SENQU AND SENQUNYANE RIVER BRIDGES AND INTERCONNECTING ROADS

RESETTLEMENT ACTION PLAN

July 2006

PREPARED FOR
Government of the Kingdom of Lesotho:
Ministry of Public Works and Transport

PREPARED BY
Africon
Environment and Sustainability Consulting

AFRICON
RESETTLEMENT ACTION PLAN FOR THE PROPOSED CONSTRUCTION OF THE
SENQU AND SENQUNYANE RIVERS BRIDGES AND INTERCONNECTING ROADS

REPORT NO: 101810 / RAP

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<table>
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<th>Abbreviation</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>EIA</td>
<td>Environmental Impact Assessment</td>
</tr>
<tr>
<td>EMP</td>
<td>Environmental Management Plan</td>
</tr>
<tr>
<td>GoL</td>
<td>Government of Lesotho</td>
</tr>
<tr>
<td>I&amp;AP's</td>
<td>Interested and Affected Parties</td>
</tr>
<tr>
<td>IEM</td>
<td>Integrated Environmental Management</td>
</tr>
<tr>
<td>ITP</td>
<td>Integrated Transport Programme</td>
</tr>
<tr>
<td>MoAM</td>
<td>Ministry of Agriculture Cooperatives and Marketing</td>
</tr>
<tr>
<td>MoHSW</td>
<td>Ministry of Health and Social Welfare</td>
</tr>
<tr>
<td>MLG</td>
<td>Ministry of Local Government</td>
</tr>
<tr>
<td>MoPWT</td>
<td>Ministry of Public Works and Transport</td>
</tr>
<tr>
<td>NES</td>
<td>National Environmental Secretariat</td>
</tr>
<tr>
<td>OP 4.12</td>
<td>(World Bank) Operational Policy 4.12 on Involuntary Resettlement</td>
</tr>
<tr>
<td>PEU</td>
<td>Project Environmental Unit</td>
</tr>
<tr>
<td>PPP</td>
<td>Public Participation Process</td>
</tr>
<tr>
<td>RAP</td>
<td>Resettlement Action Plan</td>
</tr>
<tr>
<td>SIA</td>
<td>Social Impact Assessment</td>
</tr>
<tr>
<td>TSP</td>
<td>Transport Sector Plan</td>
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</table>
INTRODUCTION

1.1 Project Background and Description

The Government of Lesotho (GoL) has prepared a Transport Sector Programme (TSP) that provides for the development/maintenance of transport services, infrastructure and administration in Lesotho. The TSP aims to support Government’s objectives of achieving economic growth, improving service delivery, reducing poverty and strengthening democracy.

As part of the TSP, an Integrated Transport Programme (ITP) has been identified, which is designed to provide financial and technical support, under the coordination of the Ministry of Public Works and Transport (MoPWT), for transport sector improvements for the period 2004 to 2010. Funds for the ITP will be provided by GoL, as well as through a credit from the International funding agencies.

Various road upgrade projects have been identified within the ITP, including the construction and upgrades of roads connecting Semonkong and Ha Ramahloli near Ha Sekake. Road construction within this project is as follows:

- Upgrade road between Semonkong and Senqunyane River;
- Construct bridges over Senqunyane and Senqu Rivers and interconnecting roads; and
- Upgrade road between Senqu Bridge and Ha Ramahloli.

1.2 Scope of Works

Consult 4 were appointed in 2005 to conduct an Environmental Impact Assessment (EIA) and Social Impact Assessment (SIA) for the proposed alignment between Semonkong and Ha Ramahloli. Subsequent to this, a Draft RAP was produced for the project in October 2005.

Based on the findings of these studies, Africon has been appointed to conduct a design review of the bridges, as well as the EIA/SIA for the bridges. The design review concluded that the bridge over the Senqu River should be relocated to a point approximately 1.2 km upstream, thereby necessitating a realignment of the interconnecting road between Mokopung and Pitsaneng. Upon review, a variant of this alignment was introduced to reduce the area of arable land affected (Alignment B). A subsequent further deviation to Alignment B was proposed by the World Bank to improve access to the Clinic at Ha Nkau (Alignment C). The scope of construction also includes the upgrade and maintenance of the existing roads from Ha Mosi to the proposed Senqu Bridge site at Seforong. The EIA covers the bridges as well as a realignment of the road connecting the two bridges between Mokopung and Pitsaneng.
The Scope of Works presented to Africon were therefore to conduct and EIA and SIA on the proposed alignments and compile an amended RAP addressing potential social impacts related to the construction of the bridge structures as well as the proposed realignment of the interconnecting roads (Figure 1-1).

