, 223 ha under social development zone. In Luembe HB=353,486.64 ha, with the social development zone covering ca. 75,516 ha, while the REDD+ zone is ca. 277,970 ha. There is a draft letter of consent from chiefs but no agreement yet for the community forests. However, there are investments for local development through what is called PIP (participatory impact project) like K80, 000.00 in Nyalungwe for school infrastructure and K140, 000 for a medium size house to be handed over after the rain season. There have been viability training and assessments involving communities. The PIP was initiated from the Fly FPIC (free, prior informed consent) exposure flights for deforestation/resource status assessments, resources mapping together with communities. There are community mobilisers who collect data on households and act as links between with the communities. 20 local community members have also been trained in muzzle loading guns to blast chilly to protect hippos and bush pigs, elephants eating damaging crops in fields. Because of this, farmers in Mwape have in the last two years harvested agriculture crops and are very happy.
- Issues/challenges:
  - Community may not understand the implications of some clause in the agreements. For example, community think they can still have RHQs under the current agreements; which is not the case. For example, there has been claims for RHQs in Nyalugwe.
  - Limited manpower e.g. in Nyalugwe there are 11 VSs when 6 per camps are needed and 8 camps are needed. No patrol kits e.g. engine boats, since all camps are not on the side of the GMA thereby posing challenges to cross the Luangwa River for patrols. For the Nyimba sector, at present (2016) there are 23 (less than half of the required number of ) wildlife police officers (WPOs) when 50 is considered adequate
  - No communication equipment (radio network systems)

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- Depletion of soils in areas where the illegal cultivators came from resulting into encroachments into national park for farming and cultivation in dambos (i.e. type of wetlands), which are water sources for wildlife. Therefore, human-wildlife conflicts (HWC) occur.
- There is theft of baits (for lions, leopards, etc.) for hunting thereby disturbing the hunting industry
- Displacement of people by wildlife especially in Mwape chiefdom, as so wildlife is viewed as retarding progress in such areas.
- In Mwape Chiefdom, the CRB is not active since 2007 due to lack of HB (discussion are going on -ibid- to establish one since there has been some adjustment of the chiefdom boundary between Luembe and Mwape).
- The issues associated with national parks include:
  - Encroachments by people from the neighbouring community as well as from a far as far as copperbelt and including having fields even by some government officers
  - Allocating and selling land in parks
  - Unstable river water flow
  - Decreasing resources: minerals, trees, reeds, fish,
  - Soil excavation
  - Fires
  - Poaching
- Impact of out grower schemes on national parks
  - Offers options for livelihood sources and therefore offsets pressure from the national parks. When the products are sold (have markets) the pressure on wildlife is reduced
  - Even some DNPW officers are members of the out grower schemes

#### **About Evictions from Lukusuzi National Park**

- Around 2011/2012 people started settling in the LNP up to about 40 km in the park
- There were people from all neighbouring chiefdoms, and there were also people from outside Lundazi district both from rural and urban areas.
- The squatters moved into the national park due to poverty and in search of better livelihoods especially from agriculture. The soils were degraded where they had come from. The said that soils in the national park are more fertile than those in the customary areas.
- The illegal settlers were involved in agriculture, poaching and had all kinds of social and physical like village heads, church structures, community schools, one well, fields for cotton, groundnuts, soybeans growing, and even football grounds, where even tournaments were held among themselves.
- Livestock was also allowed to enter the park. Some livestock killed by lions.
- The situation was getting out of control and unacceptable to government and so the eviction process was initiated by the DNPW in 2015
- There were all kinds of challenges including being restrained by politicians who had been promising settlers that the national park would be given out to them as some campaign messages having been close to the national elections.
- When evicted, for those who were willing and found in the national park during the eviction operations, transport was provided for to move them together with their belongings. Most moved out of the park voluntarily and there has been no claims/.complaints of being harassed in the process of removing them from the protected area (PA). To manage grievances, sensitization meetings that involved other government departments including the district commissioner for Lundazi were

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conducted. None of the evictees moved to the areas that were proposed for resettlement areas in Mwasemphangwe chiefdom and so no further assistance was provided to them. However, the non-Zambians like the Malawians were deported. The two major reasons for refusing to in the two areas offered were: 1) poor soils in the two places, and so agriculture productivity would be low 2) They did not want to settle or be regrouped in a crowded place. They wanted space to themselves.

- As the squatters left the park, they were allowed to salvage their properties. The structures were destroyed, and some by the owners before they left. *Some people tried to return to the park after sometime this year. Operations to remove them ended in having 10 people from this group being arrested, prosecuted and imprisoned. Since then no one has ever settled in the park. There are no settlers in the park at the moment.*

### GIZ and others

- There is a project launched on 20<sup>th</sup> October 2016 to run for a year between 201.10.2017 and 20.03.2018, with a work plan made in December 12-15, 2016 with a total budget of Euro733, 000. The Peace Parks Foundation (PPF) will disburse the funds. The planned thematic activities include capacity building (governance training, CRB/community associations support, ) , law enforcement (training, conservation awareness, problem animal control training, etc. ), infrastructure development (houses, radio control room at Chikomeni, High Radio Frequency tower-equipment), livelihood activities. The majority of the activities will be in Mwasemphangwe area focusing on the TFCA (Trans-Frontier Conservation Area).
- There is also an intervention called International Fund for National Welfare Project, which is already operational in Malawi's Kasungu National Park (KNP) in the area of law enforcement and will extend to Lukusuzi National Park (LNP) in January 2017 for similar activities. The project will run for 2 years.
- {There was also some talk about *NEW World Bank* by the LNP Park Ranger! It appears to be associated with COMACO. It was not clear what it is all about}.

### Land tenure scenario

#### Land acquisition process

For customary land, the process involves the village head is approached by anyone looking for land or space to settle. The village head man or woman will assess the person and make a recommendation to the chief. This is done if the respective head person approached some land in their village where some can settle. Some people approach the chief first. In such a case, the chief advises and refer people to headmen. When the land seeker has been assessed, the chief calls his/her traditional council of elders. The Royal highnesses brief the council and sell the idea to them.

- Should the decision of the traditional council be in the affirmative, then the chief writes a letter of recommendation to the council. The district council will consider the recommendation. This process includes physical inspection of the area to check if there are any issues surrounding the land whose rights are proposed for transfer. A decision is made based on the findings. In case of acceptance, the land transfer is processed further according to the council's calendar days (or program). The person is eventually given an offer letter and title issued from the ministry of lands upon submission by the district council. Then the land is acquired.
- For those who settle in customary land, they are recognized and registered in the village registers.
- If the land is more than 250 hectares, the council has no authority and will seek advice from the ministry of lands. With such huge chunks of land, even the office of the president gets involved and

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investigates. They would be interested in why such land is proposed for transfer. They want to understand the circumstances and justification for acquisition of vast parcels of land.

- There is vast land only in the GMAs (Game management Areas) e.g. the West Petauke GMA in Nyimba district.
- In the province, there have been pilot interventions on land tenure security. In Chipata, the District Land Alliance has facilitated land recordation in 134 villages in four chiefdoms with an output of 6005 non-legal certificates being generated. The mapping is fields and shared resources, although the certificates exclude the latter. In Chieftainess Mkanda all (including her own) certificates in the Kasonjela Royal Establishment have been signed and await distribution. Other chiefs are yet to sign as soon as they finish verification of records. Chief Nyalungwe has also traditional customary land certificate issued with conditions (No disputes over land, title processing, no misbehavior or witchcraft)
- This is similar to what the CDLA<sup>2</sup> have been promoting in Chieftainess Mkanda where there is certificate of ownership issuance has conditions attached to them: not for sale, not transferrable and no titles to land. The certificates do not give powers to the holder to sell and convert land through a title deed. People are happy with the certificates as it gives some form of tenure security especially to widow who otherwise always lose access to land once the husband dies.