![Figure 1-1: Locality of the study area, indicating proposed layout of bridges and connecting road](image)

1.3 Objectives of the Resettlement Action Plan

The RAP follows the guidelines of the MoPWT's Compensation and Resettlement Policy Framework (CRPF) as well as the Resettlement Safeguard Policies of the World Bank (OP 4.12). Based on the requirements of the MoPWT and international funding agency, the objectives of the RAP are as follows:

1) To describe properties that may be affected by road construction projects;
2) Identify the number of people or households which may be displaced;
3) Describe and quantify the entitlements due to affected individuals/households;
4) Outline institutional requirements for the implementation of compensation / resettlement and rehabilitation activities; and
5) Provide a schedule for implementation of compensation / resettlement and rehabilitation activities as well as monitoring mechanisms for these activities.

1.4 Methodology employed to draft the RAP

The following activities were conducted by Consult 4 with regard to the determination of the social impacts:

a) Site screen
b) Socio-economic survey
c) Community consultation
d) Data capture / Database development

1.4.1 Site screen

An initial site screen was conducted by Consult 4 in March 2005, to assess the area and established requirements to conduct consultation in the study area as well as further field assessments. Subsequent to the alignment changes proposed by Africon (following the design review of the bridges themselves), subsequent site screens were conducted by Africon and representatives of the MoPWT in July 2005 to establish biophysical, physical and social/cultural constraints along the proposed new alignment and at the proposed bridge sites.

1.4.2 Socio-Economic Survey

In order to complete the RAP for the Semonkong – Sekake Road, Consult 4 conducted a detailed and exhaustive social survey and consultative process which included the Ha Mosi, Mokopung, Seforong and Hloahloeng areas in 2005. A questionnaire survey was conducted in all communities (directly or indirectly) and households (directly) situated along the alignment from Semonkong to Sekake, in order to establish baseline socio-economic information for the SIA.

Baseline socio-economic data presented in the Senqu and Senqunyane bridges and interconnecting road RAP (Section 4, this document) has thus been extracted from the Consult 4 RAP for the Semonkong – Sekake upgrade project (October 2005).

1.4.3 Community Consultations

Community meetings (Pitsos) – facilitated by experienced Public Participation specialists – were held by Consult 4 in July 2005. These meetings were held to facilitate community participation in order to identify issues related to the proposed road and bridge construction projects as well as provide some feedback on the initial site
screens and socio-economic surveys. These meetings were used as an opportunity to verify land ownership and affected properties or assets. These meetings were held in Semonkong, Ha Samual, Ha Tumo, Ha Lepekola, Lehonyeling and Ha Mosi.

Additional Pitsos – facilitated by Dr None Mokitimi, an experienced Public Consultation expert) – were then held in May 2006 in Hloahloeng and Seforong once the alignment had been finalised. The meeting served to determine community reaction to the proposed road alignment and re-establish support for the project.
2 POTENTIAL IMPACTS

2.1 Project Interventions to Minimise Land Acquisition

In order to minimise the impact surface assets, livelihoods or residences, the proposed alignment has been placed as far as possible along existing paths or roads between cultivated fields or properties. This includes running along the existing airfield or the existing path between the airfield and clinic at Ha Nkau. Where topographical or economical constraints do not allow for this, however, the proposed alignment must pass through areas currently under cultivation, which will require compensation.

2.2 Direct Impacts

The construction of the proposed Senqu and Senqunyane bridges and interconnecting roads can be expected to have a range of positive socio-economic impacts. New roads - or upgraded roads for that matter - improve access into rural areas and could improve the mobility of people resident within a road’s region of influence, creating the potential for the diversification of local economic activities and improving access to healthcare and educational facilities. Similarly, the construction of the proposed Senqu and Senqunyane bridges will greatly improve access to previously inaccessible areas in Hloahloeng and provides faster travel times between Hloahloeng, Semonkong and Sekake.