### Challenges

- Once someone successfully acquires land on title, they no longer respect traditional institutions. Chiefs are not respected and in some cases. HRH<sup>3</sup> Chief Nyalugwe narrated a case where he had given and facilitated transfer of 15,000 ha of land for game ranch investment. After acquiring title, the investor stopped respecting HRH and his investment never benefitted his people anymore. In some cases, the people including the chiefs are denied access and told off that this is no longer their land and have no control over it anymore: “What the chief should know is that this is not his land anymore, so he can go back”. The investor was suspected of having been feeding lion meat to the local people (his works), which caused a lot of health problems like skin rash, etc. The relationship with the chiefdom got so sour that the chief sought intervention from the then Republican President. The investor was almost deported. He was saved by the bell of having another investor who offered to buy his land with huge sums of money. The land has since changed many hands.
- Titling land means raising the value of land from nothing to huge sums of money that does not even benefit the locals at in some cases.
- CDLA observed that there are high illiteracy levels among the locally based-surveyors, which affect data communication.
- Old maps of chiefdoms, causing a lot of disputes except where there are natural boundaries.
- Difficult for district councils to expand townships due to difficult land negotiations with chiefs. For Chipata, this is complicated by land around Chipata having farms within the township area. There have been the Nkwengwe Farm case whereby 7000 ha with no improvement since it was acquired from the previous owner (Diary?). There have been efforts to repossess the land including through compulsory routes but unsuccessful because the owner renewed the title, in the process. Only a compromise was reached where 50 ha were acquired for light industrial area site.
- Double allocation of land

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<sup>2</sup> CDLA , Chipata District land Alliance

<sup>3</sup> HRH, His/Her Royal Highness

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- Clients complain that the land acquisition process is very long. The decentralisation process has taken long too.

### Future outlook

- The land board clause in the draft land policy that seeks to have these local institutional entities is very contentious among chiefs. It is perceived as aimed at reducing their powers as chiefs. They are not chiefs without land royal highnesses dispute. The fears concerning the draft land policy especially the land boards was expressed in the December 2015 consultative meetings.
- “The Chiefs must be mandated to have authority over customary land. Chief Nyalugwe said he would want the 99 years leasehold to be abolished instead introduce a renewable 15-year leasehold, whose renewal would depend on how beneficial the investment would have been to the local people. For Chieftainess Mkanda, in addition, the 99 leave should be reduced to 45 years on title. This would avoid having huge parcels of land being transferred from customary to private/state land as was the case now [in the province and elsewhere in the country].
- Despite stages and oral guidelines being clear among the local people, some people sell land without the knowledge of the chief. They do this as they recommend land seekers to the chiefs. During the visit to Chief Nyalugwe, there was a palace (court) session over such a case, whereby someone had sold another person’s agricultural field.
- Land records should be formalized. Chieftainess Mkanda has reached a stage where she has about 1

### Contract or out grower farming situation

#### Stakeholders/Partnerships

- There several companies involved in out grower schemes in the eastern province: NWK agri services, COMACO, SNV<sup>4</sup> (Katate, Lundazi), Cargill, JTI (Japanese Tobacco International), China-Africa Company Manjet, etc. involving a number cash and non-cash crops like groundnuts, cotton, soyabeans, beans, rice and so on. Cargill buys soybeans and conducts strong consultation with COMACO. It also supports with beehives for women. The honey produced is bought by COMACO.
- The out grower schemes under some companies like COMACO work with seed companies e.g. Kamano. Seed is obtained from the companies and distributed to farmers. In the case of COMACO, the seed is distributed to its centers and from there the farmers
- Farmers receive inputs as loans with interest. For COMACO, the interest is 30-33% (e.g. for 20 kg of seed, the farmer returns 26 kg). The returned input is given to new recruits in to the out grower scheme. COMACO encourages a spirit of asset ownership. It supports establishment of bulking sheds, and other income generation activities like poultry production. The farmers are free to sell the surplus to other markets (China Africa) only after COMACO has bought.
- The out grower schemes have agreements with sharing arrangement for example for the SALM (sustainable agricultural land management) under COMACO, 40% for COMACO for project /scheme management, 55% for the COMACO producer groups/cooperatives and 5% to the chief.
- Despite competition in the industry, there are partnerships like between COMACO and Cargill whereby the later supports COMACO farmers with beehives (for women) and the former trains the producers and buys the honey

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<sup>4</sup> The Netherlands Development Organisation

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- The COMACO scheme started around 2004 but established in 2005 giving some 11 years' experience in the development model. Currently, COMACO says there are 80, 000 farmers in eastern province engaged in its out grower schemes producing and/or growing rice, soybeans, cowpeas, maize, honey, groundnuts. The maize is used in protein supplements at the rate of 30% soybeans to 70% maize per supplement product produced.

### Institutional arrangements

- There producer cooperatives made up of scheme members that include principal lead farmers, lead or role model farmers (responsible for 20 producer groups), there are producer groups (PGs) with chairpersons (20 PG chair persons report to or are supported by a lead farmer), and individual farmers. Cooperatives supervise VAGs (Village Action Groups). In Lundazi District, there are 8 CCAs of which 2 are in Chikomeni chiefdom (Kabinga and Chamkoma), where there are 2 cooperatives, and 5 VAGs. One principal lead farmer (PLF) is responsible for many PGs (for example in the PLF in Chikomeni has 140 PGs).
- COMACO also works with multi-sector task forces as strategies to for enhancing conservation efforts. There are round tables where other partners also participate for example the TLC (total land care), CFU (conservation farming unit, ICRAF/WAC. Institutional task force members include government and non- and government actors: district commissioner as chairperson, resettlement, agriculture (DACO's forestry), chiefs and traditional affairs, DNPW, community development, health,, churches, Zambia police, etc.,
- There is also planting of trees especially for intercropping agriculture (agroforestry) like *Gliricidia* (25 million planted so far in individual woodlots on customary land parcels/field, homesteads)

### SNV

- The organization runs a SILMS (sustainable integrated land management solutions) project in Lundazi that develops gender and business inclusive climate-smart agricultural business model within a sustainable natural resources framework of income generation in rural areas.
- SILMS component include integrated soil fertility management, agroforestry and deforestation-free supply chains.
- 50,000 trees have been raised: *Faidherbia albida*, *Gliricidia sepium*, *sesbania*; trained 10 lead farmers;
- Difficulties:
- As motivation 200 farmers given 200 euros as motivation for first adopters; there is a 10,000 farmer target
- All activities are on customary land
- Market based incentives are given to farmers
- The project involves working with agro dealers like the Sedia Agro services of Lundazi. The agro delaers have been trained to test soils and make recommendations on what type of inputs are to improve productivity. This is to avoid blanket recommendations on soil management.
- A number of crops are grown with the SILMS project catchment areas (i.e. Mwase Lundazi and Kankumba, Zumwanda, Kapichila) that include

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<sup>5</sup> District Agriculture Coordinators

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- Collaboration is with the ministry of agriculture, ZARI<sup>6</sup>, ICRAF/WAC<sup>7</sup>, NutriAid Trust (agro-dealers, experts in training), COMACO.
  - COMACO collaboration is in Mfuwe against deforestation where it has helped purchase 50 tons from farmers to help them shift from cotton growing to other crops.
  - Input suppliers help increase local availability of ISM and agroforestry technology and modern farming inputs to farmers, and in turn get increased sales from the resulting demand.
  - Processors/trader help in increasing smallholder farmer (SHFs) access to market, that then benefits processors/traders through stable and increased quantity and quality of bulked produce from the SHFs
  - Agro dealers help to increase local availability of ISFM and agroforestry technology and modern farming inputs, and access to extension services (soil testing, and finance to SHFs)
  - SNV works with farmers to establish seed multiplication enterprises and tree nurseries. Incentives are provided to SHFs to use sustainable production practices and to join or establish farmer associations for bulking purposes. SHFs benefit from market access and increased yields.
- Institutional structure: at local level there is CAC (camp agriculture committee), zones, villages, leader farmers and then field.
- Market linkages: the major output markets for SNV include Mt. Meru (Lusaka), Cargill, NWK Agri Services, ETG (Export Traders Grower)
- There is a biogas program under SNV.