Infrastructure projects in general may entail the physical displacement of people and households or the disruption of livelihoods in rural areas. The proposed Senqu and Senqunyane bridges and interconnecting road will impact directly on the assets (water tanks, and fences) as well as the sterilisation of cultivated lands within the right of way (RoW) and its corridor of impact. Compensation for these will therefore be necessary. Note, however, that no residences or businesses will be affected directly, thus involuntary resettlement will not be necessary for the project.

Existing infrastructure such as residences or bulk water supply may be indirectly impacted on by construction phase activities such as movement of heavy machinery, vibrations from blasting or earthmoving equipment etc. Provision must be made by the contractor / the MoPWT during the construction phase to ensure that structures / infrastructure damaged during the construction phase can be mitigated or repaired.

Based on the requirements of the CRPF, affected assets / properties are typically grouped into three categories, based on criteria such as location relative to the road reserve, position/viability in the post-construction phase, and current land use:-

Appendix D (RAP 20060710)revised.doc
**Category 1:** relocation mandatory - (a) properties that impinge significantly onto the reserve and where relocation is unavoidable; (b) properties that would be non-viable in the post-construction phase.

**Category 2:** relocation possible - (a) properties that impinge less significantly onto the reserve and where houses remain intact but where safety or social/lifestyle factors may necessitate relocation.

**Category 3:** relocation not required - (a) properties that are only marginally affected, and the household remaining with most of its property intact and at a safe distance from the road; (b) residential properties that are currently undeveloped (subsequent housing or business developments may move some of these properties into one of the first two relocation categories); (c) properties that consist of cultivation land only, with the household located some distance away.

The proposed Senqu and Senqunyane bridges and interconnecting road will impact predominantly on cultivated fields within the Ha Mosi and Pitsaneng communities. A total of 36 cultivated fields, covering a combined area of approximately 78,424 m², will be impacted on as well as a perimeter fence surrounding the residence of Khoabane Khobotle and a communal Water Tank and Pump in the Pitsaneng community. Note that no involuntary resettlement is required, thus compensation will only be required for the loss of assets and livelihood along the proposed alignment.

**2.3 Magnitude of Expected losses**

Since no involuntary resettlement is required, compensation will only be required for the loss of assets and livelihood. Compensation for loss of livelihood linked to cultivated fields, as stipulated by the valuators of the the Ministry of the Local Government - Department of Lands Survey and Physical Planning, is provided at M 3.5 per m². Compensation for loss of assets (i.e. pumps, water tanks and fences) is provided at market value.

Based on the preliminary bridge design and road alignments, the estimated compensation required for loss of cultivated lands and all other assets has been calculated at M 369,986.10 per annum. This equates to approximately US$ 55,221.82 based on an exchange rate of M 6.70 to the dollar.
CONSULTATION AND PUBLIC PARTICIPATION PROCESS

3.1 Consultation Process Followed

A questionnaire survey was conducted in all communities (directly or indirectly) and households (directly) situated along the proposed alignment from Semonkong to Sekake. The survey was conducted in order to obtain baseline household and community socio-economic information for the SIA. The survey was conducted as follows:-

- Ten field workers were trained for a one week period to administer the questionnaire in the communities and households. A pre-test was conducted to finalise the format of the questionnaire.
- Area Chiefs / village Headmen in communities along the alignment were consulted prior to commencement of the field survey. This was done in order to advise them of the proposed project and subsequent studies to be conducted for the EIA and facilitate their participation in the entire process (according to Consult 4, 2005, the input and participation by local Chiefs / Headmen was considered ‘invaluable’). This consultation also facilitated the identification of owners of affected properties assets along the alignments.
- A 1:2 000 layout plan was utilised to identify potentially impacted areas. These were then surveyed during the fieldwork component, and initially surveyed using hand-held Global Positioning Device (GPS). All assets or fields within 25 m of the alignment centreline were recorded. Note that the identification of the assets was conducted in the presence of the area Chiefs or their representatives in order to identify the landowners.
- Interviews were then conducted with these landowners.

In addition to this, surveys were conducted along the proposed new alignment (this report) in December 2005 by World Bank and MPWT representatives and verified during a follow-up survey in January 2006 by Africon and MPWT representatives. Properties/assets identified during the survey were recorded. A list of properties identified, including sizes and land owners, are provided in Table 3-1 below.

3.1.1 Community Consultations

Community meetings (Pitso’s) – facilitated by experienced Public Participation specialists – were held by Consult 4 in July 2005. These meetings were held to facilitate community participation in order to identify issues related to the proposed road and bridge construction projects as well as provide some feedback on the initial site screens and socio-economic surveys. These meetings were used as an opportunity to verify land ownership and affected properties or assets. Meetings were held in Semonkong, Ha Samual, Ha Tumo, Ha Lepekola, Lehonyeling and Ha Mosi.
Additional Pitsos – facilitated by Dr None Mokitimi, an experienced Public Consultation expert) – were then held in May 2006 in Hloahloeng and Seforong once the alignment had been finalised. The meeting served to determine community reaction to the proposed road alignment and re-establish support for the project.

3.2 Views and Concerns Raised During the Consultation Process

Based on the consultation process conducted by Consult 4 and subsequent consultations, the following views and concerns were raised:-

- The majority (100%) of the population interviewed felt that the project was necessary for development of the region.
- The majority felt that the roads project would improve access to education, health or business/market facilities (99%, 98% and 88% respectively) in the region.
- Approximately 96% of the population felt that they would support the project, providing fair compensation is paid.
- The majority of community members felt that the project would not affect their quality of life (85%), and should instead provide opportunities to commence small businesses (86%) or provide job opportunities during the construction phase (95%).
- A straight majority of the population accepted that the proposed roads could increase crime/theft in the area (81%), livestock may be impacted on or killed (47% and 57% respectively) and increased risk of sexually transmitted diseases (59%)

As indicated, however, the majority of the population (97%) viewed the project as beneficial to the regional socio-economic situation.

3.3 Subsequent Participation Process to be Followed

Final consultations have been conducted to present the project to the communities, and a final draft RAP has been prepared. It is strongly recommended that a steering committee, comprising MoPWT and NES representatives as well as community leaders, should be established on acceptance of the EMP and RAP and continued during the construction phase, as well as prior to the start of construction to facilitate the compensation process and allow for community input and feedback during the construction phase. The Steering committee must be chaired by the Environmental and Social Monitoring Unit (ESMU) or Resettlement Desk (RD). Note that both the ESMU and RD fall under the control of the MoPWT.
4 BASELINE CENSUS

4.1 Baseline Demographic and Socio-Economic Data

In order to complete the RAP for the Semonkong – Sekake Road, Consult 4 conducted a detailed and exhaustive social survey and consultative process which included the Ha Mosi, Mokopung, Seforong and Hloahloeng areas. Baseline socio-economic data provided below has thus been extracted from the Consult 4 RAP for the Semonkong – Sekake upgrade project (October 2005).

4.1.1 Population Characteristics

According to Consult 4 (2005), average community sizes along the full route alignment is between 30 and 40 such as at Mokopung and Ha Nkau, with smaller communities comprising less than 20 households – such as Maiseng – occurring in the less accessible areas. The majority of these (66%) comprised households who had resided in the area for more than 20 years.

A mean household size of 6.5 was observed during the 2005 Consult 4 survey, with the majority of households comprising 4 to 8 family members. Households generally comprise household Heads and their children or grandchildren, although a larger proportion of grandchildren per household indicates that most families are four generational (Consult 4, 2005). The study further indicated that family relations (nucleation) are still important.

Male to female ratio in communities was approximately 1:1 (48.7%:51.3%), although this relationship becomes more skewed towards women in older age groupings (35 - 65 and 65 or older. According to Consult 4 (2005), the population skew (particularly in relation to Age-Gender distribution) may reflect the effect of HIV/AIDS on the rural communities.