#### **NWK Agri Services**

- Finances small scale farmers in growing cotton since 2000 with a 50/50 spread in the valley and plateau (mwasemphangwe, chikwa, chilupula, nabwalya (Mpika). All chiefdoms on up land are covered
- About 15,000 farmers or farmers?
- The company uses what it calls a Distributer Model. The model uses shed. There 11 sheds. Each shed has distributors who work on commission. There are 139 distributors for the Lundazi catchments. Distributors have agents, who recruit farmers.

#### **Challenges.**

- Default by farmers, estimated at 40 – 50% in some cases especially cotton in the valley areas. However, there are as good recoveries as 90-95%. Some factors driving the violation of contracts are bad rain season causing a lot of breach especially in the Luangwa valley and vice versa for a good rain season (good season, less violations, bad season more violations. Some Zambians of Asian origin are fueling violations by offering exploitative prices in times of low financial standing of COMACO.
- Uncontrolled cattle movement causing damage to crops, etc.
- Some crops like cotton cause huge destruction of forests through clearing virgin land for production in the province
- There is competition for products from the farmers with other players in the sectors buying from the COMACO supported farmers before COMACO declares what it may not purchase (which becomes

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<sup>6</sup> Zambia Agriculture Research Institute

<sup>7</sup> International Centre for Research in Agro-Forestry/World Agroforestry Centre)

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surplus for individual farmers) Because of these and other factors, farmers breach their contractual obligations with COMACO.

- Working capital for COMACO is not sufficient to purchase everything farmers producer. There is a huge shift from growing cotton to producing legumes, which means that COMACO must scale up its capacity as an output market (*Some Zambians especially those of the Indian origin take advantage of this and offer exploitative prices to the farmers as they become vulnerable when COMACO fails to buy their commodities*).
- Corruption including in the natural resources management subsector.

### SNV

- Low attendance in trainings ( so subsidy is used a motivation to improve participation)
- Market availability: SNV may not manage to buy all the produce from farmers

### NWK

- How to reduce crop losses and inflation
- Weak work culture among some farmers
- Porous border that cause movement of produce across countries
- Skills gap
- Limited data for planning, and therefore there is use of old data for planning. Farmers have no information to guide them
- Soybeans and maize production going down due to huge supply and the market like Mt Meru getting saturated, which may lead to low prices.
- There is politicization of business

## Community Conservation Areas Landscape

### Tenure aspects

- So far in eastern province, only COMACO has some functioning CCAs under its REDD+ component of the Landscape Management Project (LMP). The CCAs are on customary land. There are 29 CCAs located in 17 chiefdoms, 5 districts with a total size of 550,664 ha. One of the areas, The Nyalungwe Conservancy, borders the BLS area and the settlers there are members of the CCA. In Zumwanda, there is already functioning law enforcement. Charcoal production has been banned. There has been leadership training.
- COMACO cooperates with other players in loan recovery, seed bank management, training and transformation of people from destructive resource harvesting practices like poaching into farming, apiculture/beekeeping, etc.
- General: COMACO is involved in 2 areas; food and income generation/security. It provides markets for products. Its core business is conservation including watershed management.
- 9 chiefdoms are participating in carbon project, while others are making requests to be included
- There are 700, 000 beekeepers working with COMACO in eastern province
- However, they are not legally recognized as they have not been granted the community forests status that is provided for in the forests act, 2015. Under the LMP, the World Bank (and not COMACO) is yet to conduct assessments for the carbon credits, and so there is no sharing of proceeds from the project.
- Market for the CCAs. COMACO buys their products. COMACO buys and dries mushrooms and mangoes