4.1.2 Employment Figures and Sectors

According to the socio-economic study conducted by Consult 4 in 2005, unemployment is high within the study area with 7% of the population being formally employed and 19% informally employed, taken for the economically active population segment between 20 and 69 (Consult 4, 2005). Demographically, however, it should be noted that a large proportion of the population surveyed is economically inactive, with approximately 43% of the population still of school going age (below 20). As a proportion of the economically active population, however, approximately half (48%) are unemployed.
Education levels observed during the survey were low, with the majority of the population not having completed past Primary School level (72%), and approximately 14% not having any formal education whatsoever. Less than 1% of respondents indicated education at higher level (Technicons or University). It was established during the survey that the dropout rate between primary and secondary school, although this may be related to lack of education facilities in the area.

4.1.3 Household Income

Average household income is low, with the majority of households (64%) earning below M 500 per month (Consult 4, 2005). While most rural households have access to arable land and grazing land, cultivation and animal husbandry does not generate sufficient income and households are thus forced to adopt a combination of income sources. A combination of formal employment, farming and pensions/rent is the generally utilised source of income in the area (Consult 4). It can, therefore, be said that the local economy is thus still dependant on subsistence farming.

Maize is the staple crop in affected communities (90%), followed by beans, wheat, peas and barley. Maize and Wheat are principally grown for household use, while beans, peas and barley are predominantly sold to generate income (due to the relatively smaller areas required for cultivation).
5 LOSSES AND ENTITLEMENTS

5.1 Description of Assets Affected

The proposed Senqu and Senqunyane bridges and interconnecting road will impact predominantly on cultivated fields within the Ha Mosi and Mokopung communities. A total of 36 cultivated fields, covering a combined area of approximately 78,424 m², will be impacted on as well as a perimeter fence surrounding the residence of Khoabane Khobotle and a communal Water Tank and Pump in the Pitsaneng community. Since no involuntary resettlement is required, compensation will be required only required for the loss of assets and livelihood along the proposed alignment.

Based on the outcomes of the questionnaire survey conducted by Consult 4 in 2005, the majority (83%) of surveyed individuals/households indicated preference for cash compensation instead of replacement land. The predominant reasons given for this were that land suitable for cultivation was not readily available (i.e. already under cultivation) or the majority of landowners were too old to continue with subsistence farming (Consult 4, October 2005). Compensation for loss of livelihood linked to cultivated fields must be provided at M 3.5 per m², as per the Ministry of Local Government, Department of Lands Survey and Physical Planning valuation rates. Compensation for loss of assets (i.e. pumps, water tanks and fences) must be provided at market value.

Based on the preliminary bridge design and road alignments, the estimated compensation required for loss of cultivated lands and all other assets has been calculated at M 369,986.10 per annum, or US$ 55,221.82 per annum based on an exchange rate of M 6.70 to the dollar. Compensation will be applicable for the loss of one year only and is a once-off payment.

A detailed description of the affected assets is indicated in Table 5-1. A summary of the proposed budget and source of funding for the implementation of the RAP is provided in Table 5-2. The principle source of funding is the GoL and the IDA, which has provided a budget of approximately US$ 465,000 for the implementation and monitoring of the RAP.

5.2 Procedures to be followed to Finalise the RAP

Final consultations have been conducted to present the project to the communities, and a final draft RAP has been prepared. A steering committee, comprising MoPWT and NES representatives as well as community leaders, will be established on acceptance of the EMP and RAP and continued during the construction phase, as well as prior to the start of construction to facilitate the compensation process and allow for community input and feedback during the construction phase. The Steering committee
will be chaired by the Environmental and Social Monitoring Unit (ESMU) or Resettlement Desk (RD). Note that both the ESMU and RD fall under the control of the MoPWT. A detailed description of the institutional arrangement is provided below in Section 6.1.
## Table 5-1: List of Properties affected by the proposed alignments

<table>
<thead>
<tr>
<th>VILLAGE</th>
<th>HOUSEHOLD NAME</th>
<th>PROPERTY TYPE</th>
<th>RELOCATION CATEGORY</th>
<th>CHAIN</th>
<th>AREA (M²)</th>
<th>ESTIMATED COMPENSATION (M)</th>
<th>COST ESTIMATES ($)</th>
</tr>
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<tbody>
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<td>Mokopung</td>
<td>Makhati Sello</td>
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<td>117900</td>
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<td>Field</td>
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<td>CHAIN</td>
<td>AREA (M²)</td>
<td>ESTIMATED COMPENSATION (M)</td>
<td>COST ESTIMATES ($)</td>
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</table>

Table 5-2: Proposed budget and source of funding to implement the RAP

<table>
<thead>
<tr>
<th>SOURCE OF FUNDING</th>
<th>BUDGET (US$ MILLION)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Compensation for affected assets</td>
<td>0.100</td>
</tr>
<tr>
<td>2. Management and administration</td>
<td>0.050</td>
</tr>
<tr>
<td>3. Contingencies</td>
<td>0.015</td>
</tr>
<tr>
<td>4. Monitoring and Evaluation</td>
<td>0.300*</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>0.465</strong></td>
</tr>
</tbody>
</table>

*including evaluation of all ITP activities*
6 IMPLEMENTATION ARRANGEMENTS

6.1 Organisational Arrangements

The MoPWT is assigned with the overall responsibility to implement the RAP as well as the EMP, and will ensure that the following actions (proposed by Consult 4, October 2005), are incorporated into the framework established for the implementation of the EMP:

- Minimise adverse social impacts (acquisition of land and buildings) throughout the planning, design and implementation phases;
- Implement procedures for the recording of all project-affected persons, by means of census and asset verification and quantification exercises;
- Establish procedures for the co-ordination of resettlement and compensation activities on the various projects;
- Establish community participation structures (e.g. consultative forums), where required;
- Implement information dissemination campaigns;
- Initiate capacity-building initiatives where required to create a supportive environment for the implementation of RAP activities;
- Co-ordinate with other government line agencies and non-governmental organizations to ensure effective delivery of compensation, mitigation and other support measures. These may include (but are not limited to) the NES, District Administrators office and traditional leaders.

Management of the RAP implementation will be overseen by the Resettlement desk, established within the MoPWT. Currently, the institutional arrangements for implementing the RAP are as follows (Figure 6-1):

- The overall responsibility of implementation of the RAP lies with MoPWT through the Roads Branch – MoPWT.
- There is a Resettlement Desk established within the Roads Branch with a staff complement of 2 Principal Technical Officers under the Projects and Planning Unit of the Roads Branch. The Resettlement Desk liaises with other key stakeholders including other GoL departments such as Ministry of Local Government; National Environment Secretariat and Ministry of Finance and Development Planning and the Department of Lands, Surveys and Physical Planning in order to ensure effective land acquisition, compensation and implementation of mitigation measures.
- There is a Project Coordinator appointed for coordinating implementation of the Senqu/Senqunyane project under the Roads Branch.
- Environmental and Social Coordinator under the ITP and one Ministry Economic Planner will also oversee implementation of the RAP.
6.2 Interaction with other Government Departments

The Resettlement Desk within the MoPWT will be responsible for interaction with other government departments, including the MLG, NES, MFDP, DLSPP and MHSW.

6.3 Community Consultations

The community consultations and engagement will continue through the construction phase to ensure community acceptance and support of the project throughout the project lifecycle. It is proposed that Traditional leaders be involved in the steering committee in order to ensure that community issues and concerns are addressed. In addition to this, the ESA proposed in the EMP must be easily accessible within the local community, by maintaining an open door policy. The ESA will be involved in community meetings as far as possible, and will also be responsible for raising community issues and concerns at the steering committee meetings.

6.4 Implementation Schedule

The draft bidding documents will be issued in July 2006 for review and approval and this month is taken as Month 1. A broad schedule of activities and timeframes is proposed below:-