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### **Institutional framework/production**

- There are some benefits in form of products in the CCAs. For example, the Kabinga CCAs was reported to have 27 apiaries with 5 top bar hives/apiary that produces 15-20 Kg of comb honey per hive. The current price when sold to COMACO is K7/kg. The CCAs has offered loans with some small interest (no disclosed). Aside from this benefit, there is no large financial sharing of benefits with COMACO. The agreed sharing arrangement once benefits start accruing and being shared is COMACO – 30%, CCA development committee – 40% and chief – 20% for plan implementation oversight.

### **Impact/benefits.**

- Some communities have started having honey. For Kabinga, for example, about K1000.00<sup>8</sup>, which is managed collectively through a saving scheme, has been generated from the beekeeping venture in 2015 (the first year of the livelihood activity).

### **Challenges**

- People settled next to conservation areas engage in destructive practices such as charcoal production, poaching, etc.

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<sup>8</sup> i.e. ca. USD100 [exchange rate:1USD=K9.75 - K10

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## List of people consulted during the mission

S#	District	Name	Title	Organization	Mobile number	email
1	Chipata	Joseph Cheelo	Senior Agriculture Specialist, Land Husbandry,	agriculture department	0967/5-846270	
2	Chipata	Lazarus Ngulube	Principal Resettlement Officer	resettlement department	0977/66-714495	<a href="mailto:lazingulube@yahoo.com">lazingulube@yahoo.com</a>
3	Chipata	Mable	Ranger	DNPW (Dept. of National Parks and Wildlife)		
4	Chipata	Makungu Angel Chishimba	GIS Specialist	COMACO	966310973	<a href="mailto:amakungu@itswild.org">amakungu@itswild.org</a>
5	Chipata	Nemiah Tembo	Conservation Manager	COMACO	977946465	<a href="mailto:ntembo@itswild.org">ntembo@itswild.org</a>
6	Chipata	Patrick Mukuka	Lands Officer	Lands Department	976806553	<a href="mailto:mpmukuka@yahoo.com">mpmukuka@yahoo.com</a>
7	Chipata	Sylvester Siame	Forestry Officer	Forestry Department	978074991	<a href="mailto:slsiame@yahoo.co.uk">slsiame@yahoo.co.uk</a>
8	Chipata	Titus Nkhoma	Scheme Manager	Resettlement Department	979454797	<a href="mailto:titus_nkhoma@yahoo.com">titus_nkhoma@yahoo.com</a>
9	Chipata	White Daka	Project Manager	COMACO		
10	Chipata		HRH Chieftainess Mkanda	own Palace		
11	Chipata	Noreen Miti	Coordinator	Chipata District Land Alliance		
12	Lundazi	Moses Mbewe	Park Ranger, Lukusuzi National Park	DNPW	974433695	<a href="mailto:mosesmbwe187@gmail.com">mosesmbwe187@gmail.com</a>
13	Lundazi	Rabson Mbewe	Wildlife Police Officer,	DNPW	977356310	
14	Lundazi	Yoram Phiri,			979059604	
15	Lundazi	Clara Mwale,	Secretary	Chikomeni Community Resources Board (CRB)	973310462	
16	Lundazi	Francis Kamanga,	Chairperson,	Resources management committee (Chikomeni CRB)	973584583	
17	Lundazi	Boyd Banda	Chairperson	Chikomeni CRB		