<table>
<thead>
<tr>
<th>ACTIVITY</th>
<th>TARGET TIMEFRAME</th>
</tr>
</thead>
<tbody>
<tr>
<td>1) Finalise design and Bidding Documents</td>
<td>Month 1 to Month 2</td>
</tr>
<tr>
<td>2) Verify property inventory and finalise compensation</td>
<td>Month 2 to Month 5</td>
</tr>
<tr>
<td>packages</td>
<td></td>
</tr>
<tr>
<td>----------</td>
<td>---</td>
</tr>
<tr>
<td>3) Secure finances for compensation</td>
<td>Month 2 to Month 3</td>
</tr>
<tr>
<td>4) Establish PEU (Steering Committee)</td>
<td>Month 2 to Month 3</td>
</tr>
<tr>
<td>5) Establish Community forum</td>
<td>Month 2 to Month 3</td>
</tr>
<tr>
<td>6) Public disclosure of the RAP</td>
<td>Month 2 - Month 5</td>
</tr>
<tr>
<td>7) Proceed with Compensation programme</td>
<td>Month 4 onward</td>
</tr>
<tr>
<td>7.1) Proceed with Civil Works</td>
<td>Month 7 onward</td>
</tr>
<tr>
<td>8) Continue with Community forum and consultations</td>
<td>Month 7 onward</td>
</tr>
</tbody>
</table>

### 6.5 Grievance Redress Mechanisms

The CRPF requires that mechanisms be established to resolve any disputes which may arise during the Compensation programme. Generally, this occurs where individuals/households are dissatisfied with the compensation or process. The following steps will be taken to resolve these issues:

1) All grievances to be submitted to the MoPWT RD desk, either in person or through the assistance of local authority representatives (community leaders etc. The RD will, if possible, resolve the dispute. Note that the Steering committee may be in a position to assist the RD in resolving the dispute.

2) Should no resolution be possible at this point, a formal, written grievance will be lodged on behalf of the complainant by the RD to the Minster of Public Works and Transport.

3) Failing the resolution of the grievance at this level, the complainant may lodge the grievance with the High Court of Lesotho.

4) Finally, the complainant may lodge an appeal with the Appeals court if they are dissatisfied with the High Court Ruling.

In terms of current legislation, the ruling and decision of the Appeals Court is final. It should be noted that any grievance should, as far as possible, be raised and resolved within the existing structures of the MoPWT.
7 MONITORING AND EVALUATION

Monitoring and evaluation must be conducted by the MoPWT to determine the effectiveness of the RAP during and after the compensation process. Since no involuntary resettlement is required, the only activity proposed by Consult 4 (March 2006) that will require monitoring will be the compensation process itself. A budget of approximately USD$ 300 000 has been provided for the monitoring and evaluation of the ITP Projects which includes implementation of this RAP.

7.1 Internal Auditing

The MoPWT’s Resettlement Desk will implement the RAP. The MoPWT Planning Unit together with Environmental and Social Coordinator under the ITP and the office of the Internal Auditor of the Ministry of Finance will be monitoring and evaluating progress on the implementation of the RAP throughout the Project cycle in order to determine the community perceptions of the project and ensure that the compensation programme is correctly and timeously conducted. This will require additional community consultations (quarterly), additional survey/questionnaires (annually) to be conducted during the construction phase/compensation programme or even to hold additional public meetings (Pitsos). The Resettlement desk will be required to produce monthly progress reports. The following indicators will be monitored to indicate the effectiveness of the MoPWT in implementing the compensation programme:-

- Number/Frequency of Community consultations
- Disbursement of the compensation payments (schedule of payment/number of people compensated on time)
- Number of complaints/grievances addressed monthly
- Compilation and submission of monthly or quarterly audit or evaluation reports

As indicated above, the Internal auditing and/or internal performance monitoring would entail periodic e.g. monthly and quarterly reporting on the effectiveness of the RAP e.g., physical progress, disbursement of compensation, effectiveness of public consultations and participation and grievance redress program etc

There will be continued public participation through the ECO and RD within the affected communities to obtain community perception of the project overall and the implementation of compensation process. These community meetings involving Local Government Authorities will be conducted on a monthly basis during construction. The
process allows for the identification of problem areas, and addressing concerns before it becomes necessary to resolve grievances.

7.2 **External Auditing**

External auditing will be required to monitor the effectiveness of the implementation of the RAP. The office of the Auditor General will be requested to carry out an external audit in order to verify that:

- All persons on the asset register (Table 5.1) are affected by the project and entitled to compensation.
- These persons on the asset register are paid the right amounts and on time.
- Complaints in the complaints register are addressed systematically and timeously.

The external audit will be undertaken once a year until the end of the defects liability period.