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18	Lundazi	Peter Zulu	Community Representative	Mugaya village	975393120	
19	Lundazi	Andrew Mbewe	Community Representative	Chikomeni Village	977967646	
20	Lundazi	Lyson Nkhata	Wildlife Police Officer	DMPW		
21	Lundazi	Timothy John Phiri	Extension Manager	COMACO	0979835455, 0974670998	<a href="mailto:timothyjphiri@gmail.com">timothyjphiri@gmail.com</a>
22	Lundazi	Luke Lungu,	Poultry Specialist	COMACO	973000184	<a href="mailto:luke.lunguj@gmail.com">luke.lunguj@gmail.com</a>
23	Lundazi	Amukena N. Musiwa	District Forest Officer	Forestry Department	966278588	<a href="mailto:amukenanmusiwa@yahoo.com">amukenanmusiwa@yahoo.com</a>
24	Lundazi	Joseph Simuyota	Senior Extension Assistant	Forestry Department	979477918	<a href="mailto:jsimuyota@gmail.com">jsimuyota@gmail.com</a>
25	Lundazi	Davison Kamuli	Town Planner	Lundazi District Council	976886412	<a href="mailto:kamulidavison@yahoo.com">kamulidavison@yahoo.com</a>
26	Lundazi	Joseph Bwalya	Park Ranger, Luambe NP, Upper And Lower Lumimba GMAs	DNPW	98762627	<a href="mailto:josephbwalya@yahoo.com">josephbwalya@yahoo.com</a>
27	Lundazi	Japhet Banda	Principal Lead Farmer		0974104954/0969025183	
28	Lundazi	Zaccheaus Mtonga	Agribusiness/Natural Resources Officer [SILMS]	Netherlands Development Organisation (SNV)	0977/66-454538	<a href="mailto:zmtonga@snvworld.org">zmtonga@snvworld.org</a>
29	Lundazi	Dennis Mawelera	Regional General Manager-Lundazi	NWK agri-services	977713424	<a href="mailto:dennis.mawelera@nwkzambia.com">dennis.mawelera@nwkzambia.com</a>
30	Lundazi	Precious Mudenda	Agro Dealer	Sedia Agro Services	979572861/0968636124	
31	Lusaka	Dale Lewis	President/Conservation Director	COMACO		
32	Nyimba	Lloyd Mambwe	Area Manager	COMACO	97608643	<a href="mailto:lloydmambwe3@gmail.com">lloydmambwe3@gmail.com</a>
33	Nyimba	Converse Mwiinga	Extension Coordinator	COMACO	968593594	<a href="mailto:cmwiinga@itswild.org">cmwiinga@itswild.org</a>
34	Nyimba	Raymond Kaima	Coordinator	Nyimba District Land Alliance	979246896	<a href="mailto:rkaima096@gmail.com">rkaima096@gmail.com</a>
35	Nyimba	Andrew Goods Nkhoma	Community Liaison Officer	DNPW	0977/55/67-763245	
36	Nyimba	Gibby Njovu	Community Mobiliser	BioCarbon Partners	974122632	

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37	Nyimba	Harrison Lungu	Principal Lead Farmer	Chamilala Better Life Scheme		
38	Nyimba	Kamuzu Zulu	Scheme Chairperson	Chamilala Better Life Scheme		
39	Nyimba	Marvis Phiri	Committee Member	Chamilala Better Life Scheme		
40	Nyimba	Catherine Phiri	Farmer	Chamilala Better Life Scheme		
41	Nyimba	Alice Mvula	Cooperative Member	Chamilala Better Life Scheme		
42	Nyimba	Ibak Daka	Cooperative Member	Chamilala Better Life Scheme		
43	Nyimba	Ibak Sakala	Cooperative Member	Chamilala Better Life Scheme		
44	Nyimba	Harryford Zulu	Cooperative Works Committee Chairperson	Chamilala Better Life Scheme		
45	Nyimba	Daniel Phiri	Cooperative Member	Chamilala Better Life Scheme		
46	Nyimba	Nsofwachilupula	Trustee	Chamilala Better Life Scheme		
47	Nyimba	Josephina Mumba	Chairperson	Chamilala Better Life Scheme		
48	Nyimba	Rosemary Chongo Banda	Extension Assistant	Forestry Department	971970990	
49	Nyimba		HRH Chief Nyalugwe	Own Palace	977714165	
50	Nyimba	Shadreck Ngoma	Senior Community engagement manager	BioCarbon Partners		

